

SENATE JOURNAL

PROCEEDINGS

OF THE

Senate

OF THE

KANSAS LEGISLATURE

TOPEKA, KANSAS

2022 REGULAR SESSION

COREY CARNAHAN, *Secretary of the Senate*

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Governor
LAURA KELLY, Topeka

Lieutenant Governor
DAVID TOLAND, Iola

OFFICERS OF THE SENATE

2022 Regular Session

Ty Masterson, Andover.....President
Rick Wilborn, McPherson.....Vice President
Larry Alley, Winfield.....Majority Leader
Dinah Sykes, Lenexa.....Minority Leader
Corey Carnahan, Topeka.....Secretary
Don Cackler, Lawrence.....Sergeant at Arms

STATE SENATORS
2022 LEGISLATIVE SESSION
Members Listed Alphabetically

Name	City	Party	Dist.
Alley, Larry W.	Winfield	Rep.	32
Baumgardner, Molly	Louisburg	Rep.	37
Billinger, Richard	Goodland	Rep.	40
Bowers, Elaine S.	Concordia	Rep.	36
Claeys, J. R.	Salina	Rep.	24
Corson, Ethan	Prairie Village	Dem.	7
Dietrich, Brenda S.	Topeka	Rep.	20
Doll, John	Garden City	Rep.	39
Erickson, Renee	Wichita	Rep.	30
Fagg, Michael A.	El Dorado	Rep.	14
Faust-Goudeau, Oletha	Wichita	Dem.	29
Francisco, Marci	Lawrence	Dem.	2
Gossage, Beverly	Eudora	Rep.	9
Haley, David	Kansas City	Dem.	4
Hawk, Tom	Manhattan	Dem.	22
Hilderbrand, Richard	Baxter Springs	Rep.	13
Holland, Tom	Baldwin City	Dem.	3
Holscher, Cindy	Overland Park	Dem.	8
Kerschen, Dan	Garden Plain	Rep.	26
Kloos, Rick	Topeka	Rep.	19
Longbine, Jeff	Emporia	Rep.	17
Masterson, Ty	Andover	Rep.	16
McGinn, Carolyn	Sedgwick	Rep.	31
Olson, Robert (Rob)	Olathe	Rep.	23
O'Shea, Kristen	Topeka	Rep.	18
Peck, Virgil	Havana	Rep.	15
Petersen, Mike	Wichita	Rep.	28
Petty, Pat	Kansas City	Dem.	6
Pittman, Jeff	Leavenworth	Dem.	5
Pyle, Dennis	Hiawatha	Rep.	1
Ryckman, Ronald	Meade	Rep.	38
Steffen, Mark	Hutchinson	Rep.	34
Straub, Alicia	Ellinwood	Rep.	33
Suellentrop, Gene	Wichita	Rep.	27
Sykes, Dinah H.	Lenexa	Dem.	21
Thompson, Mike	Shawnee	Rep.	10
Tyson, Caryn	Parker	Rep.	12
Ware, Mary	Wichita	Dem.	25
Warren, Kellie	Leawood	Rep.	11
Wilborn, Rick	McPherson	Rep.	35

SENATE COMMITTEE ASSIGNMENTS 2022 LEGISLATIVE SESSION

Standing Committees

Agriculture and Natural Resources (9)

8:30 am **Room 144-S**
Kerschen, *Chairperson*; Ryckman, *Vice Chairperson*; Doll, Fagg, McGinn, Peck,
Straub.
Ware, *Ranking Minority Member*; Francisco.

Assessment and Taxation (9)

9:30 am **Room 548-S**
Tyson, *Chairperson*; Peck, *Vice Chairperson*; Baumgardner, Claeys, Kerschen,
Petersen, Suellentrop.
Holland, *Ranking Minority Member*; Corson.

Commerce (9)

10:30 am **Room 546-S**
Erickson, *Chairperson*; Dietrich, *Vice Chairperson*; Doll, O'Shea, Peck, Steffen,
Tyson.
Holland, *Ranking Minority Member*; Ware.

Confirmation Oversight (6)

On Call
Alley, *Chairperson*; Sykes, *Vice Chairperson*; Billinger, Masterson, Pettey,
Wilborn.

Education (9)

1:30 pm **Room 144-S**
Baumgardner, *Chairperson*; Erickson, *Vice Chairperson*; Dietrich, Gossage,
O'Shea, Straub, Suellentrop.
Sykes, *Ranking Minority Member*; Pettey.

Federal and State Affairs (9)

10:30 am **Room 144-S**
Olson, *Chairperson*; Hilderbrand, *Vice Chairperson*; Kloos, Longbine, Petersen,
Ryckman, Straub.
Faust-Goudeau, *Ranking Minority Member*; Holscher.

Financial Institutions and Insurance (9)

9:30 am **Room 546-S**
Longbine, *Chairperson*; Fagg, *Vice Chairperson*; Dietrich, Gossage, Hilderbrand,
Kloos, Olson.
Holscher, Pittman, *Co-Ranking Minority Members*.

Interstate Cooperation (7)

On Call

Masterson, *Chairperson*; Suellentrop, *Vice Chairperson*; Billinger, Hilderbrand, Wilborn.

Holland, *Ranking Minority Member*; Holscher.

Judiciary (9)

10:30 am

Room 346-S

Warren, *Chairperson*; Wilborn, *Vice Chairperson*; Baumgardner, Bowers, Gossage, Pyle, Thompson.

Haley, *Ranking Minority Member*; Corson.

Local Government (11)

9:30 am (Tue/Thur)

Room 142-S

McGinn, *Chairperson*; Bowers, *Vice Chairperson*; Doll, Erickson, Pyle, Ryckman, Thompson, Warren.

Francisco, *Ranking Minority Member*; Faust-Goudeau, Haley.

Organization, Calendar and Rules (3)

On Call

Masterson, *Chairperson*; Alley, Wilborn.

Public Health and Welfare (9)

8:30 am

Room 142-S

Hilderbrand, *Chairperson*; Gossage, *Vice Chairperson*; Baumgardner, Erickson, O'Shea, Steffen, Thompson.

Pettey, *Ranking Minority Member*; Holscher.

Redistricting (9)

On Call

Wilborn, *Chairperson*; Masterson, *Vice Chairperson*; Billinger, Erickson, Gossage, Hilderbrand, Kloos.

Sykes, *Ranking Minority Member*; Corson.

Transparency and Ethics (11)

9:30 am (Monday, Wednesday, Friday)

Room 142-S

Bowers, *Chairperson*; McGinn, *Vice Chairperson*; Doll, Erickson, Pyle, Ryckman, Thompson, Warren.

Faust Goudeau, *Ranking Minority Member*; Francisco, Haley.

Transportation (9)

8:30 am

Room 546-S

Petersen, *Chairperson*; Claey's, *Vice Chairperson*; Bowers, Dietrich, Kloos, Tyson, Wilborn.

Hawk, *Ranking Minority Member*; Pittman.

Utilities (11)

1:30 pm

Room 548-S

Thompson, *Chairperson*; Petersen, *Vice Chairperson*; Bowers, Claeyes, Fagg, Kloos, Olson, Warren.

Francisco, *Ranking Minority Member*; Corson, Hawk.

Ways and Means (9)

10:30 am

Room 548-S

Billinger, *Chairperson*; Claeyes, *Vice Chairperson*; Alley, Fagg, Kerschen, McGinn, Suellentrop.

Hawk, *Ranking Minority Member*; Pettey.

JOINT COMMITTEES OF THE SENATE AND HOUSE

Administrative Rules and Regulations

On Call (5 Senate – 7 House)

Warren, *Chairperson*; Corson, Faust-Goudeau, *Ranking Minority Member*;
McGinn, Tyson.

House Members: Wasinger, *Vice Chairperson*; Carmichael, Kuether, Newland,
Sutton, Waggoner, Winn.

Child Welfare System Oversight

On Call (6 Senate – 7 House)

Hilderbrand, *Vice Chairperson*; Baumgardner, Faust-Goudeau, Gossage, Holscher,
O'Shea.

House Members: Concannon, *Chairperson*; Carlson, Esau, Humphries, Johnson,
Ousley, *Ranking Minority Member*; Ruiz.

Corrections and Juvenile Justice Oversight

On Call (7 Senate – 7 House)

Baumgardner, *Chairperson*; Bowers, Corson, *Ranking Minority Member*; Doll,
Erickson, Faust-Goudeau, O'Shea.

House Members: Owens, *Vice Chairperson*; Carlin, Finney, Highberger, Hoffman,
Resman, Smith.

Fiduciary Financial Institutions Oversight

On Call (4 Senate – 5 House)

Longbine, *Chairperson*; Fagg, Masterson, Pittman.

House Members: Kelly, *Vice Chairperson*; Finney, Hoheisel, Owens, Xu.

Information Technology

On Call (5 Senate – 5 House)

Petersen, *Chairperson*; Holland, O'Shea, Pittman, *Ranking Minority Member*;
Tyson.

House Members: Hoffman, *Vice Chairperson*; Collins, Curtis, Huebert, Xu.

Kansas Security

On Call (5 Senate – 5 House)

Petersen, *Chairperson*; Kloos, Peck, Pittman, Ware.

House Members: Smith, *Vice Chairperson*; Baker, Houser, Ousley, Ruiz.

Legislative Budget

On Call (3 Senate – 4 House)

Billinger, *Chairperson*; Claeys, Hawk.

House Members: Waymaster, *Vice Chairperson*; Carpenter, Hoffman, Moore.

Legislative Coordinating Council

On Call (4 Senate – 4 House)

Masterson, *Vice Chairperson*; Alley, Sykes, Wilborn.

House Members: Ryckman, *Chairperson*; Finch, Hawkins, Sawyer.

Legislative Post Audit

On Call (5 Senate – 5 House)

Olson, *Chair*; Corson, Thompson, Tyson, Ware.

House Members: Barker, Burroughs, Probst, Tarwater, Williams.

Pensions, Investments and Benefits

On Call (5 Senate – 8 House)

Longbine, *Chairperson*; Dietrich, Fagg, Holscher, Pettey.

House Members: Johnson, *Vice Chairperson*; Borjon, Henderson, Kelly, Neighbor, Tarwater, Turner, Xu.

**Robert G. (Bob) Bethell Joint Committee on
Home and Community Based Services and KanCare Oversight**

On Call (5 Senate – 6 House)

Hilderbrand, *Vice Chairperson*; Fagg, Gossage, Pettey, Steffen.

House Members: Landwehr, *Chairperson*; Ballard, Carpenter, Concannon, Lynn, Ruiz.

Special Claims Against the State

On Call (3 Senate – 4 House)

Dietrich, *Chairperson*; Haley, McGinn.

House Members: Ralph, *Vice Chairperson*; Humphries, Miller, Samsel.

State Building Construction

On Call (5 Senate – 5 House)

Billinger, *Chairperson*; Claeys, Francisco, *Ranking Minority Member*; Hawk, Suellentrop.

House Members: Long, *Vice Chairperson*; Alcalá, Houser, Humphries, Ousley.

State-Tribal Relations

On Call (5 Senate – 5 House)

Kerschen, *Vice Chairperson*; Alley, Bowers, Haley, Holland.

House Members: Garber, *Chairperson*; Awerkamp, Haswood, *Ranking Minority Member*; Victors, Wheeler.

**SENATE MEMBERS SHOWING COMMITTEE ASSIGNMENTS,
RANK, TIME AND COMMITTEE ROOM, PARTY AND
DISTRICT NUMBER, OFFICE ROOM AND TELEPHONE**

Alley, Larry W.

Majority Leader

Republican, District 32
Room 330-E
(785) 296-2497

Committee	Rank	Time	Room
Confirmation Oversight	Chair	On Call	
Legislative Coordinating Council Organization, Calendar and Rules	Member	On Call	
State Tribal Relations (Joint)	Member	On Call	
Ways and Means	Member	10:30 am	548-S

Baumgardner, Molly

Republican, District 37
Room 445-S
(785) 296-7368

Committee	Rank	Time	Room
Corrections and Juvenile Justice Oversight (Joint)	Chair	On Call	
Education	Chair	1:30 pm	144-S
Assessment and Taxation	Member	9:30 am	548-S
Child Welfare System Oversight (Joint)	Member	On Call	
Judiciary	Member	10:30 am	346-S
Public Health and Welfare	Member	8:30 am	142-S

Billinger, Richard (Rick)

Republican, District 40
Room 545-S
(785) 296-7399

Committee	Rank	Time	Room
Ways and Means	Chair	10:30 am	548-S
State Building Construction (Joint)	Chair	12:00 pm	159-S
Legislative Budget	Chair	On Call	
Confirmation Oversight	Member	On Call	
Interstate Cooperation	Member	On Call	
Redistricting	Member	On Call	

Bowers, Elaine

Republican, District 36

Room 223-E

(785) 296-7389

Committee	Rank	Time	Room
Transparency and Ethics	Chair	9:30 am M/W/F	142-S
Local Government	Vice Chair	9:30 am Tue/Thu	142-S
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	
Judiciary	Member	10:30 am	346-S
State-Tribal Relations (Joint)	Member	On Call	
Transportation	Member	8:30 am	546-S
Utilities	Member	1:30 pm	548-S

Claeys, J. R.

Republican, District 24

Room 224-E

(785) 296-7670

Committee	Rank	Time	Room
Transportation	Vice Chair	8:30 am	546-S
Ways and Means	Vice Chair	10:30 am	548-S
Assessment and Taxation	Member	9:30 am	548-S
Legislative Budget	Member	On Call	
State Building Construction (Joint)	Member	On Call	
Utilities	Member	1:30 pm	548-S

Corson, Ethan

Democrat, District 7

Room 125-E

(785) 296-7390

Committee	Rank	Time	Room
Corrections and Juvenile Justice Oversight (Joint)	*R.M. Member	On Call	
Administrative Rules and Regulations (Joint)	Member	On Call	
Assessment and Taxation	Member	9:30 am	548-S
Judiciary	Member	10:30 am	346-S
Legislative Post Audit	Member	On Call	
Redistricting	Member	On Call	
Utilities	Member	1:30 pm	548-S

Dietrich, Brenda

Republican, District 20
 Room 223-E
 (785) 296-7648

Committee	Rank	Time	Room
Special Claims Against the State (Joint)	Chair	On Call	
Commerce	Vice Chair	10:30 am	546-S
Education	Member	1:30 pm	144-S
Financial Institutions and Insurance	Member	9:30 am	546-S
Pensions, Investments and Benefits (Joint)	Member	On Call	
Transportation	Member	8:30 am	546-S

Doll, John

Republican, District 39
 Room 237-E
 (785) 296-7694

Committee	Rank	Time	Room
Agriculture and Natural Resources	Member	8:30 am	144-S
Commerce	Member	10:30 am	546-S
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	
Local Government	Member	9:30 am Tue/Thu	142-S
Transparency and Ethics	Member	9:30 am M/W/F	142-S

Erickson, Renee

Republican, District 30
 Room 441-E
 (785) 296-7476

Assistant Majority Leader

Committee	Rank	Time	Room
Commerce	Chair	10:30 am	546-S
Education	Vice Chair	1:30 pm	144-S
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	
Local Government	Member	9:30 am Tue/Thu	142-S
Public Health and Welfare	Member	8:30 am	142-S
Redistricting	Member	On Call	
Transparency and Ethics	Member	9:30 am M/W/F	142-S

Fagg, Michael

Republican, District 14

Room 234-E

(785) 296-7678

Committee	Rank	Time	Room
Financial Institutions and Insurance	Vice Chair	9:30 am	546-S
Agriculture and Natural Resources	Member	8:30 am	144-S
Fiduciary Financial Institutions Oversight (Joint)	Member	On Call	
Pensions, Investments and Benefits (Joint)	Member	On Call	
Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight	Member	On Call	
Utilities	Member	1:30 pm	548-S
Ways and Means	Member	10:30 am	548-S

Faust-Goudeau, Oletha

Democrat, District 29

Room 135-E

(785) 296-7387

Assistant Minority Leader

Committee	Rank	Time	Room
Administrative Rules and Regulations (Joint)	*R.M. Member	On Call	
Federal and State Affairs	*R.M. Member	10:30 am	144-S
Transparency and Ethics	*R.M. Member	9:30 am M/W/F	142-S
Child Welfare System Oversight (Joint)	Member	On Call	
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	
Local Government	Member	9:30 am Tue/Thu	142-S

Francisco, Marci

Democrat, District 2

Room 134-E

(785) 296-7364

Agenda Chair

Committee	Rank	Time	Room
Local Government	*R.M. Member	9:30 am Tue/Thu	142-S
State Building Construction (Joint)	*R.M. Member	On Call	
Utilities	*R.M. Member	1:30 pm	548-S
Agriculture and Natural Resources	Member	8:30 am	144-S
Transparency and Ethics	Member	9:30 am M/W/F	142-S

Gossage, Beverly

Republican, District 9
 Room 237-E
 (785) 296-7382

Committee	Rank	Time	Room
Public Health and Welfare	Vice Chair	8:30 am	142-S
Child Welfare System Oversight (Joint)	Member	On Call	
Education	Member	1:30 pm	144-S
Financial Institutions and Insurance	Member	9:30 am	546-S
Judiciary	Member	10:30 am	346-S
Redistricting	Member	On Call	
Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight	Member	On Call	

Haley, David

Democrat, District 4
 Room 134-E
 (785) 296-7376

Committee	Rank	Time	Room
Judiciary	*R.M. Member	10:30 am	346-S
Local Government	Member	9:30 am Tue/Thu	142-S
Special Claims Against the State (Joint)	Member	On Call	
State Tribal Relations (Joint)	Member	On Call	
Transparency and Ethics	Member	9:30 am M/W/F	142-S

Hawk, Tom

Democrat, District 22
 Room 135-E
 (785) 296-7360

Committee	Rank	Time	Room
Transportation	*R.M. Member	8:30 am	546-S
Ways and Means	*R.M. Member	10:30 am	548-S
Legislative Budget	Member	On Call	
State Building Construction (Joint)	Member	On Call	
Utilities	Member	1:30 pm	548-S

Hilderbrand, Richard
 Republican, District 13
 Room 445-S
 (785) 296-7370

Majority Whip

Committee	Rank	Time	Room
Public Health and Welfare	Chair	8:30 am	142-S
Child Welfare System Oversight (Joint)	Vice Chair	On Call	
Federal and State Affairs	Vice Chair	10:30 am	144-S
Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight	Vice Chair	On Call	
Financial Institutions and Insurance	Member	9:30 am	546-S
Interstate Cooperation	Member	On Call	
Redistricting	Member	On Call	

Holland, Tom
 Democrat, District 3
 Room 134-E
 (785) 296-7372

Committee	Rank	Time	Room
Assessment and Taxation	*R.M. Member	9:30 am	548-S
Commerce	*R.M. Member	10:30 am	546-S
Interstate Cooperation	*R.M. Member	On Call	
Information Technology (Joint)	Member	On Call	
State Tribal Relations (Joint)	Member	On Call	

Holscher, Cindy
 Democrat, District 8
 Room 124-E
 (785) 296-7659

Committee	Rank	Time	Room
Financial Institutions and Insurance	*R.M. Member	9:30 am	546-S
Child Welfare System Oversight (Joint)	Member	On Call	
Federal and State Affairs	Member	10:30 am	144-S
Interstate Cooperation	Member	On Call	
Pensions, Investments and Benefits (Joint)	Member	On Call	
Public Health and Welfare	Member	8:30 am	142-S

Kerschen, Dan

Republican, District 26
 Room 225-E
 (785) 296-7353

Committee	Rank	Time	Room
Agriculture and Natural Resources	Chair	8:30 am	144-S
State Tribal Relations (Joint)	Vice Chair	On Call	
Assessment and Taxation	Member	9:30 am	548-S
Ways and Means	Member	10:30 am	548-S

Kloos, Rick

Republican, District 19
 Room 418-E
 (785) 296-7645

Committee	Rank	Time	Room
Federal and State Affairs	Member	10:30 am	144-S
Financial Institutions and Insurance	Member	9:30 am	546-S
Kansas Security (Joint)	Member	On Call	
Redistricting	Member	On Call	
Transportation	Member	8:30 am	546-S
Utilities	Member	1:30 pm	548-S

Longbine, Jeff

Republican, District 17
 Room 235-E
 (785) 296-7367

Committee	Rank	Time	Room
Fiduciary Financial Institutions Oversight (Joint)	Chair	On Call	
Financial Institutions and Insurance	Chair	9:30 am	546-S
Pensions, Investments and Benefits (Joint)	Chair	On Call	
Federal and State Affairs	Member	10:30 am	144-S

Masterson, Ty

Republican, District 16
 Room 332-E
 (785) 296-2419

President

Committee	Rank	Time	Room
Interstate Cooperation	Chair	On Call	
Organization, Calendar and Rules	Chair	On Call	
Legislative Coordinating Council	Vice Chair	On Call	
Redistricting	Vice Chair	On Call	
Confirmation Oversight	Member	On Call	
Fiduciary Financial Institutions Oversight (Joint)	Member	On Call	

McGinn, Carolyn

Republican, District 31
 Room 418-E
 (785) 296-7377

Committee	Rank	Time	Room
Local Government	Chair	9:30 am Tue/Thu	142-S
Transparency and Ethics	Vice Chair	9:30 am M/W/F	142-S
Administrative Rules and Regulations (Joint)	Member	On Call	
Agriculture and Natural Resources	Member	8:30 am	144-S
Special Claims Against the State (Joint)	Chair	On Call	
Ways and Means	Member	10:30 am	548-S

Olson, Robert “Rob”

Republican, District 23
 Room 136-E
 (785) 296-7358

Committee	Rank	Time	Room
Federal and State Affairs	Chair	10:30 am	144-S
Legislative Post Audit (Joint)	Chair	On Call	
Financial Institutions and Insurance	Member	9:30 am	546-S
Utilities	Member	1:30 pm	548-S

O'Shea, Kristen

Republican, District 18
 Room 441-E
 (785) 296-7656

Committee	Rank	Time	Room
Child Welfare System Oversight (Joint)	Member	On Call	
Commerce	Member	10:30 am	546-S
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	
Education	Member	1:30 pm	144-S
Information Technology (Joint)	Member	On Call	
Public Health and Welfare	Member	8:30 am	142-S

Peck, Virgil

Republican, District 15
 Room 224-E
 (785) 296-7742

Committee	Rank	Time	Room
Assessment and Taxation	Vice Chair	9:30 am	548-S
Agriculture and Natural Resources	Member	8:30 am	144-S
Commerce	Member	10:30 am	546-S
Kansas Security (Joint)	Member	On Call	

Petersen, Mike

Republican, District 28
 Room 345-S
 (785) 296-7355

Committee	Rank	Time	Room
Information Technology (Joint)	Chair	On Call	
Kansas Security (Joint)	Chair	On Call	
Transportation	Chair	8:30 am	546-S
Utilities	Vice Chair	1:30 pm	548-S
Assessment and Taxation	Member	9:30 am	548-S
Federal and State Affairs	Member	10:30 am	144-S

Petty, Pat

Democrat, District 6
 Room 125-E
 (785) 296-7375

Minority Whip

Committee	Rank	Time	Room
Public Health and Welfare	*R.M. Member	8:30 am	142-S
Confirmation Oversight	Member	On Call	
Education	Member	1:30 pm	144-S
Pensions, Investments and Benefits (Joint)	Member	On Call	
Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight	Member	On Call	
Ways and Means	Member	10:30 am	548-S

Pittman, Jeff

Democrat, District 5
 Room 124-E
 (785) 296-7522

Caucus Chair

Committee	Rank	Time	Room
Financial Institutions and Insurance	*R.M. Member	9:30 am	546-S
Information Technology (Joint)	*R.M. Member	On Call	
Fiduciary Financial Institutions (Joint)	Member	On Call	
Kansas Security (Joint)	Member	On Call	
Transportation	Member	8:30 am	546-S

Pyle, Dennis

Republican, District 1
 Room 234-E
 (785) 296-7379

Committee	Rank	Time	Room
Judiciary	Member	10:30 am	346-S
Local Government	Member	9:30 am Tues/Thu	142-S
Transparency and Ethics	Member	9:30 am M/W/F	142-S

Ryckman, Ronald

Republican, District 38
 Room 236-E
 (785) 296-7359

Committee	Rank	Time	Room
Agriculture and Natural Resources	Vice Chair	8:30 am	144-S
Federal and State Affairs	Member	10:30 am	144-S
Local Government	Member	9:30 am Tue/Thu	142-S
Transparency and Ethics	Member	9:30 am M/W/F	142-S

Steffen, Mark

Republican, District 34
 Room 235-E
 (785) 296-6981

Committee	Rank	Time	Room
Commerce	Member	10:30 am	546-S
Public Health and Welfare	Member	8:30 am	142-S
Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight	Member	On Call	

Straub, Alicia

Republican, District 33
 Room 237-E
 (785) 296-7682

Committee	Rank	Time	Room
Agriculture and Natural Resources	Member	8:30 am	144-S
Education	Member	1:30 pm	144-S
Federal and State Affairs	Member	10:30 am	144-S

Suellentrop, Gene

Republican, District 27
 Room 236-E
 (785) 296-7394

Committee	Rank	Time	Room
Interstate Cooperation	Vice Chair	On Call	
Assessment and Taxation	Member	9:30 am	548-S
Education	Member	1:30 pm	144-S
State Building Construction (Joint)	Member	On Call	
Ways and Means	Member	10:30 am	548-S

Sykes, Dinah H.

Democrat, District 21
 Room 318-E
 (785) 296-3245

Minority Leader

Committee	Rank	Time	Room
Confirmation Oversight	Vice Chair	On Call	
Education	*R.M. Member	1:30 pm	144-S
Redistricting	*R.M. Member	On Call	
Legislative Coordinating Council	Member	On Call	

Thompson, Mike

Republican, District 10
 Room 225-E
 (785) 296-7362

Committee	Rank	Time	Room
Utilities	Chair	1:30 pm	548-S
Judiciary	Member	10:30 am	346-S
Legislative Post Audit	Member	On Call	
Local Government	Member	9:30 am Tue/Thu	142-S
Public Health and Welfare	Member	8:30 am	142-S
Transparency and Ethics	Member	9:30 am M/W/F	142-S

Tyson, Caryn

Republican, District 12
 Room 123-E
 (785) 296-6838

Committee	Rank	Time	Room
Assessment and Taxation	Chair	9:30 am	548-S
Administrative Rules and Regulations (Joint)	Member	On Call	
Commerce	Member	10:30 am	546-S
Information Technology (Joint)	Member	On Call	
Legislative Post Audit	Member	On Call	
Transportation	Member	8:30 am	546-S

Ware, Mary

Democrat, District 25
 Room 135-E
 (785) 296-7391

Committee	Rank	Time	Room
Agriculture and Nature Resources	*R.M. Member	8:30 am	144-S
Commerce	Member	10:30 am	546-S
Kansas Security (Joint)	Member	On Call	
Legislative Post Audit	Member	On Call	

Warren, Kellie

Republican, District 11
 Room 419-E
 (785) 296-7646

Committee	Rank	Time	Room
Administrative Rules and Regulations (Joint)	Chair	On Call	
Judiciary	Chair	10:30 am	346-S
Local Government	Member	9:30 am Tue/Thu	142-S
Transparency and Ethics	Member	9:30 am M/W/F	142-S
Utilities	Member	1:30 pm	548-S

Wilborn, Rick

Republican, District 35
 Room 341-E
 (785) 296-7361

Vice President

Committee	Rank	Time	Room
Redistricting	Chair	On Call	
Judiciary	Vice Chair	10:30 am	346-S
Confirmation Oversight	Member	On Call	
Interstate Cooperation	Member	On Call	
Legislative Coordinating Council	Member	On Call	
Organization, Calendar and Rules	Member	On Call	
Transportation	Member	8:30 am	546-S

*Ranking Minority Member

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**Constitutional Provisions
Governing
the
Kansas Legislature**



State of Kansas

KANSAS CONSTITUTIONAL PROVISIONS CONCERNING LEGISLATIVE POWERS

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. This section was eliminated by the 1974 revision of this article.

§ 7. This section was eliminated by the 1974 revision of this article.

§ 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, Sunday 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.

§ 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. This section was eliminated by the 1974 revision of this article.

§ 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 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. This section was eliminated by the 1974 revision of this article.

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

§ 25. This section was eliminated by the 1974 revision of this article.

§ 26. This section was repealed by the adoption of 1972 HCR 1097, on Aug. 1, 1972.

§ 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. This section was eliminated by the 1974 revision of this article.

§ 30. **Delegations 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 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
Kansas Senate**



State of Kansas

2021-2024

January 2022

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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.
- (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.....	9
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 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 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 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 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 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 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 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 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 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 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.

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**



State of Kansas

2021-2022

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JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES 2021-2022

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 $\frac{2}{3}$ 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 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 $\frac{2}{3}$ 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.

(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 February 1, 2021, during the 2021 regular session- and on January 31, 2022, during the 2022 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 10, 2021, during the 2021 regular session and on February 9, 2022, during the 2022 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 8, 2021, during the 2021 regular session and on February 7, 2022, during the 2022 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 12, 2021, during the 2021 regular session and on February 11, 2022, during the 2022 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 March 5, 2021, during the 2021 regular session and on February 24, 2022, during the 2022 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 31, 2021, during the 2021 regular session and on March 23, 2022, during the 2022 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 9, 2021, during the 2021 regular session and after April 1, 2022, during the 2022 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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SENATE JOURNAL

PROCEEDINGS

OF THE

Senate

OF THE

KANSAS LEGISLATURE

TOPEKA, KANSAS

2022 REGULAR SESSION

January 10 through May 23, 2022

COREY CARNAHAN, *Secretary of the Senate*

EXPLANATION OF ABBREVIATIONS

Substantial economy of space was achieved in the text of the journals by shortening the numerous references to bill and resolution numbers. Placing these in bold face type facilitates locating the bills readily on each page. The abbreviations used are as follows:

SB 1.....	Senate Bill No. 1
SCR 1601.....	Senate Concurrent Resolution No. 1601
SP 1.....	Senate Petition No. 1
SR 1701.....	Senate Resolution No. 1701
HB 2001.....	House Bill No. 2001
HCR 5001.....	House Concurrent Resolution No. 5001

EXPLANATION OF PAGE NUMBERING

The Senate and House Journals are printed in separate volumes. Paging in both journals is consecutive and begins with page 1, continuing through the 2-year biennium.

Under the section "History of Bills" HJ page numbers refer to the separate House Journal for 2022.

Journal of the Senate

FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 10, 2022, 2:00 p.m.

President Ty Masterson called the 2022 session of the Kansas Senate to order. Roll was called by district with 40 senators present. The President introduced Doug Henkle to deliver the invocation:

Heavenly Father, I praise and thank you for this Body you have brought together in this new year of 2022. Thank you for each Senator here, each one brought to this chamber, not by accident or luck, but by your Divine appointment to be about the business of the State of Kansas.

I pray you bless each Senator today and throughout this legislative session with Your wisdom and insight as they debate the legislation before them. I lift up President Masterson, 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 as the issues of the day are argued and resolved.

I pray for our Governor. Give her Your wisdom and Your direction as she leads the executive branch of our state's government.

Father, bless and protect the families of the members of this chamber as they are separated from one another much of the time during the session. I pray the time they do have with loved ones is rich and filled with warmth and gracious support.

Lord, we ask for Your peace in this chamber and thank You for the hope we have in You. In Jesus' Name, Amen.

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1722—

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 1722** was adopted unanimously.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 316, AN ACT concerning zoning and planning; relating to the regulation of group homes in an area zoned for single family dwellings; authorizing regulations to establish a minimum distance between such group homes; amending K.S.A. 2021 Supp. 12-736 and repealing the existing section, by Senator Faust-Goudeau.

SB 317, AN ACT concerning drivers' licenses; authorizing certain individuals with revoked licenses to be eligible for restricted driving privileges; amending K.S.A. 2021 Supp. 8-2110 and repealing the existing section, by Senator Faust-Goudeau.

SB 318, AN ACT concerning sales and compensating use tax; relating to exemptions; providing an exemption for reconstructing, repairing or replacing certain fencing damaged or destroyed by wildfires; amending K.S.A. 79-3606d and repealing the existing section, by Senators Bowers, Billinger and Tyson.

SB 319, 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 320, AN ACT concerning evidence-based programs; making and concerning appropriations for the fiscal year ending June 30, 2022, for the department of corrections, by Joint Committee on Corrections and Juvenile Justice Oversight.

SB 321, AN ACT concerning the revised Kansas juvenile justice code; prohibiting the use of restraints during hearings; authorizing exceptions if the court holds a hearing and makes certain findings on the record; amending K.S.A. 38-2302 and 38-2353 and repealing the existing sections, by Joint Committee on Corrections and Juvenile Justice Oversight.

SB 322, AN ACT concerning state property; relating to the sale of surplus real estate; eliminating the crediting to the Kansas public employees retirement fund of 80% of the proceeds from such sale; amending K.S.A. 75-6609 and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

MESSAGES FROM THE GOVERNOR

May 26, 2021

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY
 Governor

Member, Public Employee Relations Board, Jonathan Gilbert, Dodge City, (U), pursuant to the authority vested in me by KSA 75-4323, to serve a term of four years, to succeed himself.

Member, Kansas Development Finance Authority, Moniqueka Holloway, Wichita (D), pursuant to the authority vested in me by KSA 74-8903, to serve a term of four years to succeed Craig Scott Anderson.

Member, State Banking Board, Taylor Hight, Riverton, (D), pursuant to the authority vested in me by K.S.A. 74-3004, effective upon the date of confirmation by the Senate, to serve a term of three years, to succeed Casey Lair.

June 16, 2021

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY
Governor

Regent, Kansas Board of Regents, Wint Winter, Jr., Lawrence, (R), pursuant to the authority vested in me by KSA 74-3202a, to serve a term of four years, to succeed Helen Van Etten.

Regent, Kansas Board of Regents, Dr. Cynthia Lane, Kansas City, (D), pursuant to the authority vested in me by KSA 73202a, to serve a term of four years, to succeed Ann Brandau-Murguia.

Regent, Kansas Board of Regents, Carl Ice, Manhattan, (R), pursuant to the authority vested in me by KSA 74-3202a, to serve a term of four years, to succeed Shane Bangerter.

June 18, 2021

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY
Governor

Shawnee County Attorney, Member, State Board of Indigents' Defense Services, Michelle Ewert, Topeka, (D), pursuant to the authority vested in me by KSA 22-4519, and effective upon the date of confirmation by the Senate, to serve a term of three years, to succeed Ronald Wurtz.

September 2, 2021

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Laura Kelly
Governor

Johnson County Attorney, Member, State Board of Indigents' Defense Services, Braden Perry, Mission Hills, (R), pursuant to the authority vested in me by KSA 22-4519, and effective upon the date of confirmation by the Senate, to serve a term of three years, to succeed himself.

Public Member, KU Hospital Authority Board of Directors, Jack Newman, Leawood, (R), pursuant to the authority vested in me by KSA 76-3304, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed himself.

Attorney Member, State Board of Indigents' Defense Services, Laurel Michel Driskell, Salina, (R), pursuant to the authority vested in me by KSA 22-4519, and effective upon the date of confirmation by the Senate, to serve a term of three years, to succeed herself.

Member, Kansas Development Finance Authority, Chris Donnelly, Tonganoxie, (R), pursuant to the authority vested in me by KSA 74-8903, to serve a term of four years, to succeed himself.

Public Member, KU Hospital Authority Board of Directors, Debbie Wilkerson, Leawood, (R), pursuant to the authority vested in me by KSA 76-3304 and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed Donna Thomas.

Member, Kansas Development Finance Authority, Jon Small, Topeka, (U), pursuant to the authority vested in me by KSA 74-8903, to serve a term of four years, to succeed Nancy Toelkes.

Brigadier General, Kansas National Guard, Col. Jason Nelson, Oskaloosa, (U), pursuant to the authority vested in me by KSA 48-208 and KSA 75-4315b, and effective upon the date of confirmation by the Senate, to the rank of Brigadier General.

September 24, 2021

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Laura Kelly
Governor

Member, Kansas Human Rights Commission, Jill Geren, Wichita, (U), pursuant to the authority vested in me by KSA 44-1003, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed Bobby Cox.

Member, KPERS Board of Trustees, Jo Yun, Prairie Village, (D), pursuant to the authority vested in me by KSA 74-4905, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed Kelly Arnold.

November 19, 2021

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Laura Kelly
Governor

Director, Kansas Commission on Veterans Affairs Office, General Bill Turner, Manhattan, (R), pursuant to the authority vested in me by KSA 73-1208e, and effective upon the date of confirmation by the Senate, to serve at the pleasure of the Governor, to succeed Gregg Burden.

Member, State Board of Tax Appeals, Devin Sprecker, Osage City, (R), pursuant to the authority vested in me by KSA 74-2433, and effective upon the date of confirmation by the Senate, to serve a term of four years, to fill a vacant seat.

Member, Kansas Racing and Gaming Commission, Sheryl Spalding, Overland Park, (R), pursuant to the authority vested in me by K.S.A. 74-8803, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed John Myres.

November 22, 2021

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Laura Kelly
Governor

Member, Public Employee Relations Board, Pat Young, Kansas City, (D), pursuant to the authority vested in me by KSA 75-4323, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed Michael Ryan.

COMMUNICATIONS FROM STATE OFFICERS

January 10, 2022

The Honorable Ty Masterson
President, Kansas Senate
State Capitol
Topeka, Kansas 66612

Dear President Masterson:

During the 2021 Interim, I received the reports and communications listed below. This list will appear in the January 10, 2022 Senate Journal:

Annual Report of the Pooled Money Investment Board
State Board of Indigents' Defense Service Annual Report for FY 2020
State Board of Indigents' Defense Service Annual Report for FY 2021
Governmental Ethics Commission Annual Report

Report of the Kansas Criminal Justice Reform Commission
 Kansas Development Finance Authority Annual Report
 Adjutant General’s Report on COVID-19 Expenditures and Distributions
 Kansas Juvenile Justice Oversight Committee Annual Report
 Annual Report of the Kansas State Child Death Review Board
 Johnson County Education Research Triangle Annual Report
 Emergency Medical Services Board Annual Report
 State Treasurer's Report to the Governor and the Legislature

From the Office of Governor Laura Kelly:

Executive Orders 21-23 through 22-02

Executive Directives 21-535, 21-540 through 21-545 authorizing the expenditure of federal funds

Executive Directives 21-546, 21-547 authorizing personnel transactions

Executive Directives 21-536 through 21-539 authorizing personnel transactions and the expenditure of federal funds

Sincerely,

Corey Carnahan

Secretary of the Senate

The President announced that these reports are on file and available from the Secretary of the Senate.

INTRODUCTION OF GUESTS

President Masterson introduced Dr. Jennifer McKenney, President of the Kansas Academy of Family Physicians. Dr. McKenney is a family physician in her hometown of Fredonia. In addition to her service in the community, Dr. McKenney was named the 2021 Rural Health Practitioner of the Year. The Academy sponsors the doctor of the day program and provides daily assistance for health concerns here in the Capitol.

MESSAGE FROM THE HOUSE

Announcing adoption of **HR 6020**, a resolution relating to the organization of the 2022 House of Representatives and selection of the following officers:

Ron Ryckman, Speaker of the House

Blaine Finch, Speaker Pro Tem

Dan Hawkins, Majority Leader

Tom Sawyer, Minority Leader

Susan Kannarr, Chief Clerk

Foster Chisholm, Sgt. At Arms

and awaits the pleasure of the Senate.

Announcing adoption of **HCR 5020**, a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2022 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.

Announcing adoption of **HCR 5021**, 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 Hoheisel, Hawkins and Ohaebosim

To escort the Lt. Governor: Representatives Tarwater, Williams and Woodard

To escort the Supreme Court: Representatives Finch, Patton and Ballard

To escort the Senate: Representatives Owens, Landwehr and Amyx

For the State of the Judiciary

To escort the Supreme Court: Representatives Ralph, Barker and Byers

To escort the Senate: Representatives Arnberger, Concannon and Susan Ruiz

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HCR 5020, **HCR 5021**, were thereupon introduced and read by title.

On emergency motion of Senator Alley, **HCR 5020** and **HCR 5021** were adopted by voice vote.

President Masterson appointed the following escorts for the State of the State:

To escort the Governor: Senators Gossage and Pettey;

To escort the Lt. Governor: Senators Erickson and Holland;

To escort the Supreme Court: Senators Warren and Corson;

President Masterson appointed the following escorts for the State of the Judiciary:

To escort the Supreme Court: Senators Warren and Haley.

On motion of Senator Alley, the Senate adjourned Pro Forma until 8:00 a.m., January 11, 2022.

Journal of the Senate

SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 11, 2022, 8:00 a.m.

The Senate was called to order Pro Forma by Vice President Rick Wilborn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 318, SB 319.**

Financial Institutions and Insurance: **SB 322.**

Judiciary: **SB 317, SB 321.**

Local Government: **SB 316.**

Ways and Means: **SB 320.**

COMMUNICATIONS FROM STATE OFFICERS

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

Kansas Highway Patrol State Forfeiture Annual Legislative Report (January 6, 2022)

Kansas State Long-Term Care Ombudsman 2021 Annual Report (January 10, 2022)

KDADS Client Assessment, Referral and Evaluation Program Annual Report (January 10, 2022)

KDADS Sexual Predator Treatment Program (SPTP) Annual Report (January 10, 2022)

REPORT ON ENROLLED BILLS

SR 1722 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 11, 2022.

On motion of Senator Alley, the Senate adjourned Pro Forma until 2:30 p.m., January 12, 2022.

Journal of the Senate

THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 12, 2022, 2:30 p.m.

The Senate was called to order Pro Forma by Senator Kerschen.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 323, AN ACT concerning wind and solar leases and easements; providing certain requirements for such conveyances; requiring execution of a facility agreement with the landowner, by Committee on Utilities.

SB 324, AN ACT concerning property; relating to easements and leases involving wind or solar resources and technologies; providing circumstances for termination of such instruments; amending K.S.A. 2021 Supp. 58-2272 and repealing the existing section, by Committee on Utilities.

SB 325, AN ACT concerning property; relating to wind and solar energy facilities; requiring appropriate zoning of land prior to construction of such facilities; establishing protest procedures for county zoning resolutions; requirements for the recordation of wind and solar energy leases and easements; amending K.S.A. 58-2221 and repealing the existing section, by Committee on Utilities.

SB 326, AN ACT concerning income taxation; relating to credits; providing a credit for qualified railroad track maintenance expenditures of short line railroads and associated rail siding owners or lessees, by Committee on Assessment and Taxation.

SB 327, AN ACT concerning sales taxation; relating to the sales or selling price; excluding separately stated delivery charges; amending K.S.A. 2021 Supp. 79-3602 and repealing the existing section, by Committee on Assessment and Taxation.

SB 328, AN ACT concerning income taxation; relating to rates; providing a 4.75% tax rate for individuals; amending K.S.A. 79-32,110 and repealing the existing section, by Committee on Assessment and Taxation.

SB 329, AN ACT concerning persons with disabilities; relating to income taxation, ABLE savings accounts; authorizing the state treasurer to determine account owners and designated beneficiaries; adopting the federal definition for an eligible individual; adding persons who may open an account; requiring additional compliance with the federal internal revenue code; amending K.S.A. 75-651, 75-652, 75-653 and 75-655 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 330, AN ACT authorizing the construction of a permanent memorial honoring Kansas gold star families on the state capitol grounds; establishing the Kansas gold star families memorial fund, by Senators Longbine, Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage,

Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Pittman, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren and Wilborn.

SB 331, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 40-2c01 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 332, AN ACT concerning the regulation of traffic; prohibiting the use of a mobile telephone while operating in a school zone or in a road construction zone or by individuals under 18 years of age; amending K.S.A. 2021 Supp. 8-2118 and repealing the existing section, by Committee on Transportation.

SB 333, AN ACT concerning the regulation of traffic; requiring the secretary of transportation to study the use of zipper merges on highways, by Committee on Transportation.

MESSAGES FROM THE GOVERNOR

Enclosed herewith is Executive Directive No. 22-548 for your information (January 7, 2022).

COMMUNICATIONS FROM STATE OFFICERS

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

KDHE 2022 Pregnancy Maintenance Initiative Report (January 10 2022)

Office of the Attorney General, 2021 Annual Report of the Abuse, Neglect and Exploitation Unit (January 10, 2022)

Kansas Department of Administration Health Care Commission Annual Report (January 12, 2022)

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, January 13, 2022.

Journal of the Senate

FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 13, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 37 senators present.
Senators Erickson, McGinn and Straub were excused.
The Vice President introduced Doug Henkle to deliver the Invocation:

Heavenly Father, I thank You for Your amazing love for 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. Give them Your perspective and Your wisdom as they study and debate the often challenging matters before them. May their goal be Your best for the people of Kansas.

Thank You for each Senator here today and for the families they represent, as the family is the relational core of our society. Lord, I ask that You build and strengthen this chamber and this legislature with relationships that honor You. I pray that You would cause a bond of common purpose to unite this body and that You would heal and strengthen any relationships that are not as You would have them to be.

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 Your direction 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, blessing all Kansans.

Father, I thank You for the hope we have in You. Give us Your peace and Your wisdom. 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 334, AN ACT concerning financial institutions; relating to technology-enabled fiduciary financial institutions; pertaining to procedures when undercapitalized or insolvent; fees and assessments; grounds for denial of application; examinations; insurance and capital requirements; disclosures to consumers; mandatory reporting of elder abuse; amending K.S.A. 39-1401 and K.S.A. 2021 Supp. 9-2301, 9-2302, 9-2303, 9-2304, 9-2305, 9-2306, 9-2307, 9-2310, 9-2311, 9-2312, 9-2317, 9-2318 and 9-2325 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 335, AN ACT concerning insurance; relating to accident and health insurance; exempting certain qualified trade, merchant, retail and professional associations and business leagues that provide health insurance in the state but are not subject to the jurisdiction of the commissioner of insurance from payment of the annual premium tax; amending K.S.A. 40-2222b and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 336, AN ACT concerning insurance; relating to permissible investments made by life insurance companies; updating certain investment limitation requirements to provide increased options for Kansas domiciled life insurance companies investing in equity interests and preferred stock; amending K.S.A. 40-2b06 and 40-2b07 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 337, AN ACT concerning financial institutions; relating to the technology-enabled fiduciary financial institutions act; pertaining to the pilot program; converting the conditional charter to a full fiduciary financial institution charter; amending K.S.A. 2021 Supp. 9-2325 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 338, AN ACT concerning the Kansas city area transportation authority; relating to property lease by such authority to private developers; restricting property and sales tax exemptions for such property; amending K.S.A. 79-201a and K.S.A. 2021 Supp. 79-3606 and repealing the existing sections, by Committee on Local Government.

SB 339, AN ACT concerning taxation; relating to sales and compensating use tax; providing a 0% state rate for sales of food and food ingredients and providing for the levying of such tax by cities and counties; relating to income tax; discontinuing the nonrefundable food sales tax credit; amending K.S.A. 79-32,271 and K.S.A. 2021 Supp. 12-189a, 79-3602, 79-3603 and 79-3703 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 340, AN ACT concerning higher education; relating to the Kansas promise scholarship program; responsibilities of the state board of regents and postsecondary educational institutions; authorizing designation of additional eligible programs and fields of study; amending K.S.A. 2021 Supp. 74-32,271, 74-32,272, 74-32,273, 74-32,274, 74-32,275 and 74-32,276 and repealing the existing sections, by Committee on Education.

SB 341, AN ACT concerning education; relating to the Kansas school equity and enhancement act; removing federal impact aid from the determination of local foundation aid; amending K.S.A. 72-5135 and K.S.A. 2021 Supp. 72-5132 and repealing the existing sections, by Committee on Education.

SB 342, AN ACT concerning taxation; relating to sales and compensating use tax; providing a 0% state rate for sales of food and food ingredients and providing for the levying of such tax by cities and counties; providing for an exemption for sales of farm products sold at farmers' markets; relating to income tax; discontinuing the nonrefundable food sales tax credit; amending K.S.A. 79-32,271, 79-3620 and 79-3710 and K.S.A. 2021 Supp. 12-189a, 79-3602, 79-3603, 79-3606 and 79-3703 and repealing the existing sections, by Senators Sykes, Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman and Ware.

SB 343, AN ACT concerning persons with hearing loss; relating to statutory terminology; updating the term "hearing impairment" to "hard of hearing" and other related terms concerning persons with hearing loss; amending K.S.A. 19-2698, 36-517,

39-1107, 65-3276, 65-6511, 72-3253, 72-3404, 75-3740, 75-5391, 75-5397c, 75-5399 and 76-1001b and K.S.A. 2021 Supp. 50-676 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 344, AN ACT concerning crimes, punishment and criminal procedure; relating to principles of criminal liability; providing an exception to criminal liability when a defendant has a mental disease or defect so as not to know the nature of the act or that such act was wrong; amending K.S.A. 22-3219, 22-3221 and 22-3222 and K.S.A. 2021 Supp. 12-736, 21-5209, 22-3428 and 22-3428a and repealing the existing sections, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 326, SB 327, SB 328.**

Federal and State Affairs: **SB 330.**

Financial Institutions and Insurance: **SB 329, SB 331.**

Local Government: **SB 325.**

Transportation: **SB 332, SB 333.**

Utilities: **SB 323, SB 324.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1723—

A RESOLUTION relating to assignment of seats of the Senate.

Be it resolved by the Senate of the State of Kansas: The members of the 2022 regular session shall occupy the same seats assigned pursuant to 2021 Senate Resolution No. 1715 with the following exceptions: Alley 24, Erickson 30, Kerschen 34, Olson 26, O'Shea 13, Pyle 33 and Sullentrop 14.

On emergency motion of Senator Alley, **SR 1723** was adopted by voice vote.

SR 1724, A RESOLUTION supporting the Global Covid Summit Physicians Declaration II and its three foundational principles for public policy in response to COVID-19, by Committee on Public Health and Welfare.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **H Sub SB 158** from the Committee on **Federal and State Affairs**, and referred the bill to the Committee on **Interstate Cooperation**.

Under the authority of the President, the Vice President withdrew **HB 2115, HB 2234, HB 2279**, and **HB 2280** from the Calendar under the heading of **General Orders**, and rereferred the bills to the Committee on **Public Health and Welfare**.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2228**, as amended by House Committee, be amended on page 1, in line 27, by striking "July 1, 2022" and inserting "January 31,

2023"; in line 28, by striking "2020 Supp.";

On page 5, in line 3, by striking "2020" and inserting "2021"; in line 5, after the first "K.S.A." by inserting "38-2227 and"; also in line 5, by striking "and K.S.A. 2020 Supp. 38-2227";

On page 1, in the title, in line 3, after the first "K.S.A." by inserting "38-2227 and"; also in line 3, by striking all after "65-448"; in line 4, by striking all before "and"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned Pro Forma until 9:00 a.m., January 14, 2022.

Journal of the Senate

FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 14, 2022, 9:00 a.m.

The Senate was called to order Pro Forma by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 345, AN ACT concerning animals; relating to transporting animals into the state; authorizing the animal health commissioner to assess a civil penalty for violations relating thereto; amending K.S.A. 47-607c and repealing the existing section, by Committee on Agriculture and Natural Resources.

SB 346, AN ACT concerning agriculture; relating to milk and dairy products; allowing on-farm retail sale of milk and milk products; extending certain milk and dairy license fees; authorizing the secretary of agriculture to declare an imminent health hazard; authorizing civil penalties for certain dairy law violations; amending K.S.A. 65-771, 65-778, 65-781, 65-786 and 65-788 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 339**, **SB 342**.

Education: **SB 340**, **SB 341**.

Financial Institutions and Insurance: **SB 334**, **SB 335**, **SB 336**, **SB 337**.

Judiciary: **SB 344**.

Local Government: **SB 338**.

Public Health and Welfare: **SB 343**, **SR 1724**.

COMMUNICATIONS FROM STATE OFFICERS

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

Kansas State Department of Education Information Relating to School Safety and Security (January 12, 2022)

Kansas State Department of Education Annual Emergency Safety Intervention Reports (January 12, 2022)

Kansas State Department of Education Capital Improvement State Aid (USD Bond Elections) (January 13, 2022)

Kansas State Department of Education Performance and Finance Accountability Reports (January 13, 2022)

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 318** be amended on page 2, following line 1, by inserting:

"Sec. 2. K.S.A. 79-1613 is hereby amended to read as follows: 79-1613. (a) As used in this section:

(1) "Destroyed or substantially destroyed" means damage of any origin sustained by a homestead or building or improvement as the direct result of: (A) An earthquake, flood, tornado, fire or storm; or (B) an event or occurrence ~~which that~~ the governor of the state of Kansas has declared a disaster, whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

(2) "Homestead" means the dwelling, or any part thereof, whether owned or rented, ~~which that~~ is occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

~~(3) "Public or private buyout" means any buyout from a local, state or federal governmental entity or any non-governmental entity, including, but not limited to, an individual, foundation, trust, association, corporation, limited liability company or partnership.~~

(b) The owner of any building or improvement listed and assessed for property taxation purposes as real property or any homestead listed and assessed for property taxation purposes ~~which that~~ was destroyed or substantially destroyed due to an earthquake, flood, tornado, fire, storm, or other event or occurrence ~~which that~~ the governor of the state of Kansas has declared a disaster may make application to the board of county commissioners of the county in which such property is located for the abatement of property taxes levied upon such homestead or building or improvement or for a credit against property taxes payable by such owner, as permitted by this section.

(1) If such homestead or building or improvement has been so destroyed or substantially destroyed after January 1 of a particular year but prior to August 15 of such year, the owner of such homestead or building or improvement may make application to such board of county commissioners for the abatement of property taxes levied upon such homestead or building or improvement, or if such property taxes have been paid or partially paid, may make application for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years.

(2) If such homestead or building or improvement has been so destroyed or substantially destroyed on or after August 15 of a particular year but prior to January 1 of the next succeeding year, the owner of such homestead or building or improvement may make application to such board of county commissioners for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years.

(c) An application for relief as permitted by subsection (b) may be made for abatement of property taxes assessed but not yet paid, or for a grant of a credit for assessed property taxes paid or for both, as the case may be, and may be made on or

before December 20 of the year next succeeding the year for which such taxes have been assessed.

(d) Upon receipt of any such application, subject to budgetary restraints of the county or taxing subdivision arising from the event or occurrence declared a disaster by the governor, the board of county commissioners shall inquire into and make findings regarding, among other things, whether the property is a homestead, as defined in subsection (a), whether the property is a building or improvement, whether the homestead or the building or improvement was destroyed or substantially destroyed, as defined in subsection (a) and the assessed valuation thereof. If it is determined that an owner of such homestead or building or improvement is entitled to an abatement of all or any portion of the property taxes levied against such homestead or building or improvement or is entitled to a credit against property taxes payable by such owner in any or all of the next succeeding three years, the board may issue an order so providing.

(e) The county clerk and county treasurer shall in each case of abatement or credit correct their records in accordance therewith and the county clerk shall notify the governing body of any taxing district affected thereby.

(f) The provisions of this section shall be applicable to all taxable years commencing after December 31, ~~2014~~ 2018, ~~and all taxable years thereafter.~~

(g) Notwithstanding any provision of subsection (c) to the contrary, an application for relief as permitted by subsection (b) may be made for abatement of property taxes assessed but not yet paid, or for a grant of a credit for assessed property taxes paid, or for both, as the case may be, and may be made on or before December 20, 2022, for taxable years 2019 and 2020.

Also on page 2, in line 2, after "K.S.A." by inserting "79-1613 and"; also in line 2, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "taxation; relating to"; also in line 1, by striking all after the semicolon; in line 2, by striking "exemptions;"; also in line 2, by striking "an" and inserting "a sales tax"; in line 3, after the semicolon by inserting "relating to property tax; providing for abatement or credit of property tax for buildings and improvements destroyed or substantially destroyed by natural disaster;"; in line 4, after "K.S.A." by inserting "79-1613 and"; also in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SR 1723 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 14, 2022.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of January 10 through January 14, 2022:

Senator Dietrich: congratulating Brenda Mills on her retirement as CEO of the Family Service and Guidance Center; and

Senator Pittman: honoring Bobbie L. Flucas and Sharon Anderson for establishing the Annual Celebration of Dr. Martin Luther King Day in Leavenworth.

JANUARY 14, 2022

1425

On motion of Senator Dietrich, the Senate adjourned Pro Forma until 2:30 p.m.,
January 18, 2022.

Journal of the Senate

SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 18, 2022, 2:30 p.m.

The Senate was called to order Pro Forma by Senator Ron Ryckman.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

SB 347, AN ACT concerning economic development; enacting the attracting powerful economic expansion act; relating to tax and other incentives for projects in specified industries or for a national corporate headquarters with specified capital investment requirements of at least \$1,000,000,000; providing for a refundable income, privilege and premium tax credit for a portion of such investment; reimbursement of certain payroll costs and training and education costs; retention of certain payroll withholding taxes; sales tax exemption for project construction and a property tax incentive for certain projects located in a foreign trade zone; establishing the attracting powerful economic expansion payroll incentive fund and the attracting powerful economic expansion new employee training and education fund; amending K.S.A. 2021 Supp. 79-3606 and repealing the existing section, by Committee on Commerce.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 345**, **SB 346**.

COMMUNICATIONS FROM STATE OFFICERS

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

Kansas Supreme Court 2022 Annual Report of the Chief Justice of the Kansas Supreme Court (January 14, 2022)

Kansas Board of Regents Annual Report on several of the student financial aid programs administered by the Kansas Board of Regents (January 14, 2022)

Kansas Board of Regents 2021 Report on Exceptions to the Minimum Admission Standards at State Universities (January 14, 2022)

Kansas Board of Regents Kansas Training Information Program Report (KTIP) (January 14, 2022)

Kansas Board of Regents Annual Report on the Postsecondary Technical Education Authority (January 14, 2022)

Kansas Board of Regents KAN-ED Fund Annual Report (January 14, 2022)

Kansas State Department of Education Longitudinal Achievement Report (January 14, 2022)

Kansas State Department of Education School District Accreditation Report (January 18, 2022)

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2477**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2477 was thereupon introduced and read by title.

REFERENCE OF BILLS

Under the authority of the President, Senator Ryckman referred **HB 2477** to the Committee on **Judiciary**.

Under the authority of the President, Senator Ryckman referred **SB 347** to the Committee on **Commerce**.

CHANGE OF REFERENCE

Under the authority of the President, Senator Ryckman rereferred **S Sub HB 2262** from **General Orders** to the Committee on **Public Health and Welfare**.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, January 19, 2022.

Journal of the Senate

SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 19, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 37 senators present.
Senators Hawk, Holland and O'Shea were excused.
Vice President Wilborn introduced Doug Henkle to deliver the invocation:

Father God, thank You for Your overwhelming love for each senator here. Thank You for the call You have placed on their lives at this time. Strengthen their family ties as they serve here in this chamber, away from hearth and home. Protect them and bless them with health and stamina.

I lift up President Masterson, Majority Leader Alley and Minority Leader Sykes to You today. Give them Your divine favor, direction and wisdom as they lead this chamber. I pray for Pastor Washington, Father. Please lay your healing hands on him and bring him back to service here, soon.

Father, cause the members of this body to argue passionately held positions in a civil manner, diplomatically and honorably, maintaining friendly relations in spite of strongly held, differing views. Give them Your direction and wisdom as they are about the business of the State of Kansas.

Jesus, in Your mighty name, I pray against COVID. I pray not only against its physical effects on our citizens but against the relational, emotional and psychological price it exacts from our society. I pray You would cause us not to fear but that we would know the hope and peace that is found in You. 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 348, AN ACT concerning public health; relating to cosmetology; hair removal; exempting persons engaged in threading from the practice of cosmetology and the requirements thereof; amending K.S.A. 65-1901 and 65-1928 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 349, AN ACT concerning electric public utilities; relating to the state corporation commission; providing limitations upon certain retail electric rate increases, exceptions, by Committee on Utilities.

SB 350, AN ACT concerning electric public utilities; relating to the state corporation commission; authorizing rate recovery for certain electric generation facilities; amending K.S.A. 2021 Supp. 66-1239 and repealing the existing section, by Committee

on Utilities.

SB 351, AN ACT concerning elections; relating to defining and using electronic poll books; approval of electronic poll books by the secretary of state; granting the secretary of state authority to adopt rules and regulations governing their use; prohibiting election systems from having the capability of being connected to the internet or other computer or communications networks; requiring election judges to ensure such systems are not so connected; providing that post-election equipment testing must occur within five days of the county vote canvass and that notice of such testing be provided on county websites; expanding the crime of electronic or electromechanical voting system fraud to include fraudulent use of or unauthorized possession of electronic poll books; amending K.S.A. 25-4401, 25-4402, 25-4403, 25-4404, 25-4405, 25-4406, 25-4407, 25-4408, 25-4409, 25-4411, 25-4414, 25-4415, 25-4610 and 25-4613 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 352, 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. 2021 Supp. 22-3901 and repealing the existing section, by Committee on Federal and State Affairs.

SB 353, AN ACT concerning wind generation facilities; relating to construction and setback requirements; requiring local boards of county commissioners to approve applications for construction; establishing certain notification and health and safety requirements; establishing certain operating conditions for existing facilities, by Committee on Utilities.

SB 354, AN ACT concerning sales taxation; relating to exclusions from the sales or selling price; excluding discounts and coupons; amending K.S.A. 2021 Supp. 79-3602 and repealing the existing section, by Committee on Assessment and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2387**, as amended by House Committee, be amended on page 2, in line 1, after "hours" by inserting "of"; in line 3, by striking "provided" and inserting "if"; in line 5, by striking "2020" and inserting "2021"; in line 8, after "for" by inserting "any portion of"; also in line 8, after "minimum" by inserting "of"; also in line 8, after "hours" by inserting "of"; in line 12, after "minimum" by inserting "of"; also in line 12, after "hours" by inserting "of"; in line 14, after "program" by inserting "until the minimum of 120 hours of confinement is completed,"; also in line 14, after "thereafter" by inserting a comma; in line 23, after "(2)" by inserting "(A)"; in line 27, by striking "(A)" and inserting "(i)"; in line 32, by striking "(B)" and inserting "(ii)"; following line 43, by inserting:

"(B) The following conditions shall apply to such sentence:

(i) As a condition of any probation granted under this subsection, the person shall serve at least 30 days of confinement. After at least 48 consecutive hours of imprisonment, the remainder of the period of confinement may be served by a combination of: Imprisonment; a work release program, if such work release program requires such person to return to the confinement at the end of each day in the work release program; or a house arrest program pursuant to K.S.A. 2021 Supp. 21-6609, and amendments thereto; and

(ii) (a) if the person is placed into a work release program or placed under a house

arrest program for any portion of the minimum of 30 days of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program for the first 240 hours of confinement, and thereafter, the person shall receive day-for-day credit for time served in such program unless otherwise ordered by the court; and

(b) when in a work release program, the person shall only be given credit for the time served in confinement at the end of and continuing to the beginning of the person's work day. When under a house arrest program, the person shall be monitored by an electronic monitoring device that verifies the person's location and shall only be given credit for the time served within the boundaries of the person's residence.";

On page 8, in line 10, by striking "2020" and inserting "2021"; in line 15, by striking "2020" and inserting "2021"; in line 30, by striking "2020" and inserting "2021";

On page 10, in line 16, by striking "2020" and inserting "2021";

On page 12, in line 13, by striking "2020" and inserting "2021";

On page 13, in line 15, by striking "2020" and inserting "2021";

On page 1, in the title, in line 5, by striking "2020" and inserting "2021"; and the bill be passed as amended.

Also, **HB 2477**, as amended by House Committee of the Whole, be amended on page 3, in line 5, by striking "May 15, 2022" and inserting "January 20, 2023"; following line 5, by inserting:

"Sec. 2. K.S.A. 2021 Supp. 48-965 is hereby amended to read as follows: 48-965.

(a) Notwithstanding any statute to the contrary, the state board of healing arts may grant a temporary emergency license to practice any profession licensed, certified, registered or regulated by the board to an applicant with qualifications the board deems sufficient to protect public safety and welfare within the scope of professional practice authorized by the temporary emergency license for the purpose of preparing for, responding to or mitigating any effect of COVID-19.

(b) Notwithstanding any statute to the contrary, an applicant may practice in Kansas pursuant to a temporary emergency license upon submission of a non-resident healthcare provider certification form to the Kansas healthcare stabilization fund and without paying the surcharge required by K.S.A. 40-3404, and amendments thereto.

(c) No temporary emergency license shall be issued to practice a profession unless such profession is required by law to be licensed, certified or registered in the state of Kansas.

(d) This section shall expire on ~~March 31, 2022~~ January 20, 2023.;

On page 5, in line 12, after "Kansas" by inserting "for the purpose of preparing for, responding to or mitigating any effect of COVID-19"; in line 20, by striking the colon; in line 21, by striking "(1)"; in line 22, by striking all after "Kansas"; by striking all in lines 23 and 24; in line 25, by striking all before the period; also in line 25, after the period by inserting "Within seven calendar days of initiating practice in Kansas, such healthcare professional shall notify the appropriate regulatory body in Kansas that such professional is practicing in Kansas pursuant to this subsection by submitting information on a form and in a manner prescribed by such regulatory body. Any healthcare professional practicing in Kansas pursuant to this subsection shall be:

(1) Subject to all rules and regulations applicable to the practice of the licensed profession in this state; and

(2) considered a licensee for the purposes of the applicable professional practice act

administered by the applicable regulatory body.";

Also on page 5, in line 42, after the semicolon by inserting "and"; in line 43, by striking all after "education";

On page 6, in line 1, by striking all before the period; in line 31, by striking all before the period and inserting "January 20, 2023"; in line 32, after "Supp." by inserting "48-965 and"; also in line 32, by striking "is" and inserting "are";

And by renumbering sections accordingly.

On page 1, in the title, in line 5, after the semicolon by inserting "extending the authority of the state board of healing arts to issue temporary emergency licenses; limiting the professions for which such licenses may be issued;"; also in line 5, after "Supp." by inserting "48-965 and"; in line 6, by striking "section" and inserting "sections"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, January 20, 2022.

Journal of the Senate

EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 20, 2022, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
Roll was called with 38 senators present.
Senators Holland and Wilborn were excused.
President Masterson introduced Doug Henkle to deliver the Invocation:

Dear Lord, thank You for the wonderful blessing it is to come before Your throne. This afternoon we lift up to You Vice President Wilborn as he mourns the loss of a family member. Encourage him and bless him. We thank You for his leadership in this chamber.

We also bring before You Pastor Washington as he seeks renewed strength following his illness. Bring him back to this body in Your perfect time.

In Your Word You admonish us to be strong in You and in the strength of Your might, to put on Your full armor and so now we suit up.

Today we put on the helmet of salvation. Protect our minds from attacks by the Enemy, and give us sound thinking.

We put on the breastplate of righteousness. Guard our hearts and emotions from assault. And let us be governed, not by our emotions, but rather by the truth of Your Word.

We strap on the belt of truth. Wrap Your Word around us – around the very core of our being. Protect us from error by keeping us in Your truth.

We step into the sandals of peace. Use us to take Your peace and Your hope into the world today, and let us stand firm in the face of any attack by the Enemy. By anchoring us in Your Word, enable us to keep our footing. We take up the shield of faith. Let the attack of the world, the flesh, and the Devil fall flat against this defensive gear.

Finally, we take up the sword of God, Your Holy Word. Put Your truth in our hearts and minds in a fresh way, so that it is able to pierce the hearts and minds of those we encounter. 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 355, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143, by Committee on Redistricting.

SB 356, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143, by Committee on Redistricting.

SB 357, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143, by Committee on Redistricting.

SB 358, AN ACT concerning water; relating to the financing of public water supply projects; allowing financing for projects that are related to the diversion or transportation of water acquired through a water transfer; amending K.S.A. 65-163d and repealing the existing section, by Committee on Agriculture and Natural Resources.

SB 359, AN ACT concerning sales taxation; relating to rates and exemptions; 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; authorizing cities and counties to exempt sales of such utilities from such city or county taxes; amending K.S.A. 2021 Supp. 12-189a and 79-3603 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 360, 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, by Committee on Transparency and Ethics.

SB 361, AN ACT concerning workers compensation; relating to an employer's maximum liability for permanent total disability compensation; removing the statutory monetary cap on such liability; extending liability for the lifetime of the employee; amending K.S.A. 44-510f and repealing the existing section, by Committee on Federal and State Affairs.

SB 362, AN ACT concerning education; relating to school districts; requiring consideration and documentation of district building needs assessments and state academic assessments; making budget allocations related thereto; amending K.S.A. 2021 Supp. 72-1163 and repealing the existing section, by Committee on Education.

SB 363, AN ACT concerning education; relating to school districts; requiring internet publication of learning materials and activities used in student instruction and teacher professional development, by Committee on Education.

SB 364, AN ACT concerning the rules of evidence; relating to testimony in the form of opinion or inferences; requiring courts to allow certain persons with specialized training to testify on the issue of impairment; amending K.S.A. 2021 Supp. 60-456 and repealing the existing section, by Committee on Judiciary.

SB 365, AN ACT concerning domestic violence offender assessments; requiring courts to order such assessments for first-time offenders convicted of domestic battery; courts to provide relevant documents to the certified batterer intervention programs completing such assessments when assessments are ordered under the Kansas criminal code or the Kansas family law code; prosecutors to provide relevant documents to the certified batterer intervention programs completing such assessments when assessments are required in a diversion agreement; amending K.S.A. 2021 Supp. 21-5414, 21-6604, 22-2909 and 23-3203 and repealing the existing sections, by Committee on Judiciary.

SB 366, AN ACT concerning crimes, punishment and criminal procedure; relating to burglary; locked or secured portions of dwellings, buildings or other structures; amending K.S.A. 2021 Supp. 21-5807 and repealing the existing section, by Committee on Judiciary.

SB 367, AN ACT concerning crimes, punishment and criminal procedure; relating to property seized by law enforcement; requiring officers to file copies of receipts with the court when property is seized under a search warrant; providing requirements and procedures for destruction or disposition of dangerous drugs and return or disposition of weapons; amending K.S.A. 2021 Supp. 22-2512 and repealing the existing section, by Committee on Judiciary.

SB 368, AN ACT concerning the Kansas offender registration act; requiring registration for violations of internet trading in child pornography and aggravated internet trading in child pornography; amending K.S.A. 2021 Supp. 22-4902 and 22-4906 and repealing the existing sections, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 354**.

Federal and State Affairs: **SB 351**.

Judiciary: **SB 352**.

Public Health and Welfare: **SB 348**.

Utilities: **SB 349, SB 350, SB 353**.

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 2477 be amended by the adoption of the committee amendments, be further amended by motion of Senator Warren; on page 7, in line 20, by striking "May 15, 2022" and inserting "January 20, 2023", and **HB 2477** be passed as further amended.

A motion by Senator Steffen to amend **HB 2477** failed and the following amendment was rejected; on page 3, following line 11, by inserting:

"New Sec. 2. (a) No medical care facility, as defined in K.S.A. 65-425, and amendments thereto, or person licensed, registered, certified or otherwise authorized to practice a profession by the state board of healing arts or the board of nursing pursuant to chapter 65 of the Kansas Statutes Annotated, and amendments thereto, shall decline to render healthcare services or otherwise discriminate in rendering healthcare services to a person based on such person's COVID-19 vaccination status or whether such person has a COVID-19 immunity passport.

(b) (1) A medical care facility that violates this section shall be subject to suspension of the medical care facility's license for a period of six months pursuant to K.S.A. 65-430, and amendments thereto.

(2) A person licensed, registered, certified or otherwise authorized to practice a profession by the state board of healing arts who violates this section shall be subject to suspension of the person's license, registration, certification or other authorization for a period of six months pursuant to K.S.A. 65-2836, and amendments thereto, or any other provision of the Kansas Statutes Annotated, and amendments thereto, that provides for such suspension.

(3) A person licensed, registered, certified or otherwise authorized to practice a profession by the board of nursing who violates this section shall be subject to suspension of the person's license, registration, certification or other authorization for a period of six months pursuant to K.S.A. 65-1120, and amendments thereto, or any other provision of the Kansas Statutes Annotated, and amendments thereto, that provides for such suspension.

(c) As used in this section:

(1) "Immunity passport" means a document, digital record or software application indicating that a person is immune to a disease, either through vaccination or infection and recovery.

(2) "Vaccination status" means an indication of whether a person has received one or more doses of a vaccine.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 7, after the semicolon by inserting "prohibiting medical care facilities and certain healthcare licensees from discriminating on the basis of a patient's vaccination status."

A ruling of the chair was requested as to the germaneness of the amendment. The chair ruled the amendment was germane to the bill.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 17; Nays 19; Present and Passing 2; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Claeys, Erickson, Gossage, Hilderbrand, Kloos, Masterson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren.

Nays: Bowers, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Hawk, Holscher, Kerschen, Longbine, McGinn, O'Shea, Pettey, Pittman, Suellentrop, Sykes, Ware.

Present and Passing: Billinger, Olson.

Absent or Not Voting: Holland, Wilborn.

SB 318 be amended by the adoption of the committee amendments, be further amended by motion of Senator Francisco; on page 2, in line 12, after "structure" by inserting "damaged as a result of subparagraph (A) or (B)"; in line 31, by striking all after "destroyed"; by striking all in line 32; in line 33, by striking all before "may";

On page 3, in line 17, by striking all after "subdivision"; in line 18, by striking all before the comma.

SB 318 be further amended by motion of Senator Tyson; on page 1, in line 15, after the second comma by inserting "and purchased within two years of the date of the applicable disaster declaration"; in line 16, by striking "wildfires" and inserting "a wildfire, flood, tornado or other natural disaster"; in line 18, after the period by inserting "A taxpayer shall be eligible for the exemption if the affected property containing the damaged or destroyed fencing is located within an area declared to be a disaster by the federal, state or local government. As used in this section, "wildfire" means a fire that spreads rapidly over grassland, woodland or brush creating unwanted and unplanned destruction."

Also on page 1, in the title, in line 4, by striking "wildfires" and inserting "natural disaster".

SB 318 be further amended by motion of Senator Peck; on page 1, in line 13, after the colon by inserting:

"(1)";

On page 2, in line 3, by striking "subsection" and inserting "paragraph; and

(2) on and after July 1, 2022, all sales of tangible personal property and services necessary to construct, reconstruct, repair or replace any fence that the purpose for which is to enclose land devoted to agricultural use";

On page 1, in the title, in line 2, by striking "a"; also in line 2, by striking "exemption" and inserting "exemptions"; in line 4, after "wildfires" by inserting "and for constructing, reconstructing, repairing or replacing certain fencing", and **SB 318** be passed as further amended.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, **SB 318; HB 2477** were advanced to Final Action and roll call.

SB 318, AN ACT concerning taxation; relating to sales and compensating use tax; providing sales tax exemptions for reconstructing, repairing or replacing certain fencing damaged or destroyed by natural disaster and for constructing, reconstructing, repairing or replacing certain fencing; relating to property tax; providing for abatement or credit of property tax for buildings and improvements destroyed or substantially destroyed by natural disaster; amending K.S.A. 79-1613 and 79-3606d and repealing the existing sections.

On roll call, the vote was: Yeas 35; Nays 0; Present and Passing 2; Absent or Not Voting 3.

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

Present and Passing: Francisco, Tyson.

Absent or Not Voting: Hawk, Holland, Wilborn.

The bill passed, as amended.

HB 2477, AN ACT concerning governmental response to COVID-19; relating to health and healthcare; renewing provisions of law authorizing expanded practice by certain healthcare professionals; providing for exceptions thereto; suspending certain licensure and other requirements for adult care homes; extending the authority of the state board of healing arts to issue temporary emergency licenses; limiting the professions for which such licenses may be issued; amending K.S.A. 2021 Supp. 48-965 and 48-966 and repealing the existing sections.

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

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

Nays: Steffen, Thompson.

Absent or Not Voting: Holland, Wilborn.

The bill passed, as amended.

EXPLANATION OF VOTE

Madam Chair: The assumption is being made that we will have a different Governor in 2023. I'm far less concerned with who gets the credit for this bill or executive order and I'm more concerned with doing what is right and good for Kansans. I would urge this body to watch carefully and review this issue before the end of this legislative session.—ALICIA STRAUB

Madam Chair: Staffing shortages in hospitals and nursing homes existed prior to the pandemic due to long-term systemic issues largely created by policies instituted by the Affordable Care Act. The shortages have been exacerbated by the COVID declarations of emergency measures that have stretched our healthcare professionals thin for a variety of reasons. Vaccine mandates have caused some health care professionals to quit. Doctors have been threatened with the loss of their licenses for trying to provide proven therapeutic care that went against the policies of the CDC, NIH, KDHE, the State Board of Healing Arts and other public health officials. Healthcare professionals have become disenchanted and are abandoning a profession they once loved. This bill isn't perfect and had the amendment providing additional necessary protections for healthcare workers passed, I would have felt more comfortable voting for this bill. The healthcare system does need some time to address these problems, but I am concerned that we cannot jeopardize the jobs of doctors and nurses based on vaccination status, and that doing so will only exacerbate and prolong the staffing issues. This is a difficult and complex situation but am forced to vote no.—MIKE THOMPSON

REFERENCE OF BILLS

Under the authority of the President, Senator Erickson referred **SB 355**, **SB 356**, and **SB 357** to the Committee on **Redistricting**.

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.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **SB 337** be passed.

Also, **SB 329** be amended on page 5, in line 39, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 150** be amended on page 2, in line 12, after "services" by inserting ", other than legal services performed by a bona fide nonprofit provider of pro bono legal services,"; and the bill be passed as amended.

Committee on **Redistricting** recommends **SB 355** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL No. 355," as follows:

Substitute for SENATE BILL No. 355
By Committee on Redistricting

AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143, and the substitute bill be passed.

On motion of Senator Erickson, the Senate adjourned until 9:00 a.m., Friday, January 21, 2022.

Journal of the Senate

NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 21, 2022, 9:00 a.m.

The Senate was called to order by President Ty Masterson.
Roll was called with 35 senators present.
Senators Hawk, Holland, Longbine, Suellentrop and Ware were excused.
President Masterson introduced Doug Henkle to deliver the invocation:

Good morning, Heavenly Father! Thank You for all You've done for us. You've blessed us with all we need, even today and in this chamber as the matter at hand is 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 have a tendency to trust ourselves rather than You, to rely on our own abilities and good intentions instead of Your sovereign goodness and loving care.

Father, You care about all the details of our lives including the issue before this legislative body this morning. You care about every word spoken. Cause this body to strive for resolution where there's conflict, to know when to give way and when to hold the line, to listen twice as much as they speak and may they listen well.

I pray for Your peace today which is far beyond our understanding. I ask that You give each Senator 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 in this chamber 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.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 369, AN ACT concerning taxation; relating to income, privilege and premium taxes; establishing the Kansas affordable housing tax credit act; providing a tax credit for qualified low-income housing projects, by Committee on Federal and State Affairs.

SB 370, AN ACT concerning the Kansas national guard; creating the defend the guard act; establishing when the national guard may be released into active duty combat; prohibiting COVID-19 vaccination requirements for national guard members, by Committee on Federal and State Affairs.

SB 371, AN ACT concerning traffic regulations; relating to driving privileges; revoking the authority to suspend driving privileges for the nonpayment of fines from

traffic citations; amending K.S.A. 2021 Supp. 8-2106 and 8-2110 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 372, AN ACT concerning education; relating to the state school for the deaf; prohibiting the dismissal or transfer of a student who gains access to hearing, by Committee on Federal and State Affairs.

SB 373, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2022, for the university of Kansas medical center; relating to conducting COVID-19 clinical trials at the midwest stem cell therapy center, by Committee on Public Health and Welfare.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 358**.

Assessment and Taxation: **SB 359**.

Commerce: **SB 361**.

Education: **SB 362, SB 363**.

Federal and State Affairs: **SB 360**.

Judiciary: **SB 364, SB 365, SB 366, SB 367, SB 368**.

MESSAGE FROM THE HOUSE

The House concurs in Senate amendments to **HB 2477**.

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:

Committee report on **SB 355** recommending **Sub SB 355** be adopted, and the substitute bill be passed.

Senator Pittman moved **Sub SB 355** be rereferred to the Committee on **Redistricting**. The motion failed.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 8; Nays 26; Present and Passing 0; Absent or Not Voting 6.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holscher, Pettey, Pittman, Sykes.

Nays: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Hawk, Holland, Longbine, McGinn, Suellentrop, Ware.

A motion by Senator Sykes to amend **Sub SB 355** failed and the following amendment was rejected; by striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 29 and inserting the following:

"Sec. 4. Congressional district 1 shall consist of all of Barber county; and all of Barton county; and all of Chase county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and all of Comanche county; and all of Decatur county; and all of Dickinson county; and all of Edwards county; and

all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Geary county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and the following voting districts in Greenwood county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090); and the following blocks in voting district (000100), tract 9658.00, block group 2, in Greenwood county: block 045, block 048, block 049, block 050, block 052, block 055, block 058, block 059, block 060, block 061, block 065, block 066, block 070, block 075, block 076, block 077, block 078, block 079, block 080, block 091, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 129, block 130, block 131, block 132, block 133, block 136, block 137, block 138, block 139, block 143, block 213, block 214, block 215, block 216, block 217, block 241; and the following voting districts in Greenwood county: (000110), (000120), (000130), (000140), (000150), (000170); and the following blocks in voting district (000180), tract 9658.00, block group 1, in Greenwood county: block 122, block 123, block 191, block 192, block 196, block 197, block 198, block 199, block 200, block 201, block 207, block 208, block 209, block 210, block 211, block 232; and the following blocks in voting district (000180), tract 9658.00, block group 2, in Greenwood county: block 140, block 141, block 142, block 144, block 145, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 238; and the following voting districts in Greenwood county: (200010), (200020), (900010), (900020); and all of Hamilton county; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and all of Kiowa county; and all of Lane county; and all of Lincoln county; and all of Logan county; and the following voting districts in Lyon county: (000010), (000020), (000030), (000040), (00005A), (00005B), (00005C), (00006A), (00006B), (00006C), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (00013A), (000140), (000150), (000160), (000170), (00017A), (00017C), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (00028A), (00028B), (00028C), (000290), (00029A), (000300), (000310); and the following blocks in voting district (000320), tract 0008.00, block group 2, in Lyon county: block 000, block 001, block 002, block 003, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 062, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108,

block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 178; and the following blocks in voting district (000320), tract 0008.00, block group 3, in Lyon county: block 263, block 270, block 271, block 315, block 316, block 317, block 322; and the following voting districts in Lyon county: (300010), (400010), (400020), (400030), (900010), (900030), (900040), (900060), (900070); and all of McPherson county; and all of Marion county; and all of Marshall county; and all of Meade county; and all of Mitchell county; and all of Morris county; and all of Morton county; and all of Ness county; and all of Norton county; and all of Osborne county; and all of Ottawa county; and all of Pawnee county; and all of Phillips county; and all of Pottawatomie county; and all of Pratt county; and all of Rawlins county; and the following voting districts in Reno county: (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000350), (000360), (00037A), (00037B), (000380), (00039A), (00039B), (000400), (000410), (000420), (000430), (000440), (000450), (000460), (000470), (000480), (000490), (000500), (000510), (000520), (000530), (00055A), (000560), (000570), (000590), (00060A), (00060B), (000610), (000620), (000630), (000640), (000660), (000670), (000680), (000690), (000700), (000710), (120030), (12005A), (120060), (200010), (200020), (200030), (200040), (200050), (200060), (900010), (900020); and all of Republic county; and all of Rice county; and all of Riley county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Thomas county; and all of Trego county; and all of Wabaunsee county; and all of Wallace county; and all of Washington county; and all of Wichita county.

Sec. 5. Congressional district 2 shall consist of all of Allen county; and all of Anderson county; and all of Atchison county; and all of Bourbon county; and all of Brown county; and all of Cherokee county; and all of Coffey county; and all of Crawford county; and all of Doniphan county; and all of Douglas county; and all of Franklin county; and all of Jackson county; and all of Jefferson county; and the following blocks in voting district (000030), tract 0538.03, block group 1, in Johnson county: block 024, block 044, block 045; and the following blocks in voting district (000030), tract 0538.04, block group 4, in Johnson county: block 015, block 016, block 025, block 026, block 027, block 028, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047; and the following blocks in voting district (000040), tract 0538.03, block group 1, in Johnson county: block 025, block

026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043; and the following voting districts in Johnson county: (000070), (000080), (000090), (00014A), (00014C), (000160), (001290), (00311A), (00311B), (00311D), (003120), (004030), (004040), (004070), (004080), (004090), (004100), (100040), (12003B), (190010), (190020), (190030), (900040), (900050), (900060), (900080), (900090), (900100), (900110), (900120), (900130), (900150), (900160), (900170), (900180), (900730), (901610), (901730), (901750), (901820), (901830), (901900), (901910), (901930), (901940), (901950), (920390), (920410), (920420), (92043A), (920450), (920460), (920470), (920530), (920610), (920620), (920640), (920680), (920690), (920750), (920760), (920790), (920800), (921070), (921080); and all of Labette county; and all of Leavenworth county; and all of Linn county; and the following blocks in voting district (000320), tract 0008.00, block group 2, in Lyon county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 060, block 061, block 063; and all of Miami county; and all of Nemaha county; and all of Neosho county; and all of Osage county; and all of Shawnee county; and the following voting districts in Wilson county: (000010), (000020), (000030), (000040), (000050), (000070), (000080), (000090), (00010A), (00010B), (000110), (00011B), (000120), (000130), (00014A), (00014B), (000150), (00015B), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (900010), (900020), (900030), (900040); and all of Woodson county.

Sec. 6. Congressional district 3 shall consist of the following voting districts in Johnson county: (000010), (000020); and the following blocks in voting district (000030), tract 0538.03, block group 1, in Johnson county: block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (000030), tract 0538.04, block group 4, in Johnson county: block 017, block 019, block 020; and the following blocks in voting district (000040), tract 0538.03, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 035, block 046; and the following voting districts in Johnson county: (000190), (000200), (000210), (000220), (000230), (000270), (000350), (000370), (000430), (000440), (000450), (000510), (000520), (000530), (000560), (000580), (000590), (000600), (000610), (000620), (000630), (000640), (000650), (000660), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950), (000960), (001000), (001010), (001030), (001040), (001050), (001060), (001070), (001090), (001100), (001130), (001150), (001160), (00117A), (00117B), (001200), (001210), (001220), (001240), (001250), (001260), (001280), (001300), (001310), (001320), (001330), (001340), (001350), (001360), (001370), (001380), (001390), (00140B), (001420), (001450), (00147A), (00147B), (001480), (001490), (001500), (001510), (001520), (00153J), (00153K), (00153P), (001540), (001550), (001560), (001570), (001580), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001660),

(001670), (001680), (001690), (001700), (001710), (001720), (001730), (001740), (001750), (001760), (001770), (001780), (001790), (001800), (001810), (001820), (001830), (001840), (001850), (001860), (001870), (001880), (001890), (001900), (001910), (001920), (001930), (001940), (001950), (001960), (001970), (001980), (001990), (002000), (002010), (002020), (002030), (002040), (002050), (002080), (002090), (002120), (002130), (002140), (002150), (002160), (00217A), (00217B), (002180), (002190), (002200), (002210), (00222A), (00222B), (002230), (002240), (00226B), (002280), (002290), (002300), (002310), (002320), (002330), (002340), (002350), (002370), (002380), (002390), (002400), (002410), (00242A), (00242B), (00244A), (00244B), (002460), (002470), (00249A), (00249C), (00249E), (00249F), (002500), (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (002760), (002770), (002780), (002790), (002800), (002810), (002820), (002850), (002860), (002870), (002880), (002890), (002900), (002910), (002920), (002930), (002940), (002960), (002980), (003000), (003010), (003020), (003030), (003040), (003050), (003060), (003070), (003080), (003090), (003130), (003140), (003150), (004140), (004180), (004190), (004300), (900010), (900020), (900030), (900190), (900200), (900210), (900220), (900230), (900250), (900260), (900270), (900280), (900290), (900300), (900320), (900330), (900340), (900360), (900370), (900380), (900400), (900410), (900430), (900440), (900450), (900460), (900470), (900480), (900490), (900500), (900510), (900520), (900530), (900540), (900550), (900560), (900570), (900580), (900600), (900610), (900620), (900640), (900650), (900660), (900670), (900680), (900700), (900710), (900740), (900750), (900760), (900790), (900800), (900810), (900820), (900840), (900850), (900860), (900870), (900880), (900890), (900910), (900920), (900930), (900940), (900980), (900990), (901000), (901010), (901020), (901030), (901040), (901050), (901060), (901070), (901080), (901090), (901100), (901110), (901120), (901130), (901140), (901150), (901160), (901170), (901180), (901200), (901210), (901220), (901300), (901310), (901330), (901340), (901360), (901370), (901380), (901410), (901420), (901430), (901510), (901550), (901560), (901570), (901630), (901650), (901680), (901700), (901710), (901780), (901810), (901880), (901890), (901970), (920000), (920010), (920020), (920030), (920040), (920050), (920060), (920070), (920080), (920090), (920110), (920120), (920130), (920140), (920150), (920160), (920170), (920180), (920190), (920200), (920210), (920220), (920230), (920240), (920250), (920260), (920270), (920280), (920290), (920300), (920310), (920320), (920330), (920340), (920350), (920360), (920370), (920380), (920440), (920490), (920500), (920510), (920520), (920540), (920550), (920560), (920570), (920580), (920590), (920600), (920630), (920650), (920660), (920670), (920700), (92071A), (920720), (920730), (920740), (920770), (920810), (920820), (920830), (920840), (920850), (920860), (920870), (920880), (920890), (920900), (920910), (920920), (920930), (920940), (920950), (920960), (920970), (920980), (920990), (921000), (921010), (921020), (921030), (921040), (921050); and all of Wyandotte county.

Sec. 7. Congressional district 4 shall consist of all of Butler county; and all of Chautauqua county; and all of Cowley county; and all of Elk county; and the following blocks in voting district (000100), tract 9658.00, block group 2, in Greenwood county: block 122, block 123, block 124, block 125, block 126, block 127, block 128, block

134, block 135, block 212, block 218, block 219, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 239, block 240; and the following blocks in voting district (000180), tract 9658.00, block group 2, in Greenwood county: block 207, block 208, block 209, block 210, block 211, block 220, block 221, block 222, block 223; and all of Harper county; and all of Harvey county; and all of Kingman county; and all of Montgomery county; and the following voting districts in Reno county: (000010), (000540), (000580), (000650); and all of Sedgwick county; and all of Sumner county; and the following voting districts in Wilson county: (000060)."

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 11; Nays 23; Present and Passing 0; Absent or Not Voting 6.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holscher, Pettey, Pittman, Pyle, Sykes, Tyson.

Nays: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Ryckman, Steffen, Straub, Thompson, Warren, Wilborn.

Absent or Not Voting: Hawk, Holland, Longbine, McGinn, Suellentrop, Ware.

EXPLANATION OF VOTE

Mr. Chairman: I vote "AYE" on the amendment to replace the "Ad Astra map 2" with the "United" Map. The Ad Astra map put much of the City of Lawrence in the 1st Congressional District. Parts of Lawrence have been in the second and third districts, but never in the first or the fourth. "Ad Astra" divides eight voting precincts in Douglas County between the first and second congressional districts including the townships of Kanwaka and Lecompton – and this is after the Douglas County Clerk had attended a redistricting hearing and specifically mentioned problems created with the current splits in these townships. The "United" map keeps all of Douglas County in one congressional district and also keeps the cores of all four congressional intact.—MARCI FRANCISCO

A motion by Senator Pyle to amend **Sub SB 355** failed and the following amendment was rejected; by striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 29 and inserting the following:

"Sec. 4. Congressional district 1 shall consist of all of Barber county; and all of Barton county; and all of Chase county; and all of Chautauqua county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and all of Comanche county; and all of Cowley county; and all of Decatur county; and all of Dickinson county; and all of Edwards county; and all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Geary county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and all of Hamilton county; and all of Harper county; and all of Harvey county; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and all of Kingman county; and all of Kiowa county; and all of Lane county; and all of Lincoln county; and all of Logan county; and all of Lyon county; and all of McPherson county; and all of Marion county; and all of Marshall county; and all of Meade county; and all

of Mitchell county; and all of Morris county; and all of Morton county; and all of Ness county; and all of Norton county; and all of Osborne county; and all of Ottawa county; and all of Pawnee county; and all of Phillips county; and all of Pratt county; and all of Rawlins county; and all of Reno county; and all of Republic county; and all of Rice county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Sumner county; and all of Thomas county; and all of Trego county; and all of Wallace county; and all of Washington county; and all of Wichita county.

Sec. 5. Congressional district 2 shall consist of all of Allen county; and all of Anderson county; and all of Atchison county; and all of Bourbon county; and all of Brown county; and all of Coffey county; and all of Doniphan county; and all of Franklin county; and all of Jackson county; and all of Jefferson county; and all of Leavenworth county; and all of Linn county; and all of Miami county; and all of Nemaha county; and all of Osage county; and all of Pottawatomie county; and all of Riley county; and all of Shawnee county; and all of Wabaunsee county; and all of Woodson county; and all of Wyandotte county.

Sec. 6. Congressional district 3 shall consist of all of Douglas county; and all of Johnson county.

Sec. 7. Congressional district 4 shall consist of all of Butler county; and all of Cherokee county; and all of Crawford county; and all of Elk county; and all of Greenwood county; and all of Labette county; and all of Montgomery county; and all of Neosho county; and all of Sedgwick county; and all of Wilson county."

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 13; Nays 20; Present and Passing 2; Absent or Not Voting 5.

Yeas: Bowers, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holscher, Olson, Pettey, Pittman, Pyle, Steffen, Straub.

Nays: Alley, Baumgardner, Billinger, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, McGinn, O'Shea, Peck, Petersen, Ryckman, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Corson, Sykes.

Absent or Not Voting: Hawk, Holland, Longbine, Suellentrop, Ware.

EXPLANATION OF VOTE

Mr. Chairman: I vote "AYE" on the amendment to replace the "Ad Astra map 2" with the "Sunflower" map. I appreciate the introduction of this amendment that keeps every county whole in the creation of the four congressional districts. I believe that either an argument can be made that keeping all the counties whole is strong enough to stand up to the population deviations or a small exchange between the second and third districts could be found. I believe we lost an opportunity when we didn't send this back to the redistricting committee for consideration.—MARCI FRANCISCO

Mr. Chairman: I vote "Aye" on the congressional map amendment that has been offered as an alternative to the underlying (and onerous) **Sub SB 355**. This is my third redistricting process with the KS Legislature and it is never an easy process. In this

instant map presented entitled “Ad Astra” (To the Stars), I predict that it’s legislative passage will only lead to the final part of our State motto, “Per Aspera” (Through Difficulty) as well. IF this congressional map passes both Legislative Chambers, in that it clearly divides communities of interests (including along demographical, racial lines) and that it follows no clear geographical or even geo-political boundaries, the Governor should, rightfully, veto it. Should the veto be overridden in both Chambers, the Court will be hard pressed to sustain the lines of that map unless departing from time-honored assertions and guarantees written into the theories of redistricting. Again, this “star” of a gerrymandered, politically-pandering map will only be reached through great time and resource consuming “difficulty.” This amendment is a compromise to my pledge to the many constituents of the united Third Congressional District to keep Wyandotte County and Johnson County together and whole; as much as possible considering the new population deviation. Although this amendment severs the two counties, at least it will keep each of the counties whole unto themselves, though in now two different Congressional Districts. This amendment SHOULD have passed as it would be decidedly less cumbersome in the final incarnation of legislative, executive and judicial reviews. Hopefully, we may see something similar to this before the process concludes.

—DAVID HALEY

Mr. Chairman: The Sunflower map is a good faith compromise that I think has potential. We heard testimony from members of the Wyandotte and Johnson County communities asking us overwhelmingly to keep the greater Kansas City metropolitan area together, which this map does not do. A hearing on this map would have created an opportunity to hear those community members’ perspectives on this specific proposal. I cannot support this map without that input.—DINAH SYKES

Senators Baumgardner and Corson request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **S Sub SB 355**.

A motion by Senator Sykes to amend **Sub SB 355** failed and the following amendment was rejected; by striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 29 and inserting the following:

"Sec. 4. Congressional district 1 shall consist of all of Allen county; and all of Anderson county; and all of Barber county; and all of Barton county; and all of Bourbon county; and the following voting districts in Brown county: (00012A), (00017A), (00017B), (00018A), (000190); and all of Chase county; and all of Chautauqua county; and all of Cherokee county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and all of Coffey county; and all of Comanche county; and all of Crawford county; and all of Decatur county; and all of Dickinson county; and all of Edwards county; and all of Elk county; and all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and all of Greenwood county; and all of Hamilton county; and all of Harper county; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and all of Kingman county; and all of Kiowa county; and all of Labette county; and all of Lane county; and all of Lincoln county; and all of Linn county; and all of Logan county; and the following voting districts in Lyon county: (00013A), (00017C), (000270), (000300), (000310), (000320); and all of McPherson county; and all of Marion county; and all of

Marshall county; and all of Meade county; and all of Mitchell county; and all of Montgomery county; and all of Morris county; and all of Morton county; and all of Nemaha county; and all of Neosho county; and all of Ness county; and all of Norton county; and all of Osborne county; and all of Ottawa county; and all of Pawnee county; and all of Phillips county; and all of Pratt county; and all of Rawlins county; and the following voting districts in Reno county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000100), (000110), (000440), (000450), (000470), (000480), (000500), (000510), (000520), (000530), (000540), (000560), (000570), (000580), (000590), (000660), (000670), (000690), (000700); and all of Republic county; and all of Rice county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Thomas county; and all of Trego county; and all of Wallace county; and all of Washington county; and all of Wichita county; and all of Wilson county; and all of Woodson county.

Sec. 5. Congressional district 2 shall consist of all of Atchison county; and the following voting districts in Brown county: (000010), (000020), (000030), (00004A), (00004B), (00005A), (00005B), (000060), (000070), (000080), (00009A), (00009B), (00009C), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000200), (000210), (900010); and all of Doniphan county; and all of Douglas county; and all of Franklin county; and all of Geary county; and all of Jackson county; and all of Jefferson county; and the following voting districts in Johnson county: (000010), (000020), (000030), (000040), (000070), (000080), (000090), (00014A), (00014C), (000160), (001290), (00311A), (00311B), (00311D), (003120), (004030), (004040), (004070), (004080), (004090), (004100), (100040), (190010), (190020), (190030), (900020), (900040), (900050), (900060), (900080), (900090), (900120), (900130), (900150), (900160), (900170), (900180), (900730), (901610), (901750), (901820), (901830), (901890), (901900), (901910), (901930), (901940), (920390), (920410), (920420), (92043A), (920450), (920460), (920470), (920520), (920530), (920610), (920620), (920640), (920680), (920790), (920800), (920990), (921000), (921070), (921080); and all of Leavenworth county; and the following voting districts in Lyon county: (000010), (000020), (000030), (000040), (00005A), (00005B), (00005C), (00006A), (00006B), (00006C), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (00017A), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (00028A), (00028B), (00028C), (000290), (00029A), (300010), (400010), (400020), (400030), (900010), (900030), (900040), (900060), (900070); and all of Miami county; and all of Osage county; and all of Pottawatomie county; and all of Riley county; and all of Shawnee county; and all of Wabaunsee county.

Sec. 6. Congressional district 3 shall consist of the following voting districts in Johnson county: (000190), (000200), (000210), (000220), (000230), (000270), (000350), (000370), (000430), (000440), (000450), (000510), (000520), (000530), (000560), (000580), (000590), (000600), (000610), (000620), (000630), (000640), (000650), (000660), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950), (000960), (001000), (001010), (001030), (001040), (001050), (001060), (001070), (001090), (001100), (001130),

(001150), (001160), (00117A), (00117B), (001200), (001210), (001220), (001240),
 (001250), (001260), (001280), (001300), (001310), (001320), (001330), (001340),
 (001350), (001360), (001370), (001380), (001390), (00140B), (001420), (001450),
 (00147A), (00147B), (001480), (001490), (001500), (001510), (001520), (00153J),
 (00153K), (00153P), (001540), (001550), (001560), (001570), (001580), (001590),
 (001600), (001610), (001620), (001630), (001640), (001650), (001660), (001670),
 (001680), (001690), (001700), (001710), (001720), (001730), (001740), (001750),
 (001760), (001770), (001780), (001790), (001800), (001810), (001820), (001830),
 (001840), (001850), (001860), (001870), (001880), (001890), (001900), (001910),
 (001920), (001930), (001940), (001950), (001960), (001970), (001980), (001990),
 (002000), (002010), (002020), (002030), (002040), (002050), (002080), (002090),
 (002120), (002130), (002140), (002150), (002160), (00217A), (00217B), (002180),
 (002190), (002200), (002210), (00222A), (00222B), (002230), (002240), (00226B),
 (002280), (002290), (002300), (002310), (002320), (002330), (002340), (002350),
 (002370), (002380), (002390), (002400), (002410), (00242A), (00242B), (00244A),
 (00244B), (002460), (002470), (00249A), (00249C), (00249E), (00249F), (002500),
 (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580),
 (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660),
 (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740),
 (002750), (002760), (002770), (002780), (002790), (002800), (002810), (002820),
 (002850), (002860), (002870), (002880), (002890), (002900), (002910), (002920),
 (002930), (002940), (002960), (002980), (003000), (003010), (003020), (003030),
 (003040), (003050), (003060), (003070), (003080), (003090), (003130), (003140),
 (003150), (004140), (004180), (004190), (004300), (12003B), (900010), (900030),
 (900100), (900110), (900190), (900200), (900210), (900220), (900230), (900250),
 (900260), (900270), (900280), (900290), (900300), (900320), (900330), (900340),
 (900360), (900370), (900380), (900400), (900410), (900430), (900440), (900450),
 (900460), (900470), (900480), (900490), (900500), (900510), (900520), (900530),
 (900540), (900550), (900560), (900570), (900580), (900600), (900610), (900620),
 (900640), (900650), (900660), (900670), (900680), (900700), (900710), (900740),
 (900750), (900760), (900790), (900800), (900810), (900820), (900840), (900850),
 (900860), (900870), (900880), (900890), (900910), (900920), (900930), (900940),
 (900980), (900990), (901000), (901010), (901020), (901030), (901040), (901050),
 (901060), (901070), (901080), (901090), (901100), (901110), (901120), (901130),
 (901140), (901150), (901160), (901170), (901180), (901200), (901210), (901220),
 (901300), (901310), (901330), (901340), (901360), (901370), (901380), (901410),
 (901420), (901430), (901510), (901550), (901560), (901570), (901630), (901650),
 (901680), (901700), (901710), (901730), (901780), (901810), (901880), (901950),
 (901970), (920000), (920010), (920020), (920030), (920040), (920050), (920060),
 (920070), (920080), (920090), (920110), (920120), (920130), (920140), (920150),
 (920160), (920170), (920180), (920190), (920200), (920210), (920220), (920230),
 (920240), (920250), (920260), (920270), (920280), (920290), (920300), (920310),
 (920320), (920330), (920340), (920350), (920360), (920370), (920380), (920440),
 (920490), (920500), (920510), (920540), (920550), (920560), (920570), (920580),
 (920590), (920600), (920630), (920650), (920660), (920670), (920690), (920700),
 (92071A), (920720), (920730), (920740), (920750), (920760), (920770), (920810),
 (920820), (920830), (920840), (920850), (920860), (920870), (920880), (920890),

(920900), (920910), (920920), (920930), (920940), (920950), (920960), (920970), (920980), (921010), (921020), (921030), (921040), (921050); and all of Wyandotte county.

Sec. 7. Congressional district 4 shall consist of all of Butler county; and all of Cowley county; and all of Harvey county; and the following voting districts in Reno county: (000090), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000350), (000360), (00037A), (00037B), (000380), (00039A), (00039B), (000400), (000410), (000420), (000430), (000460), (000490), (00055A), (00060A), (00060B), (000610), (000620), (000630), (000640), (000650), (000680), (000710), (120030), (12005A), (120060), (200010), (200020), (200030), (200040), (200050), (200060), (900010), (900020); and all of Sedgwick county; and all of Sumner county."

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 7; Nays 26; Present and Passing 2; Absent or Not Voting 5.

Yeas: Corson, Francisco, Haley, Holscher, Pettey, Pittman, Sykes.

Nays: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Faust-Goudeau, Pyle.

Absent or Not Voting: Hawk, Holland, Longbine, Suellentrop, Ware.

A motion by Senator Pyle to reconsider previous action to re-refer **Sub SB 355** back to committee failed.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 16; Nays 18; Present and Passing 1; Absent or Not Voting 5.

Yeas: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, McGinn, Pettey, Pittman, Pyle, Steffen, Straub, Sykes.

Nays: Alley, Baumgardner, Billinger, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kloos, Masterson, O'Shea, Peck, Petersen, Ryckman, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Olson.

Absent or Not Voting: Hawk, Holland, Longbine, Suellentrop, Ware.

Motions by Senator Pyle to amend **Sub SB 355** failed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **Sub SB 355** was advanced to Final Action and roll call.

Sub SB 355, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143.

On roll call, the vote was: Yeas 26; Nays 9; Present and Passing 0; Absent or Not Voting 5.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holscher, Pettey, Pittman, Pyle, Sykes.

Absent or Not Voting: Hawk, Holland, Longbine, Suellentrop, Ware.

The bill passed.

EXPLANATION OF VOTE

Mr. President: “Today, the Kansas Senate passed a Congressional map that is reflective of the testimony we received on the in-person and virtual tours conducted in 2021, carefully follows the guidelines we established, and is the culmination of a lengthy process that began last summer. The Ad Astra 2 Map brings together communities of interest within each Congressional district to the furthest extent possible. It keeps the core of the 3rd District – Johnson County – together, merging it with southern Wyandotte and the bedroom communities in Miami, Franklin, and Anderson that have historically been part of the 3rd Congressional District and are increasingly associated with the Kansas City Metropolitan area. It places the University of Kansas, Kansas State, and Fort Hays State in the 1st District. It draws boundaries largely along easy-to-understand major highways and natural barriers such as rivers. It is also a fair map, keeping all four members of Congress within their current seats – and despite the assertions of the minority party that the map was drawn for partisan gain, all four would have won their elections in 2020. Finally, it has zero deviation in population between all four districts. On balance, this map will serve the state well for the next decade. We Vote Yes.” —TY MASTERSON

Senators Alley, Erickson and Wilborn request the record to show they concur with the "Explanation of Vote" offered by Senator Masterson on **Sub SB 355**.

Mr. President: The Ad Astra map violates a number of redistricting guidelines we agreed to follow as legislative leadership, and it was clearly drawn for partisan gain. It splits communities of interest while combining communities with no established economic, cultural, or historical ties to the Third Congressional District. And to add insult to injury, it places Lawrence – which has always been in an eastern Kansas district during the modern redistricting era – in the Big First. This map doesn't serve Kansans fairly. That's to be expected since this process has never been fair. It has never been about listening to Kansans. It has never been about keeping our communities together. The majority party has used selective listening to justify a map that makes no sense for Kansas, unless you see congressional districts as a means to one-party control rather than fundamental to democratic representation. I vote “NO.” —DINAH SYKES

Senators Corson, Francisco, Haley, Holscher and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **Sub SB 355**.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of January 18 through January 21, 2022:

Senator Billinger: celebrating Lucy Pochop's 102nd Birthday, celebrating Frances Kompus' 100th Birthday, congratulating Ella Prosser on winning the 2021 “My City, My Home” Essay Contest, congratulating Blaire Beougher on winning the 2022 “My City, My Home” Essay Contest;

Senator Bowers: congratulating Belleville Dairy Queen on 30 Years in Business, congratulating Dreyton Hughes on being named a KDHE Bureau of Waste Management “Keep It Clean Kansas” Calendar Winner, congratulating Mike Baumann on being named the Cross Country Track and Field Coach of the Year, congratulating Kenny Lynch on his retirement after 53 years of service to the Mankato Fire Department, congratulating Dorothy Wilson on receiving the 2021 K-State Research and Extension Appreciation Award, congratulating Michael Grauer on his induction into the Kansas Cowboy Hall of Fame;

Senator Holscher: commending KeKe Blackmon on her service to athletics, the community, and the State of Kansas; and

Senator Pittman: congratulating the Lansing High School Volleyball Team on winning the 2021 State Championship.

On motion of Senator Alley, the Senate adjourned Pro Forma until 2:30 p.m.. January 24, 2022.

Journal of the Senate

TENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 24, 2022, 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 374, AN ACT concerning renewable energy; relating to property taxation; discontinuing the property tax exemption for certain renewable energy facilities; amending K.S.A. 79-201 and repealing the existing section, by Committee on Federal and State Affairs.

SB 375, AN ACT concerning economic development; relating to tax incentives for housing; enacting the Kansas housing investor tax credit act; providing an income tax or privilege tax credit for the development of residential dwellings and apartment buildings in underserved rural and urban communities to accommodate new employees and facilitate business growth, by Committee on Federal and State Affairs.

SB 376, AN ACT concerning economic development; relating to housing; Kansas rural housing incentive district act; expanding use of bond proceeds to include construction of residential dwellings, multi-family units and buildings in rural areas and in the city of Topeka; expanding availability of loans or grants to rural communities for moderate income housing; establishing a program to provide loans or grants to urban communities for moderate income housing; permitting housing projects to include manufactured or modular housing; amending K.S.A. 2021 Supp. 12-5242, 12-5249 and 12-5256 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 377, AN ACT concerning insurance; relating to the captive insurance act; authorizing technology-enabled fiduciary financial institution insurance companies; providing for the certificate of authority, requirements and operations thereof; amending K.S.A. 40-4301, 40-4302, 40-4303, 40-4310 and 40-4353 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 378, AN ACT concerning fireworks; allowing cities and counties to restrict the retail sale of fireworks; regulating the time periods for the retail sale of fireworks; amending K.S.A. 31-502 and 31-503 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 379, AN ACT concerning motor vehicles; relating to autonomous motor vehicles; providing for the use and regulation thereof, by Committee on Transportation.

SB 380, AN ACT concerning education; relating to exceptional children; revising certain definitions to replace emotional disturbance with emotional disability; amending K.S.A. 72-3404 and 75-5399 and repealing the existing sections, by Committee on

Public Health and Welfare.

SB 381, AN ACT concerning health and healthcare; related to prescription medications; authorizing the prescribing and dispensing of drugs for off-label use to prevent and treat COVID-19 infections, by Committee on Public Health and Welfare.

SB 382, AN ACT concerning real estate brokers and salespersons; application of licensure provisions to trusts; authorizing the Kansas real estate commission to issue cease and desist orders; amending K.S.A. 58-3036 and 58-3065 and K.S.A. 2021 Supp. 58-3035, 58-3037 and 58-3042 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 383, AN ACT concerning energy; relating to wind and solar electric generation facilities; establishing the Kansas property value protection act; providing for compensation to nonparticipating landowners for diminution in real property value under certain conditions, by Committee on Utilities.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 372**.

Federal and State Affairs: **SB 369**, **SB 370**.

Public Health and Welfare: **SB 373**.

Transportation: **SB 371**.

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 2021 Annual Report (January 24, 2022)

STANDING COMMITTEE REPORTS

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

Carl Ice, to fill a term ending on June 30, 2025

Cynthia Lane, to fill a term ending on June 30, 2025

Wint Winter, Jr., to fill a term ending on June 30, 2025

Member, Kansas Development Finance Authority: K.S.A. 74-8903

Chris Donnelly, to fill a term ending on January 15, 2025

Moniqueka Holloway, to fill a term ending January 15, 2025

Jonathan Small, to fill a term ending on January 15, 2023

Director, Kansas Commission on Veterans Affairs Office: K.S.A. 73-1208e

General Bill Turner, to serve at the pleasure of the Governor

Member, Kansas Public Employees Retirement System Board of Trustees: K.S.A. 74-4905

Jo Yun, to fill a term ending on January 15, 2025

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

Jill Geren, to fill a term ending on January 15, 2023

Brigadier General, Kansas National Guard: K.S.A. 48-208

Colonel Jason Nelson, to serve at the pleasure of the Governor

Member, Kansas Racing and Gaming Commission: 74-8803

Sheryl Spalding, to fill a term ending on January 15, 2024

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

Jonathan Gilbert, to fill a term ending March 15, 2025

Pat Young, to fill a term ending March 15, 2025

Member, State Banking Board: K.S.A. 74-3004

Taylor Hight, to fill a term ending on March 15, 2024

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

Laurel Michel Driskell, to fill a term ending on January 15, 2024

Michelle Ewert, to fill a term ending on January 15, 2023

Braden Perry, to fill a term ending on January 15, 2023

Member, State Board of Tax Appeals: K.S.A. 74-2433

Devin Sprecker, to fill a term ending on January 15, 2024

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

Jack Newman, to fill a term ending on March 15, 2024

Debbie Wilkerson, to fill a term ending on March 15, 2025

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew the following appointments from the Calendar and referred them to the Committee on **Education**:

Member, State Board of Regents:

Carl Ice, to fill a term ending June 30, 2025.

Member, State Board of Regents:

Cynthia Lane, to fill a term ending June 30, 2025.

Member, State Board of Regents:

Wint Winter, Jr., to fill a term ending June 30, 2025.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, January 25, 2022.

Journal of the Senate

ELEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 25, 2022, 2:30 p.m.

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

Roll was called with 38 senators present.

Senators Claeys and Dietrich were absent.

The Vice President introduced Senator Richard Hilderbrand to deliver the invocation.

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 384, AN ACT concerning income taxation; relating to credits; providing a credit for certain qualified property taxes levied on homesteads, by Senator Hilderbrand.

SB 385, AN ACT concerning the Kansas offender registration act; requiring registration for certain violations of breach of privacy; amending K.S.A. 2021 Supp. 22-4902 and 22-4906 and repealing the existing sections, by Senators Warren, Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hilderbrand, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Ware and Wilborn.

SB 386, AN ACT concerning the Kansas open records act; relating to copies of records; limiting fees charged for copying and staff time; providing for waiver or reduction of such fees; amending K.S.A. 45-219 and repealing the existing section, by Committee on Ways and Means.

SB 387, AN ACT concerning the behavioral sciences regulatory board; relating to licensure of health professions and practices; allowing board-approved postgraduate supervised experience to count toward graduate level supervised clinical practicum of supervised professional experience; permitting current master's and clinical level licensees to take the addiction counselor test; requiring psychologists to have continuing education relating to diversity, equity and inclusion; amending K.S.A. 74-5318 and K.S.A. 2021 Supp. 65-6306 and 65-6610 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 388, AN ACT concerning elections; relating to mail ballots; requiring the use of the United States postal service when returning a ballot by mail; amending K.S.A. 25-1128 and repealing the existing section, by Senator Hilderbrand.

SB 389, AN ACT concerning elections; relating to voting systems and procedures; requiring voter-verified paper ballots with a distinctive watermark, by Senator Hilderbrand.

SB 390, AN ACT concerning elections; relating to handling of ballots by election workers; requiring the secretary of state and local election officer to develop an affidavit to be signed by such workers listing certain information, by Senator Hilderbrand.

SB 391, AN ACT concerning elections; requiring the secretary of state and county election officers to develop a system whereby ballots would reflect the number of years an incumbent for an office served in that position, by Senator Hilderbrand.

SENATE CONCURRENT RESOLUTION No. 1617—

By Senator Hilderbrand

A PROPOSITION to amend section 5 of article 1 and section 8 of article 2 of the constitution of the state of Kansas to eliminate the ability of the governor to call a special session of the legislature on extraordinary occasions or to call a special session of the legislature when petitioned to do so by two-thirds of the members elect of the legislature; provide for monthly meetings of the legislature after each regular session.

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 5 of article 1 and section 8 of article 2 of the constitution of the state of Kansas are hereby amended to read as follows:

"§ 5. Governor's duties for legislature; messages; special sessions; adjournment. ~~The governor may, on extraordinary occasions, call the legislature into special session by proclamation; and shall call the legislature into special session, upon petition signed by at least two-thirds of the members elected to each house.~~ At every session of the legislature, the governor shall communicate in writing information in reference to the condition of the state; and recommend such measures as ~~he~~ *the governor* deems expedient. In case of disagreement between the two houses in respect of the time of adjournment, the governor may adjourn the legislature to such time as ~~he~~ *the governor* deems proper, not beyond its next regular session.

"§ 8. Organization and sessions. (a) 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~~ 90 calendar days. Such sessions may be extended beyond ~~ninety~~ 90 calendar days by an affirmative vote of two-thirds of the members elected to each house.

(b) *After the adjournment of each regular session, the legislature shall meet on the first Monday of each month and any additional days as needed to deal with legislative matters. Any monthly session that extends beyond three days shall require an affirmative vote of two-thirds of the members elected to each house.*

(c) 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.

(d) 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."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of the amendment is to eliminate the ability of the governor to call special sessions of the legislature and to provide instead for the monthly meeting of the legislature following adjournment of the regular session.

"A vote for this proposition would remove the governor's power to call special sessions of the legislature and require the legislature meet on a monthly basis following the adjournment of the regular session of the legislature.

"A vote against this proposition would not amend the constitution and the governor would retain the power to call special session of the legislature on extraordinary occasions or when petitioned by two-thirds of the members elected to each house."

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 2022, 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 374.**

Commerce: **SB 378, SB 382.**

Education: **SB 380.**

Federal and State Affairs: **SB 375, SB 376.**

Financial Institutions and Insurance: **SB 377.**

Public Health and Welfare: **SB 381**.
 Transportation: **SB 379**.
 Utilities: **SB 383**.

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 Pharmacy Report of Substances Proposed for Scheduling, Rescheduling or Deletion (January 24, 2022)

Kansas Board of Pharmacy 2022 Annual Report on the Kansas Prescription Drug Monitoring Program (January 24, 2022)

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Warren, Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1725—

A RESOLUTION honoring pregnancy maintenance resource centers in Kansas and across the United States.

WHEREAS, The life-affirming impact of pregnancy maintenance resource centers on the women, men, children and communities they serve is significant and growing; and

WHEREAS, Pregnancy maintenance resource centers serve women in Kansas and across the United States with integrity and compassion; and

WHEREAS, More than 2,500 pregnancy maintenance resource centers across the United States provide men and women facing unplanned pregnancies with comprehensive care that includes resources to meet their physical, psychological, emotional and spiritual needs; and

WHEREAS, Pregnancy maintenance resource centers offer women free, confidential and compassionate services, including pregnancy tests, peer counseling, 24-hour telephone hotlines, childbirth and parenting classes, as well as referrals to community, healthcare and support services; and

WHEREAS, Many pregnancy maintenance resource centers offer ultrasound and other medical services; and

WHEREAS, Many pregnancy maintenance resource centers provide pregnant mothers with information on adoption and adoption referrals; and

WHEREAS, Pregnancy maintenance resource centers encourage women to make positive life choices by equipping them with complete and accurate information regarding their pregnancy options and the development of their unborn child; and

WHEREAS, Pregnancy maintenance resource centers provide women with compassionate and confidential peer counseling in a nonjudgmental manner, regardless of their pregnancy outcomes; and

WHEREAS, Pregnancy maintenance resource centers provide important support and resources to women who choose childbirth over abortion; and

WHEREAS, Pregnancy maintenance resource centers ensure that women receive prenatal information and services that lead to birth of healthy infants; and

WHEREAS, Many pregnancy maintenance resource centers provide grief assistance to men and women who regret the loss of their children due to choices they have made; and

WHEREAS, Federal and state governments are increasingly recognizing the valuable services of pregnancy maintenance resource centers, as demonstrated by the designation of public funds for such organizations, including the Stan Clark Pregnancy Maintenance Initiative in Kansas; and

WHEREAS, The successful operation of pregnancy maintenance centers primarily rely on the voluntary donations and time given by caring individuals who are committed to helping with the needs of women while promoting and protecting life: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we strongly support pregnancy maintenance resource centers for their unique and positive contributions to the individual lives of women, men and babies—both born and unborn; and

Be it further resolved: That we honor pregnancy maintenance resource centers in Kansas and across the United States; and

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

On emergency motion of Senator Warren, **SR 1725** 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 337 be passed.

SB 146 be amended by motion of Senator Petersen; on page 1, in line 8, by striking "2020" and inserting "2021";

On page 3, in line 28, by striking "2020" and inserting "2021";

On page 6, in line 41, by striking "2020" and inserting "2021";

On page 11, in line 5, by striking "2021" and inserting "2022"; in line 8, by striking "2020" and inserting "2021";

On page 1, in the title, in line 4, by striking "2020" and inserting "2021", and the bill be passed as amended.

HB 2087 be amended by the adoption of the committee amendments, and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, January 26, 2022.

Journal of the Senate

TWELFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 26, 2022, 2:30 p.m.

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

The roll was called with 39 senators present.

Senator Suellentrop was excused.

The Vice President introduced Doug Henkle to deliver the invocation:

Dear Jesus, so often we talk about the “power of prayer”, not perceiving that the power is not in the prayer but in the One to Whom we pray and in Whose Name we pray, Yours. Jesus, You taught Your disciples to pray and the prayer You taught them has been recited billions of times over the centuries. Lord, often we struggle to apply the words of Your prayer to the daily challenges we face in life’s journey and I wonder,

Can we say OUR if our lives don’t have room for others and their needs?

Can we say FATHER if we don’t live out that relationship in our daily lives?

Can we say WHO ART IN HEAVEN if our interests and commitments are on earthly things?

Can we say HALLOWED BE THY NAME if our lives don’t honor and glorify You?

Can we say THY KINGDOM COME if we don’t have Your kingdom growing in our hearts, our lives, and in our homes, country and world?

Can we say THY WILL BE DONE if we are unwilling to have Your will manifested in our lives?

Can we say ON EARTH AS IT IS IN HEAVEN unless we are truly willing to bring You everything in our lives today?

Can we say GIVE US THIS DAY OUR DAILY BREAD when we are ignoring the needs of our brothers and sisters?

Can we say FORGIVE US OUR TRESPASSES AS WE FORGIVE THOSE WHO TRESPASS AGAINST US if we harbor a grudge toward anyone?

Can we say LEAD US NOT INTO TEMPTATION if we deliberately choose to remain in situations that tempt us?

Can we say DELIVER US FROM EVIL if we are not willing to fight evil with the weapons of Word and prayer?

Can we say THINE IS THE KINGDOM if we are not willing to be the King’s loyal subjects?

Can we say THINE IS THE POWER if we fear what those around us will say or do?

Can we say THINE IS THE GLORY if we seek our own glory above Yours?

Can we say FOREVER AND EVER if we are anxious about the affairs of each day?

Can we say AMEN unless we can agree that, whatever the cost to our lives, this is our prayer? Show us, Dear 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 392, AN ACT concerning securities; relating to the securities act fee fund; terminating the transfer of remaining unencumbered moneys in such fund exceeding \$50,000 to the state general fund; amending K.S.A. 2021 Supp. 17-12a601 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 393, AN ACT concerning education; relating to school districts; requiring internet publication of student learning materials and activities used in student instruction; providing penalties for noncompliance therewith, by Senators Tyson, Claeys, Kerschen, Kloos, Peck, Steffen and Thompson.

SB 394, AN ACT concerning elections; relating to advanced 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 395, AN ACT concerning privacy rights; relating to real property; imposing restrictions on access and surveillance by employees of the Kansas department of wildlife and parks, by Committee on Federal and State Affairs.

SB 396, 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 397, AN ACT concerning conventions under article V of the constitution of the United States; prescribing the appointment and qualifications of delegates; duties and responsibilities thereof; instruction for delegates by the legislature; creating a joint committee of correspondence, 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 384**.

Federal and State Affairs: **SB 388, SB 389, SB 390, SB 391**.

Judiciary: **SB 385; SCR 1617**.

Public Health and Welfare: **SB 387**.

Transparency and Ethics: **SB 386**.

MESSAGE FROM THE HOUSE

Announcing passage of **Sub SB 355**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Faust-Goudeau, Francisco and Haley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1726—

A RESOLUTION recognizing Kevin Willmott for his outstanding accomplishments in writing and directing and for his contributions to American film and education.

WHEREAS, Kevin Willmott grew up in Junction City, Kansas, and received his Bachelor of Arts degree in drama from Marymount College in Salina, Kansas; and

WHEREAS, After graduation, he returned to Junction City, where he began working as a civil rights activist fighting for the rights of those living in poverty, establishing two Catholic Worker shelters for the homeless and forcing the integration of several long standing segregated institutions; and

WHEREAS, Kevin went on to earn a Masters of Fine Arts degree in dramatic writing from New York University's Tisch School of the Arts; and

WHEREAS, He is known for work that combines his passion for creativity, social justice and contemporary issues; and

WHEREAS, Kevin has written and directed several films, including Ninth Street, C.S.A.: The Confederate States of America and Jayhawkers; and

WHEREAS, In 2015, Kevin collaborated with filmmaker Spike Lee to write the script for Chi-Raq; and

WHEREAS, This collaboration would eventually produce the film BlacKkKlansman, which earned an Academy Award and a British Academy Film Award in 2018, both for best adapted screenplay; and

WHEREAS, Following the success of BlacKkKlansman, the pair co-wrote Da 5 Bloods, which was released to critical acclaim and named the Best Film of 2020 by the National Board of Review of Motion Pictures; and

WHEREAS, In addition to his prolific career in filmmaking, Kevin is a professor of film and media studies at the University of Kansas: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize Kevin Willmott for his outstanding accomplishments in writing and directing and for his contributions to American film and education; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Kevin Willmott, Kathy Willmott, Ruth Willmott, Matt Jacobson and Senators Faust-Goudeau, Francisco and Haley.

On emergency motion of Senator Faust-Goudeau **SR 1726** was adopted by voice vote.

Committee on **Education** introduced the following Senate resolution:

SENATE RESOLUTION No. 1727—

A RESOLUTION congratulating and commending
the members of the 2022 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 of the award chosen from among the eight finalists; and

WHEREAS, The Kansas Teacher of the Year is awarded with 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 2022 Kansas Teacher of the Year and the finalists will be honored at an awards banquet on September 25, 2022. All members will receive 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 2022 Kansas Teacher of the Year is Susanne L. Stevenson, Dodge City USD 443; and the regional finalists are: Amber R. Carithers, Hutchinson USD 308; Natalie R. Johnson-Berry, Shawnee Mission USD 512; Amanda Ketterling, Bonner Springs USD 204; Lisa E. Martinez, Seaman USD 345; Megan L. O'Neill, Ottawa USD 290; Kristin Salazar, Goddard USD 265; Laurie Thisius, Cheney USD 268.

Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the members of the 2022 Kansas Teacher of the Year team; and

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

On emergency motion of Senator Baumgardner **SR 1727** was adopted by voice vote.

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 and Oversight**.

By the Governor

On the appointment to the:

Kansas Development Finance Authority:

Chris Donnelly, 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

Kansas Human Rights Commission:

Jill Geren, Term ends January 15, 2023

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson,

Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

Kansas Public Employee Relations Board:

Jonathan Gilbert, 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

Kansas Development Finance Authority:

Moniqueka Holloway, 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

Kansas National Guard:

Jason Nelson, At the pleasure of the Governor

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

Kansas Development Finance Authority:

Jonathan Small, Term ends January 15, 2023

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

Kansas Racing and Gaming Commission:

Sheryl Spalding, Term ends January 15, 2024

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 1; Absent or Not Voting 1.

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

Present and Passing: Warren.

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

Kansas Commission on Veterans Affairs Office:

William Turner, At the pleasure of the Governor

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

Kansas Public Employee Relations Board:

William (Pat) Young, 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

Kansas Public Employees Retirement Board of Trustees:

Joanne Yun, 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 146, AN ACT concerning drivers' licenses; relating to driving under the influence of alcohol or drugs; providing that the highway patrol has oversight of state certification ignition interlock manufacturers and their service providers; amending K.S.A. 8-1016 and K.S.A. 2021 Supp. 8-241, 8-1014 and 8-1015 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The bill passed, as amended.

SB 337, AN ACT concerning financial institutions; relating to the technology-enabled fiduciary financial institutions act; pertaining to the pilot program; converting the conditional charter to a full fiduciary financial institution charter; amending K.S.A. 2021 Supp. 9-2325 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The bill passed.

HB 2087, AN ACT concerning administrative rules and regulations; relating to review by the director of the budget; amending K.S.A. 77-416, 77-420, 77-420a, 77-421 and 77-422 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **SB 347** be amended on page 1, in line 20, by striking "11" and inserting "12";

On page 2, in line 1, by striking "(5)" and inserting "(6)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 8, in line 41, by striking "9" and inserting "11";

On page 10, in line 35, after the period by inserting "The secretary shall also consider factors pursuant to subsection (d)."; in line 43, by striking all after "(c)";

On page 11, by striking all in lines 1 through 5; in line 6, by striking all before "The"; in line 8, by striking all after the period; by striking all in line 9; in line 10, by striking all before "An"; in line 11, by striking "that is not refunded" and inserting "remaining after such installment has been applied against the taxpayer's tax liability"; in line 12, by striking "first"; in line 13, by striking "or for refund, as the case may be,"; in line 14, after "period" by inserting "of time that the earned tax credit may be claimed"; also in line 14, by striking "installment portion of an"; in line 15, by striking "or refunded"; in line 17, after the period, by inserting "An earned tax credit, or any portion thereof, shall not be refundable."; in line 18, by striking all after "(d)"; by striking all in lines 19 through 21; in line 22, by striking all before "The" and inserting "In addition to the factors set forth in subsection (b),"; also in line 22, by striking "additional" and inserting "determination of the"; also in line 22, after "percentage" by inserting "of the tax credit that may be earned by the taxpayer in a taxable year";

On page 17, in line 27, after "facility" by inserting "including, with respect to a qualified firm, a requirement of an investment"; in line 28, by striking "sections" and inserting "section"; also in line 28, by striking "and 3";

On page 18, following line 26, by inserting:

"New Sec. 12. (a) Commencing with fiscal year 2022, in any fiscal year that a qualified firm or qualified supplier receives benefits under the advancing powerful economic expansion act, sections 1 through 12, and amendments thereto, the secretary of commerce shall certify such fact to the secretary of revenue, the director of the budget and the director of legislative research. Such certification shall be made when such fact is known to the secretary, but in any event on or before June 30 of such fiscal year.

(b) Upon receipt of such certification, the secretary of revenue shall adjust the corporate income tax rate imposed pursuant to the provisions of K.S.A. 79-32,110, and amendments thereto, to go into effect for the next tax year by reducing the rate by 0.5%.

(c) The rate reduction of 0.5% shall be applied first to reduce the normal tax on corporations imposed pursuant to K.S.A. 79-32,110, and amendments thereto. Upon the normal tax on corporations being reduced to 0%, the rate reduction shall next be applied to the surtax on corporations until reduced to 0%.

(d) The secretary of revenue shall report any reduction in corporate income tax rates pursuant to this section to the chairpersons of the senate standing committees on assessment and taxation and commerce, the chairpersons of the house of representatives standing committees on commerce, labor and economic development and taxation and the governor, and shall cause notice of any such reduction to be published in the Kansas register prior to September 15 of the calendar year immediately preceding the tax year in which such reduction takes effect.

Sec. 13. K.S.A. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident Individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns*.

(A) For tax year 2012:	
If the taxable income is:	The tax is:
Not over \$30,000.....	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000.....	\$2,925 plus 6.45% of excess over \$60,000
(B) For tax year 2013:	
If the taxable income is:	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000.....	\$900 plus 4.9% of excess over \$30,000
(C) For tax year 2014:	
If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.8% of excess over \$30,000
(D) For tax years 2015 and 2016:	
If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.6% of excess over \$30,000
(E) For tax year 2017:	
If the taxable income is:	The tax is:
Not over \$30,000.....	2.9% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$870 plus 4.9% of excess over \$30,000
Over \$60,000.....	\$2,340 plus 5.2% of excess over \$60,000
(F) For tax year 2018, and all tax years thereafter:	
If the taxable income is:	The tax is:
Not over \$30,000.....	3.1% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$930 plus 5.25% of excess over \$30,000
Over \$60,000.....	\$2,505 plus 5.7% of excess over \$60,000
(2) <i>All other individuals.</i>	
(A) For tax year 2012:	
If the taxable income is:	The tax is:
Not over \$15,000.....	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$525 plus 6.25% of excess over \$15,000
Over \$30,000.....	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.0% of Kansas taxable income
Over \$15,000.....	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.8% of excess over \$15,000

(D) For tax years 2015 and 2016:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.6% of excess over \$15,000

(E) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.9% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$435 plus 4.9% of excess over \$15,000
Over \$30,000.....	\$1,170 plus 5.2% of excess over \$30,000

(F) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.1% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$465 plus 5.25% of excess over \$15,000
Over \$30,000.....	\$1,252.50 plus 5.7% of excess over \$30,000

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) (A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;

(B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and

(C) for tax year 2011, and all tax years thereafter, the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) hereof.

(e) Notwithstanding the provisions of subsections (a) and (b): (1) For tax years 2016 and 2017, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero; and (2) for tax year 2018, and all tax years thereafter, married individuals filing joint returns with taxable income of \$5,000 or less, and all other individuals with taxable income of \$2,500 or less, shall have a tax liability of zero.

(f) No taxpayer shall be assessed penalties and interest arising from the underpayment of taxes due to changes to the rates in subsection (a) that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.

(g) Tax rates imposed upon corporations provided in this section shall be adjusted pursuant to the provisions of section 12, and amendments thereto.;

On page 55, in line 3, by striking all before "for"; in line 10, by striking "building" and inserting "business"; in line 12, by striking "building" and inserting "business"; in line 33, before "K.S.A" by inserting "K.S.A. 79-32,110 and"; also in line 33, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking "a refundable" and inserting "an"; in line 10, after the semicolon by inserting "adjusting the income tax on corporations by reducing the rate by 0.5% after any fiscal year that incentives under this act are received by a business"; in line 12, after "amending" by inserting "K.S.A. 79-32,110 and"; in line 13, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 330** be passed.

Also, **HB 2005** be amended on page 1, in line 7, by striking "2020 Supp.";

On page 3, in line 4, by striking "2020 Supp."; in line 6, by striking "Kansas register" and inserting "statute book";

On page 1, in the title, in line 3, by striking "2020 Supp."; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, January 27, 2022.

Journal of the Senate

THIRTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 27, 2022, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 39 senators present.

Senator Suellentrop was excused.

President Masterson introduced Doug Henkle to deliver the invocation:

Heavenly Father, it is such a blessing to know You love us and care about every detail of our lives. You even know the number of hairs on our head! You care about each word spoken here and You know the motivation behind each word. You care about the debate that will occur on the floor of this chamber today. I pray You would cause a bond of common purpose to unite this body and that Your peace would be over the Kansas Senate.

I ask that You give each Senator wisdom and I pray for friendly relations as passionately held positions are argued. Cause each member of this body to think before they speak, aware that their words will not be overlooked or easily erased. Keep them from quarrels and angry disputes. Rather, cause each Senator to argue strongly held, differing positions in a diplomatic and honorable way to the best of their ability, striving for satisfactory resolution, blessing all Kansans.

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

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. In Jesus' Name, Amen.

The Pledge of Allegiance was led by President Masterson.

CELEBRATING KANSAS DAY

Senators, led by Senator Gossage and Senator Pittman, sang *Home on the Range*, the State Song, in advance of Kansas Day 2022 on January 29.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 398, AN ACT concerning public health; relating to vaccinations; children and minors; requiring a child care facility or school to grant religious exemptions from vaccination requirements without inquiring into the sincerity of the religious beliefs; amending K.S.A. 65-508 and 72-6262 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 399, AN ACT concerning insurance; relating to the healthcare insurance provider availability act; adding maternity center to the definition of healthcare provider contained therein; amending K.S.A. 40-3401 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 400, AN ACT concerning trusts; relating to the creation, modification and termination thereof; creating an opt-out provision for the rule against perpetuities; providing for a process by which a new trust can be created by moving all of the contents of one trust into a new trust; adding to the list of matters that may be resolved by nonjudicial settlement agreements; increasing the threshold at which an uneconomic trust may be terminated; updating the definition of resident trust; amending K.S.A. 58a-414 and 79-32,109 and K.S.A. 2021 Supp. 58a-111 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 401, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; providing for an annual cost-of-living adjustment for retirants upon the occurrence of certain annual investment returns and consumer price index increases as certified by the board or executive director as designated by the board, by Committee on Financial Institutions and Insurance.

SB 402, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; providing a cost-of-living adjustment for certain retirants, by Committee on Financial Institutions and Insurance.

SB 403, AN ACT concerning sales and compensating use tax; relating to city and countywide retailers' sales tax; Wilson county, election and rates; amending K.S.A. 2021 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 404, AN ACT concerning gaming; authorizing a vote to permit electronic gaming machines at a racetrack gaming facility in Sedgwick county; authorizing parimutuel licensees to operate historical horse race machines; establishing the Kansas horse council fund, privilege fee repayment fund, racetrack gaming facility management repayment fund and facility manager licensee repayment fund; amending K.S.A. 74-8702, 74-8734, 74-8741, 74-8743, 74-8746, 74-8747, 74-8802, 74-8804, 74-8814, 74-8823 and 74-8836 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 405, 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 406, AN ACT concerning firearms; creating the back the blue act; authorizing the issuance of protective orders to prohibit the acquisition and possession of firearms to reduce law enforcement officer deaths; civil and criminal penalties for violations of such orders, by Committee on Federal and State Affairs.

SB 407, AN ACT concerning the state children's health insurance program; relating to eligibility; updating income requirements therefor; eliminating waiting period for certain persons to receive coverage; amending K.S.A. 38-2001 and repealing the existing section, by Committee on Ways and Means.

SB 408, AN ACT concerning crimes, punishment and criminal procedure; relating to theft; increasing criminal penalties for multiple thefts of mail; amending K.S.A. 2021 Supp. 21-5801 and repealing the existing section, by Committee on Judiciary.

SB 409, AN ACT concerning freedom of worship; prohibiting certain restrictions on such freedom by governmental entities and public officials; limiting related state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities; related powers of the secretary of health and environment and local health officers; amending K.S.A. 2021 Supp. 48-925, 48-932, 65-101, 65-201 and 65-202 and repealing the existing sections, by Committee on Judiciary.

SB 410, AN ACT concerning the legislative branch; requiring the state capitol and legislative meetings to be open to the public, by Committee on Judiciary.

SB 411, AN ACT concerning commerce; prohibiting certain restrictions on the operation of private businesses by governmental entities and public officials; limiting related state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities; related powers of the secretary of health and environment and local health officers; amending K.S.A. 2021 Supp. 48-925, 48-932, 65-101, 65-201 and 65-202 and repealing the existing sections, by Committee on Judiciary.

SB 412, AN ACT concerning crimes, punishment and criminal procedure; relating to violation of a protective order; increasing criminal penalties therefor; amending K.S.A. 2021 Supp. 21-5924 and repealing the existing section, by Committee on Judiciary.

SB 413, AN ACT concerning crimes, punishment and criminal procedure; relating to domestic battery; authorizing staggered sentencing therefor; amending K.S.A. 2021 Supp. 21-5414 and repealing the existing section, by Committee on Judiciary.

SB 414, AN ACT concerning crimes, punishment and criminal procedure; relating to driving under the influence; authorizing staggered sentencing therefor; amending K.S.A. 2021 Supp. 8-1567 and repealing the existing section, by Committee on Judiciary.

SB 415, 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; law enforcement policies regarding domestic violence calls; directing that arrest is the preferred response only with respect to the primary aggressor; amending K.S.A. 2021 Supp. 21-5111, 22-2307 and 60-3107 and repealing the existing sections, by Committee on Judiciary.

SB 416, AN ACT concerning crimes, punishment and criminal procedure; relating to law enforcement policies regarding domestic violence calls; requiring officers investigating alleged domestic violence to conduct a lethality assessment; amending K.S.A. 2021 Supp. 22-2307 and repealing the existing section, by Committee on Judiciary.

SB 417, AN ACT concerning health and environment; relating to solid waste; establishing minimum and maximum permit renewal fees for certain disposal areas and processing facilities; amending K.S.A. 65-3407 and repealing the existing section, by Committee on Agriculture and Natural Resources.

SB 418, AN ACT concerning elections; prohibiting the modification of election laws by agreement except as approved by the legislative coordinating council; amending K.S.A. 25-125 and repealing the existing section, by Committee on Federal and State Affairs.

SENATE CONCURRENT RESOLUTION No. 1618—

By Committee on Judiciary

A PROPOSITION to amend article 1 of the constitution of the state of Kansas by adding a new section thereto, concerning oversight by the legislature of certain executive branch actions.

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 1 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 17. Legislative oversight of administrative rules and regulations. Whenever the legislature by law has authorized any officer or agency within the executive branch of government to adopt rules and regulations that have the force and effect of law, the legislature may provide by law for the revocation or suspension of any such rule and regulation, or any portion thereof, upon a vote of a majority of the members then elected or appointed and qualified in each house."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of this amendment is to provide the legislature with oversight of state executive branch agencies and officials by providing the legislature authority to establish procedures to revoke or suspend rules and regulations.

"A vote for this proposition would allow the legislature to establish procedures to revoke or suspend rules and regulations that are adopted by state executive branch agencies and officials that have the force and effect of law.

"A vote against this proposition would allow state executive branch agencies and officials to continue adopting rules and regulations that have the force and effect of law without any opportunity for the legislature to directly revoke or suspend such rules and regulations."

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 the year 2022, 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:

Education: **SB 393**.

Federal and State Affairs: **SB 394, SB 396, SB 397**.

Financial Institutions and Insurance: **SB 392**.

Judiciary: **SB 395**.

CHANGE OF REFERENCE

The President withdrew **SB 371** from the Committee on **Transportation**, and referred the bill to the Committee on **Judiciary**.

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 appointment be confirmed as recommended by the Committee on **Confirmation and Oversight**.

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Laurel Driskell, to serve a term ending 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

State Board of Indigents Defense Services:

Michelle Ewert, to serve a term ending January 15, 2023

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

State Banking Board:

Taylor Hight, to serve a term ending March 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, Bowers, Claeys, Corson, Dietrich, Doll,

Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

University of Kansas Hospital Authority:

Jack Newman, to serve a term ending March 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

State Board of Indigents Defense Services:

Braden Perry, to serve a term ending January 15, 2023

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

State Board of Tax Appeals:

Devin Sprecker, to serve a term ending 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

The appointment was confirmed.

University of Kansas Hospital Authority:

Debbie Wilkerson, to serve a term ending 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson,

Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Suellentrop.

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 Baumgardner in the chair.

On motion of Senator Baumgardner the following report was adopted:

SB 347 be amended by the adoption of the committee amendments, be further amended by motion of Senator Erickson, on page 59, following line 16, by inserting:

"New Sec. 15. The secretary of commerce shall not enter into any agreement with a qualified firm or qualified supplier pursuant to section 2, and amendments thereto, on and after March 31, 2023."; and by renumbering sections accordingly.

SB 347 be further amended by motion of Senator Erickson, on page 2, in line 5, after "(7)" by inserting "Foreign trade zone" means the same as provided in the foreign-trade zones act of 1934, 19 U.S.C. 81a et seq.;

(8)";

On page 4, in line 23, by striking the colon; by striking all in lines 24 through 31; in line 32, by striking all before the period and inserting "is a supplier of components, sub-assemblies, chemicals or other process-related tangible goods and that is owned by:

(A) An individual, any partnership, association, limited liability corporation or corporation domiciled in Kansas; or

(B) any business, including any business owned by an individual, any partnership, association, limited liability corporation or corporation, even if the business is a wholly owned subsidiary of a foreign corporation, that operates in the state of Kansas for the purpose of supplying a qualified firm";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 7, in line 17, after "repayment" by inserting ", at the direction of the secretary of commerce,"; also in line 17, after "all" by inserting "unearned"; in line 19, by striking all after the second "the"; by striking all in line 20; in line 21, by striking all before the period and inserting "qualified firm does not make a qualified business investment of at least \$1,000,000,000";

On page 8, in line 34, after "in" by inserting "any other economic development program or fund administered by the secretary of commerce, including, but not limited to, the STAR bond program,";

On page 17, in line 34, after the period by inserting "The secretary of commerce shall certify to the secretary of revenue that a qualified supplier is eligible and the date of eligibility of the qualified supplier.", and **SB 347** be passed as further 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 347** was advanced to Final Action and roll call.

SB 347, AN ACT concerning economic development; enacting the attracting powerful economic expansion act; relating to tax and other incentives for projects in specified industries or for a national corporate headquarters with specified capital

investment requirements of at least \$1,000,000,000; providing for an income, privilege and premium tax credit for a portion of such investment; reimbursement of certain payroll costs and training and education costs; retention of certain payroll withholding taxes; sales tax exemption for project construction and a property tax incentive for certain projects located in a foreign trade zone; adjusting the income tax on corporations by reducing the rate by 0.5% after any fiscal year that incentives under this act are received by a business; establishing the attracting powerful economic expansion payroll incentive fund and the attracting powerful economic expansion new employee training and education fund; amending K.S.A. 79-32,110 and K.S.A. 2021 Supp. 79-3606 and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 7; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Billinger, Bowers, Claey's, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Ryckman, Sykes, Ware, Warren, Wilborn.

Nays: Baumgardner, Hilderbrand, Peck, Steffen, Straub, Thompson, Tyson.

Absent or Not Voting: Suellentrop.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. President: I stand in support of this bill. I find the unique approach of incorporating a supply chain footprint innovative. It's targeted to a specific class of business where they invest \$1 billion or more in our economy. It's going to provide jobs for our working families. It will allow us to be competitive, and drive our state forward in advanced manufacturing and other industries, where we need to innovate to stay competitive not only in the United States but on the Global stage. This APEX program has performance based-incentives, tax credits, and payroll refunds only after companies make the investment. I would rather have a little bit of something than a little bit of nothing.—JEFF PITTMAN

Senator Faust-Goudeau requests the record to show she concurs with the "Explanation of Vote" offered by Senator Pittman on **SB 347**.

Mr. President: **SB 347** is a scheme that pursues blue sky. It is the aspiration of cheerleaders, not serious businessmen/women. This sort of activity is not part of our Constitutional mandate and is not supported by the grassroots business owners and workers of Kansas.—MARK STEFFEN

Mr. President: All of us want economic policies that drive businesses and associated economic activity to Kansas. We welcome large companies and small companies and everything in between. **SB 347** contains a number of incentives that have noble and important goals, and certainly the magnitude of the project is significant. However, at this point, I am concerned about the impact on small and mid-size businesses that aren't granted the same incentive and now know the government is putting its thumb on the scale. Today, I received a call from a small businessperson in my district who was concerned about that very thing. I am pleased that the legislation contains provisions that do level the playing field on corporate income taxes, as well as the sunset that helps

with oversight, and appreciate that both were included. However, at this point I must vote No.—MIKE THOMPSON

Mr. President: This bill brings up several competing factors to consider. On one hand, we welcome private sector investment to Kansas to increase the number of high-quality jobs, thus making our state a more attractive place to earn a living – and the potential of projects of such a large magnitude to grow the Kansas economy is certainly appealing. On the other hand, we need to be extremely judicious in the use of economic incentives that have the potential of undermining economic fairness and place the state government in the position of picking between winners and losers, when we should be moving towards policies that benefit all businesses in Kansas. **SB 347**, as currently constructed, mitigates those concerns in two ways. First, it uses proceeds to lower the corporate income tax that will help level the playing field for all corporations in Kansas. Second, it includes a sunset just on the horizon so the legislature can ensure the legislation is being enacted as intended. On balance, due to the potential to drive significant economic activity in Kansas, combined with the efforts to level the playing field and ensure proper oversight, I stand in support. I vote Yes.—KELLIE WARREN

Senators Billinger, Erickson, Fagg and Gossage request the record to show they concur with the "Explanation of Vote" offered by Senator Warren on **SB 347**.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 358** 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 **SB 332** be amended on page 1, in line 13, after "thereto" by inserting ", while workers are present"; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SB 355 reported correctly enrolled, properly signed and presented to the Governor on January 27, 2022.

SR 1725, SR 1726, SR 1727 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 27, 2022.

On motion of Senator Alley, the Senate adjourned Pro Forma until 9:00 a.m., January 28, 2022.

Journal of the Senate

FOURTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 28, 2022, 9:00 a.m.

The Senate was called to order Pro Forma by Senator Rick Kloos.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 419, AN ACT concerning law enforcement; relating to special agents of the department of corrections; the commission on peace officers' standards and training; Kansas law enforcement training act; amending K.S.A. 74-5602 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 403**.

Federal and State Affairs: **SB 404, SB 405, SB 406, SB 418**.

Financial Institutions and Insurance: **SB 399, SB 400, SB 401, SB 402**.

Judiciary: **SB 408, SB 409, SB 411, SB 412, SB 413, SB 414, SB 415, SB 416; SCR 1618**.

Public Health and Welfare: **SB 398, SB 407, SB 417**.

Transparency and Ethics: **SB 410**.

COMMUNICATIONS FROM STATE OFFICERS

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

KDOC FY2021 Annual Report (January 26, 2022)

KDOC FY2021 Adult Community Corrections Statistical Summary (January 26, 2022)

KDOC Juvenile Justice Oversight Committee Annual Report (January 26, 2022)

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2075** be amended on page 1, in line 6, by striking "2020" and inserting "2021"; in line 33, by striking "2020" and inserting "2021";

Also on page 1, in the title, in line 2, by striking "2020" and inserting "2021"; and the bill be passed as amended.

Also, **HB 2109** be amended on page 1, in line 13, by striking "2020 Supp."; in line 14, by striking "an" and inserting "and"; and the bill be passed as amended.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of January 24 through January 28, 2022:

Senator Billinger: celebrating Julia Kopriva's 104th Birthday;

Senator Bowers: congratulating Cricket Schmidt on being named the 2021 Rooks County Health Center Employee of the Year;

Senator Faust-Goudeau: commending Kevin Willmott on his service to the arts, community, and the State of Kansas;

Senator Masterson: congratulating Alisa Rud on winning her division of the "Happy Birthday, Kansas" Student Photo Contest; and

Senators Baumgardner, Kerschen, O'Shea, Pittman, Ryckman, Steffen, Sykes, and Tyson: congratulating the 2022 Kansas Teacher of the Year and 2022 Kansas Teacher of the Year Regional Finalists.

On motion of Senator Erickson, the Senate adjourned until 2:30 p.m., Monday, January 31, 2022.

Journal of the Senate

FIFTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 31, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 37 senators present.
Senators Hawk, Kloos and Steffen were excused.
Vice President Wilborn introduced Doug Henkle to deliver the invocation:

Father God, thank You for the weekend at home with friends and family. Thank You for the refreshment it brings to our hearts. Now we have returned to continue and conduct the business of the citizens of our beloved “Home on the Range”. We have returned to this chamber, gathered uniquely in all of history, these particular Senators in this singular time and place.

Cause each member of this body to value these days together and the opportunity for relationships developed here, within the caucuses and across the aisle, in spite of differing perspectives regarding the matters at hand. Give these Senators an appreciation for the uniqueness of one another and for the different approaches to the legislation before them. In light of eternity, Father, their time here in this chamber is brief and, therefore, their choices, relationally as well as legislatively, matter.

Father, I thank You that You can be their standard. That You can be the mark toward which they strive. Often times we tend to allow others and our concern for their response to us to cause us to miss Your mark. I pray that Your standard would be the goal.

May Your will be in each of us, individually and collectively, in the Kansas Senate, and in these hours be accomplished. In Jesus' Name, 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 420, AN ACT concerning civil actions; relating to limitations on actions; extending the time to file a claim for damages caused by childhood sexual abuse; reviving claims against any party for such damages that occurred on or after July 1, 1984; amending K.S.A. 2021 Supp. 60-523 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committees as indicated:

Judiciary: **SB 419**.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 417** from the Committee on **Public Health and Welfare**, and referred the bill to the Committee on **Agriculture and Natural Resources**.

MESSAGES FROM THE GOVERNOR

Enclosed herewith is Executive Directive No. 22-549 for your information. (January 26, 2022)

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 346** be amended on page 2, in line 1, by striking "This product contains"; in line 2, by striking all after "milk"; in line 3, by striking all before the quotation mark; also in line 3, after the quotation mark by inserting "or "Unpasteurized"."; in line 7, by striking "and" and inserting "or";

On page 8, in line 19, by striking "\$.01" and inserting "\$.0075"; in line 22, by striking "or" and inserting a comma; also in line 22, after "products" by inserting "or other dairy products";

On page 11, in line 9, by striking "K.S.A. 65-784a" and inserting "section 1"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 300** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL No. 300," as follows:

"Substitute for SENATE BILL No. 300

By Committee on Judiciary

"AN ACT concerning crimes, punishment and criminal procedure; relating to the Kansas racketeer influenced and corrupt organization act; adding a person who has engaged in identity theft or identity fraud to the definition of covered person; identity theft and identity fraud to the definition of racketeering activity; amending K.S.A. 2021 Supp. 21-6328 and repealing the existing section.";

And the substitute bill be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, February 1, 2022.

Journal of the Senate

SIXTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 1, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 40 senators present.
Vice President Wilborn introduced Doug Henkle to deliver the invocation:

Father God, Creator of All, it was amazing to feel the relatively pleasant temperature this morning and see the vast bank of gray clouds slowly approach from the south in anticipation of a winter storm tonight. It reveals Your awesome power, might and sovereignty. It's no wonder Your disciples were filled with fear and amazement as they saw You calm the winds and water on the Sea of Galilee. In spite of all mankind's creativity and technology, today we still seem small and helpless before the force of nature. I pray we would find refuge in You.

Keep those who must travel during this storm safe. Cause them to exercise sound judgment. I lift up to You those whose jobs are to be out in the storm, keeping our roads and highways clear. Give them peace and confidence in You as they operate their equipment in often challenging situations.

I pray for the farmers and ranchers of Kansas as they care for their livestock during the storm. Thank You for their consistent care for their animals in fair and foul weather. They are a hearty breed of Kansan!

Bless our governor with Your wisdom as she leads the executive branch of our state government. Give her discernment as she may need to bring the resources at her disposal to bear in order to alleviate the effects of the storm.

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 pray that the results of their efforts would honor You and bless all Kansans.

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 421, AN ACT concerning the Kansas public employees retirement system; eliminating certain level-dollar employer contribution payments; making and concerning appropriations for the fiscal year ending June 30, 2022; authorizing certain transfers from the state general fund to the Kansas public employees retirement fund;

amending K.S.A. 2021 Supp. 74-4920 and repealing the existing section, by Committee on Ways and Means.

SB 422, AN ACT making and concerning appropriations for fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, 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. 2021 Supp. 2-223, 12-1775a, 12-5256, 17-12a601, 72-5462, 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 423, AN ACT concerning motor vehicles; relating to motor vehicle warranties; modifying how reasonable allowance for use is calculated for nonconforming vehicle warranty refunds; amending K.S.A. 8-2440 and 50-645 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 424, AN ACT concerning law enforcement; relating to officer-involved deaths and use of aggressive force; requiring investigations and reports, by Committee on Federal and State Affairs.

SB 425, AN ACT concerning children and minors; relating to the Kansas department for children and families; clarifying information exchange in investigations of child abuse between the department and law enforcement agencies; directing the department to release certain information to law enforcement agencies; amending K.S.A. 38-2210, 38-2211 and 38-2212 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 426, AN ACT concerning income taxation; relating to the child day care services assistance tax credit; increasing the amount of the credit for years following facility establishment; providing a credit for employer payments to an organization providing access to employees for child day care services; expanding eligible taxpayers; amending K.S.A. 79-32,190 and repealing the existing section, by Senator Sykes.

SB 427, AN ACT concerning campaign finance; extending the time frame for governmental ethics commission hearings; allowing federal officials access to governmental ethics commission investigations; amending K.S.A. 25-4148, 25-4156, 25-4161, 25-4165 and 25-4174 and repealing the existing sections, by Committee on Local Government.

SB 428, AN ACT concerning governmental ethics; extending the time frame for hearings before the governmental ethics commission; allowing federal officials access to commission investigations; amending K.S.A. 46-255, 46-256, 46-259, 46-265 and 46-280 and repealing the existing sections, by Committee on Local Government.

SB 429, AN ACT concerning campaign finance; requiring electronic filing of reports for state offices; amending K.S.A. 25-4148 and repealing the existing section, by Committee on Local Government.

SB 430, AN ACT concerning income taxation; relating to certain net operating losses; allowing a carryback on loss from sale of certain historic hotels; amending K.S.A. 2021 Supp. 79-32,143 and repealing the existing section, by Committee on Assessment and Taxation.

SB 431, AN ACT concerning property taxation; relating to exemptions; increasing extent of exemption for residential property from statewide school levy; amending K.S.A. 2021 Supp. 79-201x and repealing the existing section, by Committee on

Assessment and Taxation.

SB 432, 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 Committee on Assessment and Taxation.

SB 433, AN ACT concerning property taxation; relating to exemptions; establishing a property tax exemption for antique utility trailers, by Committee on Assessment and Taxation.

SB 434, AN ACT concerning public records; relating to records that contain captured license plate data or that pertain to the location of an automated license plate recognition system; disclosure thereof under the open records act; amending K.S.A. 45-217, 45-220 and 45-221 and repealing the existing sections, by Committee on Judiciary.

SB 435, AN ACT concerning law enforcement; relating to law enforcement officers; expanding jurisdiction and powers thereof; amending K.S.A. 72-6146 and K.S.A. 2021 Supp. 22-2401a and repealing the existing sections, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Judiciary: **SB 420**.

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 FY 2021 Hunters Feeding the Hungry Annual Report (January 18, 2022)

Department of Wildlife and Parks Annual Land Report (January 18, 2022)

Department of Wildlife and Parks Annual Progress Report on the Completion of Recovery Plans for Threatened or Endangered Species in Kansas (January 26, 2022)

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 McGinn in the chair.

On motion of Senator McGinn the following report was adopted:

SB 330 be passed.

SB 329, **HB 2005** be amended by the adoption of the committee amendments, and the bills be passed as amended.

HB 2228 be passed over and retain a place on the calendar.

FINAL ACTION ON CONSENT CALENDAR

SB 358, AN ACT concerning water; relating to the financing of public water supply projects; allowing financing for projects that are related to the diversion or transportation of water acquired through a water transfer; amending K.S.A. 65-163d

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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

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 329**, **SB 330**; **HB 2005** were advanced to Final Action and roll call.

SB 329, AN ACT concerning persons with disabilities; relating to income taxation, ABLE savings accounts; authorizing the state treasurer to determine account owners and designated beneficiaries; adopting the federal definition for an eligible individual; adding persons who may open an account; requiring additional compliance with the federal internal revenue code; amending K.S.A. 75-651, 75-652, 75-653 and 75-655 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 330, AN ACT authorizing the construction of a permanent memorial honoring Kansas gold star families on the state capitol grounds; establishing the Kansas gold star families memorial fund.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2005, AN ACT concerning the boiler safety act; relating to exceptions to the applicability of the act; specifications for certain hot water supply boilers; amending K.S.A. 44-915 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes,

Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **SB 340** be amended on page 1, in line 31, after "is" by inserting ":

- (A) Approved by the state board of regents;
- (B) high wage, high demand or critical need; and
- (C) ";

On page 2, in line 31, by striking the second "and"; in line 35, after "requirements" by inserting ";

(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";

On page 4, in line 14, by striking all after "designate"; in line 15, by striking all before "of" and inserting "an additional field"; in line 16, before the colon by inserting "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";

Also on page 4, in line 17, by striking "(1)" and inserting "(A)"; in line 18, by striking "(2)" and inserting "(B)"; in line 19, by striking "(3)" and inserting "(C)"; in line 20, by striking "(4)" and inserting "(D)"; in line 21, by striking "(5)" and inserting "(E)"; in line 22, by striking all after "(b)"; in line 23, by striking "educational institution may designate one additional"; in line 24, by striking "field of study if the"; also in line 24, by striking "programs within such"; in line 25, by striking "field of study are two-year associate degree"; also in line 25, by striking "programs or" also in line 25, by striking "career"; in line 26, by striking "and technical education"; also in line 26, by striking "certificates or stand-alone"; in line 27, by striking "programs that"; also in line 27, by striking "correspond to"; also in line 27, by striking "high wage, high demand or"; in line 28, by striking "critical need"; also in line 28, by striking "occupations and such programs are offered as"; by striking all in lines 29 and 30; in line 40, by striking "subsection"; also in line 40, before "shall" by inserting "section";

On page 6, in line 1, after "hours" by inserting "or a total of \$20,000 in Kansas promise scholarship awards, whichever occurs first,";

On page 9, in line 13, by striking "determining"; in line 14, after "(A)" by inserting "Determining";

On page 10, by striking all in lines 7 through 9; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned Pro Forma until 2:30 p.m., February 3, 2022.

Journal of the Senate

SEVENTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 3, 2022, 2:30 p.m.

The Senate was called to order Pro Forma by Senator Rick Kloos.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 436, AN ACT concerning public health; relating to responses to infectious or contagious disease by certain public and private entities; ensuring a right to in-person visitation at medical care facilities and adult care homes; prohibiting certain public health orders related to isolation and quarantine, stay-at-home orders, curfews and face masks; providing criminal penalties for an individual who disregards an isolation or quarantine recommendation when great bodily harm to another person or death of another person results from such act; limiting state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities related to stay-at-home orders, curfews and face masks; powers of the secretary of health and environment and local health officers; isolation or quarantine recommendations; amending K.S.A. 65-129, 65-129b, 65-129c and 65-129d and K.S.A. 2021 Supp. 21-5424, 48-925, 48-932, 65-101, 65-201 and 65-202 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 437, AN ACT concerning public health; relating to responses to infectious or contagious disease by certain public and private entities; prohibiting certain acts by business entities, governmental entities or public officials based upon a person's vaccination status or possession of an immunity passport; relating to access to services, goods, facilities and opportunities; proceedings under the revised Kansas code for care of children; proceedings related to legal custody, residency and parenting time of a child under the Kansas family law code; access to healthcare services and prohibiting discrimination in rendering healthcare services; modifying the Kansas act against discrimination to define unlawful employment practices related to vaccination status or possession of an immunity passport; limiting powers of the secretary of health and environment and local health officers; amending K.S.A. 38-2269, 44-1002 and 44-1009 and K.S.A. 2021 Supp. 23-3201, 65-101, 65-201, 65-202, 65-1120 and 65-2836 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 426**, **SB 430**, **SB 431**, **SB 432**, **SB 433**.

Judiciary: **SB 424**, **SB 434**, **SB 435**.

Public Health and Welfare: **SB 425**.

Transparency and Ethics: **SB 427, SB 428, SB 429**.

Transportation: **SB 423**.

Ways and Means: **SB 421, SB 422**.

COMMUNICATIONS FROM STATE OFFICERS

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

Kansas State Treasurer 2021 Annual Report of the Low-income Family Postsecondary Savings Accounts Incentive Program (January 31, 2022)

Kansas Guardianship Program (KGP) 2021 Annual Report (January 31, 2022)

On motion of Senator Dietrich, the Senate adjourned Pro Forma until 10:00 a.m., February 4, 2022.

Journal of the Senate

EIGHTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 4, 2022, 10:00 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 438, AN ACT concerning elections; relating to election audits; concerning election procedures; amending K.S.A. 25-3009 and repealing the existing section, by Committee on Judiciary.

SB 439, AN ACT concerning elections; relating to voter registration; requiring a county election officer to send a confirmation notice if there is no election-related activity for any four calendar year period; amending K.S.A. 25-2316c and repealing the existing section, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Public Health and Welfare: **SB 436**, **SB 437**.

COMMUNICATIONS FROM STATE OFFICERS

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

Attorney General's State Medicaid Fraud Forfeiture Fund Annual Report (February 1, 2022)

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 326** be amended on page 1, in line 24, by striking "subsequent transferees" and inserting "any eligible customer or eligible vendor";

On page 2, in line 5, after "(1)" by inserting "Eligible customer" means a business that:

(A) Uses class II or class III short line railroads or railroad-related property, facilities or structures located wholly or partly within the state of Kansas to directly or indirectly transport property, commodities or goods;

(B) is served by a class II or class III short line railroad; or

(C) stores railcars on the class II or class III short line railroad.

(2)";

Also on page 2, following line 11, by inserting:

"(3) "Eligible vendor" means a person who provides railroad-related services directly to an eligible taxpayer. "Railroad-related services" includes, but is not limited to: Transport of freight by rail; loading and unloading of freight transported by rail; railroad bridge services; railroad track construction; provision of railroad track material or equipment; locomotive or freight train car leasing or rental; maintenance of a railroad's right-of-way, including vegetation control; and freight train car repair, rehabilitation or remanufacturing repair services.";

Also on page 2, in line 12, by striking "(2)" and inserting "(4)"; and the bill be passed as amended.

Also, **SB 354** be amended on page 8, in line 8, before the first quotation mark by inserting ""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)";

Also on page 8, in line 20, by striking "and"; in line 23, after "sale" by inserting "; and

(F) reimbursements received by sellers from manufacturers for coupons issued by a manufacturer that were allowed as a discount by the seller to the purchaser";

On page 1, in the title, in line 2, by striking "discounts and" and inserting "manufacturers"; and the bill be passed as amended.

SB 327 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 **Public Health and Welfare** recommends **SB 200** be amended on page 1, by striking all in lines 7 through 19 and inserting the following:

"New Section 1. (a) A pharmacist may initiate therapy within the framework of a statewide protocol for the following health conditions:

(1) Influenza;

(2) streptococcal pharyngitis; or

(3) urinary tract infection.

(b) The collaborative drug therapy management advisory committee may adopt a statewide protocol for each condition listed in subsection (a). The committee shall consider appropriateness of therapy based upon:

- (1) The patient's age;
- (2) approval by the United States food and drug administration;
- (3) in-person interactions; and
- (4) the method of administration."; and the bill be passed as amended.

Also, **S Sub HB 2262** be amended as recommended by the Senate Committee on Public Health and Welfare as reported in the Journal of the Senate on March 30, 2021 and the bill, as printed as **Senate Substitute for HB 2262**, be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 2021 Supp. 21-5701 is hereby amended to read as follows: 21-5701. As used in K.S.A. 2021 Supp. 21-5701 through 21-5717, and amendments thereto: (a) "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.

(b) (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.

(c) "Cultivate" means the planting or promotion of growth of five or more plants that contain or can produce controlled substances.

(d) "Distribute" means the actual, constructive or attempted transfer from one person to another of some item whether or not there is an agency relationship. "Distribute" includes, but is not limited to, sale, offer for sale or any act that causes some item to be transferred from one person to another. "Distribute" does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act or otherwise authorized by law.

(e)(1) "Drug" means:

~~(1)(A)~~ Substances recognized as drugs in the official United States pharmacopeia, official homeopathic pharmacopeia of the United States or official national formulary or any supplement to any of them;

~~(2)(B)~~ substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

~~(3)(C)~~ substances, other than food, intended to affect the structure or any function of the body of humans or animals; and

~~(4)(D)~~ substances intended for use as a component of any article specified in paragraph (1), (2) or (3) subparagraph (A), (B) or (C).

~~¶(2)~~ "Drug" does not include devices or their components, parts or accessories.

(f) "Drug paraphernalia" means all equipment and materials of any kind that are used, or primarily intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance and in violation of this act. "Drug paraphernalia" shall include, but is not limited to:

(1) Kits used or intended for use in planting, propagating, cultivating, growing or harvesting any species of plant that is a controlled substance or from which a controlled substance can be derived;

(2) kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;

(3) isomerization devices used or intended for use in increasing the potency of any species of plant that is a controlled substance;

(4) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances;

(5) scales and balances used or intended for use in weighing or measuring controlled substances;

(6) diluents and adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose and lactose that are used or intended for use in cutting controlled substances;

(7) separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;

(8) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;

(9) capsules, balloons, envelopes, bags and other containers used or intended for use in packaging small quantities of controlled substances;

(10) containers and other objects used or intended for use in storing or concealing controlled substances;

(11) hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body;

(12) objects used or primarily intended or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, hashish oil, phencyclidine (PCP), methamphetamine or amphetamine into the human body, such as:

(A) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;

(B) water pipes, bongs or smoking pipes designed to draw smoke through water or

another cooling device;

(C) carburetion pipes, glass or other heat resistant tubes or any other device used, intended to be used or designed to be used to cause vaporization of a controlled substance for inhalation;

(D) smoking and carburetion masks;

(E) roach clips, objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;

(F) miniature cocaine spoons and cocaine vials;

(G) chamber smoking pipes;

(H) carburetor smoking pipes;

(I) electric smoking pipes;

(J) air-driven smoking pipes;

(K) chillums;

(L) bongs;

(M) ice pipes or chillers;

(N) any smoking pipe manufactured to disguise its intended purpose;

(O) wired cigarette papers; or

(P) cocaine freebase kits.

"Drug paraphernalia" shall not include any products, chemicals or materials described in K.S.A. 2021 Supp. 21-5709(a), and amendments thereto.

(g) "Immediate precursor" means a substance that the state board of pharmacy has found to be and by rules and regulations 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.

(h) "Isomer" means all enantiomers and diastereomers.

(i) "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. "Manufacture" does not include:

(1) 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:

(A) 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

(B) 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; or

(2) the addition of diluents or adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose or lactose that are intended for use in cutting a controlled substance.

(j) "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. "Marijuana" 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

~~(4)~~(5) industrial hemp as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

(k) "Minor" means a person under 18 years of age.

(l) "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.

(m) "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. "Opiate" 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). "Opiate" does include its racemic and levorotatory forms.

(n) "Opium poppy" means the plant of the species *Papaver somniferum* l. except its seeds.

(o) "Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, association or any other legal entity.

(p) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(q) "Possession" means having joint or exclusive control over an item with knowledge of and intent to have such control or knowingly keeping some item in a place where the person has some measure of access and right of control.

(r) "School property" means property upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the

grades one through 12. This definition shall not be construed as requiring that school be in session or that classes are actually being held at the time of the offense or that children must be present within the structure or on the property during the time of any alleged criminal act. If the structure or property meets the above definition, the actual use of that structure or property at the time alleged shall not be a defense to the crime charged or the sentence imposed.

(s) "Simulated controlled substance" means any product that identifies itself by a common name or slang term associated with a controlled substance and that indicates on its label or accompanying promotional material that the product simulates the effect of a controlled substance.

Sec. 2. K.S.A. 2021 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 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:

~~(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 paragraph (1), (2) or (3) 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

~~(4)~~(5) industrial hemp as defined in K.S.A. 2021 Supp. 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.";

Also on page 1, in line 7, by striking "2020" and inserting "2021";

On page 9, in line 17, by striking "2020" and inserting "2021"; in line 23, by striking "2020" and inserting "2021"; in line 26, by striking "2020" and inserting "2021"; in line 28, by striking "2020" and inserting "2021";

On page 20, in line 26, by striking "2020" and inserting "2021"; also in line 26, after "Supp." by inserting "21-5701, 65-4101 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the uniform"; also in line 1, by striking "act"; in line 2, after "V" by inserting "of the uniform controlled substances act; amending the definition of controlled substances in the Kansas criminal code; excluding certain drug products from the definition of marijuana"; in line 3, by striking "2020" and inserting "2021"; also in line 3, after "Supp." by inserting "21-5701, 65-4101 and"; and the bill be passed as amended.

On motion of Senator Rick Kloos, the Senate adjourned until 2:30 p.m., Monday, February 7, 2022.

Journal of the Senate

NINETEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 7, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 39 senators present.
Senator Holscher was excused.
Invocation by Reverend Cecil T. Washington:

Heavenly Father, as sturdy and strong as we like to think we are, and as determined as we are to reach our goals, we find ourselves troubled with deficiencies.

Our journey seems similar to the voyage of Paul and the 276 travelers with him in Acts 27. The ship that was carrying them had been broken to pieces by a storm; but You led them, that they were to hold on to the pieces. And You would use the broken pieces in helping them to complete their journey. In like manner Lord, You make up for the broken pieces in our lives. Personal and professional relationships have been broken. We're traveling on broken pieces.

As we get older, we can't do some of the things we used to. Why did I come in the kitchen? Was I going upstairs or did I just come down? We're traveling on broken pieces.

But just like Paul and those traveling with him, Lord, we can rely on You to help us through.

I'm praying this in the precious name of Jesus, 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 438, SB 439.**

MESSAGES FROM THE GOVERNOR

The following message on **Sub SB 355**, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143, was received and read.

MESSAGE FROM THE GOVERNOR REGARDING VETO OF SENATE BILL 355

The process of drawing districts each decade is the core to ensuring that all Kansans have the opportunity to participate in their government and have their voices heard. The

courts and the Legislature have established case law and criteria on how to draw Kansas districts fairly and constitutionally.

Those guidelines call for ensuring that districts are nearly equal to 734,470 in population as practicable while ensuring that plans have neither the purpose nor effect of diluting minority communities' voting strength. The guidelines call for protecting communities of interest, preserving the core of existing congressional districts, and ensuring that whole counties are in the same congressional district if possible. The Legislature's guidelines further state that "to a considerable degree most counties in Kansas are economic, social, and cultural units, or parts of a larger socioeconomic unit. These communities of interest should be considered during the creation of congressional districts."

SB 355, known as Ad Astra 2, does not follow these guidelines and provides no justification for deviation from those guidelines. Wyandotte County is carved into two separate congressional districts. Without explanation, this map shifts 46% of the Black population and 33% of the Hispanic population out of the third congressional district by dividing the Hispanic neighborhoods of Quindaro Bluffs, Bethel-Welborn, Strawberry Hill, Armourdale and others from Argentine, Turner and the rest of Kansas City, Kansas south of I-70. To replace lost population in the third district, this map adds in counties that are more rural to the south and west of the core of the Kansas City metropolitan area.

Ad Astra 2 also separates the city of Lawrence from Douglas County and inserts urban precincts of Lawrence into the largely rural Big First Congressional District, reducing the strength of communities of interest in Western Kansas and unnecessarily dividing communities of interest in Eastern Kansas.

Several alternatives would allow for the same deviation as Ad Astra 2 while protecting the core of the existing congressional districts and without diluting minority communities' voting strength. I am ready to work with the Legislature in a bipartisan fashion to pass a new congressional map that addresses the constitutional issues in **Senate Bill 355**. Together, we can come to a consensus and pass a compromise that empowers all people of Kansas.

For those reasons, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 355**.

Dated: February 3, 2022

By the Governor:

LAURA KELLY

ACTION ON VETO MESSAGE

President Masterson moved **Sub SB 355** be passed notwithstanding the Governor's veto.

Sub SB 355, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143.

Upon the showing of five hands, a Call of the Senate was requested.

On roll call, the vote was: Yeas 24; Nays 15; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg,

Gossage, Hilderbrand, Kerschen, Kloos, Longbine, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Masterson, Pettey, Pittman, Pyle, Steffen, Straub, Sykes, Ware.

Absent or Not Voting: Holscher.

Failing to achieve the necessary two-thirds constitutional majority, the Governor's veto was sustained.

The Call was lifted.

Senator Alley moved the Senate adjourn.

Upon the showing of five hands, a roll call vote was requested.

On roll call, the vote was: Yeas 26; Nays 13; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Pettey, Pittman, Pyle, Steffen, Straub, Sykes, Ware.

Absent or Not Voting: Holscher.

EXPLANATION OF VOTE

Mr. Vice President: There were two Senators standing and wishing to be recognized on the veto override. Instead, there was a motion to adjourn. A casual senate spectator knows that traditionally, standing senators are given the opportunity to speak, except, of course, when the majority party is playing games. Legislative leadership has failed Kansans today by stopping the conversation on this, and I am appalled.—DINAH SYKES

The Senate adjourned until 2:30 p.m., Tuesday, February 8, 2022.

Journal of the Senate

TWENTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 8, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 40 senators present.
The Vice President introduced Senator Rick Kloos to deliver the invocation.
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 440, AN ACT concerning health and health professions; relating to the occupational therapy practice act; authorizing occupational therapists to provide limited services to patients without a referral; amending K.S.A. 65-5401 and 65-5402 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 441, AN ACT enacting the biological laboratory accident transparency act; requiring institutions and organizations to report accidents and near-miss accidents at high-risk biological laboratories, by Committee on Public Health and Welfare.

SB 442, AN ACT concerning mobile communication devices; relating to mobile phone providers; requiring parental notification of application downloads by a minor; requiring the distribution of material concerning the danger of social media applications to parents when a minor's mobile phone is activated, by Committee on Public Health and Welfare.

SB 443, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2022, for the department of administration; relating to legally defeasing or cash redeeming certain revenue bonds at their first optional redemption date, by Committee on Ways and Means.

SB 444, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2022, June 30, 2023, June 30, 2024, and June 30, 2025, 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. 2021 Supp. 74-50,107 and repealing the existing section, by Committee on Ways and Means.

SB 445, AN ACT concerning elections; relating to advance voting ballots; prohibiting the use of additional ballot boxes; amending K.S.A. 25-1124 and repealing the existing section, by Committee on Federal and State Affairs.

SB 446, AN ACT concerning roads and highways; designating bridges on United States highway 166 and K-66 highway as veterans memorial bridge, by Committee on Federal and State Affairs.

SB 447, AN ACT concerning roads and highways; designating a certain bridge on K-126 as the Dennis and Jane Crain overpass, by Committee on Assessment and Taxation.

SB 448, AN ACT concerning insurance; relating to the unfair trade practices act; adopting the national association of insurance commissioner's amendments thereto; excluding commercial property and casualty insurance producers, brokers and insurers from prohibitions on giving rebates, discounts, gifts or other valuable consideration as an inducement to sales; amending K.S.A. 40-966, 40-2404 and 40-4909 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 449, AN ACT concerning insurance; relating to producer licensing 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.

SB 450, AN ACT concerning the disposition of state real property; authorizing state educational institutions to convey real property given to such institution as an endowment, bequest or gift, following board of regents policies; authorizing the board of regents to adopt such policies; amending K.S.A. 75-6609 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 451, AN ACT concerning wildlife and parks; relating to permanent hunting licenses; removing the requirement to submit proof that a person is at least 1/16 American Indian by blood; amending K.S.A. 32-929 and repealing the existing section, by Committee on Agriculture and Natural Resources.

SB 452, 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 453, AN ACT concerning adult care homes; relating to unlicensed employees; requiring unlicensed employee training courses to be taught and evaluated by professional licensed nurses; requiring a demonstration of skills to successfully complete training courses; allowing simulation experiences to be used as part of training courses; amending K.S.A. 39-936 and 65-5115 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 454, AN ACT concerning health professions and practices; relating to advanced practice registered nurses; licensure thereof; authorizing the prescribing of drugs without a supervising physician; requiring malpractice insurance coverage; rules and regulations; amending K.S.A. 65-1130 and K.S.A. 2021 Supp. 65-1626 and 65-4101 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 455, AN ACT concerning education; relating to school attendance; allowing students to transfer to and attend school in any school district in the state; requiring school districts to set transfer capacity and adopt certain transfer policies; establishing an appeals process if a transfer request is denied; amending K.S.A. 72-13,101, 72-3122, 72-3123, 72-3124 and 72-3125 and repealing the existing sections, by Committee on Education.

SB 456, AN ACT concerning the teacher service scholarship program; making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027, for the state board of regents to fund such scholarships, by Committee on Education.

SB 457, AN ACT concerning crimes, punishment and criminal procedure; relating to

conditions of release; release prior to trial; requiring a waiver of extradition proceedings; amending K.S.A. 2021 Supp. 22-2802 and repealing the existing section, by Committee on Judiciary.

SB 458, AN ACT concerning elections; relating to precinct committeemen and committeewomen; requiring such elected officials to report certain information to the county clerk; amending K.S.A. 25-3801 and repealing the existing section, by Committee on Transparency and Ethics.

SB 459, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the order of the eastern star license plate, by Committee on Federal and State Affairs.

SB 460, AN ACT concerning children and minors; relating to procedures in investigations of child abuse or neglect; requiring a child abuse review and evaluation examination; creating a program in the department of health and environment for the training and payment for child abuse review and evaluation examinations; defining child abuse review and evaluation providers, networks and examinations and child abuse medical resource centers; amending K.S.A. 38-2202 and 38-2226 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 461, AN ACT concerning transportation; enacting the delivery service liability act; relating to the transportation and delivery of food, groceries and other products; pertaining to individuals who transport and deliver such products; assigning liability when such individuals cause damage to the property of others during the course of such transportation and delivery, by Committee on Assessment and Taxation.

SB 462, AN ACT concerning taxation; relating to income taxation; providing homestead property tax refunds to certain persons based on the increase in property tax over the base year property tax amount; amending K.S.A. 79-4502, 79-4508 and 79-4509 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 463, 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.

SB 464, 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; 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 465, AN ACT concerning crimes, punishment and criminal procedure; enacting the responsible gun ownership act; creating the crime of unlawful storage of a firearm, by Senator Holscher.

SB 466, AN ACT concerning public health; relating to responses to infectious or contagious disease by certain public and private entities; prohibiting certain acts by places of public accommodations based upon a person's vaccination status or possession of an immunity passport; prohibiting governing bodies of any city or county, public officials of any city or county and local health officers from requiring that a person wear a face mask based on an epidemic or other public health reason; amending K.S.A. 2021 Supp. 65-201 and 65-202 and repealing the existing sections, by Committee on Federal and State Affairs.

SCR 1619, A CONCURRENT RESOLUTION urging the Legislature to adopt the conclusions and recommendations of the 2021 Special Committee on Taxation

regarding the fiscal future of Kansas, by Committee on Assessment and Taxation.

MOTION TO RECONSIDER

Having voted on the prevailing side on **Sub SB 355**, Senator Masterson moved the Senate reconsider its action on the veto of **Sub SB 355**.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Present and Passing: Pyle.

A two-thirds constitutional majority having voted in favor of reconsidering previous action on **Sub SB 355**, the motion prevailed.

ACTION ON VETO MESSAGE

President Masterson moved **Sub SB 355** be passed notwithstanding the Governor's veto.

Sub SB 355, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143.

On roll call, the vote was: Yeas 27; Nays 11; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Present and Passing: Doll, Pyle.

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

Mr. Vice President: I vote "Yes." Notwithstanding the governor's veto, the passage of the Ad Astra 2 map is the culmination of a Congressional redistricting process that began last summer. The map is reflective of the testimony we received from the public, has zero deviation between Congressional districts, creates compact and contiguous districts, preserves existing district cores, and groups together communities of interest. It is also politically fair. The map's underlying fairness is what makes the language used by those against it so disappointing and over the top. Of course, all maps are ultimately political boundaries, and those on both sides of the aisle have a right to passionately advocate for why they do or do not prefer a certain map. However, the extreme rhetoric from some in the Democratic caucus was out of bounds. Hurling accusations that

impugn motives of your colleagues based on your personal interpretation of political boundaries is truly beyond the pale. It was tantamount to a temper tantrum that has no place in a body that prides itself on decorum and respect. It is my hope that today's display by the minority party is more of an aberration than a trend.—TY MASTERSON

Mr. Vice President: The Big First has a long, proud history as the rural, agricultural district of Kansas. Ten years ago, redistricting brought us liberal Manhattan. Now, they are dumping the Lawrence liberals in our lap. Just like illegal hunting killed off our buffalo in the 1800s, insidious redistricting will kill off the true conservative character of my beloved Big First.—MARK STEFFEN

Senator Straub requests the record to show she concurs with the "Explanation of Vote" offered by Senator Steffen on **Sub 355**.

REFERENCE OF BILLS

Under the authority of the President, the Vice President referred **SB 448** to the Committee on **Financial Institutions and Insurance**.

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.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **SB 331**, **SB 335**, **SB 336**, **SB 392** be passed.

Committee on **Judiciary** recommends **HB 2361** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2361," as follows:

"Senate Substitute for HOUSE BILL No. 2361

By Committee on Judiciary

"AN ACT concerning courts; relating to specialty court programs; authorizing the supreme court to adopt rules related thereto; establishing the specialty court funding advisory committee and the specialty court resources fund; authorizing courts to order defendants to participate in specialty court programs; allowing expungement of certain convictions when defendants complete the requirements of such programs; amending K.S.A. 2021 Supp. 21-6604 and 21-6614 and repealing the existing sections.";

And the substitute bill be passed.

MESSAGE FROM THE HOUSE

Announcing passage of **SB 347**, as amended by **House Sub SB 347**.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, February 9, 2022.

Journal of the Senate

TWENTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 9, 2022, 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:

E Pluribus Unum! "Out of Many, ONE!"
Matthew 12:25, 22:36-40

E Pluribus Unum! Lord, a translation for the 13-letter Latin phrase, is "Out of many, one!" Over 300 years ago, by Your inspiration and by an Act of Congress, it was adopted as the motto for this great nation.

Many, uniting as One! A goal; an objective, not yet achieved! And Lord, it appears as though some of us have forgotten our motto. Or we're trying to change it to "Out of Many, Me!"

Lord, only by Your convicting and unifying Spirit can our prideful "me first" attitudes be set aside. Then, as we humbly yield to the thought of sharing, and to the collective merging of ideas, we will see You produce in and through us, the growth and improvements needed in this generation.

As we consider the laws by which we are to be governed, keep us reminded of the one that's most essential...the one that facilitates the fulfillment of our motto...the law of love. This is so essential that in the 1 Peter 4:7-11 passage, You said in verse 8, "Above everything else, show sincere love for each other, because love will cause people to be forgiving of one another's shortcomings."

Lord, let the love and harmony of E Pluribus Unum, prevail in these halls. I come to You in the Name of Jesus, Who loved us to death, 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 467, 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 Senators Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Sykes and Ware.

SB 468, 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 469, AN ACT concerning public assistance; relating to food assistance; removing certain limitations for food assistance eligibility; permitting certain persons convicted of a felony to be eligible for food assistance; amending K.S.A. 39-709 and repealing the existing section, by Senator Sykes.

SB 470, AN ACT concerning labor and employment; requiring a prevailing wage for state public works construction contracts by state agencies; providing for the determination of prevailing wages by the secretary of labor; assigning enforcement of compliance to the secretary of administration and the attorney general; permitting assignment of workers claims to the secretary of labor; providing for certain civil and criminal penalties; permitting cities and counties to require a prevailing wage; amending K.S.A. 2021 Supp. 12-16,131 and repealing the existing section, by Senator Sykes.

SB 471, AN ACT concerning health benefits; relating to health insurance plans; providing requirements for coverage of diagnostic examinations for breast cancer; relating to state health insurance; expanding eligibility for medicaid postpartum coverage to 12 months; relating to insurance coverage for children; providing coverage for houses with income to be tied to current federal poverty income guidelines; amending K.S.A. 38-2001, 40-2,103 and 40-19c09 and repealing the existing sections, by Senator Sykes.

SB 472, AN ACT concerning health and healthcare; relating to health insurance coverage; expanding medical assistance eligibility; requiring the department of health and environment to direct certain individuals to a work referral program and to study certain medicaid expansion topics, by Senator Sykes.

SB 473, AN ACT concerning crimes, punishment and criminal procedure; relating to escape from custody and aiding escape; increasing penalties for such crimes involving sexually violent predators; amending K.S.A. 2021 Supp. 21-5911 and 21-5912 and repealing the existing sections, by Senator Straub.

SB 474, 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. 2021 Supp. 65-6135 and repealing the existing section, by Senator Straub.

SB 475, AN ACT concerning education; enacting the Kansas hope scholarship act; establishing the hope scholarship program; providing education savings accounts for students, by Committee on Education.

SB 476, AN ACT concerning cities; relating to a board of public utilities; capping the amount of fees included on a utility bill; amending K.S.A. 13-1223a, 13-1227 and 13-1228 and repealing the existing sections, by Committee on Utilities.

SB 477, AN ACT concerning utilities; relating to a board of public utilities; requiring the state corporation commission to provide certain information upon request by customers, by Committee on Utilities.

SB 478, AN ACT concerning wind energy conversion systems; relating to obstruction lighting; requiring installation of light-mitigating technology systems; authorizing boards of county commissioners to determine the type of lighting system required, by Committee on Utilities.

SB 479, AN ACT authorizing a permanent memorial commemorating the Kansas

suffragist movement to be placed in the state capitol; establishing the Kansas suffragist memorial fund, by Senators Bowers, Alley, Baumgardner, Billinger, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren and Wilborn.

SB 480, 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 Utilities.

SB 481, AN ACT concerning solar energy systems; relating to the siting and construction of commercial-scale and limited-scale solar energy conversion systems; requiring approval by boards of county commissioners prior to construction; establishing construction, siting, notification and health and safety requirements for such systems, by Committee on Utilities.

SB 482, AN ACT concerning government contracts; enacting the firearm industry nondiscrimination act; prohibiting certain contracts with entities that discriminate against firearm or ammunition industries, by Senators Warren, Alley, Erickson, Masterson and Wilborn.

SB 483, AN ACT concerning crimes, punishment and criminal procedure; relating to theft and criminal damage to property; increasing penalties for such crimes involving remote service units such as automated cash dispensing machines and automated teller machines; amending K.S.A. 2021 Supp. 21-5801 and 21-5813 and repealing the existing sections, by Committee on Judiciary.

SB 484, AN ACT concerning education; relating to student athletes; enacting the fairness in women's sports act; restricting participation on women's teams to female students; providing a cause of action for violations, by Committee on Education.

SB 485, AN ACT concerning elections; relating to the campaign finance act; expanding the scope of permitted uses of campaign contribution moneys to include family caregiving services; amending K.S.A. 25-4157a and repealing the existing section, by Committee on Federal and State Affairs.

SB 486, AN ACT concerning elections; relating to the campaign finance act; expanding the scope thereof to include candidates for board membership of certain school districts and community colleges; amending K.S.A. 25-4143 and repealing the existing section, by Committee on Federal and State Affairs.

SB 487, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-137 and 4-143, 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 451**.

Assessment and Taxation: **SB 462, SB 463, SB 464; SCR 1619**.

Commerce: **SB 461**.

Education: **SB 452, SB 455**.

Federal and State Affairs: **SB 442, SB 445.**

Financial Institutions and Insurance: **SB 449.**

Judiciary: **SB 457, SB 465, SB 466.**

Public Health and Welfare: **SB 440, SB 441, SB 453, SB 454, SB 460.**

Transparency and Ethics: **SB 458.**

Transportation: **SB 446, SB 447, SB 459.**

Ways and Means: **SB 443, SB 444, SB 450, SB 456.**

POINT OF PERSONAL PRIVILEGE

Senator Haley rose on a Point of Personal Privilege and submitted the following remarks:

LIFT every voice and sing until Earth and Heaven ring. Ring with the harmonies of liberty. Let our rejoicing rise High as the listening skies. Let it resound; loud as the rolling sea. Sing a song full of the faith that the dark past has brought us. Sing a song full of the hope that the present has brought us. Facing the rising sun of our new day begun, Let us march on till victory is won.

STONY the road we trod, bitter the chastening rod. Felt in the days when hope unborn had died. Yet with a steady beat, have not our weary feet, come to the place for which our father sighed? We have come over a way that with tears have been watered. We have come, treading our path through the blood of the slaughtered. Out from the gloomy past, till now we stand at last where the white gleam of our bright star is cast.

GOD of our weary years, God of our silent tears. Thou Who hast brought us thus far on the way; Thou Who hast by Thy might, led us into the light. Keep us forever in the path, we pray. Lest our feet, stray from the places our God where we met Thee. Lest our hearts, drunk with the wine of the world we forget Thee. Shadowed beneath Thy hand, may we forever stand, true to our God, true to our native land.

LIFT EVERY VOICE AND SING "The Negro National Anthem": James Weldon Johnson

Mr. President: As we recognize Black Legislative Day in the Capitol today, I wish to add my voice to the recognition of this month, February, as Black History month and am personally elevated to share some Black History of this body with you, my fellow colleagues. Fewer than a dozen Black Kansans in all of Kansas' Statehood history, have sat where all of us sit, in this august Chamber, here today.

There have been eleven Black Kansans; ten men and one woman, elected Kansas Senator in our history.

The first in this Chamber (whose picture I bear on my desk) was George W. Haley of Kansas City, my father, elected in 1964 along with Curtis McClinton of Wichita; Billy McCray, Sedgwick; Eugene "Gene" Anderson, Sedgwick; U.L. "Rip" Gooch, Sedgwick; Sherman Jones, Wyandotte; David Haley, Wyandotte; Oletha Faust-Goudeau, Sedgwick; Edgwin Sexton, Jr., Sedgwick, and Darryl Gray, Sedgwick were interim Honorary appointments.

You know, Mr. President, some people ask why Black History? Why Black American history? Is it so necessary to designate by race? Aren't we ALL Americans? Doesn't it fragment our "united" society?

Well yes, of course we are all Americans. But in the interest of a proud history, we cannot soon designate where race has created different “kinds” of Americans; that the labors and abilities and accomplishments and opportunities in this Land of the Free and Home of the Brave do derive from *E Pluribus (Many)* but not *Unum (One)* recipient “race” or “cultural” beneficiary.

Despite a sluggish progress up from generations of uncompensated and then under-compensated labor, and barbaric designations and treatments by “some” Americans by “other” Americans, the socio-economic, academic, health and every other societal metric for Black Americans is decidedly lower than White Americans. As we re-read the lyrics of the Negro National Anthem “*Lift Every Voice And Sing*,” the recantation and faith of our history, Black American history, is as in need of optimistic review today as ever. We all pledge allegiance to the American flag with the hope for “liberty and justice for ALL.”

“Let us march on until (THAT) victory is won.”

CHANGE OF REFERENCE

The President withdrew **SB 450** from the Committee on **Ways and Means**, and referred the bill to the Committee on **Financial Institutions and Insurance**.

MESSAGES FROM THE GOVERNOR

January 13, 2022

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY
Governor

Public Member, Employment Security Board of Review, Pam Pierce, Topeka, (D) pursuant to the authority vested in me by K.S.A. 44-709 and HB 2196, and effective upon the date of confirmation by the Senate, to serve a term ending June 30, 2024.

Public Member, Employment Security Board of Review, Amber Neisis, Wichita, (R) pursuant to the authority vested in me by K.S.A. 44-709 and HB 2196, and effective upon the date of confirmation by the Senate, to serve a term ending June 30, 2024.

Public Member, Employment Security Board of Review, Connor Cross, Andover, (U) pursuant to the authority vested in me by K.S.A. 44-709, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed Phillip Hayes.

Public Member, Employment Security Board of Review, Dawn McClure, Lawrence, (R) pursuant to the authority vested in me by K.S.A. 44-709 and HB 2196, and effective upon the date of confirmation by the Senate, to serve a term ending June 30, 2024.

January 28, 2022

To The Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY
Governor

Judge, Kansas Court of Appeals. Angela Coble, Saline County, (D) pursuant to the authority vested in me by K.S.A. 20-3020 and effective upon the date of confirmation by the Senate, to serve a four-year term subject to retention for successive terms by public vote, to succeed Judge Michael Buser.

January 31, 2022

To the Senate of the State of Kansas

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY
Governor

Secretary, Kansas Department of Health and Environment, Janet Stanek, Topeka, (D) pursuant to the authority vested in me by K.S.A. 75-5601, and effective upon the date of confirmation by the Senate, to serve at the pleasure of the governor, to succeed Dr. Lee Norman.

MESSAGES FROM THE HOUSE

Announcing the House herewith transmits certificate of action by the House of Representatives on **Substitute SB 355**, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp.4-137 and 4-143.

The veto message from the Governor having been received, a motion was made that notwithstanding the Governor's objection to **SB 355**, the bill be passed. By a vote of 85 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.

Announcing adoption of **HCR 5023**.

Announcing passage of **HB 2473, HB 2490**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2473, HB 2490; HCR 5023 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Erickson moved the Senate concur in House amendments to **H Sub SB 347**.

A substitute motion by Senator Peck to non-concur and appoint a conference committee failed.

H Sub SB 347, AN ACT concerning economic development; enacting the attracting powerful economic expansion act; relating to tax and other incentives for projects in specified industries or for a national corporate headquarters with specified capital investment requirements of at least \$1,000,000,000; providing for a refundable income, privilege and premium tax credit for a portion of such investment; reimbursement of certain payroll costs and training and education costs; retention of certain payroll withholding taxes; sales tax exemption for project construction; adjusting the income tax on corporations by reducing the rate by 0.5% after a firm enters into an agreement under this act; limiting the number of agreements under this act with a qualified firm to one per year for two years; requiring state finance council approval of agreements and certain benefit provisions; providing for reports to legislative committees; establishing the attracting powerful economic expansion payroll incentive fund, the attracting powerful economic expansion new employee training and education fund and the attracting powerful economic expansion Kansas residency incentive fund; amending K.S.A. 79-32,110 and K.S.A. 2021 Supp. 79-3606 and repealing the existing sections.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Ryckman, Sykes, Ware, Warren, Wilborn.

Nays: Baumgardner, Hilderbrand, Holland, Peck, Steffen, Straub, Suellentrop, Thompson, Tyson.

The Senate concurred.

EXPLANATION OF VOTE

Mr. President: **H Sub SB 347** is nothing but a gamble. A gamble orchestrated by a Governor with minimal business or negotiation skills. The legislature has sadly followed. Forcing every Kansas citizen to pay for another mystery business is plain wrong.—MARK STEFFEN

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 179** be passed.

Also, **HB 2057** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2057," as follows:

"Senate Substitute for HOUSE BILL No. 2057

By Committee on Federal and State Affairs

"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.";

And the substitute bill be passed.

Committee on **Financial Institutions and Insurance** recommends **SB 377** be amended on page 2, in line 17, after "financial" by inserting "institution insurance";

On page 5, in line 9, by striking "a"; also in line 9, by striking "profit and lost"; in line 10, by striking "statement" and inserting "statements";

On page 6, in line 2, after "(l)" by inserting "A technology-enabled fiduciary financial institution insurance company that has been issued a certificate of authority under

K.S.A. 40-4302, and amendments thereto, shall be permitted, subject to compliance with the provisions of K.S.A. 40-214, and amendments thereto, to do business in any other state or territory of the United States.

(m)";

Also on page 6, following line 12, by inserting:

"(o) A technology-enabled fiduciary financial institution policy issued in connection with an affiliated fidfin trust or fidfin transaction as defined in K.S.A. 2021 Supp. 9-2301, and amendments thereto, shall respect the form, treatment and character of such affiliated fidfin trust or fidfin transaction under the laws of this state notwithstanding the treatment or characterization of such transaction under generally accepted accounting principles or for tax purposes.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 348** be passed.

Also, **HB 2280** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2280," as follows:

"Senate Substitute for HOUSE BILL No. 2280

By Committee on Public Health and Welfare

"AN ACT concerning health and healthcare; relating to prescription medications; authorizing the prescribing and dispensing of drugs for off-label use to prevent and treat COVID-19 infections; prohibiting pharmacists from using professional discretion to refuse to fill prescriptions for such drugs; relating to childhood vaccination s; requiring a child care facility or school to grant religious exemptions from vaccination requirements without inquiring into the sincerity of such religious beliefs; amending K.S.A. 65-508 and 72-6262 and K.S.A. 2021 Supp. 65-1637 and repealing the existing sections.";

And the substitute bill be passed.

SB 12 be amended on page 1, in line 29, by striking "2022" and inserting "2023"; in line 34, by striking "2022" and inserting "2023"; in line 35, by striking "2022" and inserting "2023"; in line 36, by striking "2023" and inserting "2024";

On page 2, in line 4, by striking "2023" and inserting "2024"; and the bill be passed as amended.

SB 343 be amended on page 3, in line 24, by striking all after the second comma; in line 25, by striking "conditions and diseases" and inserting "language and hearing disorders";

On page 11, in line 7, by striking "impairments" and inserting "disorders";

On page 15, in line 2, by striking all after the second comma; in line 3, by striking "hearing"; also in line 3, by striking "conditions and diseases" and inserting "language and hearing disorders";

On page 17, in line 37, by striking the first "impairments" and inserting "disorders"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, February 10, 2022.

Journal of the Senate

TWENTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 10, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
Roll was called with 40 senators present.
Pastor Cecil Washington delivered the invocation.
Haylie Bagwell, guest of Senator Virgil Peck, sang the National Anthem.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 488, AN ACT concerning the division of vehicles; eliminating the division of vehicles modernization surcharge; amending K.S.A. 2021 Supp. 8-145 and repealing the existing section; also repealing K.S.A. 75-5160, by Committee on Ways and Means.

SB 489, AN ACT concerning infectious or contagious diseases; relating to the secretary of health and environment and local health officers; restricting the powers thereof; amending K.S.A. 65-119, 65-128 and 65-129b and K.S.A. 2021 Supp. 65-101 and 65-202 and repealing the existing sections; also repealing K.S.A. 65-126, by Committee on Public Health and Welfare.

SB 490, AN ACT concerning children and minors; relating to the newborn infant protection act; allowing the surrender of physical custody of an infant to an infant refuge crib; amending K.S.A. 38-2282 and repealing the existing section, by Committee on Judiciary.

SB 491, AN ACT concerning workers compensation; relating to post-traumatic stress disorder suffered by first responders; amending K.S.A. 44-508 and repealing the existing section, by Committee on Judiciary.

SB 492, AN ACT concerning grand juries; relating to citizen-initiated grand juries; providing immunity from civil liability for the person who files a citizen-initiated grand jury petition; requiring such person to be the first witness called by such grand jury; amending K.S.A. 2021 Supp. 22-3001 and 22-3008 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 493, AN ACT concerning cities and counties; prohibiting the regulation of plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages, by Committee on Federal and State Affairs.

SB 494, 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, by Committee on Federal and State Affairs.

SB 495, AN ACT concerning income taxation; relating to deductions; establishing the salt parity act; allowing pass-through entities to elect to pay state income tax at the

entity level; amending K.S.A. 79-3220 and K.S.A. 2021 Supp. 79-32,117 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 2021 Supp. 79-32,117q, by Committee on Assessment and Taxation.

SB 496, AN ACT concerning education; relating to schools and school districts; establishing the parents' bill of rights, by Committee on Education.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **SB 467, SB 470.**

Education: **SB 475, SB 484.**

Federal and State Affairs: **SB 468, SB 479, SB 482.**

Financial Institutions and Insurance: **HB 2490.**

Judiciary: **SB 473, SB 483; HB 2473.**

Public Health and Welfare: **SB 469, SB 471, SB 472, SB 474.**

Redistricting: **SB 487.**

Transparency and Ethics: **SB 485, SB 486.**

Utilities: **SB 476, SB 477, SB 478, SB 480, SB 481; HCR 5023.**

REFERENCE OF APPOINTMENTS

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

Member, Kansas Employment Security Board of Review:

Connor Cross, to fill a term ending March 15, 2025.

Member, Kansas Employment Security Board of Review:

Dawn McClure, to fill a term ending June 30, 2024.

Member, Kansas Employment Security Board of Review:

Pamela Pierce, to fill a term ending June 30, 2024.

Member, Kansas Employment Security Board of Review:

Amber Neises, to fill a term ending June 30, 2024.

(Committee on Commerce)

Judge, Kansas Court of Appeals:

Angela Coble

(Committee on Judiciary)

Secretary, Department of Health and Environment:

Janet Stanek, to serve at the pleasure of the Governor.

(Committee on Public Health and Welfare)

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Billinger, Alley, Baumgardner, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Tyson, Ware, Warren and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1728

A RESOLUTION designating February 10, 2022, as JAG-K Day at the Capitol.

WHEREAS, Jobs for America's Graduates-Kansas (JAG-K) is an evidence-based program with objective performance measures; 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, JAG-K has a 97% graduation rate statewide, and 89% of JAG-K graduates are full time participants in post-secondary education, military service or the workforce; and

WHEREAS, Nationally, JAG graduates are 230% more likely to be employed than peers not participating in a JAG program; and

WHEREAS, JAG-K is a 501(c)(3) not-for-profit organization that partners with public schools, communities and employers to help students prepare for successful futures; and

WHEREAS, There are 81 traditional school-to-career JAG-K programs located in 43 school districts across Kansas in the current school year, 2021-2022: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we designate February 10, 2022, as JAG-K Day at the Capitol; and

Be it further resolved: That the Secretary of the Senate shall send 12 enrolled copies of this resolution to Senator Billinger.

On emergency motion of Senator Billinger **SR 1728** was adopted by voice vote.

MESSAGES FROM THE GOVERNOR

SB 347 approved on February 10, 2022.

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 Erickson, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Hilderbrand in the chair.

On motion of Senator Hilderbrand the following report was adopted:

Committee report on **SB 300** recommending **Sub SB 300** be adopted; and the substitute bill be passed.

SB 346; HB 2109 be amended by the adoption of the committee amendments, and the bills be passed as amended.

A motion by Senator Straub to further amend **SB 346** failed.

SB 282 be passed over and retain a place on the calendar.

FINAL ACTION ON CONSENT CALENDAR

SB 327 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, was considered on final action.

SB 327, AN ACT concerning sales taxation; relating to the sales or selling price; excluding separately stated delivery charges; amending K.S.A. 2021 Supp. 79-3602 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

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 **Sub SB 300; SB 346; HB 2109** were advanced to Final Action and roll call.

Sub SB 300, AN ACT concerning crimes, punishment and criminal procedure; relating to the Kansas racketeer influenced and corrupt organization act; adding a person who has engaged in identity theft or identity fraud to the definition of covered person; identity theft and identity fraud to the definition of racketeering activity; amending K.S.A. 2021 Supp. 21-6328 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The substitute bill passed.

SB 346, AN ACT concerning agriculture; relating to milk and dairy products; allowing on-farm retail sale of milk and milk products; extending certain milk and dairy license fees; authorizing the secretary of agriculture to declare an imminent health hazard; authorizing civil penalties for certain dairy law violations; amending K.S.A. 65-771, 65-778, 65-781, 65-786 and 65-788 and repealing the existing sections.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 2; Absent or Not Voting 0.

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

Present and Passing: Francisco, Steffen.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I vote "PASS" on **SB 346**. I support much of what is in this bill however I believe that the labeling and advertisement of raw unpasteurized milk should require inclusion of the word "unpasteurized." I also think that "Imminent health hazard" needs to be defined.—MARCI FRANCISCO

HB 2109, AN ACT concerning the board of indigents' defense services; relating to appointments to the board; increasing population threshold of a county required to have a lawyer member; increasing number of lawyer members; decreasing number of non-lawyer members; amending K.S.A. 22-4519 and repealing the existing section.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Ryckman, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Doll, Pyle, Steffen, Straub, Tyson.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **SB 378** be passed.

Committee on **Federal and State Affairs** recommends **SB 405** be passed.

Committee on **Judiciary** recommends **SB 366, SB 367, SB 368, SB 408** be passed.

Committee on **Judiciary** recommends **HB 2231** be amended on page 1, in line 6, by striking "2020" and inserting "2021";

On page 2, in line 24, by striking "2020" and inserting "2021";

On page 1, in the title, in line 3, by striking "2020" and inserting "2021"; and the bill be passed as amended.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **S Sub HB 2280** from the Calendar under the heading of **General Orders**, and rereferred the bill to the Committee on **Public Health and Welfare**.

REPORT ON ENROLLED BILLS

H Sub SB 347 reported correctly enrolled, properly signed and presented to the Governor on February 10, 2022.

On motion of Senator Alley, the Senate adjourned until 8:00 a.m., Friday, February 11, 2022.

Journal of the Senate

TWENTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 11, 2022, 8:00 a.m.

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

The roll was called with 30 senators present.

Senators Holland, Holscher, Kloos, Longbine, Masterson, O'Shea, Olson, Pyle, Suellentrop, and Ware were excused.

Senator Gossage delivered the invocation.

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 497, AN ACT concerning human trafficking; relating to the attorney general; authorizing the attorney general to coordinate training regarding a multidisciplinary team approach to intervention for law enforcement agencies; requiring training on human trafficking awareness and identification for certain child welfare agencies, juvenile justice agencies, mental health professionals and school personnel; amending K.S.A. 75-756 and repealing the existing section, by Committee on Judiciary.

SB 498, AN ACT concerning the department of agriculture; relating to animal health; establishing the animal facilities inspection program under the supervision of the secretary; amending K.S.A. 47-1701, 47-1702, 47-1703, 47-1704, 47-1706, 47-1706a, 47-1707, 47-1708, 47-1709, 47-1710, 47-1711, 47-1712, 47-1713, 47-1715, 47-1718, 47-1719, 47-1720, 47-1721, 47-1723, 47-1725, 47-1726, 47-1727, 47-1731, 47-1732, 47-1733, 47-1734, 47-1735 and 47-1736 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

SB 499, AN ACT concerning virtual schools; relating to virtual school state aid; increasing certain state aid amounts; providing for additional state aid for certain students who transfer to virtual schools; requiring a second count date of students included in the full-time equivalent enrollment of a virtual school; amending K.S.A. 72-3715 and repealing the existing section, by Committee on Education.

SB 500, AN ACT concerning inpatient psychiatric care; relating to psychiatric residential treatment facilities; establishing a long-term care facility for individuals who do not qualify for admission to psychiatric residential treatment facilities or any state psychiatric hospital; amending K.S.A. 39-2001 and 39-2002 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 501, AN ACT concerning public assistance; requiring able-bodied adults without dependents to complete an employment and training program in order to receive food assistance; requiring state agencies to conduct cross-checks to verify public assistance

eligibility; requiring the department of health and environment to seek approval to eliminate mandatory hospital presumptive eligibility; requiring hospitals to follow standards established for presumptive eligibility determinations; requiring state agencies to make data from fraud investigations relating to food assistance and medical assistance publicly available on such agencies' websites; amending K.S.A. 39-709 and repealing the existing section, by Committee on Public Health and Welfare.

SB 502, AN ACT concerning public health; relating to licensure of maternity centers; providing for separate authority to license such centers; amending K.S.A. 65-177, 65-501, 65-503, 65-504, 65-505, 65-506, 65-507, 65-508, 65-512, 65-513, 65-523, 65-525 and 75-4319 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 495**.

Commerce: **SB 491**, **SB 493**.

Education: **SB 496**.

Federal and State Affairs: **SB 489**.

Judiciary: **SB 492**.

Public Health and Welfare: **SB 490**.

Transportation: **SB 494**.

Ways and Means: **SB 488**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 430** 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 1728 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 11, 2022.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes:

Senator Alley: congratulating Carly Collins on her achievements in agriculture;

Senator Billinger: congratulating Kaci Dirks on winning her division of the "Happy Birthday, Kansas" Student Photo Contest;

Senator Bowers: congratulating Brendan Lyhane on achieving the rank of Eagle Scout, congratulating Jacob Berry on achieving the rank of Eagle Scout, celebrating Marge Lemon's 100th Birthday;

Senator Claeys: congratulating Amelia Higgins on winning second place in her division of the "Happy Birthday, Kansas" Student Photo Contest;

Senator Dietrich: congratulating Washburn Rural High School on winning the 2022 6A Two-Speaker State Debate Championship, congratulating Washburn Rural High School on winning the 2022 6A Four-Speaker State Debate Championship;

Senator Haley: congratulating Tao Tao on 50 Years of Business;

Senators Faust-Goudeau and Haley: honoring Margaret Anne Thompson on her dedication to healthcare excellence; and

Senators Faust-Goudeau and Ware: recognizing February 2 as Blind Awareness Day and commending Envision in Wichita for their decades of outstanding service.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Monday, February 14, 2022.

Journal of the Senate

TWENTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 14, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 38 senators present.
Senators O'Shea and Steffen were excused.
Invocation by Reverend Cecil T. Washington:

To Love Is The Greatest Thing!
1 Corinthians 13:1-13

God of Love; of compassion and forgiveness; remind us on this Valentine's Day that we're to reflect Your image of love in all our relationships. You created us with the power of choice. And although it may be difficult sometimes, You tell us to make the greatest choice and, You said in 1 Corinthians 13:13, the greatest choice is to love.

Also, in that passage, You let us now how love does and does not behave, so we'll know the choices You'd have us make.

You want us to show loving patience when people get on our nerves; to show kindness when someone is hurting.

You said love is not envious, is not boastful, is not arrogant, is not rude, is not self-seeking, is not irritable and does not keep a record of other's offenses.

You said love finds no joy in unrighteousness but rejoices in the truth. Lord, for us to love like You love, we need to be guided and empowered by Your loving Spirit.

Teach us how, Lord, since love is the greatest. In the Name of Jesus, the One who loved us to death. 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 503, AN ACT concerning property taxation; relating to judicial tax lien foreclosure sales; providing requirements for publication service and confirmation of sale; expanding costs included in redemption fees; amending K.S.A. 79-2801, 79-2803, 79-2804b, 79-2804g, 79-2804h and 79-2812 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 504, AN ACT concerning worker's compensation; relating to benefit reductions due to retirement benefits funded by the employer; providing such benefit reductions shall apply to benefits for permanent disability; exempting benefits the employee was receiving prior to the injury and under the federal social security act from such

reductions; amending K.S.A. 44-501 and repealing the existing section, by Committee on Federal and State Affairs.

SB 505, AN ACT concerning zoning and planning; relating to regulation of home-based work; prohibiting the enactment or enforcement of zoning regulations that are barriers to home-based work; enacting the protect home-based work act, by Committee on Federal and State Affairs.

SB 506, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the north central Kansas down syndrome society license plate, by Committee on Federal and State Affairs.

SB 507, AN ACT concerning open records; relating to disclosure of records under the open records act; continuing in existence certain exceptions to disclosure; amending K.S.A. 40-2,203 and 40-3805 and K.S.A. 2021 Supp. 9-2216a, 22-4620, 50-1124 and 50-1128 and repealing the existing sections; also repealing K.S.A. 40-6011, by Committee on Federal and State Affairs.

SB 508, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; eliminating certain level-dollar employer contribution payments; amending K.S.A. 2021 Supp. 74-4920 and repealing the existing section, by Committee on Ways and Means.

SB 509, AN ACT concerning sales and compensating use tax; relating to refunds; providing a refund of state tax paid on certain purchases to reconstruct, repair or replace buildings and improvements damaged by certain disasters, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 498**.

Education: **SB 499**.

Judiciary: **SB 497**.

Public Health and Welfare: **SB 500, SB 501, SB 502**.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 489** from the Committee on **Federal and State Affairs**, and referred the bill to the Committee on **Public Health and Welfare**.

An objection having been made to **SB 430** appearing on the **Consent Calendar**, the Vice President directed the bill be removed and placed on the calendar under the heading of **General Orders**.

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 2021 Annual Report (February 9, 2022)

REPORTS OF STANDING COMMITTEES

Committee on **Education** 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:

Kansas Board of Regents: 74-3202a

Carl Ice, to serve a term ending June 30, 2025

Also, the following appointments were referred to and considered by the committee and your committee submits without recommendation such appointments:

By the Governor:

Kansas Board of Regents: 74-3202a

Wint Winter, Jr., to serve a term ending June 30, 2025

By the Governor:

Kansas Board of Regents: 74-3202a

Cynthia Lane, to serve a term ending June 30, 2025

Committee on **Federal and State Affairs** recommends **SB 34** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL No. 34," as follows:

"Substitute for SENATE BILL No. 34

By Committee on Federal and State Affairs

"AN ACT concerning administrative rules and regulations; requiring the review of rules and regulations every five years; requirements for adoption of rules and regulations; providing an alternative procedure for revocation of certain rules and regulations; amending K.S.A. 77-426 and 77-436 and repealing the existing sections.";

And the substitute bill be passed.

Committee on **Judiciary** recommends **SB 419, 434, 435** be passed.

Also, **SB 385** be amended on page 1, in line 22, after "which" by inserting a comma; also in line 22, after "adult" by inserting a comma;

On page 6, in line 33, after "which" by inserting a comma; in line 34, after "adult" by inserting a comma; in line 35, by striking "or"; in line 36, after "which" by inserting a comma; in line 37, after "adult" by inserting a comma; in line 38, after "thereto" by inserting "; or

(D) adjudicated as a juvenile offender for an act which, if committed by an adult, would constitute a violation of K.S.A. 2021 Supp. 21-6101(a)(6), (a)(7) or (a)(8), and amendments thereto";

On page 10, in line 28, after "which" by inserting a comma; also in line 28, after "adult" by inserting a comma;

On page 11, in line 10, after "which" by inserting a comma; also in line 10, after "adult" by inserting a comma; in line 37, after "which" by inserting a comma; also in line 37, after "adult" by inserting a comma; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 276** be amended on page 3, in line 16, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **SB 387** be amended on page 7, by striking all in lines 10 through 40; in line 41, by striking "K.S.A. 74-5318 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 6, by striking all after the semicolon; in line 7, by striking all before "amending"; also in line 7, by striking "K.S.A."; in line 8, by striking all before "K.S.A."; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 421** be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, February 15, 2022.

Journal of the Senate

TWENTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 15, 2022, 2:30 p.m.

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

The roll was called with 40 senators present.

The Vice President introduced Cathleen Chittenden Bascom, Tenth Bishop of the Episcopal Diocese of Kansas, to deliver the invocation:

God of power, God of people, You are the life of all that lives, the energy that fills the Earth, the vitality that brings to birth, the impetus in making whole whatever is broken. In You we grow to know the truth that sets all creation free. You are the song the whole Earth sings, the promise liberation brings. Give courage, wisdom, and foresight to these Senate leaders that they may provide for the people, land, and communities of Kansas, 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 510, AN ACT concerning real property; enacting the Kansas vacant property act; prohibiting municipalities from imposing certain fees and other requirements on vacant property, by Committee on Federal and State Affairs.

SB 511, AN ACT concerning public employee and professional employees' organizations; relating to dues; commencement and cessation of withholding of dues; procedure; providing certain rights to employees; amending K.S.A. 44-319, 72-2219, 72-2241, 75-4324, 75-4327 and 75-5501 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 512, AN ACT concerning vehicles; relating to registration; eliminating the division of vehicles modernization surcharge; amending K.S.A. 2021 Supp. 8-145 and repealing the existing section; also repealing K.S.A. 75-5160, by Committee on Assessment and Taxation.

SB 513, AN ACT concerning property taxation; relating to exemptions; allowing certain property used as a thrift store to qualify for exemption; amending K.S.A. 79-201 and repealing the existing section, by Committee on Assessment and Taxation.

SB 514, AN ACT concerning income taxation; establishing a checkoff for contributions to the Kansas historic site fund, by Committee on Assessment and Taxation.

SB 515, AN ACT concerning education; relating to nondiscrimination in classroom instruction; establishing penalties for violations therefor; requiring the state board of

education to review, identify and remove inherently divisive concepts from the board's policies, guidelines and other materials; requiring public access to learning materials, by Committee on Assessment and Taxation.

SB 516, AN ACT concerning taxation; relating to sales and compensating use tax; providing for sales tax exemption for hygiene products; amending K.S.A. 2021 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 503**, **SB 509**.

Commerce: **SB 504**, **SB 505**.

Judiciary: **SB 507**.

Transportation: **SB 506**.

Ways and Means: **SB 508**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2480**, **HB 2564**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2480, **HB 2564** 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 McGinn in the chair.

On motion of Senator McGinn the following report was adopted:

SB 331 be passed.

SB 200, **SB 377** be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 343 be further amended by motion of Senator Francisco; on page 3, in line 25, before "language" by inserting "visual,";

On page 15, in line 3, before "language" by inserting "visual," and **SB 343** be passed as further 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 200**, **SB 331**, **SB 343** and **SB 377** were advanced to Final Action and roll call.

SB 200, AN ACT concerning pharmacists and pharmacy; relating to the state board of pharmacy; expanding the pharmacist's scope of practice to include point-of-care testing for and treatment of certain health conditions; amending K.S.A. 65-1626a and repealing the existing section.

On roll call, the vote was: Yeas 37; Nays 2; Present and Passing 0; Absent or Not Voting 1.

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

Nays: Straub, Thompson.

Absent or Not Voting: Steffen.

The bill passed, as amended.

SB 331, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Steffen.

The bill passed.

SB 343, AN ACT concerning persons with hearing loss; relating to statutory terminology; updating the term "hearing impairment" to "hard of hearing" and other related terms concerning persons with hearing loss; amending K.S.A. 19-2698, 36-517, 39-1107, 65-3276, 65-6511, 72-3253, 72-3404, 75-3740, 75-5391, 75-5397c, 75-5399 and 76-1001b and K.S.A. 2021 Supp. 50-676 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Steffen.

The bill passed, as amended.

SB 377, AN ACT concerning insurance; relating to the captive insurance act; authorizing technology-enabled fiduciary financial institution insurance companies; providing for the certificate of authority, requirements and operations thereof; amending K.S.A. 40-4301, 40-4302, 40-4303, 40-4310 and 40-4353 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, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Thompson, Tyson,

Warren, Wilborn.

Nays: Holland, Sykes, Ware.

Absent or Not Voting: Steffen.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 345** be amended on page 1, in line 8, after "who" by inserting "intentionally or knowingly"; also in line 8, after "or" by inserting "intentionally or knowingly"; in line 9, by striking "A" and inserting "C"; in line 20, by striking all after "each"; by striking all in line 21; in line 22, by striking "violation" and inserting "shipment into the state"; following line 34, by inserting:

"(e) The animal health commissioner may require that any records related to animals and the suspected transportation of such animals into the state in violation of K.S.A. 47-607, and amendments thereto, the special permit requirements of K.S.A. 47-607a, and amendments thereto, or rules and regulations promulgated pursuant to K.S.A. 47-607d, and amendments thereto, in the possession of any person be submitted to the commissioner for review within a reasonable time. Failure to cooperate with any such request shall be considered a violation of this act."; and the bill be passed as amended.

Also, **SB 417** be amended on page 3, in line 10, after "(3)" by inserting "(A)"; in line 15, after the period by inserting:

"(B)";

Also on page 3, in line 16, after the period by inserting:

"(C)";

Also on page 3, in line 18, after the first "the" by inserting "total"; also in line 18, after "fee" by inserting "for the permit"; in line 20, after "facility" by inserting "subject to 40 C.F.R. 257 subpart D"; also in line 20, after "permit." by inserting:

"(D)";

Also on page 3, following line 21, by inserting:

"(E) If such solid waste disposal area or solid waste processing facility is operating under a federally issued coal combustion residuals (CCR) permit that includes all applicable requirements of 40 C.F.R. 257 subpart D, then the fees provided in this paragraph shall no longer apply and such disposal area or facility shall be subject to the fees provided in paragraph (2).

(F) Upon a determination by the department of health and environment that such solid waste disposal area or solid waste processing facility has met all applicable post-closure care requirements of 40 C.F.R. 257 subpart D, and article 29 of the Kansas administrative regulations, then such disposal area or facility shall no longer be subject to permitting under this paragraph."; and the bill be passed as amended.

Committee on **Assessment and Taxation** recommends **SB 339** be amended on page 1, following line 8, by inserting:

"New Section 1. (a) Notwithstanding any provision of the law to the contrary, commencing on July 1, 2022, and ending prior to July 1, 2024, any retailer in this state that collects sales tax on the admission of viewing of movies or films shall be allowed to retain the state rate of any sales tax imposed pursuant to K.S.A. 79-3603, and amendments thereto, or compensating use tax imposed pursuant to K.S.A. 79-3703, and amendments thereto, from the sales of:

(1) Tickets granting admission for a movie or film; and

(2) concessions sold on-site at the retailer's place of business.

(b) The retailer shall remit to the department of revenue that portion of sales and compensating use tax collected that is in excess of the state rate for sales tax pursuant to K.S.A. 79-3603, and amendments thereto, or the compensating use tax pursuant to K.S.A. 79-3703, and amendments thereto. The department shall remit the sales and compensating use taxes levied by the other taxing jurisdictions in the amount they would have received without taking into account subsection (a). The state's imposed sales tax levy shall encompass the full amount retained by the retailer pursuant to subsection (a).

(c) The department shall provide forms accounting for the sales tax retained by the retailer that shall be filed with the department at the time the retailer files a return pursuant to K.S.A. 79-3607, and amendments thereto.

(d) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.

New Sec. 2. On and after January 1, 2024, notwithstanding any provision of law to the contrary, the governing body of any city, the board of county commissioners of any county or the governing body of any other local authority levying a sales tax pursuant to law may exempt all sales of food and food ingredients that are subject to the 0% state rate pursuant to K.S.A. 79-3603 or 79-3703, and amendments thereto, from the sales and compensating use tax levied by such city, county or other authority by the adoption of an ordinance or resolution authorizing the exemption. A certified copy of the ordinance or resolution authorizing or repealing an exemption pursuant to this section shall be submitted to the director of taxation within 30 days after adoption of any such ordinance or resolution. The director of taxation shall cause such exemption to be applied at the same time and in the same manner provided for the administration of the state retailers' sales tax. The director of taxation shall confirm that all provisions of law applicable to the authorization of the exemption have been followed prior to causing the exemption. Any repeal of an exemption authorized pursuant to this section may be accomplished by the adoption of an ordinance or resolution so providing.";

Also on page 1, in line 10, after the period by inserting "(a)"; in line 13, by striking "(a)" and inserting "(1)"; in line 18, after "subsection" by inserting ". The provisions of this paragraph shall expire on June 30, 2023"; in line 21, after "premises" by inserting ". The provisions of this paragraph shall expire on June 30, 2023";

(3) on and after July 1, 2023, all sales of natural gas, electricity and heat delivered through mains, lines or pipes to any premises for any use by the occupant of such premises and all sales of natural gas, electricity and heat delivered through mains, lines or pipes for agricultural use;

(4) on and after July 1, 2023, all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for any use of an occupant of any premises";

Also on page 1, following line 24, by inserting:

"(b) On and after July 1, 2023, the governing body of any city or the board of county commissioners of any county may exempt all sales subject to tax under the provisions of subsection (a)(3) or (a)(4), or both, from the taxes levied by such city or county under the provisions of K.S.A. 12-187 et seq., and amendments thereto, by the adoption of an ordinance or resolution authorizing the exemption. A certified copy of

the ordinance or resolution authorizing or repealing an exemption pursuant to this subsection shall be submitted to the director of taxation within 30 days after adoption of any such ordinance or resolution. The director of taxation shall cause such exemption to be applied at the same time and in the same manner provided for the administration of the state retailers' sales tax. The director of taxation shall confirm that all provisions of law applicable to the authorization of the exemption have been followed prior to causing the exemption. Any repeal of an exemption authorized pursuant to this subsection may be accomplished by the adoption of an ordinance or resolution so providing.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 1, also following line 24, by inserting:

"Sec. 4. K.S.A. 13-13a39 is hereby amended to read as follows: 13-13a39. ~~The following Sales subject to the countywide and city retailers' sales tax pursuant to K.S.A. 12-189a, and amendments thereto,~~ shall also be subject to the taxes levied by Washburn University of Topeka under the provisions of K.S.A. 13-13a38, and amendments thereto:

~~(a) All sales of natural gas, electricity, heat and water delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises and all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes for agricultural use;~~

~~(b) 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; and~~

~~(c) all sales of intrastate telephone and telegraph services for noncommercial use.";~~

Also on page 1, in line 27, by striking "2023" and inserting "2024";

On page 9, in line 31, after "charges" by inserting "that are not separately stated on the invoice, bill of sale or similar document given to the purchaser";

On page 10, in line 26, by striking "and"; in line 29, after "sale" by inserting "; and

(F) delivery charges that are separately stated on the invoice, bill of sale or similar document given to the purchaser";

On page 15, in line 22, after "(c)" by inserting "(1)"; in line 33, by striking "(1)" and inserting "(A)"; in line 34, by striking "(2)" and inserting "(B)"; in line 35, by striking "(3)" and inserting "(C)"; in line 36, after "supplier" by inserting ". The provisions of this paragraph shall expire on June 30, 2023; and

(2) on and after July 1, 2023, 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 for sales of gas, electricity and heat delivered through mains, lines or pipes to any premises for any 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 any use of an occupant of any premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (A) The sale of a rural water district benefit unit; (B) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (C) connection or reconnection fees collected by a water

supplier";

On page 19, in line 40, by striking "2023" and inserting "2024";

On page 20, in line 6, by striking "2023" and inserting "2024"; in line 27, after the first "K.S.A." by inserting "13-13a39 and";

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, after "counties" by inserting "and Washburn university of Topeka; authorizing local exemption of sales of food and food ingredients; expanding the eligible uses for the 0% state rate for sales of certain utilities and providing for the levying of such tax by cities, counties and Washburn university of Topeka; authorizing cities and counties to exempt sales of such utilities from such city or county taxes; allowing for the retention of taxes by retailer on movie ticket and concession sales; excluding separately stated delivery charges from the sales or selling price"; in line 5, after the first "K.S.A." by inserting "13-13a39 and"; and the bill be passed as amended.

Also, **SB 463** 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 **Commerce** recommends **SB 382** be passed.

Committee on **Judiciary** recommends **SB 395** be amended on page 1, in line 6, after "(a)" by inserting "Except as provided in subsection (b)."; in line 9, by striking all after "a"; in line 10, by striking all before the second comma and inserting "lawfully issued warrant, court order or subpoena"; in line 15, after "(b)" by inserting "The provisions of subsection (a) shall not apply to any activities of:

(1) A wildlife biologist or a bio-technician when the primary purpose of the surveillance is to track wildlife movement or migration; or

(2) an employee of the Kansas department of wildlife and parks when the primary purpose of the surveillance is to locate and retrieve a missing person.

(c)";

Also on page 1, in line 16, by striking "either physical or electronic presence" and inserting "the installation and use of electronic equipment or devices"; in line 17, after "including" by inserting ", but not limited to,"; also in line 17, by striking "use or"; also in line 17, after "installation" by inserting "and use"; also in line 17, after "device" by inserting ", video camera or audio recording device";

Also on page 1, in the title, in line 2, by striking "access and"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 168** be amended on page 3, in line 9, by striking "and"; in line 10, after "code" by inserting ";

(16) the patient's species code; and

(17) the date the prescription was sold";

On page 4, in line 9, by striking all after the period; by striking all in lines 10 and 11 and inserting "Prior to the establishment or charge of any such fee, the board shall determine that any federal grants that may be expended for integration of program data in electronic health records or pharmacy management systems have been exhausted.";

On page 5, in line 8, after "recipients" by inserting "or practitioners"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 443** be passed.

On motion of Senator Alley, the Senate adjourned Pro Forma until 2:30 p.m.,
February 16, 2022.

Journal of the Senate

TWENTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 16, 2022, 2:30 p.m.

The Senate was called to order Pro Forma by Senator Kellie Warren.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 517, AN ACT concerning public records; relating to disclosure thereof under the open records act; requiring public agencies to allow certain persons to listen to audio recordings or to view video recordings that were made at a juvenile detention facility or juvenile intake and assessment services facility and relate to an incident in which a juvenile was seriously injured or died; amending K.S.A. 45-254 and repealing the existing section, by Committee on Federal and State Affairs.

SB 518, AN ACT concerning state agencies; relating to contracts and investments; enacting the Kansas reliable energy investment protection act; requiring the board of trustees of the Kansas public employees retirement system to divest from investments with entities that boycott energy companies; establishing conditions and procedures for divestment; prohibiting state contracts without written verification that a company is not boycotting energy companies, by Committee on Assessment and Taxation.

SB 519, AN ACT concerning income taxation; relating to deductions; increasing the Kansas standard deduction; amending K.S.A. 2021 Supp. 79-32,119 and repealing the existing section, by Committee on Assessment and Taxation.

SB 520, AN ACT concerning income taxation; relating to credits; providing a credit for school and classroom supply expenditures by teachers, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **HB 2480**.

Assessment and Taxation: **SB 513, SB 514, SB 516**.

Commerce: **SB 511**.

Education: **SB 515**.

Financial Institutions and Insurance: **HB 2564**.

Local Government: **SB 510**.

Ways and Means: **SB 512**.

CHANGE OF REFERENCE

An objection having been made to **SB 463** appearing on the **Consent Calendar**, the President directed the bill be removed and placed on the calendar under the heading of **General Orders**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2489**, **HB 2537**.

Announcing passage of **SB 337**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2489, **HB 2537** were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Transportation** recommends **SB 446** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, February 17, 2022.

Journal of the Senate

TWENTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 17, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 34 senators present.
Senators Baumgardner, Doll, Gossage, Haley, Hawk and Holscher were excused.
Invocation by Reverend Cecil T. Washington:

Seeking The Greatest Thing!
Matthew 6:24-33 Heavenly

Father, there is much for us to be concerned about these days. Good and evil are clashing and we are in the middle of it. But You created us for the purpose of being role models; actual demonstrations of right and righteousness. But there are forces aimed at undermining Your purposes for us and diminishing our Godly influence.

You said in Matthew 6:24-33, that our first priority is to seek Your rule in everything we do; Your Kingdom; Your morality; Your Justice; Your virtue. Your level of righteousness is the Godly standard You are calling us to. But we can't get there on our own.

The authority that we have, came at Your Hand. And so it is with righteous living. In fact, in that Matthew 6 passage, You said that gaining the everyday practical things in life, depends on daily prioritizing the spiritual.

We must look to You Lord, You've given us Your formula for our success. And it would be foolish to be looking for another formula. Please keep solid and strong, the liberties You have given us.

I offer this prayer in accordance with Your will, Your word and Your way. In Jesus' name, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

POINT OF PERSONAL PRIVILEGE

Senator Faust-Goudeau rose on a Point of Personal Privilege to thank Janie Johnson, who could not be present today, and the two Delta members that are in the gallery, Anna Gregory and Tami Farr-Smith. Others recognized were Trudy Baker, Alice Brannon-Williams, Ashlynn Clark, Sharon Collins, Dr. Felicia C. Echols, Alyssa Harris, Chase Johnson, Ly'Teesha Martin, Christina Love, Alaina Meekins-Kent, Valerie Patterson and Tanya Young.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 521, AN ACT concerning law enforcement; prohibiting motorcycle profiling by law enforcement agencies, by Committee on Federal and State Affairs.

SB 522, AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts, by Committee on Federal and State Affairs.

SB 523, AN ACT concerning the Kansas public employees retirement system; making and concerning appropriations for the fiscal years ending June 30, 2022, and June 30, 2023; authorizing certain transfers from the state general fund to the Kansas public employees retirement fund; requiring state finance council approval for such fiscal year 2023 transfers, by Committee on Ways and Means.

SB 524, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; affiliating for membership for certain security officers of the department of corrections and certain law enforcement officers and employees of the Kansas department of wildlife and parks; establishing employee and employer contributions, by Committee on Ways and Means.

SB 525, AN ACT concerning education; relating to school finance; requiring at least 65% of moneys provided by the state to school districts to be expended in the classroom or for instruction; amending K.S.A. 72-5191 and repealing the existing section, by Committee on Assessment and Taxation.

SB 526, 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. 2021 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 527, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for certain purchases and sales by certain nonprofit organizations providing substance use disorder treatment or support to foster children and licensed foster families; amending K.S.A. 2021 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 519**, **SB 520**.

Financial Institutions and Insurance: **HB 2489**.

Judiciary: **HB 2537**.

Transparency and Ethics: **SB 517**.

Ways and Means: **SB 518**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2458**, **HB 2476**, **HB 2478**, **HB 2540**, **HB 2560**, **HB 2591**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2458, **HB 2476**, **HB 2478**, **HB 2540**, **HB 2560**, **HB 2591** were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Faust-Goudeau, Haley and Pittman introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1729—

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, Frederica Chase Dodd, Myra Davis Hemmings, Olive C. Jones, Jimmie Bugg Middleton, Pauline Oberdorfer Minor, Vashti Turley Murphey, Naomi Sewell Richardson, 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. 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 an enrolled copy of this resolution to Trudy Baker, Alice Brannon-Williams, Ashlynn Clark, Sharon Collins, Dr. Felicia C. Echols, Anna Gregory, Alyssa Harris, Chase Johnson, Jamie Johnson, Ly'Teesha Martin, Christina Love, Alaina Meekins-Kent, Valerie Patterson, Tanya Young and Senators Faust-Goudeau, Haley and Pittman.

On emergency motion of Senator Faust-Goudeau **SR 1729** 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 Peck in the chair.

On motion of Senator Peck the following report was adopted:

SB 335, SB 392 be passed.

SB 12 be amended by the adoption of the committee amendments, and the bill be passed as amended.

Committee report on **HB 2262** recommending **S Sub HB 2262** as amended, be adopted; and **S Sub HB 2262** be passed as amended.

SB 161, SB 417 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, **SB 12, SB 335, SB 392** and **S Sub HB 2262** were advanced to Final Action and roll call.

SB 12, AN ACT concerning the department for children and families; relating to performance-based contracting.

On roll call, the vote was: Yeas 34; Nays 0; Present and Passing 0; Absent or Not Voting 6.

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

Absent or Not Voting: Baumgardner, Doll, Gossage, Haley, Hawk, Holscher.

The bill passed, as amended.

SB 335, AN ACT concerning insurance; relating to accident and health insurance; exempting certain qualified trade, merchant, retail and professional associations and business leagues that provide health insurance in the state but are not subject to the jurisdiction of the commissioner of insurance from payment of the annual premium tax; amending K.S.A. 40-2222b and repealing the existing section.

On roll call, the vote was: Yeas 34; Nays 0; Present and Passing 0; Absent or Not Voting 6.

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

Absent or Not Voting: Baumgardner, Doll, Gossage, Haley, Hawk, Holscher.

The bill passed.

SB 392, AN ACT concerning securities; relating to the securities act fee fund; terminating the transfer of remaining unencumbered moneys in such fund exceeding \$50,000 to the state general fund; amending K.S.A. 2021 Supp. 17-12a601 and repealing the existing section.

On roll call, the vote was: Yeas 34; Nays 0; Present and Passing 0; Absent or Not Voting 6.

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

Absent or Not Voting: Baumgardner, Doll, Gossage, Haley, Hawk, Holscher.

The bill passed.

S Sub HB 2262, AN ACT concerning controlled substances; relating to substances included in schedules I, II, IV and V of the uniform controlled substances act; amending the definition of controlled substances in the Kansas criminal code; excluding certain drug products from the definition of marijuana; amending K.S.A. 65-4107, 65-4111 and 65-4113 and K.S.A. 2021 Supp. 21-5701, 65-4101 and 65-4105 and repealing the existing sections.

On roll call, the vote was: Yeas 34; Nays 0; Present and Passing 0; Absent or Not Voting 6.

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

Absent or Not Voting: Baumgardner, Doll, Gossage, Haley, Hawk, Holscher.

The substitute bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 451** 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 **Assessment and Taxation** recommends **SB 432**, **SB 464** be passed.

Also, recommends **SB 431** be amended on page 1, in line 8, after "79-201x." by inserting "(a)"; in line 12, by striking "\$100,000" and inserting "\$65,000"; following line 13, by inserting:

"(b) For taxable year 2023, 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."; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2212** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2212," as follows:

"Senate Substitute for HOUSE BILL No. 2212

By Committee on Federal and State Affairs

"AN ACT concerning taxation; relating to income, privilege and premium taxes; enacting the Kansas affordable housing tax credit act and the Kansas housing investor tax credit act; providing tax credits for qualified housing projects.";

And the substitute bill be passed.

Also, **SB 376** be amended on page 4, in line 3, after the period by inserting "Of the amount allocated for infrastructure and housing development in rural areas, the director shall allocate:

(A) Not less than \$3,000,000 for loans and grants to counties with a population of not more than 8,000 and to cities located in such counties; and

(B) not less than \$3,000,000 for loans and grants to counties with a population of more than 8,000 but not more than 25,000 and to cities located in such counties.

(3)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **SB 400** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL No. 400," as follows:

"Substitute for SENATE BILL No. 400

By Committee on Financial Institutions and Insurance

"AN ACT concerning trusts; relating to the creation, modification and termination thereof; adding to the list of matters that may be resolved by nonjudicial settlement agreements; increasing the threshold at which an uneconomic trust may be terminated; updating the definition of resident trust; amending K.S.A. 58a-414 and 79-32,109 and K.S.A. 2021 Supp. 58a-111 and repealing the existing section.";

And the substitute bill be passed.

Also, **SB 450** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 450," as follows:

"Substitute for SENATE BILL No. 450

By Committee on Financial Institutions and Insurance

"AN ACT concerning state property; relating to the sale of surplus real property; eliminating the crediting of 80% of the proceeds from such sale to the Kansas public employees retirement fund; authorizing state educational institutions to sell and convey real property given to a state educational institution as an endowment, bequest or gift; authorizing the state board of regents to adopt policies relating to such sale and conveyance; amending K.S.A. 75-6609 and repealing the existing section.";

And the substitute bill be passed.

SB 399 be amended on page 1, in the title, in line 1, by striking the second "insurance"; in line 2, by striking "provider" and inserting "provider insurance"; and the bill be passed as amended.

SB 448 be amended on page 1, in line 11, by striking "Except as provided in subsection (b)."; in line 31, by striking all after "(b)"; by striking all in lines 32 through 36;

On page 2, in line 1, by striking "(c)";

On page 5, in line 19, by striking "(i)"; also in line 19, by striking all after the first "as"; by striking all in lines 34 through 38;

On page 7, in line 31, by striking all after "(B)"; by striking all in lines 32 through 39; in line 40, by striking "(C)";

On page 1, in the title, in line 2, by striking "commissioner's" and inserting "commissioners"; in line 3, by striking all after the semicolon; by striking all in lines 4 and 5; in line 6, by striking all before "amending"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 425** be amended on page

6, in line 8, by striking "and" and inserting a comma; in line 10, after the second "perpetrator" by inserting "and the name and contact information of the reporter or persons alleging abuse or neglect and case managers, investigators or contracting agency employees assigned to or investigating such report"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 313** be amended on page 1, following line 12, by inserting:

"Sec. 2. Bridge No. 19-0115 located between the intersections with K-126 and north grand street and K-126 and north rouse street in the city of Pittsburg in Crawford county is hereby designated as the Dennis Crain memorial bridge. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the bridge is the Dennis Crain memorial bridge.

Sec. 3. The portion of United States highway 69 from the northern junction of United States highway 69 and K-52 highway in Linn county, then south on United States highway 69 to the southern junction of United States highway 69 and K-52 highway is hereby designated as the AMM2c Walter Scott Brown memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the AMM2c Walter Scott Brown memorial highway.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after the second "highway" by inserting "; designating a certain bridge on K-126 as the Dennis Crain memorial bridge; designating a portion of United States highway 69 as the AMM2c Walter Scott Brown memorial highway"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned Pro Forma until 9:00 a.m., February 18, 2022.

Journal of the Senate

TWENTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 18, 2022, 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:

Agriculture and Natural Resources: **HB 2560**.

Assessment and Taxation: **SB 526, SB 527**.

Education: **SB 525**.

Federal and State Affairs: **SB 522; HB 2540**.

Judiciary: **SB 521**.

Transportation: **HB 2458, HB 2476, HB 2478**.

Ways and Means: **SB 523, SB 524; HB 2591**.

CHANGE OF REFERENCE

The President withdrew **HB 2377** from the Calendar under the heading of **General Orders**, and rereferred the bill to the Committee on **Judiciary**.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes:

Senator Bowers: congratulating Phillips County Health Department on receiving the 2022 Community Service Award by an Organization, congratulating Chloe VanDerVeen on winning the 2022 Phillips County Spelling Bee, congratulating Amber Shrader on receiving the 2022 Community Service Award by an Individual, congratulating Blossoms and Butterflies on receiving the 2022 Business of the Year Award;

Senator Claeys: congratulating the Sacred Heart High School Scholars Bowl Team on winning the 2022 2A State Championship;

Senator Dietrich: congratulating the Washburn Rural High School Dance Team on winning the 2021 6A Game Day Dance Championship, congratulating the Washburn Rural High School Theatre Program on being selected to perform at the 2022 International Thespian Festival;

Senator Doll: congratulating Jefferson Diaz on winning the 2021-22 Hugoton Elementary School Spelling Bee; and

Senator Steffen: extending official recognition to the 2022 Ad Astra Challenge.

FEBRUARY 18, 2022

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On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Monday, February 21, 2022.

Journal of the Senate

TWENTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 21, 2022, 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:

“Prayer For Our Authorities And All of Us”
Proverbs 29:2, 1 Timothy 2:1-7

Heavenly Father, after a weekend get away, we’re back in these halls to be guided by You, for the betterment of our people. Lord, this day, Monday, February, 21, has been designated a federal holiday: Presidents Day. And we’ve had forty-six men elevated to that prominent and critical office.

You have emphasized how important, how critical this office is when You said in Proverbs 29:2, “When the righteous are ruling, the people rejoice. But when wickedness is in power, the people will suffer.” So Lord, as You stated in 1 Timothy 2:1-7, we should make it a priority, to pray to You on behalf of others, offering thanksgiving and particularly praying for those in positions of high authority, so that we can live in peaceful, quiet, Godly decency.

You said that kind of praying is good, acceptable and pleasing in Your sight because You desire all of us to be saved and to come into the knowledge and appreciation of Divine Truth. Therefore Lord, this prayer, on this Presidents Day is being offered for the benefit of us all. Because we are all impacted positively or negatively, by the authorities over us, and their decisions. So Lord, by Your Holy Spirit, guide them.

Let this prayer be pleasing in Your sight and in Your ear. It’s being offered, 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 528, AN ACT concerning school districts; relating to teachers; requiring school districts to reimburse teachers for classroom supplies, by Committee on Assessment and Taxation.

SB 529, AN ACT concerning nondriver's identification cards; providing for the electronic renewal thereof; amending K.S.A. 2021 Supp. 8-1324 and repealing the existing section, by Committee on Federal and State Affairs.

SB 530, AN ACT concerning railroads; establishing the Kansas rail safety

improvement act; providing for safety requirements for railroad operations and crossings, by Committee on Ways and Means.

COMMUNICATIONS FROM STATE OFFICERS

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

2021 Juvenile Justice Report (February 21, 2022)

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5014**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HCR 5014 was thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 519** be passed.

Also, **SB 520** be amended on page 1, in line 5, by striking "2021" and inserting "2022"; in line 10, by striking all after the period; by striking all in line 11; in line 12, by striking all before "As"; and the bill be passed as amended.

Committee on **Commerce** recommends **SB 493** be passed.

Committee on **Education** recommends **SB 215** be amended on page 1, in line 10, by striking "2020" and inserting "2021"; in line 14, after "training" by inserting "and any student 19 years of age or under attending a community college conducting an approved course in driver training"; in line 17, after "school" by inserting "and community college"; in line 19, by striking "or" and inserting a comma; also in line 19, after the second "school" by inserting "or community college"; in line 22, after "school" by inserting "or community college"; in line 25, after "school" by inserting "or community college"; in line 27, by striking "and" and inserting a comma; also in line 27, after "schools" by inserting "and community colleges"; in line 29, after the second "school" by inserting "or community college"; in line 32, after "schools" by inserting "and community colleges"; in line 33, after "school" by inserting "or community college";

On page 7, in line 4, by striking "2021" and inserting "2022"; in line 9, by striking "2021" and inserting "2022";

On page 8, in line 9, by striking "2020" and inserting "2021";

On page 1, in the title, in line 7, by striking "2020" and inserting "2021"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 457**, **SB 483** be passed.

Also, **SB 141** be amended on page 2, in line 20, by striking "2021" and inserting "2022"; in line 21, by striking "2021" and inserting "2022"; in line 23, by striking "2021" and inserting "2022"; in line 24, by striking "2021" and inserting "2022";

On page 3, in line 15, by striking "2021" and inserting "2022"; in line 35, by striking "2021" and inserting "2022";

On page 6, by striking all in lines 28 through 43;

By striking all on page 7;

On page 8, by striking all in lines 1 through 24 and inserting:

"Sec. 19. K.S.A. 2021 Supp. 58a-103 is hereby amended to read as follows: 58a-103. As used in this code:

- (1) "Action," with respect to an act of a trustee, includes a failure to act.
- (2) "Beneficiary" means a person that:
 - (A) Has a present or future beneficial interest in a trust, vested or contingent; or
 - (B) in a capacity other than that of trustee, holds a power of appointment over trust property.
- (3) "Charitable trust" means a trust, or portion of a trust, created for a charitable purpose described in K.S.A. 58a-405(a), and amendments thereto.
- (4) "Conservator" means a person appointed by the court pursuant to K.S.A. 59-3001 et seq., and amendments thereto, to administer the estate of a minor or adult individual.
- (5) "Environmental law" means a federal, state, or local law, rule, regulation, or ordinance relating to protection of the environment.
- (6) "Guardian" means a person appointed by the court pursuant to K.S.A. 59-3001 et seq., and amendments thereto, to make decisions regarding the support, care, education, health, and welfare of a minor or adult individual. The term does not include a guardian ad litem.
- (7) "Interests of the beneficiaries" means the beneficial interests provided in the terms of the trust.
- (8) "Jurisdiction," with respect to a geographic area, includes a state or country.
- (9) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency, or instrumentality; public corporation, or any other legal or commercial entity.
- (10) "Power of withdrawal" means a presently exercisable general power of appointment other than a power:
 - (A) Exercisable by a trustee and limited by an ascertainable standard relating to an individuals health, education, support or maintenance within the meaning of section 2041(b)(1)(A) or 2514(c)(1) of the internal revenue code of 1986, as in effect on July 1, ~~2006~~ 2022; or
 - (B) exercisable by another person only upon consent of the trustee or a person holding an adverse interest.
- (11) "Property" means anything that may be the subject of ownership, whether real or personal, legal or equitable, or any interest therein.
- (12) (A) "Qualified beneficiary" means a beneficiary who, as of the date in question, either is eligible to receive mandatory or discretionary distributions of trust income or principal, or would be so eligible if the trust terminated on that date.
 - (B) For the purpose of trustee determining "qualified beneficiaries" of a trust in which a beneficial interest is subject to a power of appointment of any nature, the trustee may conclusively presume such power of appointment has not been exercised unless the trustee has been furnished by the powerholder or the legal representative of the powerholder or the powerholder's estate with the original or a copy of an instrument validly exercising such power of appointment, in which event the qualified beneficiaries shall be subsequently determined by giving due consideration to such exercise unless and until the trustee has been given notification in a similar manner of an instrument which validly revokes or modifies such exercise.
- (13) "Revocable," as applied to a trust, means revocable by the settlor without the consent of the trustee or a person holding an adverse interest.

(14) "Settlor" means a person, including a testator, who creates, or contributes property to, a trust. If more than one person creates or contributes property to a trust, each person is a settlor of the portion of the trust property attributable to that person's contribution except to the extent another person has the power to revoke or withdraw that portion.

(15) "Spendthrift provision" means a term of a trust which restrains either voluntary or involuntary transfer of a beneficiary's interest.

(16) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term includes an Indian tribe or band recognized by federal law or formally acknowledged by a state.

(17) "Terms of a trust" means:

(A) Except as otherwise provided in subparagraph (B), the manifestation of the settlor's intent regarding a trust's provisions as:

~~(1)~~(i) Expressed in the trust instrument; or

~~(2)~~(ii) established by other evidence that would be admissible in a judicial proceeding; or

(B) the trust's provisions as established, determined, or amended by:

~~(1)~~(i) A trustee or person holding a power to direct under K.S.A. 58a-808, and amendments thereto, in accordance with applicable law;

~~(2)~~(ii) court order; or

~~(3)~~(iii) a nonjudicial settlement agreement under K.S.A. 58a-111, and amendments thereto.

(18) "Trust instrument" means an instrument executed by the settlor that contains terms of the trust, including any amendments thereto.

(19) "Trustee" includes an original, additional, and successor trustee, and a cotrustee.";

Also on page 8, in line 25, by striking "2020" and inserting "2021";

On page 9, in line 19, by striking "2020" and inserting "2021";

On page 10, in line 38, by striking "2020" and inserting "2021";

On page 1, in the title, in line 4, by striking "2020" and inserting "2021"; and the bill be passed as amended.

SB 497 be amended on page 1, in line 31, by striking all after "all"; by striking all in lines 32 through 34; in line 35, by striking all before the semicolon and inserting "individuals who are licensed, registered, certified or otherwise authorized to practice by the behavioral sciences regulatory board"; in line 36, by striking "school"; also in line 36, by striking "educational";

On page 2, in line 1, by striking "institutions" and inserting "any public or nonpublic elementary or secondary school or any postsecondary educational institution, as defined in K.S.A. 74-32,194, and amendments thereto, who, in the course of employment, have regular contact with children who are less than 18 years of age"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 440**, **SB 441** be passed.

Also, **SB 373** be amended on page 1, in line 18, by striking all after "center"; by striking all in line 19; in line 20, by striking all before the period; following line 20, by inserting:

"Sec. 2.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) Any unencumbered balance in the midwest stem cell therapy center account (683-00-1000-0800) in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided*, That during the fiscal year ending June 30, 2023, expenditures may be made from the midwest stem cell therapy account in an amount not to exceed \$500,000 for the purpose of conducting clinical trials to treat COVID-19 patients using MSCTC-0010 cells developed at the midwest stem cell therapy center: *Provided further*, That such expenditures shall be made solely under the direction and control of the director of the midwest stem cell therapy center.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "year" and inserting "years"; in line 2, after the second comma by inserting "and June 30, 2023,"; and the bill be passed as amended.

Committee on **Transparency and Ethics** recommends **SB 428** be passed.

Also, **SB 427** be amended on page 1, in line 23, by striking "eighth" and inserting "8th"; in line 26, after "(3)" by inserting "the Tuesday following the second Monday in"; also in line 26, by striking "10"; in line 30, after "next" by inserting "Tuesday following the second Monday in"; also in line 30, by striking "10"; and the bill be passed as amended.

SB 429 be amended on page 1, in line 10, before "Reports" by inserting:

"(1) Before January 1, 2026, reports filed by treasurers for candidates for state office, other than officers elected on a statewide basis, shall be filed with the office of the secretary of state.";

Also on page 1, in line 11, by striking "state" and inserting "statewide"; in line 12, by striking all after the period; by striking all in line 13; in line 14, by striking all before "Reports" and inserting:

"(2) On and after January 1, 2026, reports filed by treasurers for all candidates for state office shall be filed electronically with the secretary of state in a form as prescribed by the secretary of state. Any candidate for state office may request an exemption from the electronic filing requirement, and the governmental ethics commission executive director may grant an exemption for cause.

(3)";

Also on page 1, in line 17, after the period by inserting:

"(b)";

Also on page 1, also in line 17, by striking "(h)" and inserting "(i)"; in line 18, after "reports" by inserting "as provided by subsection (a)"; in line 20, by striking "eighth" and inserting "8th"; in line 24, by striking "eighth" and inserting "8th"; in line 27, after "(3)" by inserting "the Tuesday following the second Monday in"; also in line 27, by striking "10"; in line 31, after "next" by inserting "Tuesday following the second Monday in"; also in line 31, by striking "10"; in line 35, by striking "(b)" and inserting "(c)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SB 337 reported correctly enrolled, properly signed and presented to the Governor on February 18, 2022.

SR 1729 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 18, 2022.

On motion of Senator Alley, the Senate adjourned until 9:30 a.m., Tuesday, February 22, 2022.

Journal of the Senate

THIRTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 22, 2022, 9:30 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:

“The Influence of The Insignificant”
1 Corinthians 5:6 and Galatians 5:9

Heavenly Father, it’s the day after Presidents Day. But, inspire us to keep on praying for our presidents, for our leaders, for all of us in these halls that have to do with governing. In fact, for all of us who preside over matters that are crucial in determining the quality of our future.

And Lord, unofficially that does apply to all of us. For even the smallest of matters can produce the greatest of influences. To remind us of the significant influence the small can have with the mighty, in 1 Corinthians 5:6 and Galatians 5:9, You said that just a little yeast will spread through the entire batch of dough.

Dr. Martin Luther King reminded us, “If a man is called to be a street sweeper, he should sweep streets even as a Michelangelo painted, or Beethoven composed music or Shakespeare wrote poetry. He should sweep streets so well, and here’s the influence, that all the hosts of heaven and earth will pause to say, ‘Here lived a great street sweeper, who did his job well.’ ”

Remind us Lord, that in Your economy, the potential for all of us is more than we can imagine. You had Jesus choose 12 misfits to be world changers and one of them was a devil.

So Lord, encourage us to stir our yeast of goodness in the lives of those we encounter. I pray this, in the Name of Jesus, Goodness personified!

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 531, 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 Federal and State Affairs.

SB 532, AN ACT concerning elections; relating to candidate names on ballots; allowing candidates for nonpartisan office to have such candidate’s political party

provided with such candidate's name; amending K.S.A. 25-613 and repealing the existing section, by Committee on Federal and State Affairs.

SB 533, AN ACT concerning drivers' licenses; relating to commercial drivers' licenses; prohibiting prosecuting attorneys from concealing certain traffic violations from the CDLIS driver report; increasing the period of disqualification length for certain offenses; amending K.S.A. 2021 Supp. 8-2,142 and 8-2,150 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 534, 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. 2021 Supp. 21-6804 and repealing the existing section, by Committee on Federal and State Affairs.

SB 535, AN ACT concerning law enforcement; relating to applicants for law enforcement officer positions; requiring hiring agencies to determine whether applicants have been employed in law enforcement and examine certain records; amending K.S.A. 75-4379 and repealing the existing section, by Committee on Federal and State Affairs.

SB 536, AN ACT concerning wrongful conviction; requiring the attorney general to investigate allegations of misconduct by a prosecuting attorney that may have contributed to a wrongful conviction and, if the evidence warrants, prosecute any appropriate criminal charges and commence ouster proceedings against such prosecuting attorney; providing that prosecuting attorneys shall not have immunity from such criminal charges or ouster proceedings; amending K.S.A. 2021 Supp. 60-5004 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:

Education: **SB 528**.

Judiciary: **HCR 5014**.

Transportation: **SB 529, SB 530**.

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 336, SB 366, SB 367, SB 405, SB 408, SB 419, SB 421, SB 435 be passed.

Committee report on **SB 400, SB 450** recommending **Sub SB 400, Sub SB 450** be adopted, and the substitute bills be passed.

SB 399, SB 417, SB 425, SB 448 be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 373 be amended by the adoption of the committee amendments, be further amended by motion of Senator Thompson; on page 1, following line 32, by inserting:

"Sec. 3.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) Any unencumbered balance in the midwest stem cell therapy center account (683-00-1000-0800) in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided*, That during the fiscal year ending June 30, 2024, expenditures

may be made from the midwest stem cell therapy account in an amount not to exceed \$500,000 for the purpose of conducting clinical trials to treat COVID-19 patients using MSCTC-0010 cells developed at the midwest stem cell therapy center: *Provided further*, That such expenditures shall be made solely under the direction and control of the director of the midwest stem cell therapy center.";

And by renumbering sections accordingly;

Also, on page 1, in the title, in line 2, by striking "and"; also in line 2, after the fourth comma by inserting "and June 30, 2024," and **SB 373** be passed as further amended.

SB 161 be amended by the adoption of the committee amendments, be further amended by motion of Senator O'Shea; on page 3, by striking all in lines 14 through 43;

By striking all on pages 4 through 7;

On page 8, by striking all in lines 1 through 14; following line 14, by inserting:

"Sec. 4. K.S.A. 2021 Supp. 8-126 is hereby amended to read as follows: 8-126. As used in this act, ~~the following words and phrases have the meanings respectively ascribed to them herein:~~

(a) "All-terrain vehicle" means any motorized nonhighway vehicle 55 inches or less in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 1,500 pounds or less, traveling on three or more nonhighway tires.

(b) "Autocycle" means a three-wheel motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride it.

(c) "Commission" or "state highway commission" means the director of vehicles of the department of revenue.

(d) "Contractor" means a person, partnership, corporation, local government, county government, county treasurer or other state agency that has contracted with the department to provide services associated with vehicle functions.

(e) "Department" or "motor vehicle department" or "vehicle department" means the division of vehicles of the department of revenue, acting directly or through its duly authorized officers and agents. When acting on behalf of the department of revenue pursuant to this act, a county treasurer shall be deemed to be an agent of the state of Kansas.

(f) "Division" means the division of vehicles of the department of revenue.

(g) "Electric-assisted scooter" means every self-propelled vehicle that has at least two wheels in contact with the ground, an electric motor, handlebars, a brake and a deck that is designed to be stood upon when riding.

(h) "Electric personal assistive mobility device" means a self-balancing two non-tandem wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less.

(i) "Electric vehicle" means a vehicle that is powered by an electric motor drawing current from rechargeable storage batteries or other portable electrical energy storage devices, provided the recharge energy must be drawn from a source off the vehicle, such as, but not limited to:

(1) Residential electric service; and

(2) an electric vehicle charging station, also called an EV charging station, an electric recharging point, a charging point, electric vehicle supply equipment (EVSE) or a public charging station.

(j) "Electronic certificate of title" means any electronic record of ownership, including any lien or liens that may be recorded, retained by the division in accordance with K.S.A. 2021 Supp. 8-135d, and amendments thereto.

(k) "Electronic notice of security interest" means the division's online internet program that enables a dealer or secured party to submit a notice of security interest as defined in this section, and to cancel the notice or release the security interest using the program. This program is also known as the Kansas elien or KSelien.

(l) "Farm tractor" means every motor vehicle designed and used as a farm implement power unit operated with or without other attached farm implements in any manner consistent with the structural design of such power unit.

(m) "Farm trailer" means every trailer and semitrailer as those terms are defined in this section, designed and used primarily as a farm vehicle.

(n) "Foreign vehicle" means every motor vehicle, trailer, or semitrailer that shall be brought into this state otherwise than in ordinary course of business by or through a manufacturer or dealer and has not been registered in this state.

(o) "Golf cart" means a motor vehicle that does not have fewer than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.

(p) "Highway" means every way or place of whatever nature open to the use of the public as a matter of right for the purpose of vehicular travel. The term "highway" does not include a roadway or driveway upon grounds owned by private owners, colleges, universities or other institutions.

(q) "Implement of husbandry" means every vehicle designed or adapted and used exclusively for agricultural operations, including feedlots, and only incidentally moved or operated upon the highways. "Implement of husbandry" includes, but is not limited to:

- (1) A farm tractor;
- (2) a self-propelled farm implement;
- (3) a fertilizer spreader, nurse tank or truck permanently mounted with a spreader used exclusively for dispensing or spreading water, dust or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202, and amendments thereto, regardless of ownership;

- (4) a truck mounted with a fertilizer spreader used or manufactured principally to spread animal dung; and

- (5) a mixer-feed truck owned and used by a feedlot, as defined in K.S.A. 47-1501, and amendments thereto, and specially designed and used exclusively for dispensing food to livestock in such feedlot.

(r) "Lien" means a security interest as defined in this section.

(s) "Lightweight roadable vehicle" means a multipurpose motor vehicle that is allowed to be driven on public roadways and is required to be registered with, and flown under the direction of, the federal aviation administration.

(t) "Manufacturer" means every person engaged in the business of manufacturing motor vehicles, trailers or semitrailers.

(u) "Micro utility truck" means any motor vehicle that is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40

miles per hour as originally manufactured and is manufactured with a metal cab. "Micro utility truck" does not include a work-site utility vehicle or recreational off-highway vehicle.

(v) "Motor vehicle" means every vehicle, other than a motorized bicycle or a motorized wheelchair, that is self-propelled. "Motor vehicle" does not include a personal delivery device.

(w) "Motorcycle" means every motor vehicle, including autocycles, designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "tractor" as defined in this section.

(x) "Motorized bicycle" means every device having two tandem wheels or three wheels, that may be propelled by either human power or helper motor, or by both, and has:

- (1) A motor that produces not more than 3.5 brake horsepower;
- (2) a cylinder capacity of not more than 130 cubic centimeters;
- (3) an automatic transmission; and
- (4) the capability of a maximum design speed of no more than 30 miles per hour.

(y) "Motorized wheelchair" means any self-propelled vehicle designed specifically for use by a physically disabled person and such vehicle is incapable of a speed in excess of 15 miles per hour.

(z) "New vehicle dealer" means every person actively engaged in the business of buying, selling or exchanging new motor vehicles, travel trailers, trailers or vehicles who holds a dealer's contract therefor from a manufacturer or distributor and has an established place of business in this state.

(aa) "Nonresident" means every person who is not a resident of this state.

(bb) "Notice of security interest" means a notification to the division from a dealer or secured party of a purchase money security interest as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto, upon a vehicle that has been sold and delivered to the purchaser describing the vehicle and showing the name, address and acknowledgment of the secured party as well as the name and address of the debtor or debtors and other information the division requires.

(cc) "Oil well servicing, oil well clean-out or oil well drilling machinery or equipment" means a vehicle constructed as a machine used exclusively for servicing, cleaning-out or drilling an oil well and consisting in general of a mast, an engine for power, a draw works and a chassis permanently constructed or assembled for one or more of those purposes. The passenger capacity of the cab of a vehicle shall not be considered in determining whether such vehicle is oil well servicing, oil well clean-out or oil well drilling machinery or equipment.

(dd) "Owner" means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or in the event a vehicle is subject to a lease of 30 days or more with an immediate right of possession vested in the lessee; or in the event a party having a security interest in a vehicle is entitled to possession, then such conditional vendee or lessee or secured party shall be deemed the owner for the purpose of this act.

(ee) "Passenger vehicle" means every motor vehicle, as defined in this section, that is designed primarily to carry 10 or fewer passengers, and is not used as a truck.

(ff) "Person" means every natural person, firm, partnership, association or corporation.

(gg) "Personal delivery device" means the same as defined in section 1, and amendments thereto.

(hh) "Pole trailer" means any two-wheel vehicle used as a trailer with bolsters that support the load, and do not have a rack or body extending to the tractor drawing the load.

(~~hh~~)(ii) "Recreational off-highway vehicle" means any motor vehicle not greater than 75 inches in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 3,500 pounds or less, traveling on four or more nonhighway tires.

(~~ii~~)(jj) "Road tractor" means every motor vehicle designed and used for drawing other vehicles, and not so constructed as to carry any load thereon independently, or any part of the weight of a vehicle or load so drawn.

(~~jj~~)(kk) "Self-propelled farm implement" means every farm implement designed for specific use applications with its motive power unit permanently incorporated in its structural design.

(~~kk~~)(ll) "Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(~~ll~~)(mm) "Specially constructed vehicle" means any vehicle that shall not have been originally constructed under a distinctive name, make, model or type, or that, if originally otherwise constructed shall have been materially altered by the removal of essential parts, or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles.

(~~mm~~)(nn) "Trailer" means every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

(~~nn~~)(oo) "Travel trailer" means every vehicle without motive power designed to be towed by a motor vehicle constructed primarily for recreational purposes.

(~~oo~~)(pp) "Truck" means a motor vehicle that is used for the transportation or delivery of freight and merchandise or more than 10 passengers.

(~~pp~~)(qq) "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle or load so drawn.

(~~qq~~)(rr) "Used vehicle dealer" means every person actively engaged in the business of buying, selling or exchanging used vehicles, and having an established place of business in this state and who does not hold a dealer's contract for the sale of new motor vehicles, travel trailers or vehicles.

(~~rr~~)(ss) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting electric personal assistive mobility devices or devices moved by human power or used exclusively upon stationary rails or tracks. "Vehicle" does not include a personal delivery device.

(~~ss~~)(tt) "Vehicle functions" means services relating to the application, processing, auditing or distribution of original or renewal vehicle registrations, certificates of title, driver's licenses and division-issued identification cards associated with services and functions set out in articles 1, 2 and 13 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto. "Vehicle functions" may also include personal property

taxation duties set out in article 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and other vehicle-related events described in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

~~(t)~~(uu) "Work-site utility vehicle" means any motor vehicle that is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more nonhighway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck or recreational off-highway vehicle."

Also on page 8, in line 15, by striking "2020" and inserting "2021";

On page 1, in the title, in line 3, by striking "2020" and inserting "2021".

A motion by Senator Olson to re-refer **SB 161** back to committee failed.

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.

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

AFTERNOON SESSION

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2517**, **HB 2594**, **HB 2607**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2517, **HB 2594**, **HB 2607** were thereupon introduced and read by title.

COMMITTEE OF THE WHOLE

The Senate returned to Committee of the Whole for consideration of bills under the heading of General Orders with Senator Bowers in the Chair.

On motion of Senator Bowers, the report for the morning and the following afternoon session was adopted.

SB 368, **SB 434**, **SB 440**, **SB 441** be passed.

An amendment was offered by Senator Holscher on **SB 368**. 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 385, be amended by the adoption of the committee amendments and the bill be passed as amended.

SB 161 be further amended by motion of Senator Holland; on page 2, in line 27, after "requirements" by inserting "except as provided herein"; in line 29, after "law" by inserting ", except that a personal delivery device shall be subject to the annual commercial vehicle fee pursuant to K.S.A. 2021 Supp. 8-143m, and amendments thereto, for commercial vehicles more than 10,000 pounds and up to 12,000 pounds";

On page 5, in line 28, after "device" by inserting ", except for purposes of the commercial vehicle fee pursuant to section 2(d), and amendments thereto";

On page 7, in line 40, after "device" by inserting ", except for purposes of the commercial vehicle fee pursuant to section 2(d), and amendments thereto", and **SB 161** be passed as further amended.

A motion by Senator Holland to further amend **SB 161** failed.

SB 395 be amended by the adoption of the committee amendments, be further amended by motion of Senator Hilderbrand; on page 1, in line 18, by striking the colon; by striking all in lines 19 through 21; in line 22, by striking "(2)"; in line 23, by striking "primary", and **SB 395** be passed as further amended.

A motion by Senator Hilderbrand to further amend **SB 395** failed, and the following amendment was rejected; on page 1, in line 6, by striking "Except as provided in subsection (b)."; in line 17, by striking all after "(b)"; by striking all in lines 18 through 24; in line 25, by striking "(c)".

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 14; Nays 22; Present and Passing 2; Absent or Not Voting 2.

Yeas: Erickson, Gossage, Hilderbrand, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Steffen, Straub, Thompson, Tyson, Warren.

Nays: Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Kerschen, Longbine, McGinn, Pettey, Pittman, Ryckman, Suellentrop, Sykes, Ware, Wilborn.

Present and Passing: Baumgardner, Billinger.

Absent or Not Voting: Alley, O'Shea.

A motion by Senator Straub to refer **SB 395** back to committee was withdrawn.

A motion by Senator Pittman to rerefer **SB 395** back to committee failed.

SB 348 be amended by the adoption of the committee amendments, be further amended by motion of Senator Francisco; on page 3, in line 12, after the comma by inserting "electric needles," and the bill be passed as further amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** 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:

Public Member, Employment Security Board of Review: 44-709

Dawn McClure, to serve a term expiring on June 30, 2024

Public Member, Employment Security Board of Review: 44-709

Amber Neises, to serve a term expiring on June 30, 2024

Public Member, Employment Security Board of Review: 44-709

Pam Pierce, to serve a term expiring on June 30, 2024

Public Member, Employment Security Board of Review: 44-709

Connor Cross, to serve a term expiring on March 15, 2025

Also, **HB 2219** be amended on page 1, in line 28, by striking "to" and inserting "than"; in line 31, after "is" by inserting "a Kansas resident, is";

On page 2, in line 11, by striking "2021" and inserting "2022"; also in line 11, by striking "2026" and inserting "2027"; in line 27, by striking "typical" and inserting "usual and customary"; in line 28, by striking "and" and inserting a comma; also in line 28, after "forward" by inserting "and shall only be used once each taxable year against tax liability imposed by only one of the income, privilege or premium taxes";

On page 3, in line 38, by striking "days" and inserting "day"; also in line 38, by striking "2022" and inserting "2023"; also in line 38, by striking "2026" and inserting "2027"; in line 41, by striking "2027" and inserting "2028, except that tax credits earned in tax year 2027 may be awarded by the secretary of revenue as provided by this act"; and the bill be passed as amended.

Committee on **Education** recommends **SB 341** be amended on page 9, following line 40, by inserting:

"Sec. 3. K.S.A. 72-5461 is hereby amended to read as follows: 72-5461. (a) Upon receiving an application under K.S.A. 72-5460, and amendments thereto, the state board of education shall review the application and examine the evidence furnished in support of the application.

(b) (1) ~~Commencing in school year 2017-2018,~~ The state board of education shall not approve any application submitted during the current school year if such approval would result in the aggregate amount of all general obligation bonds approved by the state board for such school year exceeding the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year adjusted for inflation pursuant to paragraph (4). For any application submitted during the current school year in excess of \$175,000,000, the state board shall apply only an amount of \$175,000,000 of such application when determining whether the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year has been exceeded. In determining whether to approve an application, the state board shall prioritize applications in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(A) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(B) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(C) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(D) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(2) The state board shall not consider a school district's eligibility for capital improvement state aid, or the amount of capital improvement state aid a school district would be eligible to receive, in determining whether to approve such district's application.

(3) The provisions of subsection (b)(1) shall not apply to school districts that;

(A) Have not issued any general obligation bonds in the 25 years prior to the current school year; or

(B) do not receive capital improvement state aid because such school district is not

eligible to receive such aid or has opted out of receiving such aid in the resolution adopted as provided in K.S.A. 72-5457, and amendments thereto.

(4) The state board shall adjust the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year by adding an amount equal to the five-year compounded percentage increase in the producer price index industry data for new school building construction as published by the bureau of labor statistics of the United States department of labor for the five immediately preceding school years.

(c) After reviewing the application and examining the supportive evidence, the state board of education shall issue an order either granting or denying the application. If the application is approved, the applicant board of education shall request the county election officer to hold an election to vote upon the question of issuing the increased amount of bonds in the manner provided by law.

(d) Any application that is denied pursuant to subsection (b) may be tentatively approved by the state board of education for the immediately succeeding school year. The amount of general obligation bonds approved in any such application shall be counted first towards the aggregate amount of all general obligation bonds approved by the state board for such school year.

(e) ~~Commencing in school year 2017-2018,~~The state board of education shall determine the aggregate principal amount of general obligation bonds retired in the immediately preceding school year.

(f) The provisions of subsections (b), (d) and (e) shall expire on June 30, ~~2022-2027~~.

Sec. 4. K.S.A. 2021 Supp. 72-5462 is hereby amended to read as follows: 72-5462.

(a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district ~~which that~~ is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection.

(1) For general obligation bonds approved for issuance at an election held prior to July 1, 2015, the state board of education shall:

(A) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(1);

(B) determine the median AVPP of all school districts;

(C) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(D) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the

schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 72-5463, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(E) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held prior to July 1, 2015; and

(F) multiply the amount determined under subsection (b)(1)(E) by the applicable state aid percentage factor.

(2) For general obligation bonds approved for issuance at an election held on or after July 1, 2015, the state board of education shall:

(A) Except as provided in subsection (b)(8), determine the amount of the AVPP of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(2);

(B) except as provided in subsection (b)(8), prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 72-5463, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2015; and

(E) multiply the amount determined under subsection (b)(2)(D) by the applicable state aid percentage factor.

(3) For general obligation bonds approved for issuance at an election held on or before June 30, 2016, the sum of the amount determined under subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E) is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(4) (A) For general obligation bonds approved for issuance at an election held on or after July 1, 2016, the amount determined under subsection (b)(2)(E) is the amount of payment the school district shall receive from the school district capital improvements

fund in the school year, except the total amount of payments school districts receive from the school district capital improvements fund in the school year for such bonds shall not exceed the six-year average amount of capital improvement state aid as determined by the state board of education.

~~(A)(B)~~ The state board of education shall determine the six-year average amount of capital improvement state aid by calculating the average of the total amount of moneys expended per year from the school district capital improvements fund in the immediately preceding six fiscal years, not to include the current fiscal year.

~~(B)(C)~~ (i) Subject to clause (ii), the state board of education shall prioritize the allocations to school districts from the school district capital improvements fund in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(a) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(b) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(c) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(d) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(ii) In allocating capital improvement state aid, the state board shall give higher priority to those school districts with a lower AVPP compared to the other school districts that are to receive capital improvement state aid under this section.

~~(C)(D)~~ On and after July 1, 2016, the state board of education shall approve the amount of state aid payments a school district shall receive from the school district capital improvements fund pursuant to subsection (b)(5) prior to an election to approve the issuance of general obligation bonds.

(5) Except as provided in subsections (b)(6) ~~and (b)(7) through (b)(8)~~, the sum of the amounts determined under subsection (b)(3) and the amount determined or allocated to the district by the state board of education pursuant to subsection (b)(4), is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(6) A school district that had an enrollment of less than 260 students in the school year immediately preceding the school year in which an election is held to approve the issuance of general obligation bonds shall not be entitled to receive payments from the school district capital improvements fund unless such school district applied for and received approval from the state board of education to issue such bonds prior to holding an election to approve such bond issuance. The provisions of this paragraph shall apply to general obligation bonds approved for issuance at an election held on or after July 1, 2017, that are issued for the purpose of financing the construction of new school facilities.

(7) For general obligation bonds approved for issuance at an election held on or after July 1, 2017, in determining the amount under subsection (b)(2)(D), the state board shall exclude payments for any capital improvement project, or portion thereof,

that proposes to construct, reconstruct or remodel a facility that would be used primarily for extracurricular activities, unless the construction, reconstruction or remodeling of such facility is necessary due to concerns relating to the safety of the current facility or disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation.

(8) For general obligation bonds approved for issuance at an election held on or after July 1, 2022, the state board of education shall:

(A) In preparing the schedule of dollar amounts pursuant to subsection (b)(2)(B), exclude unified school district No. 207, Fort Leavenworth, from such schedule and determine the point of beginning based on the amount of the AVPP of the school district with the lowest AVPP of the remaining school districts; and

(B) in determining the amount of the AVPP of a school district, exclude the number of students enrolled in a virtual school, as defined in K.S.A. 72-3712, and amendments thereto, that is offered by such school district from the determination of the AVPP of such school district.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

~~(f) On or before the first day of the legislative session in 2017, and~~ Each year thereafter, the state board of education shall prepare and submit a report to the legislature that includes information on school district elections held on or after July 1, 2016, to approve the issuance of general obligation bonds and the amount of payments school districts were approved to receive from the school district capital improvements fund pursuant to subsection ~~(b)(4)(C), (b)(4)(D).~~;

Also on page 9, in line 41, after "72-5135" by inserting "and 72-5461"; also in line 41, after "72-5132" by inserting "and 72-5462";

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 semicolon and inserting "state aid"; in line 3, after the semicolon by inserting "excluding Fort Leavenworth school district and virtual school students from the capital improvement state aid determination; extending the general obligation bond limitation;"; also in line 3, after "72-5135" by inserting "and 72-5461"; in line 4, after "72-5132" by inserting "and 72-5462"; and the bill be passed as amended.

Also, **SB 362** be amended on page 1, in line 13, by striking "preparing" and inserting "approving"; in line 18, by striking "preparation" and inserting "approval"; in line 23, by striking "each student" and inserting "all students"; in line 24, by striking all before "proficiency"; also in line 24, after "proficiency" by inserting "above level 1 for grade level academic expectations"; in line 28, by striking "each"; in line 29, by striking "student" and inserting "all students"; also in line 29, by striking "grade level"; also in line 29, after "proficiency" by inserting "above level 1 for grade level academic expectations";

On page 2, in line 3, after "district" by inserting "and available on the school district's website"; also in line 3, by striking all after the period; by striking all in lines 4 and 5; in line 10, by striking all after "district and"; in line 11, by striking "request" and inserting "available on the school district's website"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2279** be amended as reported in the Journal of the Senate on March 25, 2021, and the bill be further amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2279," as follows:

"Senate Substitute for HOUSE BILL No. 2279

By Committee on Public Health and Welfare

"AN ACT concerning health professions and practices; relating to advanced practice registered nurses; licensure thereof; authorizing the prescribing of drugs without a supervising physician; requiring malpractice insurance coverage; rules and regulations; amending K.S.A. 65-1130 and K.S.A. 2021 Supp. 65-1626 and 65-4101 and repealing the existing sections."; and the substitute bill be passed.

Also, **SB 453** be amended on page 1, in line 26, by striking "unlicensed employees of" and inserting "certified aides working in"; in line 31, by striking all before "is" and inserting "certified aides";

On page 2, in line 2, by striking "unlicensed person" and inserting "certified aide"; in line 20, by striking "unlicensed employees of" and inserting "certified aides working in"; in line 25, by striking all before "is" and inserting "certified aides"; in line 36, by striking all after the period; by striking all in lines 37 through 39; in line 41, by striking all before "shall" and inserting "certified aides";

On page 3, in line 5, by striking "unlicensed employees of" and inserting "certified aides working in"; in line 12, by striking "Unlicensed employees of" and inserting "Certified aides working in"; in line 19, by striking "unlicensed"; in line 20, by striking all before "adult" and inserting "certified aides working in"; in line 23, by striking "unlicensed employees of" and inserting "certified aides working in"; in line 36, by striking "unlicensed employees of" and inserting "certified aides working in"; in line 40, by striking all after "individual"; in line 41, by striking all before "adult" and inserting "working as a certified aide in an";

On page 4, in line 3, by striking "unlicensed employee of"; also in line 3, before "an" by inserting "certified aide working in"; in line 9, by striking all before "the" and inserting "when"; also in line 9, by striking "unlicensed employee" and inserting "certified aide has not"; in line 14, by striking "an unlicensed employee of" and inserting "a certified aide working in";

On page 1, in the title, in line 1, by striking "unlicensed employees" and inserting "certified aides working in adult care homes"; in line 2, by striking "unlicensed employee" and inserting "certified aide"; in line 4, by striking all after the semicolon; in line 5, by striking all before "amending"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 9:30 a.m., Wednesday, February 23, 2022.

Journal of the Senate

THIRTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 23, 2022, 9:30 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:

Life Giving Intimacy With Our God
Genesis 4:1, Exodus 33:13

Heavenly Father, in Genesis 4:1, Adam knew Eve and she conceived a son. They became so intimate that new life was brought forth. The prayer today is that You would help us to know You, not just to know some things about You, but to know You so closely and so intimately that new life-giving ideas and ways of thinking will be conceived.

In Exodus 33:13, Moses asked You to show him Your ways, that he might know You and find grace in Your sight; that You would be pleased with him. Help us to know You like that, to the degree that we will conceive and give birth to new and improved ways of thinking, new and improved decisions. Let there be a birth of new and improved relationships.

Please increase our intimacy with You, that You might impregnate us with new life, not only for us but for our families and the people we serve. And then Lord, keep us from straying. Hold us close, real close.

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 537, AN ACT concerning foreign influence in the operations of state government; relating to contracts, gifts and grants; requiring state contractors, grant recipients, vendors, state agencies and political subdivisions to disclose certain gifts or grants received from a foreign source to the department of administration; institutions of higher education to report certain gifts or grants from foreign sources to the board of regents; state educational institutions to screen certain foreign applicants seeking employment in certain research positions; prohibiting certain public entities from participating in agreements with, or accepting gifts or grants from, foreign countries of concern; authorizing civil penalties for violations of disclosure requirements; establishing research integrity offices and international travel approval and monitoring

programs at state educational institutions; directing the legislative division of post audit to conduct certain performance audits, by Committee on Federal and State Affairs.

SB 538, AN ACT concerning taxation; eliminating the local ad valorem tax reduction fund; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556 and 79-1479 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961 and 79-2962 and K.S.A. 2021 Supp. 79-2959, by Committee on Assessment and Taxation.

SB 539, AN ACT concerning health and healthcare; relating to naturopathic doctors and acupuncturists; providing naturopathic doctors and acupuncturists a certificate of authorization for a business entity to provide professional services; amending K.S.A. 17-2710 and K.S.A. 2021 Supp. 65-28,134 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:

Federal and State Affairs: **SB 532**.

Judiciary: **SB 533, SB 534, SB 535, SB 536; HB 2517, HB 2607**.

Public Health and Welfare: **SB 531**.

Transportation: **HB 2594**.

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 382, SB 443, SB 457, SB 483, SB 493 be passed.

SB 141, SB 150, SB 215, SB 313, SB 362, SB 453 be amended by the adoption of the committee amendments, and the bills be passed as amended.

Senator Corson moved **SB 150** be rereferred to the Committee on Judiciary. The motion failed.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 12; Nays 24; Present and Passing 0; Absent or Not Voting 4.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Steffen, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Ryckman, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Doll, Olson, Pyle, Straub.

Committee report on **SB 34** recommending **Sub SB 34** be adopted, and the substitute bill be passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **Sub SB 34; SB 141, SB 150, SB 215, SB 313, SB 362, SB 382, SB 443, SB 453, SB 457, SB 483** and **SB 493** were advanced to Final Action and roll call.

On motion of Senator Alley, the Senate recessed until 2:00 p.m.

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

FINAL ACTION ON CONSENT CALENDAR

SB 446, SB 451 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 446, AN ACT concerning roads and highways; designating bridges on United States highway 166 and K-66 highway as veterans memorial bridge.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

EXPLANATION OF VOTE

Mr. Vice President: On **SB 446**, with hesitation, we are naming three non-contiguous bridges the same name in one county, appropriately honoring veterans, but possibly causing confusion. However after consulting the local Senator, he assures us that this is what the local veterans groups wanted, so I vote Aye.—JEFF PITTMAN

SB 451, AN ACT concerning wildlife and parks; relating to permanent hunting licenses; removing the requirement to submit proof that a person is at least 1/16 American Indian by blood; amending K.S.A. 32-929 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub SB 34, AN ACT concerning administrative rules and regulations; requiring the review of rules and regulations every five years; requirements for adoption of rules and regulations; providing an alternative procedure for revocation of certain rules and regulations; amending K.S.A. 77-426 and 77-436 and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 7; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Present and Passing: Francisco.

The substitute bill passed.

SB 141, AN ACT enacting the Kansas uniform directed trust act; relating to power over a trust held by a nontrustee; establishing powers and duties of a trust director and a directed trustee; amending K.S.A. 58a-703 and K.S.A. 2021 Supp. 58a-103, 58a-105 and 58a-603 and repealing the existing sections; also repealing K.S.A. 58a-808.

On roll call, the vote was: Yeas 39; Nays 1; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

The bill passed, as amended.

SB 150, AN ACT concerning legal services; relating to advertising; defining and prohibiting certain legal advertisement practices as unlawful and deceptive trade practices; restricting the use or disclosure of protected health information for legal solicitation; prescribing civil and criminal penalties.

On roll call, the vote was: Yeas 24; Nays 14; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Suellentrop, Thompson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Steffen, Straub, Sykes, Tyson, Ware.

Present and Passing: Baumgardner, Hilderbrand.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: In the Radio Act of 1927, Congress determined that the airwaves in the United States were considered a national treasure. Many years later, when the Truth in Advertising Act was approved, the Federal Trade Commission (FTC) was charged with overseeing problems associated with when consumers saw or heard an advertisement that was untruthful, misleading, or lacking in scientific evidence. I don't believe **SB 150** is necessary, as the role of upholding truthful advertising is that of the FTC. All complaints of false advertising can be reported by calling 1-877-FTC-HELP.

—MOLLY BAUMGARDNER

Senators Hawk and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Baumgardner on **SB 150**.

Mr. Vice President: I vote no on **SB 150**. **SB 150** has been found by a conservative Republican U.S. District Court judge to violate the First Amendment of the United States Constitution. This legislation will lead to costly and time-consuming taxpayer funded litigation in an attempt to solve a problem that doesn't exist in Kansas. Attorney advertising is already covered by the Rules of Professional Conduct that govern attorneys and the Kansas Bar has an eight-attorney Office of the Disciplinary Administrator charged with investigating complaints. Proponents of this bill could not

name a single instance of a Kansan being harmed by the type of ads **SB 150** would regulate.—**ETHAN CORSON**

Senators Francisco, Haley, Hawk, Holland, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Corson on **SB 150**.

SB 161, AN ACT concerning personal package delivery devices; definitions; operating requirements and restrictions; exemption from motor vehicle requirements; limitation of local regulation; amending K.S.A. 2021 Supp. 8-126 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 24; Nays 15; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Petersen, Ryckman, Straub, Suellentrop, Thompson, Warren, Wilborn.

Nays: Corson, Francisco, Haley, Hawk, Holland, Holscher, Olson, Peck, Pettey, Pittman, Pyle, Steffen, Sykes, Tyson, Ware.

Present and Passing: Faust-Goudeau.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I vote NO on **SB 161**. This is a major disrupting technology that will ultimately end up costing Kansas several thousand semi-skilled delivery jobs. Furthermore, the bill fails to provide Kansas citizens and communities tools for proactively managing the onslaught of these Personal Delivery Devices in their neighborhoods, specifically with respect to 1) location of routes and intermediate storage containment hives, 2) how PDD accident information is to be reported and shared with all vested community stakeholders, and 3) personal privacy issues with respect to the commercial collection and dissemination of data of our fellow Kansans. Time to unplug the robots before it's too late!—**TOM HOLLAND**

SB 215, AN ACT concerning transportation; relating to commercial driver's education; transferring authority over driver's education programs operated by certain postsecondary institutions and driver training schools to the department of revenue; authorizing the department of revenue to promulgate rules and regulations therefor; amending K.S.A. 8-273, 8-274, 8-275, 8-276, 8-277, 8-278, 8-279 and 8-280 and K.S.A. 2021 Supp. 8-272 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 313, AN ACT concerning roads and highways; designating a portion of United States highway 69 as the Senator Tom R Van Sickle memorial highway; designating a certain bridge on K-126 as the Dennis Crain memorial bridge; designating a portion of United States highway 69 as the AMM2c Walter Scott Brown memorial highway.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 336, AN ACT concerning insurance; relating to permissible investments made by life insurance companies; updating certain investment limitation requirements to provide increased options for Kansas domiciled life insurance companies investing in equity interests and preferred stock; amending K.S.A. 40-2b06 and 40-2b07 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen, Straub.

The bill passed.

SB 348, AN ACT concerning public health; relating to cosmetology; hair removal; exempting persons engaged in threading from the practice of cosmetology and the requirements thereof; amending K.S.A. 65-1901 and 65-1928 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Billinger, Holland, Holscher, Pettey, Sykes, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I vote "NO" on **SB 348**. Excluding threading from the definition of cosmetology would impact public health and safety. Disruption to the dermis (the upper layer of skin) could cause infection and subject individuals to blood borne pathogens which can spread infection and disease. The knowledge for threading and important protective skills are learned through the cosmetology program. Additionally, exempting threading from cosmetology means facilities would NOT be subject to any requirements including sanitation. The entire board of Cosmetology (the professionals who know the most about the threading process) are against this bill and we should be as well.—CINDY HOLSCHER

SB 362, AN ACT concerning education; relating to school districts; requiring consideration and documentation of district building needs assessments and state academic assessments; making budget allocations related thereto; amending K.S.A. 2021 Supp. 72-1163 and repealing the existing section.

On roll call, the vote was: Yeas 35; Nays 3; Present and Passing 2; Absent or Not Voting 0.

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

Nays: Doll, Holland, Pittman.

Present and Passing: Francisco, Hawk.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I ask to "PASS" on **SB 362**. Article 6 in our Kansas Constitution notes that "the legislature shall provide for a state board of education which shall have general supervision of public schools". I agree that **SB 362** represents a good compromise, however I remain concerned that it interferes with the authority of our State Board of Education.—MARCI FRANCISCO

SB 366, AN ACT concerning crimes, punishment and criminal procedure; relating to burglary; locked or secured portions of dwellings, buildings or other structures; amending K.S.A. 2021 Supp. 21-5807 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

The bill passed.

SB 367, AN ACT concerning crimes, punishment and criminal procedure; relating to property seized by law enforcement; requiring officers to file copies of receipts with the court when property is seized under a search warrant; providing requirements and procedures for destruction or disposition of dangerous drugs and return or disposition of weapons; amending K.S.A. 2021 Supp. 22-2512 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 368, AN ACT concerning the Kansas offender registration act; requiring registration for violations of internet trading in child pornography and aggravated internet trading in child pornography; amending K.S.A. 2021 Supp. 22-4902 and 22-4906 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 373, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2022, June 30, 2023, and June 30, 2024, for the university of Kansas medical center; relating to conducting COVID-19 clinical trials at the midwest stem cell therapy center, 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, Bowers, Claeys, Erickson, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Longbine, McGinn, Pettey, Pittman, Suellentrop, Sykes, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I oppose **SB 373**. While I appreciate studies for the purposes of fighting COVID, this bill has a number of issues. Normally, trial studies have all metrics in place when proposed; in this case, however, important measures are absent. As an example, the deadline for the proposed trial has already been changed twice since the hearing for the bill. This is not how KU operates clinical trials; in fact this is not how any facility operates trials. Additionally, the fact that the director of the facility provided neutral testimony that was less than enthusiastic should be a red flag.—CINDY HOLSCHER

SB 382, AN ACT concerning real estate brokers and salespersons; application of licensure provisions to trusts; authorizing the Kansas real estate commission to issue cease and desist orders; amending K.S.A. 58-3036 and 58-3065 and K.S.A. 2021 Supp. 58-3035, 58-3037 and 58-3042 and repealing the existing sections.

On roll call, the vote was: Yeas 38; Nays 2; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen, Straub.

The bill passed.

SB 385, AN ACT concerning the Kansas offender registration act; requiring registration for certain violations of breach of privacy; amending K.S.A. 2021 Supp. 22-4902 and 22-4906 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 395, AN ACT concerning privacy rights; relating to real property; imposing restrictions on surveillance by employees of the Kansas department of wildlife and parks, was considered on final action.

On roll call, the vote was: Yeas 30; Nays 9; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Hawk, Holland, Holscher, Pettey, Sykes, Ware.

Present and Passing: Haley.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I vote no on **SB 395**. While some amendments to the original bill helped to diminish some of its negative impact on our Kansas Department of Wildlife and Parks Law Enforcement Officers, it still takes us down a negative path that impacts public safety and the ability of our officers to do their jobs. This bill is anti-law enforcement. It singles out our KDWP officers from the authority granted to other law enforcements officers in the KBI, Highway Patrol, and other local county and city law enforcement agencies. This bill is removing public safety protections and authority which can ultimately limit the ability of our KDWP officers to render aid, engage in search and rescue operations, and even help property owners retrieve livestock that breaks out of fencing and wanders onto a neighbor's property. This bill is not necessary. Current policy and practice provide for the same private property protections yet maintains authority comparable to other law enforcement professionals in our state. I vote no.—TOM HAWK

Senators Corson, Francisco, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Hawk on **SB 395**.

SB 399, AN ACT concerning insurance; relating to the healthcare provider insurance availability act; adding maternity center to the definition of healthcare provider contained therein; amending K.S.A. 40-3401 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: On **SB 399**, we have had a birthing clinic closed down in Wyandotte in an area experiencing much higher infant mortality rates than Kansas' average because of potential liability concerns. **SB 399** helps these maternity centers by allowing access to the Healthcare Stabilization fund, an important backstop for risk which will allow them to continue operations and provide important access to expectant mothers. I vote Aye.—JEFF PITTMAN

Senator Pettey requests the record to show she concurs with the "Explanation of Vote" offered by Senator Pittman on **SB 399**.

Sub SB 400, AN ACT concerning trusts; relating to the creation, modification and termination thereof; adding to the list of matters that may be resolved by nonjudicial settlement agreements; increasing the threshold at which an uneconomic trust may be terminated; updating the definition of resident trust; amending K.S.A. 58a-414 and 79-32,109 and K.S.A. 2021 Supp. 58a-111 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The substitute bill passed.

SB 405, 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, 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 408, AN ACT concerning crimes, punishment and criminal procedure; relating to theft; increasing criminal penalties for multiple thefts of mail; amending K.S.A. 2021 Supp. 21-5801 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 417, AN ACT concerning health and environment; relating to solid waste; establishing minimum and maximum permit renewal fees for certain disposal areas and processing facilities; amending K.S.A. 65-3407 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Peck.

The bill passed, as amended.

SB 419, AN ACT concerning law enforcement; relating to special agents of the department of corrections; the commission on peace officers' standards and training; Kansas law enforcement training act; amending K.S.A. 74-5602 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 421, AN ACT concerning the Kansas public employees retirement system; eliminating certain level-dollar employer contribution payments; making and concerning appropriations for the fiscal year ending June 30, 2022; authorizing certain transfers from the state general fund to the Kansas public employees retirement fund; amending K.S.A. 2021 Supp. 74-4920 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson,

Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 425, AN ACT concerning children and minors; relating to the Kansas department for children and families; clarifying information exchange in investigations of child abuse between the department and law enforcement agencies; directing the department to release certain information to law enforcement agencies; amending K.S.A. 38-2210, 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 434, AN ACT concerning public records; relating to records that contain captured license plate data or that pertain to the location of an automated license plate recognition system; disclosure thereof under the open records act; amending K.S.A. 45-217, 45-220 and 45-221 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pyle.

The bill passed.

SB 435, AN ACT concerning law enforcement; relating to law enforcement officers; expanding jurisdiction and powers thereof; amending K.S.A. 72-6146 and K.S.A. 2021 Supp. 22-2401a 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Francisco, Gossage, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Haley.

Present and Passing: Faust-Goudeau.

The bill passed.

EXPLANATION OF VOTE

Mr. Vice President: I vote NO on **SB 435**, expanding law enforcements officers'

jurisdiction. Society has guidelines and licensures for public service peace officers and related fields (e.g. school security, deputies, etc.) for a reason: responsibility for jurisdictional terrain to be protected and secured. Elasticity accorded those jurisdictional lines are potentially dangerous to the general public's safety. With deputizing along the way and calling for back-up with little regard to said back-ups awareness of terrain guidelines, there might be problems. Ironically, this Senate JUST voted in the last roll call to rein in duly authorized and necessary police powers regarding Parks and Wildlife law enforcement officers in **SB 395** and here, in **SB 435**, to expand quasi-policing authority to, no doubt, allow over-policing of certain parts of our State. Consistently, I want to see trained, licensed police authority remain in the areas they are vested in and no creation of emergency circumstances to justify ill-fitting remedies to alleged criminal activities.—DAVID HALEY

SB 440, AN ACT concerning health and health professions; relating to the occupational therapy practice act; authorizing occupational therapists to provide limited services to patients without a referral; amending K.S.A. 65-5401 and 65-5402 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, Claey's, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Ryckman, Straub, Suellentrop, Sykes, Tyson, Ware, Warren, Wilborn.

Nays: Steffen, Thompson.

Present and Passing: Pyle.

The bill passed.

SB 441, AN ACT enacting the biological laboratory accident transparency act; requiring institutions and organizations to report accidents and near-miss accidents at high-risk biological laboratories, 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, Claey's, Erickson, Fagg, Gossage, Hilderbrand, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Pettey, Pittman, Suellentrop, Sykes, Ware.

The bill passed.

EXPLANATION OF VOTE

Mr. Vice President: I vote no on **SB 441**. This bill is a duplication of current federal and state reporting requirements and creates an undue burden on existing laboratories in our state. It further undermines public trust and will jeopardize our sizeable investments in several large bioscience laboratories in our state. As a key example, this legislature has invested \$307M in state dollars in the BSL-4 National Bio and Agro-Defense Facility(NBAF) in Manhattan. This \$1.2B project, slated to open soon, brings over 500

high-paying jobs to Kansas and provides an anchor for the Kansas Bio-Science Corridor from Manhattan to Columbia, Missouri. Prior to the construction of NBAF, Kansas State University built and made operational a BSL-3 lab, Pat Roberts Hall, that was foundational in getting the national lab at Plum Island moved to Kansas. Only one out-of-state proponent advocated for this bill. Experts from K-State pointed out six major flaws in this bill: 1) It increases regulatory burden. 2) It has unclear and inconsistent definitions leading to confusion. 3) It has a lack of oversight, reporting clarity, or enforcement. 4) It is a duplication of efforts of current federal and state authority and reporting. 5) It increases the risk of noncompliance and nonconformance. 6) It will decrease the public trust and create a sense of danger that does not exist. This bill is not necessary. It will significantly harm our current small and large laboratory operations in Kansas and discourage further bio-science investment in our state. I vote no.—TOM HAWK

Senators Corson, Francisco, Holland and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Hawk on **SB 441**.

Mr. Vice President: I oppose **SB 441**. This is another bill that has red flags. Of concern is the fact there was only one proponent of the bill who is not based in Kansas, in fact that individual/organization is not even based in the US. Opponent testimony (from Kansas) indicates processes described in the bill are already in place and this would be redundant. Additionally, the bill has unclear and inconsistent definitions which erodes public trust. Finally, this is a bill that indicates it is important for transparency. Prior to the debate, I tried to look up opponent testimony on the ksleg website and it was missing. Interestingly, that particular testimony was there earlier in the day. That should be concerning to this body as well as the general public.—CINDY HOLSCHER

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator Holscher on **SB 441**.

SB 443, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2022, for the department of administration; relating to legally defeasing or cash redeeming certain revenue bonds at their first optional redemption date.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 448, AN ACT concerning insurance; relating to the unfair trade practices act; adopting the national association of insurance commissioners' amendments thereto; amending K.S.A. 40-966, 40-2404 and 40-4909 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 1; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Holland, Holscher,

Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Ryckman, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

Present and Passing: Hilderbrand, Peck, Pyle.

The bill passed, as amended.

Sub SB 450, AN ACT concerning state property; relating to the sale of surplus real property; eliminating the crediting of 80% of the proceeds from such sale to the Kansas public employees retirement fund; authorizing state educational institutions to sell and convey real property given to a state educational institution as an endowment, bequest or gift; authorizing the state board of regents to adopt policies relating to such sale and conveyance; amending K.S.A. 75-6609 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Tyson.

The substitute bill passed.

SB 453, AN ACT concerning adult care homes; relating to certified aides working in adult care homes; requiring certified aide training courses to be taught and evaluated by professional licensed nurses; requiring a demonstration of skills to successfully complete training courses; amending K.S.A. 39-936 and 65-5115 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 457, AN ACT concerning crimes, punishment and criminal procedure; relating to conditions of release; release prior to trial; requiring a waiver of extradition proceedings; amending K.S.A. 2021 Supp. 22-2802 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 483, AN ACT concerning crimes, punishment and criminal procedure; relating to theft and criminal damage to property; increasing penalties for such crimes involving remote service units such as automated cash dispensing machines and automated teller machines; amending K.S.A. 2021 Supp. 21-5801 and 21-5813 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 493, AN ACT concerning cities and counties; prohibiting the regulation of plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages.

On roll call, the vote was: Yeas 27; Nays 13; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, McGinn, Pettey, Pittman, Sykes, Ware.

The bill passed.

EXPLANATION OF VOTE

Mr. Vice President: I vote "NO" on **Senate Bill 493**. This bill usurps control our local communities should have over solid waste production, especially as they have the responsibilities for solid waste collection and disposal within their communities. The proponents for the bill argued that there should be uniform requirements for auxiliary containers across the state, however, rather than establishing appropriate requirements, this bill abruptly ends opportunities for individual communities to address the costs and complications of single-use plastic waste.—MARCI FRANCISCO

Senators Holland and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Francisco on **SB 493**.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 455**, **SB 484**, **SB 496** from the Committee on **Education**, and referred the bills to the Committee on **Ways and Means**.

Under the authority of the President, the Vice President withdrew **SB 501** from the Committee on **Public Health and Welfare**, and referred the bill to the Committee on **Ways and Means**.

Under the authority of the President, The Vice President withdrew **SB 478** from the Committee on **Utilities**, and referred the bill to the Committee on **Ways and Means**.

Under the authority of the President, the Vice President withdrew **SB 340**, **SB 341**

from the Calendar under the heading of **General Orders**, and referred the bills to the Committee on **Ways and Means**.

Under the authority of the President, the Vice President withdrew **SB 152** from the Committee on **Judiciary** and referred the bill to the Committee on **Ways and Means**.

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5031**.

HCR 5031, A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2022 regular session of the legislature, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5031** was adopted by voice vote.

REPORTS OF STANDING COMMITTEES

Committee on **Public Health and Welfare** recommends **SB 407** be amended on page 2, in line 14, before the period by inserting: "; and

(8) contains a provision that requires the newly enrolled participants with a family income over 200% of the federal poverty income guidelines to wait at least eight months before participating in this program, if such participants previously had comprehensive health benefit coverage through an individual policy or a health benefit plan provided by any health insurer as defined in K.S.A. 40-4602, and amendments thereto. This waiting period provision shall not apply when the prior coverage ended due to loss of employment other than the voluntary termination, change to a new employer that does not provide an option for dependent coverage, discontinuation of health benefits to all employees, expiration of COBRA coverage period or any other situations where the prior coverage ended due to reasons unrelated to the availability of this program";

On page 1, in the title, in line 2, by striking "eliminating"; in line 3, by striking all before "amending"; and the bill be passed as amended.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes:

Senator Bowers: congratulating Lane Sullivan on winning the 2022 Ottawa County 4th through 8th Grade Spelling Bee Championship;

Senator Dietrich: congratulating Anna Newcome on achieving the rank of Eagle Scout; and

Senator O'Shea: celebrating Marie Fisher's 102nd Birthday.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, March 1, 2022.

Journal of the Senate

THIRTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 1, 2022, 2:30 p.m.

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

God's Light Overpowers The World's Darkness
Genesis 1:2-3, Daniel; 3:8-27

Heavenly Father, when I ponder the magnitude of Your creative power and how You displayed it to benefit us, I think of Genesis 1:2-3. This world was unliveable. Your Word reveals that this earth was chaotic. An empty darkness prevailed over it. But all You had to do was speak the words, LET THERE BE LIGHT! And that changed everything!

Today Lord, there's a part of our world that's in chaos. We're witnessing misery, desperation and despair. There's a darkness that's pervading. But in the midst of it, we're also seeing solid indications of faith and courage.

Lord, I'm reminded of the third chapter of Daniel. Shadrach, Meshach and Abednego were in a desperate predicament. Nebuchadnezzar, in his position of authority, was determined to subjugate them or kill them by fire. But in spite of what they were facing, their faith in You was solid. Give us like faith!

In verse 17 and 18, they said, if we are thrown into the blazing furnace, the God that we serve is still able to save us. He will rescue us from your power. In life or in death, He will rescue us from the power of evil. Lord, it's good to know, that one way or another, You will keep the faithful! Some of us You'll keep FROM the fire. And some of us You'll keep IN the fire.

So in the midst of all the darkness in our world, would You again speak the words, LET THERE BE LIGHT! 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 540, AN ACT concerning taxation; relating to income taxation; expanding the selective assistance for effective senior relief (SAFESR) credit for certain residential property taxes paid; amending K.S.A. 79-32,263 and repealing the existing section, by Committee on Assessment and Taxation.

SB 541, AN ACT concerning public health; requiring compensation for the use, restriction on use, damage, loss or destruction of property as a result of certain governmental actions; providing that orders and similar actions by public officials relating to face mask mandates, gathering limitations, business restrictions and religious gathering limitations shall not exceed 30 days in duration at a time before being renewed or allowed to expire; requiring court petitions challenging such orders and actions to be ruled on without unreasonable delay; prohibiting school officials from issuing or requiring use of a COVID-19 vaccination passport or discriminating against a student based upon COVID-19 vaccination status; requiring schools to recognize exemptions from vaccination requirements and face mask mandates; modifying judicial review provisions related to certain executive orders issued during a state of disaster emergency and certain actions taken by a local unit of government during a state of local disaster emergency; prescribing powers, duties and functions of the board of education of each school district, the governing body of each community college and the governing body of each technical college related to contagious or infectious disease and modifying judicial review provisions related thereto; removing the sunset provision in the COVID-19 contact tracing privacy act; prohibiting schools and child care facilities from denying access to facilities unless there are reasonable grounds to believe that the person is actually infected with a disease suspected of being infectious or contagious; authorizing reimbursement of property taxes levied upon businesses shut down or restricted as a result of certain governmental actions related to contagious or infectious disease; amending K.S.A. 65-119, 65-122 and 72-6262 and K.S.A. 2021 Supp. 48-925, 48-925c, 48-925d, 48-932, 48-961, 65-101, 65-201 and 79-1614 and repealing the existing sections, by Committee on Federal and State Affairs.

SENATE CONCURRENT RESOLUTION No. 1620—

A PROPOSITION to amend article 11 of the constitution of the state of Kansas by adding a new section thereto; requiring a supermajority for passage of certain bills for new or increased state taxes.

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 11 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 14. Supermajority for passage of certain bills for new or increased state taxes. (a) On and after July 1, 2023, a supermajority of two-thirds of the members then elected (or appointed) and qualified to each house, voting in the affirmative, shall be necessary to pass any bill enacting or amending any law creating any new state tax or increasing the rate of any existing state income tax, sales tax, compensating use tax or other excise tax, or a tax in the nature of an excise tax, property tax, or a tax in the nature of a property tax, or estate or inheritance tax, or a tax in the nature of an estate or

inheritance tax, or any combination thereof.

(b) In any case of a conflict between any provision of this section and any other provision contained in the constitution, the provisions of this section shall control."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. Beginning on July 1, 2023, this amendment would require a supermajority of two-thirds of all members of the House of Representatives and Senate to pass bills to enact or amend any law creating any new state tax or increasing the rate of existing state income tax, sales tax, compensating use tax, other excise tax, property tax, estate or inheritance tax or a tax in the nature of such taxes.

"A vote for this proposition would require a supermajority of two-thirds of each house of the legislature to pass bills enacting or amending laws creating new state taxes or increasing the rate of existing state taxes.

"A vote against this proposition would not make any changes to the constitution and would continue the present constitutional authority of the legislature related to vote requirements for passage of bills."

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 2022, 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.

SENATE CONCURRENT RESOLUTION No. 1621—

A PROPOSITION to amend sections 5 and 15 of article 3 of the constitution of the state of Kansas; relating to the selection of supreme court justices; providing for senate confirmation; abolishing the supreme court nominating commission.

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: Sections 5 and 15 of article 3 of the constitution of the state of Kansas are hereby amended to read as follows:

"§ 5. Selection of justices of the supreme court. (a) (1) Any vacancy occurring in the office of any justice of the supreme court and any position to be open ~~thereon~~ *on the supreme court* as a result of enlargement of the court, or the retirement or failure of an incumbent

to file ~~his~~ *such justice's* declaration of candidacy to ~~succeed himself~~ *be retained in office* as hereinafter required, or failure of a justice to be elected to ~~succeed himself~~ *be retained in office*, shall be filled by appointment by the governor of ~~one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided,~~ *with the consent of the senate, of a person possessing the qualifications of office.*

(2) *Whenever a vacancy occurs, will occur or a position opens on the supreme court, the clerk of the supreme court shall promptly give notice to the governor.*

~~(b)(3)~~ (3) *In the event of the failure of the governor to make the appointment within sixty days from the time the names of the nominees are submitted to him date such vacancy occurred or such position became open, the chief justice of the supreme court shall make the appointment from such nominees, with the consent of the senate, of a person possessing the qualifications of office.*

(4) *Whenever a vacancy in the office of justice of the supreme court exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time the appointment is made, but where an appointment is made pursuant to this section to fill a vacancy that will occur at a future date, such appointment shall not take effect until such date.*

(b) *No person appointed pursuant to subsection (a) shall assume the office of justice of the supreme court until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than sixty days after such appointment is received by the senate. If the senate is not in session and will not be in session within the sixty-day time limitation, the senate shall vote to consent to any such appointment not later than twenty days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within sixty days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office, and such subsequent appointment shall be considered by the senate in the same procedure as provided in this section. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.*

(c) (1) *Each justice of the supreme court appointed pursuant to provisions of subsection (a) of this section and consented to pursuant to subsection (b) shall hold office for an initial term ending on the*

second Monday in January following the first general election that occurs after the expiration of twelve months in office.

(2) Not less than sixty days prior to the holding of the general election next preceding the expiration of ~~his~~ *the* term of ~~office~~, any justice of the supreme court, *the justice* may file in the office of the secretary of state a declaration of candidacy for ~~election to succeed himself~~ *retention in office*. If a declaration is not ~~so~~ *filed as provided in this section*, the position held by such justice shall be ~~open from the expiration of his~~ *vacant upon the expiration of such justice's* term of office. If such declaration is filed, ~~his~~ *such justice's* name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall _____

(Here insert name of justice.)

(Here insert the title of the court.)

, *Justice of the Supreme Court*, be retained in office?"

(3) If a majority of those voting on the question vote against retaining ~~him~~ *such justice* in office, the position or office which ~~he~~ *such justice* holds shall be ~~open~~ *vacant* upon the expiration of ~~his~~ *such justice's* term of office; Otherwise ~~he shall~~, unless *such justice* is removed for cause, *such justice shall* remain in office for the regular term of six years from the second Monday in January following such election. At the expiration of each term ~~he shall~~, unless by law ~~he~~ *such justice* is compelled to retire, *such justice shall* be eligible for retention in office by election in the manner prescribed in this section.

(d) ~~A nonpartisan nominating commission whose duty it shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court is hereby established, and shall be known as the "supreme court nominating commission." Said commission shall be organized as hereinafter provided.~~

(e) ~~The supreme court nominating commission shall be composed as follows: One member, who shall be chairman, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident members of the bar in each such district; and one member, who is not a lawyer, from each congressional district, appointed by the governor from among the residents of each such district.~~

(f) ~~The terms of office, the procedure for selection and certification of the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.~~

(g) ~~No member of the supreme court nominating commission shall, while he is a member, hold any other public office by~~

~~appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court. The commission may act only by the concurrence of a majority of its members.~~

(4) If a majority of those voting on the question vote against the justice's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such justice who has not been retained in office pursuant to this section shall not be eligible for appointment to the office of justice of the supreme court prior to the expiration of six years after the expiration of the justice's term of office.

"§ 15. Removal of justices and judges. Justices of the supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme court ~~nominating commission~~ that such justice is so incapacitated as to be unable to perform adequately ~~his~~ such justice's duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of this amendment is to provide for senate confirmation of supreme court justices and to eliminate the supreme court nominating commission. The governor will appoint a qualified person, or if the governor fails to act, the chief justice of the supreme court will appoint a qualified person, and such person's appointment will require the consent of the senate. If the senate does not consent to the appointment by a majority vote, the governor will then appoint another qualified person, and such person's appointment will again go to the senate for consent. The same appointment and consent procedure will be followed until a valid appointment is made. If the senate fails to vote on an appointment within 60 days, it will be considered that the senate has given consent to the appointment.

"A vote for this proposition would abolish the supreme court nominating commission and provide a procedure whereby the governor or chief justice will appoint a person to be a supreme court justice, and such person will only take office if the senate, by majority vote, consents to the appointment.

"A vote against this proposition would continue the current system in which justices of the supreme court are appointed by the governor from a list of three individuals submitted by the supreme court nominating commission."

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 August 2, 2022, pursuant to section 1 of article 14 of the constitution of the state of Kansas, to be held in conjunction with the primary election held on such date.

SENATE CONCURRENT RESOLUTION No. 1622—

By Committee on Federal and State Affairs

A PROPOSITION to amend sections 5, 8 and 15 of article 3 of the constitution of the state of Kansas; relating to the selection of supreme court justices; providing for direct partisan election; abolishing the supreme court nominating commission.

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: Sections 5, 8 and 15 of article 3 of the constitution of the state of Kansas are hereby amended to read as follows:

"§ 5. Selection of justices of the supreme court. (a) Any vacancy occurring in the office of any justice of the supreme court and any position to be open thereon as a result of enlargement of the court, or the retirement ~~or failure of an incumbent to file his declaration of candidacy to succeed himself as hereinafter required, or failure of a justice to be elected to succeed himself, resignation or removal of a justice, shall be filled by appointment by the governor of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided~~ election at the next general election. Such election shall be partisan and from the state as a whole. Except as otherwise provided in this section, election laws applicable to other state officers elected from the state as a whole shall apply to the nomination and election of justices of the supreme court. Each justice of the supreme court elected as provided by law shall hold office for a term of six years. Such term shall commence on the second Monday in January following the general election. Justices of the supreme court may seek reelection.

(b) ~~In event of the failure of the governor to make the appointment within sixty days from the time the names of the nominees are submitted to him, the chief justice of the supreme court shall make the appointment from such nominees~~ Each justice of the supreme court in office at the time this amendment takes effect shall hold office for the term for which such justice was retained in office by election, or hold office for the initial term for which such justice was appointed, and

until a successor is elected and qualified. The office that such justice holds shall be open upon the expiration of such justice's term of office or upon the retirement, resignation or removal of such justice, whichever occurs first. Such justice shall be eligible for election to such office in the manner prescribed in this section, unless by law such justice is compelled to retire or such justice retired, resigned or was removed from such office.

~~(e) Each justice of the supreme court appointed pursuant to provisions of subsection (a) of this section shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of twelve months in office. Not less than sixty days prior to the holding of the general election next preceding the expiration of his term of office, any justice of the supreme court may file in the office of the secretary of state a declaration of candidacy for election to succeed himself. If a declaration is not so filed, the position held by such justice shall be open from the expiration of his term of office. If such declaration is filed, his name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:~~

~~"Shall _____~~

~~(Here insert name of justice.)~~

~~_____~~

~~(Here insert the title of the court.)~~

~~be retained in office?"~~

~~If a majority of those voting on the question vote against retaining him in office, the position or office which he holds shall be open upon the expiration of his term of office; otherwise he shall, unless removed for cause, remain in office for the regular term of six years from the second Monday in January following such election. At the expiration of each term he shall, unless by law he is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.~~

~~(d) A nonpartisan nominating commission whose duty it shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court is hereby established, and shall be known as the "supreme court nominating commission." Said commission shall be organized as hereinafter provided.~~

~~(e) The supreme court nominating commission shall be composed as follows: One member, who shall be chairman, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident members of the bar in each such district; and one member, who is not a lawyer, from each congressional district, appointed by the governor from among the~~

residents of each such district.

~~(f) The terms of office, the procedure for selection and certification of the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.~~

~~(g) No member of the supreme court nominating commission shall, while he is a member, hold any other public office by appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court. The commission may act only by the concurrence of a majority of its members.~~

"§ 8. Prohibition of political activity by justices and certain judges. No justice of the supreme court who is appointed or retained under the procedure of section 5 of this article, nor any judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 6 of this article; shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.

"§ 15. Removal of justices and judges. Justices of the supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme court ~~nominating commission~~ that such justice is so incapacitated as to be unable to perform adequately ~~his~~ *such justice's* duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of this amendment is to provide for election of justices of the supreme court and to eliminate the supreme court nominating commission. Future justices would be elected in partisan, statewide elections. Each justice elected would hold office for a term of six years and would be allowed to seek reelection.

"A vote for this proposition would cause justices of the supreme court to be elected in partisan, statewide elections for terms of six years.

"A vote against this proposition would continue the current system in which justices of the supreme court are appointed by the governor from a list of three individuals submitted by the supreme court nominating commission."

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 August 2, 2022, pursuant to section 1 of article 14 of the constitution of the state of Kansas, to be held in conjunction with the primary election held on such date.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 538**.

Judiciary: **SB 537**.

Public Health and Welfare: **SB 539**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Ware and Faust-Goudeau introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1730

A RESOLUTION designating February 2, 2022,
as Envision Day to recognize Envision's life-changing research,
support and programming for the blind and visually impaired community.

WHEREAS, Across Kansas, there are approximately 70,000 people who are blind or visually impaired, and more than half are unemployed due to lack of inclusive job opportunities; and

WHEREAS, Envision strives to improve the quality of life for people of all ages who are blind or visually impaired; and

WHEREAS, Envision was established in 1933, amid the Great Depression, as the Wichita Workshop and Training School to enable adults who were blind to make and sell their own products, thereby providing a fulfilling and inspirational purpose for the blind and visually impaired community; and

WHEREAS, Envision helps adults who are blind or visually impaired to acquire professional skills to enter into the workforce; and

WHEREAS, Through the power of employment, Envision helps adults who are blind or visually impaired gain life skills and relevant work training for jobs, including the production of high-quality, American-made products; and

WHEREAS, Envision facilitates opportunities for adults who are blind or visually impaired and enriches communities through innovative outreach, rehabilitation and research programs; and

WHEREAS, Envision's College Success program was developed to help students who are blind or visually impaired receive the resources the students need to make the most of their college experience and achieve their goals; and

WHEREAS, Opened on January 5, 2022, the Envision Art Gallery features an artist in residency program, which is designed to connect the blind and visually impaired community to other artists working within the community of Wichita; and

WHEREAS, Members of the program have showcased their work in the Envision Art Gallery, and the members work together with Envision Arts to help create more accessibility in the art world; and

WHEREAS, Individuals who are blind, visually impaired or have disabilities navigate through societal misconceptions on a daily basis due to a lack of general education; and

WHEREAS, It is imperative that we break down stereotypes while building understanding about this important group of citizens: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we designate February 2, 2022, as Envision Day to honor and encourage the continuation of Envision's life-changing research, support and programming for the blind and visually impaired community; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Terese Goren, Michael Monteferrante, Charles Wilks and Senators Ware and Faust-Goudeau.

On emergency motion of Senator Ware **SR 1730** was adopted by voice vote.

CHANGE OF REFERENCE

The President withdrew **SB 455, SB 484, SB 496** from the Committee on **Ways and Means**, and rereferred the bills to the Committee on **Education**.

The President withdrew **SB 152** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Judiciary**.

The President withdrew **SB 501** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Public Health and Welfare**.

The President withdrew **SB 478** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Utilities**.

MESSAGES FROM THE GOVERNOR

SB 337 approved on February 25, 2022.

Enclosed herewith is Executive Directive No. 22-550 for your information. (February 15, 2022)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2110, HB 2299, HB 2386, HB 2456, HB 2481, HB 2483, HB 2496, HB 2508, HB 2510, HB 2515, HB 2516, HB 2529, HB 2547, HB 2559, HB 2563, HB 2567, HB 2568, HB 2574, HB 2579, HB 2595, HB 2597, HB 2608, HB 2633, HB 2654, HB 2688, HB 2703**.

Announcing adoption of **HCR 5022**,

Announcing passage of **HB 2605**.

Announcing adoption of **HCR 5030**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2110, HB 2299, HB 2386, HB 2456, HB 2481, HB 2483, HB 2496, HB 2508, HB 2510, HB 2515, HB 2516, HB 2529, HB 2547, HB 2559, HB 2563, HB 2567, HB 2568, HB 2574, HB 2579, HB 2595, HB 2597, HB 2605, HB 2608, HB 2633, HB 2654, HB 2688, HB 2703; HCR 5022, HCR 5030 were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 479** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, March 2, 2022.

Journal of the Senate

THIRTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 2, 2022, 2:30 p.m.

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

The Most Wholesome Diet
Matthew 4:1-4, Genesis 3:19

Heavenly Father, for many of Your children, today, Ash Wednesday, March 2nd, begins a spiritual memorial called Lent. Not counting Sundays, Lord, it's a 40-day period where many of Your people remember the 40 days of fasting by Jesus in Matthew 4:1-4, where He said "Man shall not live on bread alone, but on every word that comes from the mouth of God."

Lord, it looks like we need to evaluate our diet. It seems like we're stuffing ourselves more with food, that will expand us physically, than with the Words that come from You that will expand us spiritually. Many of us are fasting, abstaining from the Words that come from You, while filling up on a worldly diet. For many of us, our fasting is not appropriate. We're abstaining from Your life giving, eye opening Words, while being faithful to a worldly diet.

Let this Ash Wednesday remind us to maintain humility, for You said in Genesis 3:19 that we are made from dust and to dust we shall return.

And Lord, we continue to pray for peace and for Your will to prevail over all the chaos. I offer this prayer in the Name of the Christ, 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 542, AN ACT concerning property taxation; relating to tax levy rates; establishing a revenue neutral rate complaint process; authorizing the county clerk to limit the amount of ad valorem taxes to be levied in certain circumstances; establishing a deadline for budgets to be filed with the director of accounts and reports; requiring roll call vote and publication of information; amending K.S.A. 79-2930 and K.S.A. 2021 Supp. 79-2988 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 543, AN ACT concerning income taxation; relating to Kansas adjusted gross

income; providing a subtraction modification to allow the carryforward of certain net operating losses for individuals; amending K.S.A. 2021 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:

Agriculture and Natural Resources: **HB 2456, HB 2559, HB 2563, HB 2605.**

Assessment and Taxation: **SB 540; SCR 1620.**

Commerce: **HB 2703.**

Federal and State Affairs: **HB 2688.**

Financial Institutions and Insurance: **HB 2110, HB 2481, HB 2510, HB 2547, HB 2568.**

Judiciary: **SB 541; SCR 1621, SCR 1622; HB 2299, HB 2496, HB 2508, HB 2515, HB 2516, HB 2574, HB 2608, HB 2654; HCR 5022.**

Public Health and Welfare: **HB 2386.**

Transparency and Ethics: **HB 2579.**

Transportation: **HB 2483, HB 2529, HB 2595, HB 2597, HB 2633.**

Ways and Means: **HB 2567.**

Committee of the Whole: **HCR 5030.**

MESSAGE FROM THE HOUSE

Announcing passage of **SB 358.**

Announcing passage of **H Sub for SB 101**, as amended by **H Sub for SB 101.**

Announcing passage of **SB 62**, as amended.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Petersen the Senate nonconcurrent in the House amendments to **H Sub SB 101** and requested a conference committee be appointed.

The President appointed Senators Petersen, Claeys and Hawk as a conference committee on the part of the Senate.

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 **Commerce.**

By the Governor

On the appointment to the:

Kansas Employment Security Board of Review:

Connor Cross, to serve a term ending March 15, 2025

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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Suellentrop, Sykes, Thompson, Tyson,

Warren, Wilborn.

Absent or Not Voting: Steffen, Straub, Ware.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Employment Security Board of Review:

Dawn McClure, to serve a term ending June 30, 2024

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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Suellentrop, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Steffen, Straub, Ware.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Employment Security Board of Review:

Amber Neises, to serve a term ending June 30, 2024

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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Suellentrop, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Steffen, Straub, Ware.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Employment Security Board of Review:

Pamela Pierce, to serve a term ending June 30, 2024

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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Suellentrop, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Steffen, Straub, Ware.

The appointment was confirmed.

Senator Alley moved the following appointment be confirmed as recommended by the Committee on **Education**.

By the Governor

On the appointment to the:

State Board of Regents:

Carl Ice, to serve a term ending June 30, 2025

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Steffen, Straub.

The appointment was confirmed.

Senator Alley moved the following appointments without recommendation as recommended by the Committee on **Education**.

By the Governor

On the appointment to the:

State Board of Regents:

Cynthia Lane, to serve a term ending June 30, 2025

On roll call, the vote was: Yeas 23; Nays 11; Present and Passing 4; Absent or Not Voting 2.

Yeas: Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Longbine, Masterson, McGinn, O'Shea, Olson, Pettey, Pittman, Sykes, Ware, Wilborn.

Nays: Baumgardner, Erickson, Gossage, Hilderbrand, Kerschen, Peck, Petersen, Suellentrop, Thompson, Tyson, Warren.

Present and Passing: Alley, Kloos, Pyle, Ryckman.

Absent or Not Voting: Steffen, Straub.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Winton Winter, to serve a term ending June 30, 2025

On roll call, the vote was: Yeas 24; Nays 9; Present and Passing 5; Absent or Not Voting 2.

Yeas: Billinger, Bowers, Claeys, Corson, Dietrich, Fagg, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Kerschen, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Sykes, Ware, Wilborn.

Nays: Baumgardner, Doll, Erickson, Gossage, Hilderbrand, Suellentrop, Thompson, Tyson, Warren.

Present and Passing: Alley, Kloos, Peck, Pyle, Ryckman.

Absent or Not Voting: Steffen, Straub.

The appointment was confirmed.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 439** be passed.

Also, **SB 482** be amended on page 1, in line 10, after "primer" by inserting ", shot, wad,"; and the bill be passed as amended.

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. 2021 Supp. 20-3020

Angela Coble, to serve a term ending on January 8, 2024

Committee on **Ways and Means** recommends **HB 2591** 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 1730 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 2, 2022.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, March 3, 2022.

Journal of the Senate

THIRTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 3, 2022, 2:30 p.m.

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

The Fruit of Your Mouth; Good Or Bad?
Matthew 12:33-37

Lord, we come again today, charged with the responsibility to make decisions that will impact the lives and liberties of the people we serve: Your people. Don't let us forget that they are Your people and although we are accountable to them, we are even more so accountable to You.

Your Word makes it clear in Matthew 12:33-37, that we must answer to You for everything that we convey. As a tree is judged to be good or bad by the fruit it bears, You are analyzing all that we communicate by our decisions.

Lord, let the choices, conclusions and outcomes that are spoken into existence prove to produce fruit that is marked by excellence; fruit that will not only prove to benefit Your people but will also garner eternal rewards for us.

All 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 544, AN ACT concerning the legislature; relating to bills; requiring legislators who request certain curriculum or school finance bills to volunteer at a public school or consult with a team of teaching professionals; prohibiting certain legislators from requesting bills that divert state moneys from public schools to private schools, by Committee on Federal and State Affairs.

SB 545, AN ACT concerning education; relating to certain nonpublic schools; requiring participation in certain assessments; requiring website publication of performance accountability and longitudinal achievement reports; amending K.S.A. 2021 Supp. 72-5178 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:

Assessment and Taxation: **SB 542, SB 543.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1731—

A RESOLUTION recognizing March 3, 2022, as National Vending Day in Kansas for the many contributions of the vending and convenience services industry.

WHEREAS, The vending and convenience services industry employs over 150,000 Americans, generates an economic output of over \$227 million and employs over 1,423 Kansas residents; and

WHEREAS, The vending and convenience services industry has expanded in recent decades to include a wide array of convenience services and refreshments and recently launched a national public health commitment; and

WHEREAS, The vending and convenience services industry uses cutting-edge technology to deliver innovate options to consumers; and

WHEREAS, During the COVID-19 pandemic, the vending and convenience services industry served as an essential industry by providing food and beverages to fuel first responders and other critical industries; and

WHEREAS, Kansas is proud of the dozens of small business owners in the state who own vending and convenience service companies; and

WHEREAS, The National Automatic Merchandising Association has designated March 3, 2022, as National Vending Day: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize National Vending Day in Kansas for the many contributions of the vending and convenience services industry; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Tom Burgess and three enrolled copies to Senator Alley.

On emergency motion of Senator Alley **SR 1731** was adopted unanimously.

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 Longbine in the chair.

On motion of Senator Longbine the following report was adopted:

SB 378 be amended by motion of Senator McGinn; on page 1, in line 7, before "Any" by inserting "(a) This act shall apply to all cities and counties, except that the provisions of this act pertaining to the fireworks season for seasonal retailers as provided by K.S.A. 31-502(j), and amendments thereto, shall only apply to a city or

county if the governing body of the city or the board of county commissioners of the county affirmatively elects to make the city or county subject to such provision. The provisions of this act permitting the sale of fireworks by and the licensing and regulation of annual retailers as provided by K.S.A. 31-502 and 31-503, and amendments thereto, shall only apply to a city or county if the governing body of the city or the board of county commissioners of the county affirmatively elects to permit the sale of fireworks by annual retailers.

(b)"

and the bill be passed as amended.

SB 282 be amended by Senator Olson; on page 4, following line 3, by inserting:

"Sec. 7. The provisions of sections 7 through 12, and amendments thereto, shall be known and may be cited as the Kansas affordable housing tax credit act.

Sec. 8. As used in sections 7 through 12, and amendments thereto:

(a) "Act" means the provisions of sections 7 through 12, and amendments thereto;

(b) "allocation certificate" means a statement issued by the KHRC certifying that a given development is eligible for the credit and specifying the amount of the credit allowed;

(c) "credit" means the Kansas affordable housing tax credit allowed pursuant to this act;

(d) "credit period" means the credit period as defined in section 42(f)(1) of the federal internal revenue code;

(e) "director" means the director of taxation pursuant to K.S.A. 75-5102, and amendments thereto;

(f) "federal tax credit" means the federal low-income housing tax credit provided by section 42 of the federal internal revenue code;

(g) "KHRC" means the Kansas housing resources corporation, a not-for-profit subsidiary of the Kansas development finance authority incorporated pursuant to K.S.A. 74-8904(v), and amendments thereto;

(h) "pass-through entity" means any: (1) limited liability company; (2) limited partnership; or (3) limited liability partnership;

(i) "pass-through certification" means a certification provided to the director by any pass-through entity allocating a credit to its partners or members, certifying the amount of credit to be allocated to each partner or member of such pass-through entity;

(j) "qualified allocation plan" means the qualified allocation plan adopted by the KHRC pursuant to section 42(m) of the federal internal revenue code;

(k) "qualified development" means a "qualified low-income housing project," as that term is defined in section 42 of the federal internal revenue code that is located in Kansas and is determined by the KHRC to be eligible for a federal tax credit whether or not a federal tax credit is allocated with respect to such qualified development; and

(l) "qualified taxpayer" means an individual, a person, firm, corporation, or other entity that owns an interest, direct or indirect, in a qualified development and is subject to the taxes imposed by the Kansas income tax act, the privilege taxes imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or the premium taxes imposed pursuant to K.S.A. 40-252, and amendments thereto.

Sec. 9. (a) For all taxable years commencing after December 31, 2022, there shall be allowed 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, for each qualified development for each year of the credit period, in an amount equal to the federal tax credit allocated or allowed by the KHRC to such qualified development, except that there shall be no reduction in the credit allowable in the first year of the credit period due to the calculation in section 42(f)(2) of the federal internal revenue code.

(b) The KHRC shall issue an allocation certificate to an owner of a qualified development to which a credit has been allocated. The KHRC shall issue an allocation certificate to the qualified development simultaneously with issuance of federal form 8609 with respect to the federal tax credits.

(c) All allocations shall be made pursuant to the qualified allocation plan.

(d) If an owner of a qualified development receiving an allocation of a credit is a pass-through entity, the owner may allocate the credit among its partners or members in any manner agreed to by such persons and, in the case of multiple tiers of pass-through entities, the credit may be so allocated through any number of pass-through entities in any manner agreed by the owners of such pass-through entities, none of which shall be considered a transfer. Any pass-through entity allocating a credit to its partners or members shall attach a pass-through certification to its tax return annually. Each partner or member shall be allowed to claim or further allocate such amount subject to any restrictions set forth in this act.

(e) An owner of a qualified development to which a credit has been allocated and each qualified taxpayer to which such owner has allocated a portion of such credit, if any, shall file with their state income, privilege or premium tax return a copy of the allocation certificate issued by the KHRC with respect to such qualified development and a copy of any pass-through certification, as prescribed by the director.

(f) No credit shall be allocated pursuant to this act unless the qualified development is the subject of a recorded restrictive covenant requiring the development to be maintained and operated as a qualified development and is in accordance with the accessibility and adaptability requirements of the federal tax credits and title VIII of the civil rights act of 1968, as amended by the fair housing amendments act of 1988, for a period of 15 taxable years, or such longer period as may be agreed to between the KHRC and the owner of the qualified development, beginning with the first taxable year of the credit period.

(g) The allocated credit amount may be taken against the income, privilege or premium taxes imposed for each taxable year of the credit period. Any amount of credit that exceeds the income, privilege or premium tax liability of a qualified taxpayer for a taxable year may be carried forward as a credit against subsequent years' tax liability up to 11 tax years following the tax year in which the allocation was made and shall be applied first to the earliest years possible. Any amount of the credit that is not used shall not be refunded to the taxpayer.

(h) Unless otherwise provided in this act or the context or law requires otherwise, the KHRC shall determine eligibility for a credit and allocate credits in accordance with the standards and requirements set forth in section 42 of the federal internal revenue code. Any combination of federal tax credits and credits allowed pursuant to this act shall be the least amount necessary to ensure the financial feasibility of a qualified

development.

Sec. 10. If, under section 42 of the federal internal revenue code, a portion of any federal tax credit taken on a qualified development is required to be recaptured or is otherwise disallowed during the credit period, the qualified taxpayer that claimed the credit pursuant to this act with respect to such qualified development shall also be required to recapture a portion of any credits authorized by this act. The percentage of credits subject to recapture shall be equal to the percentage of federal tax credits subject to recapture or otherwise disallowed during such period. Any credits recaptured or disallowed shall increase the tax liability of the qualified taxpayer who claimed the credits and shall be included on the tax return of the qualified taxpayer submitted for the taxable year in which the recapture or disallowance event is identified.

Sec. 11. The KHRC and the director, in consultation with each other, shall promulgate rules and regulations necessary for their respective administration of this act.

Sec. 12. (a) The KHRC, in consultation with the director, shall monitor and oversee compliance with the provisions of this act and shall report specific occurrences of noncompliance to the director.

(b) For each allocation year, the KHRC shall submit a written report to the legislature on or before December 31 of each year and make such report available to the public. The report shall:

(1) Specify the number of qualified developments that have been allocated credits during the allocation year and the total number of units supported by each development;

(2) describe each qualified development that has been allocated credits including, without limitation, the geographic location of the development, the household type and any specific demographic information available about residents intended to be served by the development, the income levels intended to be served by the development, and the rents or set-asides authorized for each development; and

(3) provide housing market and demographic information that demonstrates how the qualified developments supported by the credits are addressing the need for affordable housing within the communities they are intended to serve as well as information about any remaining disparities in the affordability of housing within those communities.

Sec. 13. (a) The purpose of the Kansas housing investor tax credit act is to bring housing investment dollars to communities that lack adequate housing. Development of suitable residential housing will complement economic development of rural and urban areas that lack adequate housing resources and enable such communities to attract businesses, employees and new residents.

(b) Sections 13 through 18, and amendments thereto, shall be known and may be cited as the Kansas housing investor tax credit act.

Sec. 14. As used in the Kansas housing investor tax credit act, sections 13 through 18, and amendments thereto:

(a) "Act" means the Kansas housing investor tax credit act;

(b) "cash investment" means, as approved by the director, money or money equivalent in consideration for qualified securities;

(c) "city" means any city incorporated in accordance with Kansas law with a population of less than 70,000, as certified to the secretary of state by the division of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments

thereto;

(d) "corporation" means the Kansas housing resources corporation;

(e) "county" means any county organized in accordance with K.S.A. 18-101 et seq., and amendments thereto, with a population of less than 75,000, as certified to the secretary of state by the division of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto;

(f) "director" means the director of housing of the Kansas development finance authority;

(g) "Kansas investor" means an individual who is a resident of Kansas or any business entity domiciled in Kansas, or any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Kansas or conducts substantially all of its business activities in Kansas, or a bank or other financial institution or association chartered or incorporated under the laws of Kansas that does business primarily in Kansas or conducts substantially all of its business activities in Kansas;

(h) "manufactured home" means a "manufactured home" as defined in K.S.A. 58-4202, and amendments thereto, that is installed on a permanent foundation. The permanent foundation shall be of a type not removable intact from the site, constructed of durable materials such as concrete, mortared masonry or treated wood, site built and shall have attachment points to anchor and stabilize the manufactured home to transfer all loads to the underlying soil or rock;

(i) "modular home" means a "modular home" as defined in K.S.A. 58-4202, and amendments thereto, that is installed on a permanent foundation. The permanent foundation shall include a basement or crawl space;

(j) "qualified housing project" means a project within a city or county for the construction of single-family residential dwellings, including, but not limited to, manufactured housing or modular housing, or multi-family residential dwellings or buildings, that is eligible for designation by the director as a project for the purposes of the tax credit allowed under this act. "Qualified housing project" does not include a project eligible for income or other tax credits designated for low-income housing under state or federal law, including, but not limited to, the low income housing tax credit pursuant to 26 U.S.C. § 42, or a project participating in tenant-based or project-based programs pursuant to section 8 of the United States housing act of 1937, 42 U.S.C. § 1437f;

(k) "qualified investor" means an investor that has made a cash investment in a qualified housing project and is eligible for a tax credit under this act. A "qualified investor" includes a natural person, a business or a bank or other financial institution or association and the project builder or developer; and

(l) "qualified securities" means a cash investment through any form or combination of forms of financial assistance, including equity or debt instruments or bank or financial institution or association loans pursuant to rules and regulations adopted by the director, and that with respect to any investment made for the purpose of receiving a tax credit under this act have been approved in form and substance by the director.

Sec. 15. (a) There is hereby established the Kansas housing investor tax credit program within the Kansas housing resources corporation, to be administered by the director of housing. The purpose of tax credits issued under the Kansas housing investor tax credit program is to facilitate investment in suitable housing that will support the

growth of communities that lack adequate housing by attracting new employees, residents and families and will support the development and expansion of businesses that are job and wealth creating enterprises.

(b) To achieve this purpose and to optimize the use of the limited resources of the state, the director is authorized to issue tax credits for qualified housing projects to qualified investors who make cash investments in such qualified housing projects and to project builders and developers. Such tax credits shall be issued for those qualified housing projects that, as determined by the director, are most likely to provide the greatest economic benefit to and best meet the needs of the community lacking adequate housing where the project is located. In issuing tax credits, the director shall give priority to Kansas investors.

(c) To be designated as a qualified housing project, the project builder or developer shall apply to the director. Such application shall be in a form and substance as required by the director and shall include:

(1) The name and address of the project builder or developer and names of all principals or management;

(2) if the project builder or developer is seeking tax credits for such builder's or developer's cash investment in the project, information as required by the director for consideration of the request;

(3) a project plan, including a description of the project, timeline, housing to be constructed, intended market, costs and anticipated pricing for the housing and any other information that may be required by the director;

(4) a statement of the potential economic impact of the project;

(5) a description of all financing for the project, the amount of any tax credits requested and the earliest year in which the tax credits may be claimed;

(6) a statement of the amount, timing and projected use of the proceeds to be raised from qualified investors;

(7) the names, addresses and taxpayer identification numbers of all investors who may qualify for the tax credit. Such list of investors who may qualify for the tax credit shall be amended as any information on the list shall change; and

(8) such additional information as the director may require.

(d) In determining whether to designate a project as a qualified housing project, the director shall consider whether the project:

(1) Has the support of the community and the governing body of the city or county where such project is located;

(2) will enhance the ability of the community that lacks adequate housing to attract new businesses or expand existing business by providing suitable housing directly for employees or make such housing significantly more available, or will meet other significant housing needs of the community making the community attractive to new or expanding businesses or their employees, as determined by the director;

(3) has the financial support, management, planning and market to be successful;

(4) has an analysis or survey of the housing needs of the community provided by the project builder or developer or the governing body of the city or county where the project is located that, in the director's judgment, supports proceeding with the proposed project for the purposes of this act;

(5) has met all other requirements of this act to the satisfaction of the director; and

(6) has met such other requirements of the director as adopted in rules and

regulations.

(e) If the director approves the application, the director shall enter into an agreement with the project builder or developer for the project prior to issuing any tax credits for the project. The agreement shall set forth the amount of tax credits to be issued for the project, the requirements for a cash investment and the issuance of tax credits. If the project builder or developer has been approved by the director for tax credits for the project builder's or developer's cash investment in the project, the agreement shall set forth the amount of credits so approved and the amount of credits remaining for issuance to other qualified investors. Such agreement shall require, as a condition of the issuance of tax credits, binding commitments by the project builder or developer to the corporation for:

(1) The reporting of progress and financial data, including investor information. The project builder or developer shall have the obligation to notify the director in a timely manner of any changes in the qualifications of the project or in the eligibility of investors to claim a tax credit;

(2) the right of access to the project and to the financial records of the project builder or developer;

(3) the provision of information for purposes of the economic development incentive program information database pursuant to K.S.A. 2021 Supp. 74-50,226, and amendments thereto;

(4) the repayment requirements upon loss of designation pursuant to section 17, and amendments thereto; and

(5) any additional terms and conditions required by the director.

(f) To be eligible to receive tax credits, a qualified investor shall make a cash investment in the project in accordance with the agreement required by subsection (e). Each project builder or developer of a designated qualified housing project shall promptly report to the corporation the following information at the time such information becomes known to the builder or developer:

(1) The name, address and taxpayer identification number of each qualified investor who has made a cash investment in qualified securities in the project and has received tax credits for this investment during the preceding year and all other preceding years;

(2) the amounts of the cash investments by each qualified investor and a description of the qualified securities issued in consideration of such cash investments;

(3) the name, address and taxpayer identification number of each person to whom tax credits have been transferred by the original qualified investor; and

(4) any additional information as the director may require when requested.

(g) Any violation of the reporting requirements set forth in this section shall be grounds for loss of the designation as a qualified housing project, as provided by section 17, and amendments thereto.

(h) The reasonable costs of the administration of this act, the review of applications for certification as qualified housing projects and the issuance of tax credits to qualified housing projects as authorized by this act may be reimbursed in total or in part through fees paid by the qualified project, qualified investors or transferees of investors, according to a reasonable fee schedule adopted by the director.

(i) The state of Kansas shall not be held liable for any damages to any qualified investor that makes an investment in a qualified housing project.

(j) The director shall provide information regarding qualified housing projects and qualified investors to the secretary of revenue.

(k) The director shall adopt rules and regulations as necessary to implement the provisions of this act.

Sec. 16. (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 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.

(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 section 15, 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 \$18,000,000 each tax year, except that if the director issues an aggregate amount of tax credits in one tax year that is less than \$18,000,000, 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 \$2,000,000 in tax credits for qualified housing projects located in counties with a population of not more than 8,000; and

(B) not less than \$2,000,000 in tax credits for qualified housing projects located in counties with a population of more than 8,000 but not more than 25,000.

(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 may be transferred to any person whether or not such person 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). 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. 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 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.

(e) The secretary of revenue may adopt rules and regulations as necessary to implement and administer the provisions of this act.

Sec. 17. (a) If the director determines that a project is not in substantial compliance with the requirements of this act or the agreement executed pursuant to section 15, and amendments thereto, the director shall inform the project builder or developer of the project in writing that the project will lose designation as a qualified housing project in 120 days from the date of mailing of the notice unless such builder or developer corrects the deficiencies and becomes compliant with with the requirements for designation.

(b) At the end of such 120-day period, if the project is still not in substantial compliance, the director shall send a notice of loss of designation to the project builder or developer, the secretary of revenue and all known qualified investors in the project. Loss of designation of a qualified housing project shall preclude the issuance of any additional tax credits with respect to the project, and the director shall not approve any subsequent application for such project as a qualified housing project. Upon loss of the designation as a qualified housing project, the project builder or developer shall repay any tax credits such taxpayer has claimed.

(c) Qualified investors other than the project builder or developer who have lawfully made a cash investment in a qualified housing project approved by the director shall not have tax credits disallowed solely due to the project losing its designation as a

qualified housing project under this act.

Sec. 18. (a) On or before January 31, 2023, and on or before January 31 of each year thereafter, the director shall transmit a report annually to the governor, the standing committee on commerce of the senate and the standing committee on commerce, labor and economic development of the house of representatives. Such report shall be based upon information received from each qualified housing project for which tax credits have been issued during the preceding year and shall describe the following:

- (1) The manner in which the purpose, as described in this act, has been carried out;
 - (2) the total cash investments made for qualified securities in qualified housing projects during the preceding year and cumulatively since the enactment of this act;
 - (3) an estimate of jobs facilitated by housing developed through such investments;
- and

(4) an estimate of the multiplier effect on the Kansas economy of the investments. The amount of tax credits claimed in the previous fiscal year; a general description of the investors that benefited from the tax credits; and any aggregate job creation or capital investment in Kansas that resulted from the tax credits for a period of five years beginning from the date on which the tax credits were issued.

(b) The director shall conduct an annual review of the activities undertaken pursuant to this act to ensure that tax credits issued pursuant to this act are issued in compliance with the provisions of this act and rules and regulations adopted by the director.;"

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "graduates" by inserting "; enacting the Kansas affordable housing tax credit act and the Kansas housing investor tax credit act; providing tax credits against income, privilege and premium taxes for qualified housing projects"

A ruling of the chair was requested as to the germaneness of amendment to the bill. The amendment was ruled germane.

SB 282 be further amended by motion of Senator Tyson; on page 2, in line 3, by striking "2022" and inserting "2023"; in line 26, by striking "2021" and inserting "2022";

On page 3, in line 2, by striking "2021" and inserting "2022"; in line 16, by striking "2021" and inserting "2022"; in line 38, by striking "2022" and inserting "2023";

On page 4, in line 3, by striking "2026" and inserting "2027".

SB 282 be further amended by motion of Senator Tyson; on page 4, following line 3, by inserting:

"Sec. 7. For tax year 2022, and all tax years thereafter, there shall be allowed a credit against the tax liability of a qualified taxpayer imposed under the Kansas income tax act in an amount equal to the expenditures made by the taxpayer for school and classroom supplies during the taxable year. The amount of the credit allowed each taxable year under this section shall not exceed \$250. As used in this section, a "qualified taxpayer" means an individual who is a Kansas resident and is employed as a public or private school teacher.;"

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to credits,;" in line 3, after "graduates" by inserting "; providing a credit for school and classroom supplies purchased by teachers"

SB 282 be further amended by motion of Senator Baumgardner; on page 1, in line 6, before "Section" by inserting "New";

On page 2, in line 26, before "Sec." by inserting "New";

On page 3, in line 2, before "Sec." by inserting "New"; in line 16, before "Sec." by inserting "New"; in line 33, before "Sec." by inserting "New";

On page 4, in line 1, before "Sec." by inserting "New"; following line 3, by inserting: "New Sec. 7. (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. In the event an individual is no longer an eligible claimant under this section, the individual shall establish a new base year in the year that the individual becomes an eligible claimant.

(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.

(c) A claimant shall only be eligible for a claim for refund under this section if the claimant's household income for the year in which the claim is filed is \$50,000 or less. 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.

(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 provisions of this section shall be a part of and supplemental to the homestead property tax refund act.

Sec. 8. K.S.A. 79-4502 is hereby amended to read as follows: 79-4502. As used in this act, unless the context clearly indicates otherwise:

(a) "Income" means the sum of adjusted gross income under the Kansas income tax act effective for tax year 2013 and thereafter without regard to any modifications pursuant to K.S.A. 79-32,117(b)(xx) through (xxiii) and (c)(xx), and amendments thereto, maintenance, support money, cash public assistance and relief, not including any refund granted under this act, the gross amount of any pension or annuity, including

all monetary retirement benefits from whatever source derived, including but not limited to, all payments received under the railroad retirement act, except disability payments, payments received under the federal social security act, except that for determination of what constitutes income such amount shall not exceed 50% of any such social security payments and shall not include any social security payments to a claimant who prior to attaining full retirement age had been receiving disability payments under the federal social security act in an amount not to exceed the amount of such disability payments or 50% of any such social security payments, whichever is greater, all dividends and interest from whatever source derived not included in adjusted gross income, workers compensation and the gross amount of "loss of time" insurance. Income does not include gifts from nongovernmental sources or surplus food or other relief in kind supplied by a governmental agency, nor shall net operating losses and net capital losses be considered in the determination of income. Income does not include veterans disability pensions. Income does not include disability payments received under the federal social security act.

(b) "Household" means a claimant, a claimant and spouse who occupy the homestead or a claimant and one or more individuals not related as husband and wife who together occupy a homestead.

(c) "Household income" means all income received by all persons of a household in a calendar year while members of such household.

(d) "Homestead" means the dwelling, or any part thereof, owned and occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

(e) "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: (1) For purposes of a claim under K.S.A. 79-4508, and amendments thereto: (A) A person having a disability;-(2) (B) a person who is 55 years of age or older;-(3) (C) a disabled veteran;-(4) (D) the surviving spouse of active duty military personnel who died in the line of duty; or-(5) (E) a person other than a person included under-(1), (2), (3) or (4) subparagraph (A), (B), (C) or (D) having one or more dependent children under 18 years of age residing at the person's homestead during the calendar year immediately preceding the year in which a claim is filed under this act; or (2) for purposes of a claim under section 7, and amendments thereto: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a disabled veteran who was receiving benefits pursuant to subsection-(e)(3) of this section (e)(1)(C) at the time of the veterans' death, shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

When a homestead is occupied by two or more individuals and more than one of the individuals is able to qualify as a claimant, the individuals may determine between them as to whom the claimant will be. If they are unable to agree, the matter shall be referred to the secretary of revenue whose decision shall be final.

(f) "Property taxes accrued" means property taxes, exclusive of special

assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1979 or any calendar year thereafter by the state of Kansas and the political and taxing subdivisions of the state. When a homestead is owned by two or more persons or entities as joint tenants or tenants in common and one or more of the persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on the homestead that reflects the ownership percentage of the claimant's household. For purposes of this act, property taxes are "levied" when the tax roll is delivered to the local treasurer with the treasurer's warrant for collection. When a claimant and household own their homestead part of a calendar year, "property taxes accrued" means only taxes levied on the homestead when both owned and occupied as a homestead by the claimant's household at the time of the levy, multiplied by the percentage of 12 months that the property was owned and occupied by the household as its homestead in the year. When a household owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of the taxes allocable to those several properties while occupied by the household as its homestead during the year. Whenever a homestead is an integral part of a larger unit such as a multi-purpose or multi-dwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For the purpose of this act, the word "unit" refers to that parcel of property covered by a single tax statement of which the homestead is a part.

(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 the preceding sentence (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; for purposes of this subsection, a "physical or mental impairment" is 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.

(h) "Blindness" means central visual acuity of $^{20}/_{200}$ 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 $^{20}/_{200}$ or less.

(i) "Disabled veteran" means a person who is a resident of Kansas and has been

honorably discharged from active service in any branch of the armed forces of the United States or Kansas national guard and who has been certified by the United States department of veterans affairs or its successor to have a 50% or greater permanent disability sustained through military action or accident or resulting from disease contracted while in such active service.

Sec. 9. K.S.A. 79-4508 is hereby amended to read as follows: 79-4508. (a) Commencing in the tax year beginning after December 31, 2005, the amount of any claim pursuant to this act and under this section shall be computed by deducting the amount computed under column (2) from the amount of claimant's property tax accrued.

(1)		(2)
Claimants Claimant's household income		Deduction from property tax accrued
	But not	
At least	more than	
\$0	\$6,000	\$0
6,001	7,000	4%
7,001	16,000	4% plus 4% of every \$1,000, or fraction thereof, of income in excess of \$7,001
16,001	27,000	40% plus 5% of every \$1,000, or fraction thereof, of income in excess of \$16,001
27,001	27,600	95%

(b) The director of taxation shall prepare a table under which claims under this act and this section shall be determined. The amount of claim for each bracket shall be computed only to the nearest \$1.

(c) The claimant may elect not to record the amount claimed on the claim. The claim allowable to persons making this election shall be computed by the department which shall notify the claimant by mail of the amount of the allowable claim.

(d) In the case of all tax years commencing after December 31, 2004, the upper limit threshold amount prescribed in this section, 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.

Sec. 10. K.S.A. 79-4509 is hereby amended to read as follows: 79-4509. (a) In the event property taxes accrued exceeds \$700 for a household in any one year, the amount thereof shall, for purposes of this act, be deemed to have been \$700.

(b) The provisions of subsection (a) shall not apply to a claim for refund pursuant to section 7, and amendments thereto.

Sec. 11. K.S.A. 79-4502, 79-4508 and 79-4509 are hereby repealed.;

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "graduates" by inserting "; providing homestead property tax refunds from income tax refund fund to certain persons based on the increase in property tax over the base year property tax amount; amending K.S.A. 79-4502, 79-4508 and 79-4509 and repealing the existing sections".

SB 282 be further amended by motion of Senator Peck; on page 1, in line 6, before "Section" by inserting "New";

On page 2, in line 26, before "Sec." by inserting "New";

On page 3, in line 2, before "Sec." by inserting "New"; in line 16, before "Sec." by inserting "New"; in line 33, before "Sec." by inserting "New";

On page 4, in line 1, before "Sec." by inserting "New"; following line 3, by inserting: "Sec. 7. K.S.A. 2021 Supp. 79-201x is hereby amended to read as follows: 79-201x. (a) For taxable years 2021 and year 2022, 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 ~~\$20,000~~ \$65,000 of its appraised valuation.

(b) For taxable year 2023, 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.

Sec. 8. K.S.A. 2021 Supp. 79-201x is hereby repealed."; and by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "income"; also in line 1, after the semicolon by inserting "relating to income taxation;"; in line 3, after "graduates" by inserting "; relating to property taxation; increasing extent of exemption for residential property from statewide school levy; amending K.S.A. 2021 Supp. 79-201x and repealing the existing section"; and **SB 282** be passed as amended.

A motion by Senator Sykes to further amend **SB 282** failed and the following amendment was rejected; on page 4, following line 3, by inserting:

"Sec. 7. (a) There shall be a Kansas resident income tax rebate for tax year 2020 for each qualified Kansas resident individual income taxpayer in the amount of \$250 for single filing status, married filing separate filing status and head of household filing status and \$500 for married filing jointly filing status when the resident taxpayer:

(1) Timely filed such taxpayer's tax year 2020 individual income tax by October 15, 2021; and

(2) the taxpayer filing single, head of household or married filing separate or the taxpayer and taxpayer's spouse, if married filing jointly, were domiciled in this state during the entire 2020 tax year.

(b) For purposes of this section, "domicile" shall not include any correctional institution, 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) No Kansas resident income tax rebate shall be allowed for any individual or individual's spouse, if filing jointly, who fails to provide a valid social security number issued by the social security administration.

(d) Notwithstanding any provisions of law to the contrary, on the effective date of this act, or as soon thereafter as moneys are available, \$460,000,000 shall be transferred by the director of accounts and reports from the state general fund to the income tax refund fund. The director of accounts and reports shall pay such rebates, including administrative costs such as printing and postage costs, from the income tax refund fund.

(e) The director of accounts and reports shall consult with the director of taxation of the department of revenue to verify the list of qualified Kansas resident taxpayers.

(f) The Kansas resident income tax rebate shall not be subject to Kansas income tax.

(g) On or before October 1, 2022, the director of accounts and reports shall prepare a report to the director of the budget and the director of legislative research on the amounts of Kansas resident income tax rebates that were distributed to taxpayers and the amount of administrative costs needed to make the Kansas resident income tax rebate payments.";

Also on page 4, in line 4, by striking "7" and inserting "8"; in line 5, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, after the semicolon by inserting "relating to credits and rebates;"; in line 3, after "graduates" by inserting "; providing a Kansas resident income tax rebate and authorizing a transfer from the state general fund to the income tax refund fund"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 16; Nays 18; Present and Passing 0; Absent or Not Voting 6.

Yeas: Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Petersen, Pittman, Pyle, Steffen, Straub, Sykes, Tyson, Ware, Warren.

Nays: Alley, Baumgardner, Billinger, Bowers, Claeys, Doll, Erickson, Fagg, Kerschen, Kloos, Longbine, McGinn, O'Shea, Peck, Ryckman, Suellentrop, Thompson, Wilborn.

Absent or Not Voting: Corson, Dietrich, Faust-Goudeau, Masterson, Olson, Pettey.

EXPLANATION OF VOTE

Mr. Vice President: I vote Aye on this amendment because it provides income tax relief to Kansas taxpayers, and encourages economic growth. One of the KS GOP and Republican Party platform values is to support lower taxes. "We support implementation of the Fair Tax which would eliminate all individual and corporate income tax in Kansas."—ALICIA STRAUB

SB 326, be amended by the adoption of the committee amendments, and the bill be passed as amended.

SB 276; HB 2075, HB 2237 be passed over and retain a place on the calendar.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Baumgardner the Senate nonconcurrent in the House amendments to **SB 62** 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.

REPORTS OF STANDING COMMITTEES

Committee on **Public Health and Welfare** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee reports without recommendation to the Senate such appointment:

By the Governor:

Secretary, Department of Health and Environment: K.S.A. 75-5601

Janet Stanek, to serve at the pleasure of the Governor

Committee on **Transparency and Ethics** recommends **SB 386** be amended on page 1, in line 13, by striking "not"; in line 16, by striking "unless" and inserting "if"; in line 19, after "provide" by inserting "copies of"; also in line 19, after "that" by inserting "were not disclosed at a public meeting and are subject to an exception from disclosure under this act or that";

On page 2, in line 1, by striking all after "copying"; in line 2, by striking all before the period; also in line 2, after the period by inserting "Fees shall not be charged for copies of blank forms or of pages with all information redacted."; in line 19, by striking all after "(6)"; by striking all in line 20; in line 21, by striking all before the period and inserting "In the event an agency incurs costs for staff time to provide access to or furnish copies of public records, public agencies shall in good faith use the lowest-cost category of staff reasonably necessary to provide access to or furnish copies of public records"; in line 22, by striking all after "(7)"; by striking all in line 23; in line 24, by striking "(8)"; in line 25, by striking all after "section"; by striking all in lines 26 through 28; in line 29, by striking all before the period; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2594**, 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 **Utilities** recommends **HB 2329**, as amended by House Committee, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Alley, the Senate adjourned Pro Forma until 9:00 a.m., March 4, 2022.

Journal of the Senate

THIRTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 4, 2022, 9:00 a.m.

The Senate was called to order Pro Forma by Vice President Rick Wilborn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Education: **SB 545**.

CHANGE OF CONFERENCE

Senators Erickson and Dietrich are appointed to replace Senators Olson and Steffen as members of the conference committee on **H Sub SB 91**.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes:

Senator Bowers: congratulating Devlin Ogg on winning the 2022 Marshall County Spelling Bee, congratulating Gretchen Bott on winning the 2022 Washington County Spelling Bee, celebrating Maxine Miller's 100th Birthday, celebrating Ray and Donna Zillinger's 75th Wedding Anniversary, congratulating Jeff Schell on being named the 2022 National Land Improvement Contractor of the Year, celebrating Brant's Meat Market's 100th Year in Business; and

Senator Faust-Goudeau: remembering the life of Reverend Dr. Kevin Graham.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Monday, March 7, 2022.

Journal of the Senate

THIRTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 7, 2022, 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:

Unanswered Prayers That Are Really Answered!
Psalm 88:1-2, Psalm 23:1-6

Lord, we come today thanking You for this day. It's not that everything is going the way we would like. It's not that You've given us everything we've asked for. It's not that we're experiencing wonderful peace and harmony as we interact with others.

Lord, I'm reminded of this poetry, because it's so much like You. And I can identify with it. The anonymous author, wrote... "I asked God for strength that I might achieve; God made me weak that I might obey. I asked for health, that I might do greater things; I was given grace, that I might do better things. I asked for riches that I might be happy; I was given poverty that I might be wise. I asked God for power that I might have the praise of men; I was given weakness that I might feel the need for God. I asked for everything that would help me enjoy life; I was given life, that I might enjoy all things. I received nothing that I asked for, but everything that I needed and hoped for.

Lord, when I read that poem, it struck within me a chord of truth, like the Psalmist in 88:1-2, who cried out in desperation. And like the wandering sheep, with no sense of direction, You become the Shepherd of Psalm 23:1-6.

I am where I am today and have what I have, because of You! By Your love and mercy, You provided me with things I wasn't wise enough to know I needed. And You did it all that I might be a better vessel for You, and servant to others.

I lift this prayer, in the beloved Name of Jesus Christ, 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 546, AN ACT concerning motor vehicles; relating to autonomous motor vehicles; providing for the use and regulation thereof; establishing the autonomous vehicle advisory committee; amending K.S.A. 2021 Supp. 8-2106 and 8-2204 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 547, AN ACT concerning the video competition act; exempting providers of broadcast satellite services and streaming services from the provisions of such act;

providing requirements relating to audits of video service providers; amending K.S.A. 2021 Supp. 12-2022 and 12-2024 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 548, AN ACT concerning water; relating to groundwater management districts; excepting matters related to water rights from the advice and assistance such districts may provide; amending K.S.A. 82a-1028 and repealing the existing section, by Committee on Federal and State Affairs.

SB 549, AN ACT concerning water; relating to groundwater management districts; allowing withdrawal from a groundwater management district in certain circumstances, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Interstate Cooperation: **SB 544**.

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.

On motion of Senator Longbine the following report was adopted:

SB 276, **HB 2075** be amended by the adoption of the committee amendments, and the bills be passed as amended.

HB 2237 be amended by the adoption of the committee amendments be further amended by motion of Senator Tyson; on page 1, by striking all in lines 9 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 4; following line 4, by inserting:

"Section 1. K.S.A. 2021 Supp. 74-50,223 is hereby amended to read as follows: 74-50,223. (a) Any county that has been designated a rural opportunity zone pursuant to K.S.A. 74-50,222, and amendments thereto, may participate in the program provided in this section by authorizing such participation by the county commission of such county through a duly enacted written resolution. Such county shall provide a certified copy of such resolution to the secretary of commerce on or before January 1, 2012, for calendar year 2012, or on or before January 1 for each calendar year thereafter, in which a county chooses to participate. Such resolution shall obligate the county to participate in the program provided by this section for a period of five years, and shall be irrevocable. Such resolution shall specify the maximum amount of outstanding student loan balance for each resident individual to be repaid as provided in subsection (b), except the maximum amount of such balance shall be \$15,000.

(b) If a county submits a resolution as provided in subsection (a), under the program provided in this section, subject to subsection (d), the state of Kansas and such county which chooses to participate as provided in subsection (a), shall agree to pay in equal shares the outstanding student loan balance of any resident individual who qualifies to have such individual's student loans repaid under the provisions of subsection (c) over a five-year period, except that the maximum amount of such balance shall be \$15,000. The amount of such repayment shall be equal to 20% of the outstanding student loan balance of the individual in a year over the five-year

repayment period. The state of Kansas is not obligated to pay the student loan balance of any resident individual who qualifies pursuant to subsection (c) prior to the county submitting a resolution to the secretary pursuant to subsection (a). Each such county shall certify to the secretary that such county has made the payment required by this subsection.

(c) A resident individual shall be entitled to have such individual's outstanding student loan balance paid for attendance at an institution of higher education where such resident individual earned an associate, bachelor or post-graduate degree under the provisions of this section when such resident individual establishes domicile in a county designated as a rural opportunity zone which participates in the program as provided in subsection (a), on and after the date in which such county commenced such participation, and prior to July 1, ~~2023~~ 2026. Such resident individual may enroll in this program in a form and manner prescribed by the secretary. Subject to subsection (d), once enrolled such resident individual shall be entitled to full participation in the program for five years, except that if the resident individual relocates outside the rural opportunity zone for which the resident individual first qualified, such resident individual forfeits such individual's eligibility to participate, and obligations under this section of the state and the county terminate. No resident individual shall enroll and be eligible to participate in this program after June 30, ~~2023~~ 2026.

(d) The provisions of this act shall be subject to appropriation acts. Nothing in this act guarantees a resident individual a right to the benefits provided in this section. The county may continue to participate even if the state does not participate.

(e) The secretary shall adopt rules and regulations necessary to administer the provisions of this section.

(f) On January 1, 2012, and annually thereafter until January 1, ~~2024~~ 2027, the secretary of commerce shall report to the senate committee on assessment and taxation and the house of representatives committee on taxation as to how many residents applied for the rural opportunity zone tax credit.

Sec. 2. K.S.A. 2021 Supp. 79-32,267 is hereby amended to read as follows: 79-32,267. (a) For taxable years commencing after December 31, 2011, and before January 1, ~~2024~~ 2027, there shall be allowed as a credit against the tax liability of a resident individual taxpayer an amount equal to the resident individual's income tax liability under the provisions of the Kansas income tax act, when the resident individual:

(1) ~~(A)~~ Establishes domicile in a rural opportunity zone on or after July 1, 2011, and prior to January 1, ~~2023~~ 2026, and was domiciled outside this state for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state;

~~(2)(B)~~ had Kansas source income less than \$10,000 in any one year for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state; and

~~(3)(C)~~ was domiciled in a rural opportunity zone during the entire taxable year for which such credit is claimed; or

(2) (A) establishes domicile in a rural opportunity zone on or after July 1, 2021, and prior to January 1, 2026, and was domiciled in a metropolitan county as defined in K.S.A. 75-50,211, and amendments thereto, immediately prior to establishing their domicile in a rural opportunity zone in this state; and

(B) was domiciled in a rural opportunity zone during the entire taxable year for

which such credit is claimed.

(b) A resident individual may claim the credit authorized by this section for not more than five consecutive years following establishment of their domicile in a rural opportunity zone.

(c) The maximum amount of any refund under this section shall be equal to the amount withheld from the resident individual's wages or payments other than wages pursuant to K.S.A. 79-3294 et seq., and amendments thereto, or paid by the resident individual as estimated taxes pursuant to K.S.A. 79-32,101 et seq., and amendments thereto.

(d) No credit shall be allowed under this section if:

(1) The resident individual's income tax return on which the credit is claimed is not timely filed, including any extension; or

(2) the resident individual is delinquent in filing any return with, or paying any tax due to, the state of Kansas or any political subdivision thereof.

(e) This section shall be a part of and supplemental to the Kansas income tax act.";
And by renumbering sections accordingly;

Also on page 4, in line 5, by striking "K.S.A. 74-50,222, 74-50,223 and 79-32,267" and inserting "K.S.A. 2021 Supp. 74-50,223 and 79-32,267";

On page 1, in the title, in line 3, by striking all after the semicolon; in line 4, by striking all before "expanding"; in line 5, by striking "K.S.A. 74-50,222, 74-50,223 and 79-32,267" and inserting "K.S.A. 2021 Supp. 74-50,223 and 79-32,267";

And adjusting the title and repealer accordingly if multiple amendments are adopted

HB 2237 be further amended by motion of Senator Sykes; on page 4, following line 4, by inserting:

"Sec. 4. K.S.A. 79-32,190 is hereby amended to read as follows: 79-32,190. (a) Any taxpayer that pays for or provides child day care services, including the provision of the service of locating such services, to its employees or that provides facilities and necessary equipment for child day care services shall be allowed a credit against the privilege or income tax imposed by articles 11 and 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, as follows:

(1) ~~Thirty percent~~ 30% of the total amount expended in the state during the taxable year by a taxpayer for child day care services purchased to provide care for the dependent children of the taxpayer's employees or for the provision of the service of locating such services for such children;

(2) (A) in the taxable year in which a facility providing child day care services in the state for use primarily by the dependent children of the taxpayer's employees is established, 50% of the total amount expended during such year by a taxpayer in the establishment and operation of such facility;

(B) in the taxable years other than the taxable year to which paragraph (2)(A) applies, 30% of the amount equal to the total amount expended during the taxable year by a taxpayer for the operation of a facility described in paragraph (2)(A) less the amount of moneys received by the taxpayer for use of such facility for child day care services;

(3) (A) in the taxable year in which a facility providing child day care services in the state for use primarily by the dependent children of the taxpayers' employees is established in conjunction with one or more other taxpayers, 50% of the total amount expended during such year by a taxpayer in the establishment and operation of such

facility;

(B) in the taxable years other than the taxable year to which paragraph (3)(A) applies, 30% of the amount equal to the total amount expended during the taxable year by a taxpayer for the operation of a facility described in paragraph (3)(A) less the amount of moneys received by the taxpayer for use of such facility for child day care services; and

(4) for all taxable years commencing after December 31, 2020, 50% of the amount equal to the total amount expended during the taxable year by a taxpayer as payments to an organization providing access to available child day care services for the taxpayer's employees.

(b) No credit shall be allowed under this section unless the child day care facility or provider is licensed ~~or registered~~ pursuant to Kansas law.

(c) The credit allowed by ~~paragraphs (1), (2)(B) and (3)(B)~~ of subsection (a) (1), (2)(B) and (3)(B) shall not exceed \$30,000 for any taxpayer during any taxable year. The credit allowed by ~~paragraphs (2)(A) and (3)(A)~~ of subsection (a) (2)(A), (3)(A) and (4) shall not exceed \$45,000 for any taxpayer during any taxable year. The amount of the credit which exceeds the tax liability for a taxable year shall be refunded to the taxpayer. If the taxpayer is a corporation having an election in effect under subchapter S of the federal internal revenue code or a partnership, the credit provided by this section shall be claimed by the shareholders of such corporation or the partners of such partnership in the same manner as such shareholders or partners account for their proportionate shares of the income or loss of the corporation or partnership.

(d) The aggregate amount of credits claimed under this act for any fiscal year shall not exceed \$3,000,000.

(e) For ~~tax-year years 2013 and all tax years thereafter through 2020~~, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to ~~subsection (c)~~ of K.S.A. 79-32,110 (c), and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability.";

Also on page 4, in line 5, after "74-50,223" by inserting ", 79-32,190";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "to" by inserting "taxation;"; in line 5, after the semicolon by inserting "relating to the child day care services assistance tax credit; providing a credit for employer payments to an organization providing access to employees for child day care services and expanding eligible taxpayers;"; also in line 5, after "74-50,223" by inserting ", 79-32,190"

And adjusting the repealer and title accordingly if multiple amendments are adopted and **HB 2237** be passed as further amended.

Two amendments offered by Senator Tyson on **HB 2237** were ruled non-germane.

A motion by Senator Sykes to further amend **HB 2237** failed.

FINAL ACTION ON CONSENT CALENDAR

SB 479; HB 2591 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 479, AN ACT authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol; establishing the Kansas suffragist memorial fund.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2591, AN ACT repealing K.S.A. 2021 Supp. 55-193; concerning the state corporation commission; relating to certain fund transfers to the abandoned oil and gas well fund.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

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 276**; **HB 2075**, **HB 2237** were advanced to Final Action and roll call.

SB 276, AN ACT concerning children and families; preserving families that include a parent who is blind; providing for certain considerations relating to cases involving legal custody, residency, parenting time, children in need of care, adoption, foster care and guardianship.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 282, AN ACT concerning taxation; relating to income taxation; relating to credits; providing certain tax credits for graduates of aerospace and aviation-related educational programs and employers of program graduates; enacting the Kansas affordable housing tax credit act and the Kansas housing investor tax credit act; providing tax credits against income, privilege and premium taxes for qualified housing projects; providing a credit for school and classroom supplies purchased by teachers; providing homestead property tax refunds from income tax refund fund to certain persons based on the increase in property tax over the base year property tax amount; relating to property taxation; increasing extent of exemption for residential property from statewide school levy; amending K.S.A. 79-4502, 79-4508 and 79-4509 and K.S.A. 2021 Supp. 79-201x and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 33; Nays 4; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Haley, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Straub, Suellentrop, Tyson, Ware, Warren, Wilborn.

Nays: Gossage, Steffen, Sykes, Thompson.

Present and Passing: Francisco, Hawk, Pettey.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. President: I vote Aye on **SB 282**. I truly like several of the provisions in the bill. In one piece of legislation, we provide tax credits to assist Kansas' aerospace and aviation industry, a tax refund for property taxes paid by senior citizens and disabled military veterans, an income tax credit for teachers who purchase classroom supplies and, enacts the Kansas Housing Investor Tax Act and the Kansas Affordable Housing Tax Credit Act. However, the one that I am the most pleased about is providing Kansas homeowners with real property tax relief. As a legislator, I receive more complaints about property taxes than all other taxes combined. Increasing the residential property tax exemption, as it relates to the 20-mill statewide school finance levy, from \$20,000 to \$65,000 will give every person who owns real estate in Kansas a property tax cut. Additionally, **SB 282** contains a mechanism that will increase the exemption as property values rise with time due to inflation. Again, I am pleased to support **SB 282** and vote Aye.—VIRGIL PECK

Senators Billinger, Erickson and Haley request the record to show they concur with the "Explanation of Vote" offered by Senator Peck on **SB 282**.

Mr. President: There is no doubt that tax credits can work to bring about investment. And, if used judiciously, I could agree to them. Individually, the entities we are considering for these credits have merit. But it feels to me like we are handing out tax credits like candy these days...and in the aggregate it ultimately harms our ability to lower the tax rates for everyone because those who don't get these credits...still have to pay the full tax bill...and pick up slack for those with the breaks. Kansas has some of the highest tax rates in the nation, and the best way to float all boats is to find a way to lower rates for everyone. And not continue to pick winners and losers. A few of the flurry of amendments that descended upon this bill like a blanket of snow were wonderful...and I would vote for them in a heartbeat...in a separate clean bill. With this bill we are doing a back of the napkin fiscal note...and calculating the unintended consequences of a bill this size...on the fly is all but impossible. For those reasons...and since Aunt Millie's one-eyed cat was overlooked for a tax credit...I vote No.—MIKE THOMPSON

Senators Gossage and Steffen request the record to show they concur with the "Explanation of Vote" offered by Senator Thompson on **SB 282**.

Mr. President: I ask to "PASS" on **Senate Bill 282**. I believe that Kansas affordable housing tax credits should include requirements for energy efficiency. Although I hope that those credits and others in this bill receive future consideration, I was disappointed that the amendment on this bill to create the \$250 tax refund for every 2020 Kansas tax

filer did not pass. I would like to see that refund along with the elimination of the state sales tax on food before adopting additional tax credits. I also understand that funds for these and other tax credits could easily be made available if the Kansas Legislature were to pass Medicaid expansion.—MARCI FRANCISCO

Senator Pettey requests the record to show she concurs with the "Explanation of Vote" offered by Senator Francisco on **SB 282**.

Mr. President: If Kansas had unlimited funds, I would enthusiastically support this bill. I am glad that we were able to come together to support targeted tax relief to our fixed-income Kansans. I am glad that we recognize the sacrifice that teachers make to ensure our kids have the best learning environment possible, and want to rectify the harm we've done by creating a system that forces them to use their own money to accomplish that goal. This bill does give me hope that this chamber can come together to identify solutions for Kansans whose needs are not being met. Unfortunately, there is no fiscal note for this bill, and while our economy is stronger than it's been in over a decade, we can't afford to remove this money from the budget without considering the broader implications of doing so. This bill does not deliver direct tax relief to the majority of Kansans – like our proposal to eliminate the state sales tax on food would. Given all that we've asked Kansans to sacrifice while we've played games with our budget, while we've weathered an unprecedented health and economic crisis, it is neither responsible nor fair to draw down this money and fail to deliver for all Kansas families.—DINAH SYKES

Senators Hawk and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **SB 282**.

SB 326, AN ACT concerning income taxation; relating to credits; providing a credit for qualified railroad track maintenance expenditures of short line railroads and associated rail siding owners or lessees, 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: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Haley, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Straub, Suellentrop, Tyson, Warren, Wilborn.

Nays: Gossage, Holland, Holscher, Steffen, Sykes, Thompson, Ware.

Present and Passing: Francisco, Hawk, McGinn, Pettey.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. President: **SB 326** is a classic example of corporate welfare, unlevel business playing fields (short line railroads compete with my small business truckers to haul grain), and the legislature yielding to special interests at the expense of the Kansas taxpayer. After twenty plus years of tax credit welfare, short line railroads need to sink or swim. Granting them more free money is embarrassing for all parties involved. The rail bed and its maintenance belong to the railroad company, not the Kansas taxpayer.—

MARK STEFFEN

SB 378, AN ACT concerning fireworks; allowing cities and counties to restrict the retail sale of fireworks; regulating the time periods for the retail sale of fireworks; amending K.S.A. 31-502 and 31-503 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 2; Nays 34; Present and Passing 4; Absent or Not Voting 0.

Yeas: Steffen, Wilborn.

Nays: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Francisco, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren.

Present and Passing: Baumgardner, Faust-Goudeau, Gossage, O'Shea.

A constitutional majority having failed to vote in favor of the bill, **SB 378** did not pass.

EXPLANATION OF VOTE

Mr. President: As amended **Senate Bill 378** would effectively ban the sell of all fireworks in the state of Kansas. It would require 105 counties and 627 incorporated cities to opt in before Kansans could purchase fireworks. Fireworks are an important part of our celebrations in the state of Kansas. We celebrate everything from Independence Day to your favorite football team for scoring a touchdown, or when your favorite baseball team hits a home run. I believe that purchasing and selling fireworks should not be something that you have to opt in to. Mr. President I vote no against **SB 378**.—RICHARD HILDERBRAND

Senator Erickson requests the record to show she concurs with the "Explanation of Vote" offered by Senator Hilderbrand on **SB 378**.

HB 2075, AN ACT concerning the probate code; relating to adoption; venue; agency adoptions; amending K.S.A. 2021 Supp. 59-2126 and repealing the existing section.

On roll call, the vote was: Yeas 34; Nays 0; Present and Passing 6; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Gossage, Haley, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Faust-Goudeau, Francisco, Holland, Holscher, Sykes, Ware.

The bill passed, as amended.

HB 2237, AN ACT concerning economic development; relating to {taxation;} rural opportunity zones; extending the time period for eligibility in the loan repayment program and the income tax credit; expanding eligibility for the income tax credit; {relating to the child day care services assistance tax credit; providing a credit for employer payments to an organization providing access to employees for child day care services and expanding eligible taxpayers;} amending {K.S.A. 79-32,190 and K.S.A. 2021 Supp. 74-50,223 and 79-32,267;} and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 5; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine,

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

Nays: Claeys, Erickson, Gossage, Haley, McGinn.

Present and Passing: Francisco, Suellentrop, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. President: While **HB 2237** expands the questionable Rural Opportunity Zone program unnecessarily, I support the amended position containing the expansion of child care tax credits to help support working men and women in a time where our businesses are desperate for workers. Taking away these hurdles, means more Kansans with job security and security for their kids. This means stronger Kansan families and a stronger Kansan economy.—JEFF PITTMAN

Senators Pettey and Sykes request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **HB 2237**.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2560** be passed.

Committee on **Federal and State Affairs** recommends **HB 2056** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2056," as follows:

"Senate Substitute for HOUSE BILL No. 2056

By Committee on Federal and State Affairs

"AN ACT concerning elections; relating to advance voting ballots; regulating the use of remote ballot boxes for the return of such ballots; extending the time for transmittal of such ballots to 23 days prior to an election; requiring the return of such ballots by 7:00 p.m. on the day of the election; amending K.S.A. 25-1122, 25-1123, 25-1128, 25-1132 and 25-2311 and repealing the existing sections.";

And the substitute bill be passed.

Also, **SB 418** be amended on page 1, in line 17, after "the" by inserting "legislature or the"; also in line 17, after "council" by inserting "if the legislature is not in session at the time such agreement is submitted for approval";

Also on page 1, in the title, in line 2, by striking all after "the"; in line 3, by striking "council" and inserting "legislature"; and the bill be passed as amended.

SB 438 be amended on page 2, in line 37, after "(e)" by inserting "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)"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 494** be amended on page 1, in line 17, by striking "pubic" and inserting "public"; following line 21, by inserting:

"(c) This section shall be deemed to be supplemental to existing laws relating to conditions of employment and related matters."; and the bill be passed as amended.

Also, **SB 506** be amended on page 1, in line 9, by striking "north central"; in line 10, by striking "society" and inserting "awareness";

On page 2, in line 6, by striking "north central"; in line 7, by striking "society" and inserting "awareness"; in line 29, by striking "north central"; in line 30, by striking "society" and inserting "awareness";

On page 1, in the title, in line 2, by striking "north central"; also in line 2, by striking "society" and inserting "awareness"; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SB 358 reported correctly enrolled, properly signed and presented to the Governor on March 4, 2022.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, March 8, 2022.

Journal of the Senate

THIRTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 8, 2022, 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:

Is There Even One Righteous Person?
Ezekiel 22:23-31

Heavenly Father, strong and mighty walls provided protection for Your people by keeping out disparaging forces. In like manner today, solid walls of righteousness are needed to protect us from the damning forces of unrighteousness.

In Chapter 22:23-31, You used the prophet Ezekiel to reveal that there was a break, a hole, in their wall of justice and You couldn't find anyone committed enough to the cause of righteousness that they would stand in the gap. And Lord, it was troubling that after seeing where You looked, no one could be found. Not even one!

You looked among the priests, who should've been teaching Your people to honor You and obey Your Word. You looked among the politicians, but they were like wolves tearing the people apart, financially ripping them off. When You looked at the prophets who were supposed to be telling the people the truth, they were lying, pretending You were giving them Your words when You never spoke to them.

Finally, when none of the leaders were measuring up, You looked among the people themselves. But they were just as bad, cheating, robbing, abusing the poor and taking advantage of immigrants.

Lord, when You look among us I pray You find men and women, irrespective of position, willing to take a stand for justice, morality, virtue and integrity for Your righteousness.

In Jesus' Name, I pray that the righteousness You call for will prosper. 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 550, AN ACT concerning drivers' licenses; authoring certain individuals with revoked licenses to be eligible for restricted driving privileges; amending K.S.A. 2021 Supp. 8-2110 and repealing the existing section; also repealing K.S.A. 2021 Supp. 8-2110c, 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 548, SB 549.**

Assessment and Taxation: **SB 547.**

Transportation: **SB 546.**

CHANGE OF REFERENCE

The President withdrew **SB 547** from the Committee on **Assessment and Taxation**, and referred the bill to the Committee on **Federal and State Affairs**.

MESSAGE FROM THE HOUSE

The House accedes to the request of the Senate for a conference on **SB 62** and has appointed Representatives Huebert, Thomas and Stogsdill as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for SB 101** and has appointed Representatives Proehl, Delperdang and Helgerson as conferees on the part of the House.

FINAL ACTION ON CONSENT CALENDAR

HB 2329, HB 2594 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

HB 2329, AN ACT concerning pipeline safety; relating to the state corporation commission; pipeline safety program; entities who are subject to the program; amending K.S.A. 66-1,150 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, Bowers, Claey's, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2594, AN ACT concerning motor vehicles; relating to vehicle identification numbers; exempting certain modifications on antique vehicles from vehicle identification number offense seizures and dispositions; amending K.S.A. 2021 Supp. 8-116 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, Bowers, Claey's, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

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 2231 be amended by the adoption of the committee amendments, and the bill be passed as amended.

Committee report on **HB 2057** recommending **S Sub HB 2057** be adopted, be amended by motion of Senator Francisco; on page 1, in line 12, by striking "disability and"; in line 13, by striking "disability or"; in line 30, by striking "individual's disability and";

On page 2, in line 13, by striking "disability or"; in line 19, by striking all after "the" and **S Sub HB 2057** be passed as amended.

Committee report **HB 2279** recommending **S Sub HB 2279** be adopted, and the substitute bill be passed.

A motion by Senator Wilborn to amend **S Sub HB 2279** failed.

Senator Wilborn moved **S Sub HB 2279** be rereferred to the Committee on Public Health and Welfare. The motion failed.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 14; Nays 22; Present and Passing 2; Absent or Not Voting 2.

Yeas: Bowers, Dietrich, Doll, Francisco, Kerschen, Kloos, Longbine, Pittman, Pyle, Ryckman, Steffen, Suellentrop, Thompson, Wilborn.

Nays: Alley, Baumgardner, Claeys, Corson, Erickson, Fagg, Faust-Goudeau, Gossage, Hawk, Hilderbrand, Holland, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Straub, Sykes, Tyson, Ware.

Present and Passing: Haley, Holscher.

Absent or Not Voting: Billinger, Warren.

HB 2001 be passed over and retain a place on the calendar.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 403** 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 **Education** recommends **SB 496** be passed.

Committee on **Federal and State Affairs** recommends **SB 389** be amended on page 1, in line 6, after "state" by inserting "held on or after January 1, 2024,";

On page 2, in line 7, after "(b)" by inserting "For any election held on or after January 1, 2024,"; in line 20, after "(d)" by inserting "On or before January 1, 2023,"; and the bill be passed as amended.

Also, **SB 390** be amended on page 1, in line 7, before "The" by inserting "(a)"; also in line 7, by striking "local" and inserting "county"; in line 9, by striking "received from voters"; also in line 9, by striking "in a local election office"; in line 10, by striking "such"; also in line 10, after "ballots" by inserting "for a county election office"; in line 12, by striking "(a)" and inserting "(1)"; in line 13, by striking "(b)" and inserting "(2)"; in line 14, by striking "(c)" and inserting "(3)"; in line 15, by striking "(d)" and inserting the following:

"(4) number of counted ballots;

(5)"

Also on page 1, in line 16, by striking "(e)" and inserting "(6)"; following line 16, by inserting:

"(b) The affidavit system developed under this section shall apply to all ballots received, handled and collected by county election offices prior to, on and after the date of an election and shall operate in conjunction with the provisions of K.S.A. 25-2707, 25-2708 and 25-2709, and amendments thereto, regarding transporting, preserving and destroying ballots and election records.

(c) (1) It shall be a violation of this section to alter any information provided in an affidavit or provide false information in an affidavit with the intent to hinder, prevent or defeat a fair election.

(2) A violation of this section is a severity level 9, nonperson felony.";

Also on page 1, in the title, in line 2, by striking "local" and inserting "county"; also in line 2, by striking "officer" and inserting "officers"; and the bill be passed as amended.

HB 2540 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 **HCR 5014** be adopted.

Committee on **Ways and Means** recommends **SB 523** be amended on page 1, following line 35, by inserting:

"Sec. 3. K.S.A. 2021 Supp. 74-4920 is hereby amended to read as follows: 74-4920. (1) (a) Upon the basis of each annual actuarial valuation and appraisal as provided for in K.S.A. 74-4908(3)(a), and amendments thereto, the board shall certify, on or before July 15 of each year, to the division of the budget in the case of the state and to the agent for each other participating employer an actuarially determined estimate of the rate of contribution ~~which that~~ will be required, together with all accumulated contributions and other assets of the system, to be paid by each such participating employer to pay all liabilities ~~which that~~ shall exist or accrue under the system, including amortization of the actuarial accrued liability as determined by the board. The board shall determine the actuarial cost method to be used in annual actuarial valuations, to determine the employer contribution rates that shall be certified by the board. Such certified rate of contribution, amortization methods and periods and actuarial cost method shall be based on the standards set forth in K.S.A. 74-4908(3)(a), and amendments thereto, and shall not be based on any other purpose outside of the needs of the system.

(b) (i) For employers affiliating on and after January 1, 1999, upon the basis of an annual actuarial valuation and appraisal of the system conducted in the manner provided for in K.S.A. 74-4908, and amendments thereto, the board shall certify, on or before July 15 of each year to each such employer an actuarially determined estimate of the rate of contribution ~~which that~~ shall be required to be paid by each such employer to pay all of the liabilities ~~which that~~ shall accrue under the system from and after the entry date as determined by the board, upon recommendation of the actuary. Such rate shall be termed the employer's participating service contribution and shall be uniform for all participating employers. Such additional liability shall be amortized as determined by the board. For all participating employers described in this section, the board shall determine the actuarial cost method to be used in annual actuarial valuations

to determine the employer contribution rates that shall be certified by the board.

(ii) The board shall determine for each such employer separately an amount sufficient to amortize all liabilities for prior service costs ~~which that~~ shall have accrued at the time of entry into the system. On the basis of such determination the board shall annually certify to each such employer separately an actuarially determined estimate of the rate of contribution ~~which that~~ shall be required to be paid by that employer to pay all of the liabilities for such prior service costs. Such rate shall be termed the employer's prior service contribution.

(2) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services the sum required to satisfy the state's obligation under this act as certified by the board and shall present the same to the legislature for allowance and appropriation.

(3) Each other participating employer shall appropriate and pay to the system a sum sufficient to satisfy the obligation under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which such contribution is made is paid from or from any other funds available to it for such purpose. Each political subdivision, other than an instrumentality of the state, ~~which that~~ is by law authorized to levy taxes for other purposes, may levy annually at the time of its levy of taxes, a tax ~~which that~~ may be in addition to all other taxes authorized by law for the purpose of making its contributions under this act and, in the case of cities and counties, to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county, which tax, together with any other fund available, shall be sufficient to enable it to make such contribution. In lieu of levying the tax authorized in this subsection, any taxing subdivision may pay such costs from any employee benefits contribution fund established pursuant to K.S.A. 12-16,102, and amendments thereto. Each participating employer ~~which that~~ is not by law authorized to levy taxes as described above, but ~~which that~~ prepares a budget for its expenses for the ensuing year and presents the same to a governing body ~~which that~~ is authorized by law to levy taxes as described above, may include in its budget an amount sufficient to make its contributions under this act which may be in addition to all other taxes authorized by law. Such governing body to which the budget is submitted for approval, may levy a tax sufficient to allow the participating employer to make its contributions under this act, which tax, together with any other fund available, shall be sufficient to enable the participating employer to make the contributions required by this act.

(5) (a) The rate of contribution certified to a participating employer as provided in this section shall apply during the fiscal year of the participating employer ~~which that~~ begins in the second calendar year following the year of the actuarial valuation.

(b) (i) Except as specifically provided in this section, for fiscal years commencing in calendar year 1996 and in each subsequent calendar year, the rate of contribution certified to the state of Kansas shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than 0.2% of the amount of compensation upon which members contribute during the period.

(ii) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to the state of Kansas and to the participating employers under K.S.A. 74-4931, and

amendments thereto, shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2015, the employer rate of contribution shall be 10.91%; (E) for the fiscal year commencing in calendar year 2016, the employer rate of contribution shall be 10.81%, except as provided by section 37(b) of chapter 54 of 2017 Session Laws of Kansas, and amendments thereto, for the participating employers under K.S.A. 74-4931, and amendments thereto; (F) for the fiscal year commencing in calendar year 2017, the employer rate of contribution shall be 12.01% and for participating employers under K.S.A. 74-4931, and amendments thereto, an additional percentage of compensation corresponding to the level dollar repayment amount certified by the board pursuant to subsection (17); (G) for the fiscal year commencing in calendar year 2021, the employer rate of contribution shall be 13.33%; (H) for the fiscal year commencing in calendar year 2022, the employer rate of contribution shall be ~~13.11%~~ 12.22%; (I) for the fiscal year commencing in calendar year 2023, the employer rate of contribution shall be 11.08%; and ~~(H) (J)~~ in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year and for participating employers under K.S.A. 74-4931, and amendments thereto, an additional percentage of compensation corresponding to the level dollar repayment amount certified by the board pursuant to subsections (17) and (18).

(iii) Except as specifically provided in this section, for fiscal years commencing in calendar year 1997 and in each subsequent calendar year, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed such participating employer's contribution rate for the immediately preceding fiscal year by more than 0.15% of the amount of compensation upon which members contribute during the period.

(iv) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed the contribution rate for such employers for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2013, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2015, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2016, an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; and (E) for the fiscal year commencing in calendar year 2017, and in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately

preceding fiscal year.

(v) As part of the annual actuarial valuation, there shall be a separate employer rate of contribution calculated for the state of Kansas, a separate employer rate of contribution calculated for participating employers under K.S.A. 74-4931, and amendments thereto, a combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, and a separate employer rate of contribution calculated for all other participating employers.

(vi) There shall be a combined employer rate of contribution certified to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto. There shall be a separate employer rate of contribution certified to all other participating employers.

(vii) If the combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, is greater than the separate employer rate of contribution for the state of Kansas, the difference in the two rates applied to the actual payroll of the state of Kansas for the applicable fiscal year shall be calculated. This amount shall be certified by the board for deposit as additional employer contributions to the retirement benefit accumulation reserve for the participating employers under K.S.A. 74-4931, and amendments thereto.

(6) The actuarial cost of any legislation enacted in the 1994 session of the Kansas legislature will be included in the June 30, 1994, actuarial valuation in determining contribution rates for participating employers.

(7) The actuarial cost of the provisions of K.S.A. 74-4950i, and amendments thereto, will be included in the June 30, 1998, actuarial valuation in determining contribution rates for participating employers. The actuarial accrued liability incurred for the provisions of K.S.A. 74-4950i, and amendments thereto, shall be amortized over 15 years.

(8) Except as otherwise provided by law, the actuarial cost of any legislation enacted by the Kansas legislature, except the actuarial cost of K.S.A. 74-49,114a, and amendments thereto, shall be in addition to the employer contribution rates certified for the employer contribution rate in the fiscal year immediately following such enactment. Such actuarial cost shall be determined by the qualified actuary employed or retained by the system pursuant to K.S.A. 74-4908, and amendments thereto, and reported to the system and the joint committee on pensions, investments and benefits.

(9) Notwithstanding the provisions of subsection (8), the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be first reflected in employer contribution rates effective with the first day of the first payroll period for the fiscal year 2005. The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be amortized over 10 years.

(10) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 74-49,114b, and amendments thereto, for retirants other than local retirants as described in subsection (11) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2007.

(11) The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,114b, and amendments thereto, for the KPERS local group and retirants who were employees of local employers ~~which that~~ affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(12) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 74-49,114c, and amendments thereto, for retirants other than local retirants as described in subsection (13) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2008.

(13) The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,114c, and amendments thereto, for the KPERS local group and retirants who were employees of local employers ~~which that~~ affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(14) The board with the advice of the actuary may fix the contribution rates for participating employers joining the system after one year from the first entry date or for employers who exercise the option contained in K.S.A. 74-4912, and amendments thereto, at rates different from the rate fixed for employers joining within one year of the first entry date.

(15) Employer contributions shall in no way be limited by any other act ~~which that~~ now or in the future establishes or limits the compensation of any member.

(16) Notwithstanding any provision of law to the contrary, each participating employer shall remit quarterly, or as the board may otherwise provide, all employee deductions and required employer contributions to the executive director for credit to the Kansas public employees retirement fund within three days after the end of the period covered by the remittance by electronic funds transfer. Remittances of such deductions and contributions received after such date are delinquent. Delinquent payments due under this subsection shall be subject to interest at the rate established for interest on judgments under K.S.A. 16-204(a), and amendments thereto. At the request of the board, delinquent payments ~~which that~~ are due or interest owed on such payments, or both, may be deducted from any other moneys payable to such employer by any department or agency of the state.

(17) The actuarial cost of the reduction of employer contributions for eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, pursuant to the provisions of section 37 of chapter 54 of the 2017 session laws of Kansas, and amendments thereto, 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 percentage of compensation for participating employers under K.S.A. 74-4931, and amendments thereto. This additional percentage of compensation shall first be reflected in employer contribution rates for participating employers under K.S.A. 74-4931, and amendments thereto, effective on the first day of the first payroll period for the fiscal year 2018.

(18) The actuarial cost of \$194,022,683 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 percentage of compensation for participating employers under K.S.A. 74-4931, and amendments thereto. This additional percentage of compensation shall first be reflected in employer contribution rates for participating employers under K.S.A. 74-4931, and amendments thereto, effective on the first day of the first payroll period for the fiscal year 2020.

Sec. 4. K.S.A. 2021 Supp. 74-4920 is hereby repealed.;

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after "transfers" by inserting "; establishing employer contribution rates for fiscal years 2023 and 2024; amending K.S.A. 2021 Supp. 74-4920 and repealing the existing section"; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SR 1731 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 4, 2022.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, March 9, 2022.

Journal of the Senate

THIRTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 9, 2022, 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:

The Glory Of God Revealed!
Exodus 33:12-23

Lord, God of Heaven and Earth, in Exodus 33:12-23 Moses wanted You to show Yourself to Him so he could be confident of Your presence and support. But You said if someone looked at Your face in the fullness of Your glory they would die. Although no human eye can behold You in all Your glory, in a supernatural way You reveal that You are with us at this human level.

You did show Moses Your backside. You let him see just enough of Your glory to be encouraged that You were with him. And Lord, that's the reassurance we need. From time to time we need to see the backside of Your glory. As we go forward in serving Your people, we need the awareness of Your presence. Keep showing us bits and pieces of Your glory. Let us see enough of the back parts that by faith we can trust that You are with us.

And don't let us become smug or self-satisfied, taking Your presence for granted. When You do things for us and display Your glory, let it be so that people will acknowledge You are doing it. Just make us vessels of Your grace, manifesting Your glory to people who might question, "Does God really exist?"

I thank You for the ongoing awareness of Your presence. 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 551, AN ACT concerning the department of agriculture; relating to animal health; establishing the pet animal facilities inspection division to be administered by a director under the supervision of the secretary; amending K.S.A. 47-1701, 47-1702, 47-1703, 47-1704, 47-1706, 47-1706a, 47-1707, 47-1708, 47-1709, 47-1710, 47-1711, 47-1712, 47-1715, 47-1718, 47-1719, 47-1720, 47-1721, 47-1723, 47-1725, 47-1726, 47-1727, 47-1731, 47-1732, 47-1733, 47-1734, 47-1735 and 47-1736 and repealing the existing sections, by Committee on Ways and Means.

SB 552, AN ACT concerning real property; relating to county foreclosures on property due to delinquent taxes; enacting the modernization of recovery through website outreach act; authorizing the state treasurer to publish information regarding such foreclosed property on the state treasurer's website, by Committee on Federal and State Affairs.

SB 553, 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. 2021 Supp. 74-4920 and repealing the existing section, by Committee on Assessment and Taxation.

SB 554, AN ACT concerning property taxation; relating to classification; land devoted to agricultural use; definition; agritourism activity and zoos; amending K.S.A. 79-1476 and repealing the existing section, by Committee on Assessment and Taxation.

SB 555, AN ACT concerning property taxation; relating to assessment and collection; allowing for the proration of value when certain personal property is acquired or sold prior to September 1 of any tax year; discontinuing collection of unpaid municipal utility fees using the property tax roll; amending K.S.A. 65-3410 and K.S.A. 2021 Supp. 12-808c and repealing the existing sections, by Committee on Assessment and Taxation.

SB 556, AN ACT concerning income taxation; relating to Kansas adjusted gross income; providing for a subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowance; amending K.S.A. 2021 Supp. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

SB 557, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal possession of a weapon by a convicted felon; exempting certain underlying felonies when a person has had the conviction of such crime expunged or has been pardoned for such crime; amending K.S.A. 2021 Supp. 21-6304 and repealing the existing section, by Committee on Federal and State Affairs.

SCR 1623, A CONCURRENT RESOLUTION urging the President of the United States to stop importing oil and gas from Russia and restore energy independence in the United States by Senators Billinger, Alley, Baumgardner, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage Hilderbrand, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Warren and Wilborn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Judiciary: **SB 550**

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2548, HB 2710**.
 Announcing passage of **HB 2462; Sub HB 2466**.
 Announcing passage of **SB 2**, as amended, **SB 421**, as amended.
 Announcing passage of **Sub SB 286**, as amended by **H Sub for Sub SB 286**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2462; Sub HB 2466, HB 2548, HB 2710 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Olson the Senate nonconcurred in the House amendments to **SB 2** and requested a conference committee be appointed.

The Vice President appointed Senators Olson, Hilderbrand and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Billinger the Senate nonconcurred in the House amendments to **SB 421** and requested a conference committee be appointed.

The Vice President appointed Senators Billinger, Claeys and Hawk as a conference committee on the part of the Senate.

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.

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 appointment be confirmed as recommended by the Committee on **Judiciary**:

By the Governor

On the appointment to the:

Kansas Court of Appeals:

Angela Coble

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Warren, Wilborn.

The appointment was confirmed.

Senator Alley moved the following appointment without recommendation by the Committee on **Public Health and Welfare**:

By the Governor

On the appointment to the:

Department of Health and Environment:

Janet Stanek, to serve at the pleasure of the Governor

On roll call, the vote was: Yeas 32; Nays 5; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Sykes, Ware.

Nays: Baumgardner, Steffen, Straub, Thompson, Tyson.

Present and Passing: Suellentrop.

Absent or Not Voting: Warren, Wilborn.

The appointment was confirmed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

S Sub HB 2057, 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, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 6; Present and Passing 3; Absent or Not Voting 2.

Yeas: Alley, Bowers, Claeys, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson.

Nays: Billinger, Corson, Doll, Holland, Holscher, Ware.

Present and Passing: Baumgardner, Hawk, Suellentrop.

Absent or Not Voting: Warren, Wilborn.

The bill passed, as amended.

HB 2231, AN ACT concerning crimes, punishment and criminal procedure; relating to conducting a pyramid promotional scheme; exemptions; amending K.S.A. 2021 Supp. 21-5838 and repealing the existing section, was considered on final action.

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

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

Present and Passing: Holland, Holscher.

Absent or Not Voting: Warren, Wilborn.

The bill passed, as amended.

S Sub HB 2279, AN ACT concerning health professions and practices; relating to advanced practice registered nurses; licensure thereof; authorizing the prescribing of drugs without a supervising physician; requiring malpractice insurance coverage; rules and regulations; amending K.S.A. 65-1130 and K.S.A. 2021 Supp. 65-1626 and 65-4101 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 30; Nays 7; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pyle, Ryckman, Straub, Sykes, Thompson, Tyson.

Nays: Dietrich, Holscher, Kerschen, Longbine, Pittman, Suellentrop, Ware.

Present and Passing: Steffen.

Absent or Not Voting: Warren, Wilborn.

The bill passed.

EXPLANATION OF VOTE

Mr. President: I voted in favor of **S Sub HB 2279** to provide another option for my constituents to receive medical assistance. Many areas of my district are rural and access to medical assistance limited. Over the past few years, the stress on our medical professionals has been enormous. APRN's in my district have been part of the solution to our medical needs in rural Kansas for years. We are fortunate to have dedicated medical professionals at all levels who have tirelessly cared for our friends and families. This bill provides some flexibility to advanced practice registered nurses (APRN's) to prescribe drugs; requires them to carry malpractice insurance and makes other changes. It is my understanding that nothing in the language expands the scope of practice of APRN's or authorizes an APRN to practice medicine or surgery and if these doubts remain – we can continue to discuss in the Conference Committee process.—ELAINE BOWERS

Senator McGinn requests the record to show she concurs with the "Explanation of Vote" offered by Senator Bowers on **S Sub HB 2279**.

Mr. President: With the current strain on the health care system, it is more important than ever to allow highly-trained medical professionals to practice to the full scope for which they are trained and certified to ensure quality access to care for Kansans. **S Sub HB 2279** helps Kansas to become the 25th state to provide another source of health care for Kansans. I vote Yes.—PAT PETTEY

Senator Faust-Goudeau requests the record to show that she concurs with the "Explanation of Vote" offered by Senator Pettey on **S Sub HB 2279**.

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:

HB 2560 be passed.

Committee report on **HB 2361** recommending a substitute bill be adopted, and **S Sub HB 2361** be passed.

SB 418, SB 506, SB 523; HB 2387 be amended by the adoption of the committee amendments, and the bills be passed as amended.

A motion by Senator Corson to send **SB 418** back to Committee on Federal and State Affairs failed.

SB 439 be amended by the adoption of the committee amendments be amended by motion of Senator Hilderbrand; on page 2, in line 3, by striking "or"; in line 4, by

striking "(4)"; in line 7, after "notice" by inserting "; or

(3) has no election-related activity for any four calendar year period, and the confirmation notice is returned as undeliverable. No election-related activity means that the elector has not voted, attempted to vote, requested or submitted an advance ballot application, filed an updated voter registration card, signed a petition which is required by law to be verified by the county election officer or the secretary of state or responded to any official election mailing transmitted by the county election office";

Also on page 2, in line 17, after the stricken material by inserting "or"; in line 20, by striking all after "registered"; by striking all in lines 21 through 26; in line 27, by striking all before the period, and **SB 439** be passed as amended.

SB 523 be amended by the adoption of the committee amendments, and the bill be passed as amended.

A motion by Senator Pettey to further amend **SB 523** failed and the following amendment was rejected; on page 7, following line 40, by inserting:

"New Sec. 4. (a) Each retirant who is entitled to receive a retirement benefit, pension or annuity payment from a retirement system or who is a local school annuitant shall be entitled to receive a retirant dividend payment as specified in this section. Such retirant dividend payment shall be paid in addition to the amount of the annual retirement benefit, pension or annuity payment, to which the retirant is otherwise entitled and shall be paid in the form of an additional payment which shall be made on October 1, 2022.

(b) Each such retirement dividend payment as provided in this section shall be payable to the retirant in an amount equal to 50% of the retirement benefit payment such retirant is entitled to receive on July 1, 2022.

(c) Each such retirant dividend payment shall be paid by the retirement system to the retirant and the local school annuitant and shall be payable from the Kansas public employees retirement fund.

(d) As used in this section:

(1) "Retirant" means any:

(A) Person who is a member of a retirement system and who retired prior to July 1, 2021;

(B) person who is a special member of a retirement system and who retired prior to July 1, 2021;

(C) person who is a joint annuitant or beneficiary of any member described in subparagraph (A) or any special member described in subparagraph (B); and

(D) any insured disability benefit recipient.

(2) "Retirement system" means the Kansas public employees retirement system, the Kansas police and firemen's retirement system, the state school retirement system and the retirement system for judges.

(3) "Insured disability benefit recipient" means any person receiving an insured disability benefit under K.S.A. 74-4927, and amendments thereto, prior to July 1, 2021.";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, after the semicolon by inserting "providing a post-retirement dividend payment for certain retirants."

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 2; Absent or Not Voting 0.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Sykes, Tyson, Ware.

Nays: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Warren, Wilborn.

Present and Passing: Dietrich, Hawk.

A motion by Senator Hawk to send **SB 523** back to Ways and Means failed.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 13; Nays 27; Present and Passing 0; Absent or Not Voting 0.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, McGinn, Peck, Pettey, Pittman, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

A motion by Senator Pettey to amend **SB 523** was withdrawn.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 418**, **SB 439**, **SB 506**, **SB 523**; **Sub HB 2361**; **HB 2387** and **HB 2560** were advanced to Final Action and roll call.

SB 418, AN ACT concerning elections; prohibiting the modification of election laws by agreement except as approved by the legislature; amending K.S.A. 25-125 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, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

The bill passed, as amended.

SB 439, AN ACT concerning elections; relating to voter registration; requiring a county election officer to send a confirmation notice if there is no election-related activity for any four calendar year period; amending K.S.A. 25-2316c and repealing the existing section.

On roll call, the vote was: Yeas 33; Nays 6; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Francisco, Gossage, Haley, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Corson, Doll, Holland, Holscher, Pittman, Sykes

Present and Passing: Faust-Goudeau

The bill passed, as amended.

SB 506, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Kansas down syndrome awareness 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 523, AN ACT concerning the Kansas public employees retirement system; making and concerning appropriations for the fiscal years ending June 30, 2022, and June 30, 2023; authorizing certain transfers from the state general fund to the Kansas public employees retirement fund; requiring state finance council approval for such fiscal year 2023 transfers; establishing employer contribution rates for fiscal years 2023 and 2024; amending K.S.A. 2021 Supp. 74-4920 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, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, McGinn, Peck, Pettey, Sykes, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. President: I can't help but point out – as I often have during my explanations of vote this year – that we are in a position to debate the best way to appropriate funds and deliver relief to Kansans because our economy is so strong and has resulted in a significant surplus. Each of us has differing ideas of what our top priorities should be, and each of those priorities deserves serious consideration. Hand-picking priorities as we've done with **SB 523** spends down the surplus and limits what we can do with the broader budget. KPERS will be 80% funded by next year, even with no extra payments, and reported savings for the State General Fund would decrease if the assumed rate of return is lowered this year. We have already committed more than \$250 million to KPERS to eliminate the layering payment. We owe it to Kansans to consider these facts in the broader context of our budget, and weigh them against other proposals that, for instance, deliver tax relief to all Kansans, like our plan to eliminate the food sales tax would. For these reasons, I vote NO.—DINAH SYKES

Senators Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **SB 523**.

S Sub HB 2361, AN ACT concerning courts; relating to specialty court programs; authorizing the supreme court to adopt rules related thereto; establishing the specialty

court funding advisory committee and the specialty court resources fund; authorizing courts to order defendants to participate in specialty court programs; allowing expungement of certain convictions when defendants complete the requirements of such programs; amending K.S.A. 2021 Supp. 21-6604 and 21-6614 and repealing the existing sections.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 1; Absent or Not Voting 0.

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

Nays: Steffen.

Present and Passing: Pyle.

The bill passed.

EXPLANATION OF VOTE

Mr. President: I rise in vigorous support of **S Sub HB 2361**, establishing rules and operations for specialty courts problem solving procedures to address underlying causes to help rehabilitate veterans, those suffering in the spiral of drug addiction and more. Veterans and drug courts have been demonstrated to work in Wyandotte and other locations across the state and the nation, and worthy of expanding into other areas with funding. It is proactive and I commend the body for passing this legislation.—JEFF PITTMAN

HB 2387, AN ACT concerning aircraft; relating to operating an aircraft under the influence; prescribing criminal and administrative penalties; providing for testing of blood, breath, urine or other bodily substances and preliminary screening tests of breath or oral fluid; amending K.S.A. 65-1,107 and 75-712h and K.S.A. 2021 Supp. 22-3437 and 60-427 and repealing the existing sections; also repealing K.S.A. 3-1001, 3-1002, 3-1003, 3-1004 and 3-1005.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2560, AN ACT concerning agriculture; relating to the Kansas department of agriculture; extending certain penalties, fees and program expiration dates; amending K.S.A. 82a-708a, 82a-708b, 82a-708c, 82a-714 and 82a-727 and K.S.A. 2021 Supp. 2-1205, 2-1930, 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304 and 2-3306 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Ryckman, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Hilderbrand, Peck, Steffen, Straub.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2456**, as amended by House Committee of the Whole, be amended on page 1, in line 7, after "(a)" by inserting "On and after January 1, 2023,"; in line 19, after "(c)" by inserting "The secretary, in accordance with K.S.A. 35-805, and amendments thereto, may adopt rules and regulations to implement and administer the provisions of this section.

(d)";

Also on page 1, in line 21, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Assessment and Taxation** recommends **SB 311** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL No. 311," as follows:

"Substitute for SENATE BILL No. 311

By Committee on Assessment and Taxation

"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. 2021 Supp. 79-3606, as amended by section 16 of 2022 Senate Bill No. 347, and repealing the existing section.";

And the substitute bill be passed.

Also, **SB 433** 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 **SB 507** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Also, **SCR 1621**, **SCR 1622** be adopted.

Committee on **Transportation** recommends **HB 2478** be amended on page 2, following line 19, by inserting:

"Sec. 2. The portion of United States highway 56 from the northeastern city limits of Edgerton in Johnson county, then northeast to the southwestern city limits of Gardner in Johnson county is hereby designated as the PFC Shane Austin memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the PFC Shane Austin memorial highway.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, before the period by inserting "; designating a portion of U.S. highway 56 as the PFC Shane Austin memorial highway"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned Pro Forma until 8:00 a.m., March 10, 2022.

Journal of the Senate

THIRTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 10, 2022, 2:30 p.m.

The Senate was called to order Pro Forma by Senator Billinger.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 551**.

Assessment and Taxation: **SB 553, SB 554, SB 555, SB 556**.

Education: **Sub HB 2466**.

Federal and State Affairs: **HB 2462, HB 2710**.

Judiciary: **SB 557**.

Transparency and Ethics: **SB 552**.

Ways and Means: **HB 2548**.

Committee of the Whole: **SCR 1623**.

On motion of Senator Alley, the Senate adjourned Pro Forma until 9:00 a.m., March 11, 2022.

Journal of the Senate

FORTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 11, 2022, 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 558, AN ACT concerning firearms; establishing a procedure for a petition for restoration of a person's firearms rights; authorizing a person who was convicted of a felony that has been expunged to file such petition; amending K.S.A. 2021 Supp. 21-6614 and repealing the existing section, by Committee on Federal and State Affairs.

SB 559, AN ACT concerning driver's licenses; relating to vision requirements; limiting the liability of optometrists and ophthalmologists who provide information to the division of vehicles; amending K.S.A. 8-295 and repealing the existing section, by Committee on Federal and State Affairs.

SB 560, AN ACT concerning health and healthcare; relating to medical marijuana; enacting the medical marijuana regulation act; providing for licensure and regulation of the cultivation, processing, distribution, sale and use of medical marijuana; 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 marijuana registration fund and the medical marijuana business regulation fund; creating the crimes of unlawful storage and unlawful transport of medical marijuana; making exceptions to the crimes of unlawful manufacture and possession of controlled substances; amending K.S.A. 38-2269, 44-501, 44-706, 44-1009, 44-1015, 65-28b08, 79-5201 and 79-5210 and K.S.A. 2021 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.

CHANGE OF REFERENCE

An objection having been made to **SB 433** appearing on the **Consent Calendar**, the President directed the bill be removed and placed on the calendar under the heading of **General Orders**.

MESSAGE FROM THE GOVERNOR

SB 358 approved on March 9, 2022.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SCR 1619**, **SCR 1620**, be adopted.

Committee on **Judiciary** recommends **HB 2416** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2416," as follows:

"Senate Substitute for HOUSE BILL No. 2416

By Committee on Judiciary

"AN ACT concerning public health; requiring compensation for the use, restriction on use, damage, loss or destruction of property as a result of certain governmental actions; authorizing reimbursement of property taxes levied upon businesses shut down or restricted as a result of certain governmental actions related to contagious or infectious disease; amending K.S.A. 2021 Supp. 79-1614 and repealing the existing section.";

And the substitute bill be passed.

Also, **SB 541** be amended on page 1, by striking all in lines 32 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 17; in line 23, by striking "mandates the wearing of face masks,";

On page 4, by striking all in lines 32 through 43;

On page 5, by striking all in lines 1 through 27; following line 27 by inserting:

"New Sec. 3. (a) Notwithstanding any provision of law to the contrary, a governmental entity or public official shall not order or otherwise require a person to wear a face mask as a response to a contagious or infectious disease.

(b) A governmental entity or public official may recommend that a person wear a face mask as a response to a contagious or infectious disease.";

On page 6, in line 21, by striking "subsections" and inserting "subsection"; also in line 21, by striking "and (e)";

On page 7, in line 15, after "(d)" by inserting "(1)"; in line 23, by striking "(e)" and inserting "(2)"; in line 24, by striking "the provisions of"; also in line 24, after "to" by inserting ":

(A)";

Also on page 7, in line 27, after "elections" by inserting "; or

(B) order or otherwise require a person to wear a face mask as a response to a contagious or infectious disease.

(3) No rule, regulation or executive order issued by the governor or any other governmental entity pursuant to the Kansas emergency management act shall apply to the exercise of religion in a church, synagogue or other place of worship";

Also on page 7, in line 28, by striking "(f)" and inserting "(e)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 13, in line 14, after "(1)" by inserting "A governmental entity or public official shall not have the power under the provisions of the Kansas emergency management act or any other law to order or otherwise require a person to wear a face mask as a response to a contagious or infectious disease.

(2) No action taken by a governmental entity or public official pursuant to the Kansas emergency management act shall apply to the exercise of religion in a church, synagogue or other place of worship.

(f) (1)";

On page 16, in line 28, after "(d)" by inserting "and section 3, and amendments thereto";

On page 17, in line 25, by striking "mandates the wearing of face masks,";

On page 19, in line 17, after "(A)" by inserting "Except as provided in section 3, and amendments thereto,"; in line 18, by striking "mandating the wearing of face masks,";

On page 20, following line 18, by inserting:

"Sec. 14. K.S.A. 2021 Supp. 65-202 is hereby amended to read as follows: 65-202.

(a) (1) The local health officer in each county throughout the state, immediately after such officer's appointment, shall take the same oath of office prescribed by law for the county officers, shall give bond of \$500 conditioned for the faithful performance of the officer's duties, shall keep an accurate record of all the transactions of such office, shall 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 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.

(2) 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.

(3) 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)~~(b) (1) Such The local health 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, except as provided in section 3, and amendments thereto, shall; (A) Use all known measures to prevent the spread of any such infectious, contagious or communicable disease; and ~~shall~~ (B) perform such other duties as this act, the county or joint board, 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, contagious or communicable 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.

(c) 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.

(d) 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~~ an unclassified misdemeanor and, upon conviction, be fined not less \$10 nor more than \$100 for each and every offense.";

On page 21, by striking all in lines 35 through 43;

By striking all on page 22;

On page 23, by striking all in line 1; in line 3, by striking "79-1614" and inserting "65-202";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "governmental action; relating to"; also in line 1, by striking all after the semicolon; by striking all in line 2; in line 3, by striking all before the semicolon and inserting "prohibiting a governmental entity or public official from ordering or otherwise requiring a person to wear a face mask as a response to a contagious or infectious disease"; in line 4, by striking "face mask mandates,"; in line 12, by striking "and face mask mandates"; in line 15, after the semicolon by inserting "limiting powers of the governor and other governmental entities under the Kansas emergency management act related to the exercise of religion,"; in line 24, by striking all after the semicolon; by striking all in lines 25 and 26; in line 27, by striking "disease,"; in line 29, by striking "79-1614" and inserting "65-202"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 444** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL No. 444," as follows:

"Substitute for SENATE BILL No. 444

By Committee on Ways and Means

"AN ACT making and concerning appropriations for the fiscal years ending June 30, 2022, June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027, 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. 2021 Supp. 2-223, 12-1775a, 12-5256, 17-12a601, 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.";

And the substitute bill be passed.

Also, **HB 2567** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2567," as follows:

"Senate Substitute for HOUSE BILL No. 2567

By Committee on Ways and Means

"AN ACT concerning education; relating to state aid; removing federal impact aid from the determination of local foundation aid; excluding Fort Leavenworth school district and virtual school students from the capital improvement state aid determination; extending the general obligation bond limitation; amending K.S.A. 72-5135 and 72-5461 and K.S.A. 2021 Supp. 72-5132 and 72-5462 and repealing the existing sections.";

And the substitute bill be passed.

SB 340 be amended as recommended by the Senate Committee on Education as reported in the Journal of the Senate on February 1, 2022, and the bill, as printed as amended by Senate Committee, be further amended on page 1, following line 8, by

inserting:

"New Section 1. (a) The Kansas promise scholarship act, K.S.A. 2021 Supp. 74-32,271 through 74-32,277, and amendments thereto, shall expire on July 1, 2027. Kansas promise scholarship recipients who had been awarded a Kansas promise scholarship prior to July 1, 2027, may continue to receive such scholarship awards until they complete the Kansas promise scholarship program as provided in the Kansas promise scholarship act, prior to its expiration, but no new scholarship may be awarded after July 1, 2027.

(b) This section shall be a part of and supplemental to the Kansas promise scholarship act.";

On page 4, in line 4, by striking "and" and inserting a comma; in line 5, after "supplies" by inserting ", 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";

On page 6, in line 28, by striking "2022 and"; also in line 28, after "2023" by inserting "through 2027"; in line 29, by striking "For"; by striking all in lines 30 through 32;

On page 8, in line 19, by striking "48" and inserting "36";

On page 10, in line 2, by striking "48-month" and inserting "36-month";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "program" and inserting "act"; and the bill be passed as amended.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes:

Senator Corson: congratulating the Shawnee Mission East Boys Swim and Dive Team on winning the 2022 6A State Championship;

Senator Pettey: celebrating Solomon Rangel's 99th Birthday;

Senator Pittman: thanking Ron Wurtele for his service to Kansas Veterans, VFW Riders, and Patriot Guard; and

Senator Steffen: extending official recognition to Kansans for Health Freedom, commending Bryant and Tess Anderson for producing The Early Covid Treatment Symposium.

On motion of Senator Kristen O'Shea, the Senate adjourned until 2:30 p.m., March, 14, 2022.

Journal of the Senate

FORTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 14, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 39 senators present.
Senator Faust-Goudeau was excused.
Invocation by Reverend Cecil T. Washington:

To God's Majesty and Our Modesty
Matthew 6:9-10, Acts 1:13-14

Heavenly Father, we're gathering here at the beginning of another work week making ourselves available, first to You then to Your people. The desire is that our labors will prove fruitful, beneficial towards accomplishing the things YOU would have us to do, that YOUR purposes be fulfilled. Because it's not about us or the people. All of this was created for Your glory, for our good to underscore Your majesty.

I'm reminded of Matthew 6:9-10 where we're told how we should pray. You identified Yourself as "Our Father in Heaven," that Your name, unlike ours, be held sacred. That Your kingdom come and that Your will be done, right here on earth as it is in Heaven. That Your will be done right here in these chambers, here in Kansas, here in our lives and in all our endeavors.

Help us to be like the Disciples in Acts 1:13-14. They were in an upper room in one accord wanting Your Holy Spirit to lead them. Please do that for us. We're in these upper rooms trying to be in one accord and wanting Your Holy Spirit to lead us.

I offer this prayer in the beloved 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 561, AN ACT concerning reapportionment; relating to state senatorial districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-4,451, 4-4,453 and 4-4,494, by Committee on Federal and State Affairs.

SB 562, AN ACT concerning reapportionment; relating to state senatorial districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-4,451, 4-4,453 and 4-4,494, by Committee on Federal and State Affairs.

SB 563, AN ACT concerning reapportionment; relating to state senatorial districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-4,451, 4-4,453 and 4-4,494, by Committee on Ways and Means.

SB 564, AN ACT concerning governmental ethics; requiring lobbyists to verbally disclose any current or pending litigation with a state agency involving a client that would be affected by proposed legislation on current or pending litigation with a state agency; amending K.S.A. 46-271 and repealing the existing section, by Committee on Assessment and Taxation.

SB 565, AN ACT concerning property taxation; relating to classification and valuation; land devoted to agricultural use; classifying such land that is subject to the federal grassland conservation reserve program as grassland; amending K.S.A. 79-1476 and repealing the existing section, by Committee on Assessment and Taxation.

SB 566, AN ACT concerning reapportionment; relating to state senatorial districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-4,451, 4-4,453 and 4-4,494, 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 560**.

Judiciary: **SB 558**.

Transportation: **SB 559**.

CHANGE OF REFERENCE

An objection having been made to **HB 2540** appearing on the Consent Calendar, the President directed the bill be removed and placed on the calendar under the heading of General Orders.

Under the authority of the President, the Vice President withdrew **SCR 1620** from the Calendar under the heading of **General Orders**, and rereferred the bill to the Committee on **Assessment and Taxation**.

COMMUNICATIONS FROM STATE OFFICERS

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

Kansas Department of Commerce 2021 Annual Report (March 11, 2022)

Kansas Department of Commerce FY 2021 STAR Bonds Annual Report (March 11, 2022)

Kansas Department of Commerce FY 2021 PEAK Annual Report (March 11, 2022)

Kansas Department of Commerce FY 2021 ROZ Annual Report (March 11, 2022)

Kansas Department of Commerce FY 2021 JCF Annual Report (March 11, 2022)

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 Warren the Senate nonconcurrent in the House amendments to **H Sub Sub SB 286** and requested a conference committee be appointed.

Under the authority of the President, the Vice President appointed Senators Warren, Wilborn and Haley as a conference committee on the part of the Senate.

FINAL ACTION ON CONSENT CALENDAR

SB 403, SB 507 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 403, AN ACT concerning sales and compensating use tax; relating to city and countywide retailers' sales tax; Wilson county, election and rates; amending K.S.A. 2021 Supp. 12-187, 12-189 and 12-192 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Faust-Goudeau.

The bill passed.

SB 507, AN ACT concerning open records; relating to disclosure of records under the open records act; continuing in existence certain exceptions to disclosure; amending K.S.A. 40-2,203 and 40-3805 and K.S.A. 2021 Supp. 9-2216a, 22-4620, 50-1124 and 50-1128 and repealing the existing sections; also repealing K.S.A. 40-6011.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Faust-Goudeau.

The bill passed.

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 Gossage in the chair.

On motion of Senator Gossage the following report was adopted:

SB 389, SB 494 be amended by the adoption of the committee amendments, and the bills be passed as amended.

SCR 1623 be adopted.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Under the authority of the President, the Vice President referred **SB 561, SB 562, SB 563, SB 566** to the Committee on Redistricting.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2559**, as amended by House Committee, be passed.

Committee on **Education** recommends **SB 484** be passed.

Committee on **Utilities** recommends **HCR 5023** be adopted.

On motion of Senator Wilborn, the Senate adjourned until 2:30 p.m., Tuesday, March 15, 2022.

Journal of the Senate

FORTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 15, 2022, 2:30 p.m.

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

The Fight For Freedom
Ecclesiastes 9:12, Psalm 46:1

Heavenly Father, having citizenship in a free country where God-given rights and liberties can be defended is truly a blessing. Help us now to keep in mind that we must always be on guard, fighting to maintain those freedoms.

In the book of Ecclesiastes, You used the writer to remind us that as long as we're on this earth, under the sun, freedom is not free. During the conflict with the British You inspired the wife of Sam Adams, the Godly Abigail Adams, to remind him of the emptiness, the futility of only being concerned with what's happening on earth "under the sun." She used Ecclesiastes 9:12 to remind him that the race is not given to the swift nor the battle given to the strong, but the God of Israel is He that giveth strength and power to His people. She told her husband to trust in You at all times quoting Psalm 46:1, that You are our refuge and strength ... a very present help in times of trouble.

So Lord, as it relates to our freedom, keep us defending them but looking to You to maintain them. I come to You in the Name of Jesus, Who died to set us free. 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 567, AN ACT concerning driver's licenses; relating to restricted driver's licenses; allowing restricted driver's license holders to drive to and from worship services held by any religious organization at age 15; amending K.S.A. 2021 Supp. 8-2,101 and repealing the existing section, by Committee on Federal and State Affairs.

SB 568, AN ACT concerning reapportionment; relating to state senatorial districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-4,451, 4-4,453 and 4-4,494, 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 565.**

Transparency and Ethics: **SB 564.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

SENATE RESOLUTION No. 1732

A RESOLUTION congratulating and commending
the 2020 and 2022 Kansas Master Teachers.

WHEREAS, Fourteen of Kansas' best teachers have been selected as Kansas Master Teachers for 2020 and 2022; 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 2020 and 2022 winners; and

WHEREAS, The 2020 Kansas Master Teachers are Hillary Barscewski, a first grade teacher at Cottonwood Elementary School in Andover, USD 385; Holly Bright, a kindergarten teacher at Grandview Elementary School in El Dorado, USD 490; Justin Heeke, a seventh grade physical education teacher at Comanche Middle School in Dodge City, USD 443; Erica Huggard, a biology and health science teacher at Emporia High School in Emporia, USD 253; Eunice Izazaga, a second grade teacher at Pleasant Valley Elementary School in Wichita, USD 259; Vickie Marcozzi, an art and enrichment reading and writing teacher for grades second through fifth at Oakdale Elementary School in Salina, USD 305; and Kathy Wagoner, an English teacher at Hays High School in Hays, USD 489; and

WHEREAS, The 2022 Kansas Master Teachers are Andy Battenfield, a physical education teacher at Village Elementary in Emporia, USD 253; Melanie Hammond, a chemistry and physical science teacher at South High School in Salina, USD 305; Karen Stohlmann Henderson, a math and engineering teacher at Northwest High School in Blue Valley, USD 229; Sarah M. Hoff, a social studies teacher at Dodge City High School in Dodge City, USD 443; Gina Johnson, a fourth and fifth grade teacher at O'Loughlin Elementary School in Hays, USD 489; Bryan Scruggs, an instructional coach at Seitz Elementary School in Geary County, USD 475; and Barbara Tholen, a journalism advisor and graphic design teacher at Lawrence High School in Lawrence, USD 497; 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 well 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. In 1984, the Black family of Broken Arrow, Oklahoma established an endowed chair for Kansas Master Teachers. The fund provides a stipend to bring two Master Teachers to Emporia State University for part of a semester where 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. These

2020 and 2022 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 2020 and 2022 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 14 enrolled copies of this resolution to Senator Longbine.

On emergency motion of Senator Longbine **SR 1732** was adopted.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 389, AN ACT concerning elections; relating to voting systems and procedures; requiring voter-verified paper ballots with a distinctive watermark, 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, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Present and Passing: Faust-Goudeau.

Absent or Not Voting: Kloos.

The bill passed, as amended.

SB 494, 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 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Kloos.

The bill passed, as amended.

SCR 1623, A Concurrent Resolution urging the President of the United States to stop importing oil and gas from Russia and restore energy independence in the United States, was considered on final action.

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

Voting 1.

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

Present and Passing: Francisco, Ware.

Absent or Not Voting: Kloos.

The resolution was adopted.

EXPLANATION OF VOTE

Mr. President: I vote yes on **SCR 1623**. The resolution hits on some key points regarding the ceasing of importing oil and gas from Russia and enhancing energy independence for the United States. I support the fact that President Joe Biden on March 8, 2022, signed an Executive Order to ban the import of Russian oil, liquefied natural gas, and coal to the United States—a significant action with bipartisan support that will deprive President Putin of the economic resources he uses to continue his needless war of choice in Ukraine. While this resolution focuses on oil and gas, it does not adequately mention the importance of renewable energy as part of the goal for United States energy independence. The intent of this resolution to condemn a needless war by Russia and to encourage the reduction of our dependence on oil is right on target. The resolution could be stronger if it would take into account our Kansas success with renewable energy over the past ten years and our joint responsibility to support all sources of energy in the near term to reach our common goal of energy independence.

—TOM HAWK

Senators Corson, Haley, Holland, Pettey, Pittman, Sykes and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Hawk on **SCR 1623**.

MESSAGE FROM THE HOUSE

The House nonconcur in Senate amendments to **S Sub for HB 2279**, requests a conference 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 2** and has appointed Representatives Barker, Arnberger and Ruiz, L. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for Sub SB 286** and has appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 421** and has appointed Representatives Johnson, S., Croft and Neighbor as conferees on the part of the House.

ORIGINAL MOTION

On motion of Senator Hilderbrand, the Senate acceded to the request of the House for a conference on **S Sub HB 2279**.

The President appointed Senators Hilderbrand, Gossage and Pettey as conferees on

the part of the Senate.

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:

Committee report on **SB 444** recommending a substitute bill **Sub SB 444** be adopted, be amended by Senator Holland; on page 248, following line 40, by inserting:

"Sec. 133. (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 2022 or 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 2022 or 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 or funds for fiscal year 2024 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2024.

(b) During the fiscal year ending June 30, 2024, no state agency named in this or other appropriation act of the 2022 or 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 2022 or 2023 regular session of the legislature for such state agency 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 through e-verify the employment eligibility of the employees of such bidder, contractor or employer;

(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 through e-verify the employment eligibility of the employees of such bidder, contractor or employer; 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 without first 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 through e-verify the employment eligibility of the employees of such subcontractor.

(c) 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 that 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 remaining sections accordingly

Sub SB 444 be further amended by motion of Senator Tyson; on page 6, in line 19, by adding \$240,880 to the dollar amount and by adjusting the dollar amount in line 19 accordingly;

On page 7, in line 40, before the period, by inserting ": *And provided further*, That expenditures shall be made by the above agency from this account in fiscal year 2023 to increase by the amount of 15% the salaries and wages, and associated fringe benefits, for committee assistants and office assistants";

On page 74, following line 26, by inserting:

"(h) On July 1, 2022, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2023, by subsection (a) from the state general fund in the KBA grant commitments account, the sum of \$240,880 is hereby lapsed.", and **Sub SB 444** be passed as amended.

A motion by Senator Holland to further amend **Sub SB 444** failed and the following amendment was rejected; on page 54, following line 21, by inserting:

"(s) 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 in any special revenue fund or funds for fiscal year 2023 as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to limit the total cost share for any participant in the state health care benefits program during plan year 2023 for a 30-day supply of the prescription insulin drug to an amount not to exceed \$100, regardless of the quantity or type of prescription insulin drug required to fill the participant's prescription or if the participant takes multiple prescription insulin drugs per month.

Sec. 43.

DEPARTMENT OF ADMINISTRATION

(a) 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 in any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to limit the total cost share for any participant in the state health care benefits program during plan year 2023 for a 30-day supply of the prescription insulin drug to an amount not to exceed \$100, regardless of the quantity or type of prescription insulin drug required to fill the participant's prescription or if the participant takes multiple prescription insulin drugs per month.";

And by renumbering sections accordingly;

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 10; Nays 21; Present and Passing 5; Absent or Not Voting 4.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Pettey, Pittman, Sykes, Ware.

Nays: Alley, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Masterson, Olson, Peck, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Wilborn.

Present and Passing: Baumgardner, Longbine, Petersen, Pyle, Warren.

Absent or Not Voting: Holscher, Kloos, McGinn, O'Shea.

A motion by Senator Francisco to amend **Sub SB 444** failed and the following amendment was rejected; on page 129, following line 15, by inserting:

"Special education services aid (652-00-1000-0700).....\$62,750,000";

On page 229, in line 8, by subtracting \$62,750,000 from the dollar amount and by adjusting the dollar amount in line 8 accordingly; following line 8, by inserting:

"*Provided*, That expenditures of \$17,250,000 shall be made from this account for the payment of water supply storage debt for Big Hill reservoir: *Provided further*, That after payment for Big Hill reservoir, expenditures shall be made from this account for payment of water supply storage debt for Hillsdale reservoir.";

On page 230, in line 1, before the period, by inserting "*Provided further*, That expenditures shall be made from the water marketing fund from moneys previously obligated for the payment of water supply storage debt for Big Hill reservoir for fiscal year 2023 for payment of water supply storage debt for all other reservoirs for fiscal year 2023."

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 16; Nays 18; Present and Passing 2; Absent or Not Voting 4.

Yeas: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Longbine, O'Shea, Pettey, Pittman, Ryckman, Sykes, Ware.

Nays: Alley, Billinger, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Masterson, Olson, Peck, Petersen, Pyle, Steffen, Straub, Thompson, Tyson, Wilborn.

Present and Passing: Baumgardner, Suellentrop.

Absent or Not Voting: Holscher, Kloos, McGinn, Warren.

A motion by Senator Holland to amend **Sub SB 444** was withdrawn.

A motion by Senator Holland to amend **Sub SB 444** failed.

President Masterson assumed the chair.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SCR 1620**, as reported by the Senate Committee on Assessment and Taxation in the Journal of the Senate on March 11, 2022, be amended on page 2, in line 14, by striking all after "at"; by striking all in lines 15 and 16; in line 17, by striking all before the period and inserting "a special election, which is hereby called on August 2, 2022, pursuant to section 1 of article 14 of the constitution of the state of Kansas, to be held in conjunction with the primary election held on such date"; and the resolution be adopted as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2481** be passed.

Committee on **Judiciary** recommends **SB 534; HB 2473, HB 2508** be passed.

Committee on **Judiciary** recommends **HCR 5022**, As Amended by House Committee, be amended on page 2, in line 31, by striking all after "at"; by striking all in lines 32 and 33; in line 34, by striking all before the period and inserting "a special election, which is hereby called on August 2, 2022, pursuant to section 1 of article 14 of the constitution of the state of Kansas, to be held in conjunction with the primary election held on such date"; and the resolution be adopted as amended.

Committee on **Redistricting** recommends **SB 563** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL No. 563," as follows:

"Substitute for SENATE BILL No. 563

By Committee on Redistricting

"AN ACT concerning reapportionment; relating to state senatorial districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-4,451, 4-4,453 and 4-4,494.";

And the substitute bill be passed.

Committee on **Transportation** recommends **SB 529** be amended on page 4, in line 27, by striking all after "shall"; in line 28, by striking all before "permit"; in line 29, by striking all after "card"; in line 30, by striking "an" and inserting "if the"; also in line 30, by striking "shall have"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, March 16, 2022.

Journal of the Senate

FORTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 16, 2022, 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:

Guidelines In The Selection of Leaders Exodus 18:19-23, Romans 13:1-7

Heavenly Father, in Exodus 18:19-23, You used Moses' father-in-law, Jethroe, to show Moses how to select quality leaders, officials that would lead in harmony with Your will and Your ways. Please remind us of the need for those qualities today! For people to respect and follow their leaders You require that the officials be good examples. The advice You had Jethroe give to Moses focused in three areas. In Romans 13:1-7, You said that all human authority comes from You and should represent You in the lives of Your people.

Therefore, in Exodus 18:20, You want the leaders of Your people first, to study and know the laws compatible with Your Word. But to also second, practice them, making them part of their lives, so their walk will match their talk. So those who learn the laws and walk the walk are then qualified to third, be given the work to work.

Moses followed Jethroe's advice resulting in Your people being blessed and living their lives in peace. Lord, let that be the case here. You've given us Your Word. You've told us how to walk. Now guide us in the work, You'd have us to do.

Again, I come to You in the Name of Jesus. Amen!

The Pledge of Allegiance was led by President Masterson.

SPECIAL GUEST

Judy Naillon, guest of Senator Faust-Goudeau, is a member of the Wichita Symphony Orchestra, teaches violin and piano, played a combined rendition of *Home On the Range* and *Amazing Grace* for the Senate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 569, 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. 32-701, 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, 41-719, 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, 74-5602, 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, 77-421, 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. 2021 Supp. 2-1314d, 2-2473, 8-134, 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, 49-408, 58-3221, 58-3225 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, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Redistricting: **SB 568**.

Transportation: **SB 567**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub SB 444, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2022, June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027, 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. 2021 Supp. 2-223, 12-1775a, 12-5256, 17-12a601, 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, was considered on final action.

On roll call, the vote was: Yeas 23; Nays 14; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hawk, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Ryckman, Steffen, Thompson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Hilderbrand, Holland, Holscher, Peck, Pittman, Pyle, Straub, Suellentrop, Sykes, Tyson, Ware.

Present and Passing: Francisco, Haley, Pettey.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

Mr. President: Providence blessed us with a bountiful harvest. It is inexcusable and immoral that our Governor, this body and our Federal Government, choose to ignore what is statutorily and ethically the right thing to do and not turn our back on our children of our great State with special needs. Kids, by no fault of their own, need assistance to become what they most want, being a productive citizen to our country, state and their community. The bottom line, we as a government have failed these kids.

—JOHN DOLL

Senators Corson, Francisco and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Doll on **Sub SB 444**.

Mr. President: I ask to be recorded as a "PASS" on **Senate Substitute for Senate Bill 444**. I choose to pass on a bill when I support much of what is in a bill but would want to see some changes before I vote "AYE". I support many of the proposed expenditures, but am very concerned that this bill, like several others we have passed this year, prioritizes future debt payments over addressing the needs of today's Kansans. For the first year since I was elected to the Kansas Senate, there is enough funding to responsibly take the state portion of the sales tax off food. We can do that this year, and we should.—MARCI FRANCISCO

Senator Pettey requests the record to show she concurs with the "Explanation of Vote" offered by Senator Francisco on **Sub SB 444**.

Mr. President: A "yes" vote does not come easily from me for a budget bill. But, the carryover from last year plus the significant debt reduction was impressive. We did keep the projected spending increase year-over-year to less than inflation. Next year, I challenge us to keep spending flat as government size and overreach remain out of control.—MARK STEFFEN

Senator Thompson requests the record to show he concurs with the "Explanation of Vote" offered by Senator Steffen on **Sub SB 444**.

Mr. President: To the average Kansan, this budget appears to make up for the years of austerity our state has been forced to endure because of reckless tax experiments that slashed available funds and decimated our agencies, our schools, and our state's overall standing. There are many appealing parts of this budget, and it's difficult to argue against giving our agencies more than they asked for, for giving retirees more than the governor's plan to fully fund KPERS requires for this fiscal year. That is by design. The budget goes above and beyond in these areas and conveniently ensures that there's not enough money left over to deliver economic relief to every Kansan, to allow our higher education institutions to freeze tuition for students in a tumultuous economy, to ADD to our state general fund – and help struggling Kansans and hospitals – by expanding Medicaid. We have the means to do better, and Kansas families deserve better. I vote "no."—DINAH SYKES

Senators Corson, Francisco, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **Sub SB 444**.

Mr. President: I voted against both **SB 242** and the **APEX** bill as I worried that we were picking winners and losers with numerous massive tax credits that are not

available to the everyday taxpayer of Kansas. These two big troublesome bills gave me serious pause and I felt they were not the right path ahead for the state. Those two bills gave me the only real doubt I had about voting for this bill and the budget. But, the fact that we are retiring nearly \$1 Billion dollars in debt through the pay-off of the KPERS debt, is the responsible thing to do, and will pay dividends for Kansans in the future. It is my hope that now we have retired this debt that in future years our spending will either be flat or drop so that we can start providing necessary tax relief for all Kansans. For these reasons, I vote "aye."—MIKE THOMPSON

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2541, HB 2582, HB 2674, HB 2676.**
Announcing adoption of **HCR 5032.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2541, HB 2582, HB 2674, HB 2676; HCR 5032 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 Claeys in the chair.

On motion of Senator Claeys the following report was adopted:

SB 390, HB 2478 be amended by the adoption of the committee amendments, and the bills be passed as amended.

Senator Francisco moved **SB 390** be rereferred to the Committee on Federal and State Affairs. The motion failed.

Committee report on **SB 563** recommending **Sub SB 563** be adopted, and the substitute bill be passed.

Motions by Senators Holland, Sykes and Pyle to amend **Sub SB 563** failed.

HB 2559 be passed over and retain a place on the calendar.

CHANGE OF REFERENCE

The President withdrew **HB 2597** from the Committee on **Transportation**, and referred the bill to the Committee on **Assessment and Taxation**.

The President withdrew **S Sub HB 2239** from the Calendar under the heading of **General Orders**, and rereferred the bill to the Committee on **Assessment and Taxation**.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2563**, as amended by House Committee, be amended on page 13, in line 24, by striking "\$3,000" and inserting "\$1,000"; in line 27, after the stricken material by inserting "Such civil

penalty may be assessed in addition to any other penalty provided by law.";

On page 18, in line 33, by striking "\$5,000" and inserting "\$10,000"; and the bill be passed as amended.

Also, **HB 2605**, as amended by House Committee, be amended on page 1, in line 35, by striking all before the period and inserting "met the requirements of this section";

On page 3, in line 9, by striking "or food animal percentage"; also in line 9, by striking all after "requirement"; in line 10, by striking all before "after"; and the bill be passed as amended.

Committee on **Commerce** recommends **HB 2703** be amended on page 34, by striking all in line 12; in line 13, by striking all before the period and inserting "in the shared work program, trade adjustment assistance and trade readjustment assistance program, claimants on temporary layoff with a return-to-work date, claimants that are currently employed or that no longer reside in Kansas, claimants that are current reemployment services and eligibility assessment participants, claimants that are members of a placement union or claimants that are engaged in a training program"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2110**, **HB 2490**, **HB 2547**, **HB 2568** be passed.

Also, **HB 2510** be amended on page 4, in line 6, by striking "statute book" and inserting "Kansas Register"; and the bill be passed as amended.

HB 2564 be amended on page 2, following line 28, by inserting:

"Sec. 2. K.S.A. 40-221a is hereby amended to read as follows: 40-221a. (a) Credit for reinsurance shall be allowed a domestic ceding insurer as either an asset or a reduction from liability on account of reinsurance ceded only when the reinsurer meets the requirements of paragraph (1), (2), (3), (4), (5), (6) or (7). Credit shall be allowed under paragraph (1), (2) or (3) only as respects cessions of those kinds or classes of business that the assuming insurer is licensed or otherwise permitted to write or assume in its state of domicile or, in the case of a United States branch of an alien assuming insurer, in the state through which it is entered and licensed to transact insurance or reinsurance. Credit shall be allowed only under paragraph (3) or (4) if the applicable requirements of paragraph ~~(7)~~ (8) have been satisfied.

(1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is licensed to transact insurance or reinsurance in this state.

(2) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is accredited by the commissioner as a reinsurer in this state. In order to be eligible for accreditation, an assuming insurer must:

(A) File with the commissioner evidence of the assuming insurer's submission to this state's jurisdiction;

(B) submit to this state's authority to examine the assuming insurer's books and records;

(C) be licensed to transact insurance or reinsurance in at least one state, or in the case of a United States branch of an alien assuming insurer, be entered through and licensed to transact insurance or reinsurance in at least one state;

(D) file annually with the commissioner a copy of the assuming insurer's annual statement filed with the insurance department of the assuming insurer's state of domicile and a copy of the assuming insurer's most recent audited financial statement; and

(E) demonstrate to the satisfaction of the commissioner that it has adequate

financial capacity to meet the assuming insurer's reinsurance obligations and is otherwise qualified to assume reinsurance from domestic insurers. An assuming insurer is deemed to meet this requirement as of the time of the assuming insurer's application if it maintains a surplus as regards policyholders in an amount not less than \$20,000,000 and its accreditation has not been denied by the commissioner within 90 days after submission of its application.

(3) (A) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is domiciled in, or in the case of a United States branch of an alien assuming insurer is entered through, a state that employs standards regarding credit for reinsurance substantially similar to those applicable under this statute and the assuming insurer or United States branch of an alien assuming insurer:

(i) Maintains a surplus as regards policyholders in an amount not less than \$20,000,000; and

(ii) submits to the authority of this state to examine the assuming insurer's books and records.

(B) The requirement of subsection (a)(3)(A)(i) does not apply to reinsurance ceded and assumed pursuant to pooling arrangements among insurers in the same holding company system.

(4) (A) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that maintains a trust fund in a qualified United States financial institution, as defined in subsection (c)(2), for the payment of the valid claims of the assuming insurer's United States ceding insurers, their assigns and successors in interest. To enable the commissioner to determine the sufficiency of the trust fund, the assuming insurer shall report annually to the commissioner information substantially the same as that required to be reported on the national association of insurance commissioners annual statement form by licensed insurers. The assuming insurer shall submit to examination of its books and records by the commissioner and bear the expense of examination;

(B) (i) credit for reinsurance shall not be granted under this subsection unless the form of the trust and any amendments to the trust have been approved by either of the following:

(a) The commissioner of the state where the trust is domiciled; or

(b) the commissioner of another state who, pursuant to the terms of the trust instrument, has accepted principal regulatory oversight of the trust.

(ii) The form of the trust and any trust amendments also shall be filed with the commissioner of every state in which the ceding insurer's beneficiaries of the trust are domiciled. The trust instrument shall provide that contested claims shall be valid and enforceable upon the final order of any court of competent jurisdiction in the United States. The trust shall vest legal title to the trust's assets in its trustees for the benefit of the assuming insurer's United States ceding insurers, their assigns and successors in interest. The trust and the assuming insurer shall be subject to examination as determined by the commissioner.

(iii) The trust shall remain in effect for as long as the assuming insurer has outstanding obligations due under the reinsurance agreements subject to the trust. No later than February 28 of each year, the trustee of the trust shall report to the commissioner in writing the balance of the trust and the listing of the trust's investments at the preceding year-end and shall certify the date of termination of the trust, if so

planned, or certify that the trust will not expire prior to the following December 31.

(C) The following requirements apply to the following categories of the assuming insurer:

(i) The trust fund for a single assuming insurer shall consist of funds in trust in an amount not less than the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers, and, in addition, the assuming insurer shall maintain a trustee surplus of not less than \$20,000,000, except as provided in subsection (a)(4)(C) (ii).

(ii) At any time after the assuming insurer has permanently discontinued underwriting new business secured by the trust for at least three full years, the commissioner with principal regulatory oversight of the trust may authorize a reduction in the required trustee surplus, but only after a finding, based on an assessment of the risk, that the new required surplus level is adequate for the protection of United States ceding insurers, policyholders and claimants in light of reasonably foreseeable adverse loss development. The risk assessment may involve an actuarial review, including an independent analysis of reserves and cash flows, and shall consider all material risk factors, including, when applicable, the lines of business involved, the stability of the incurred loss estimates and the effect of the surplus requirements on the assuming insurer's liquidity or solvency. The minimum required trustee surplus shall not be reduced to an amount less than 30% of the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers covered by the trust;

(iii) (a) in the case of a group including incorporated and individual unincorporated underwriters, all of the following requirements are met:

(1) For reinsurance ceded under reinsurance agreements with an inception, amendment or renewal date on or after January 1, 1993, the trust shall consist of a trustee account in an amount not less than the respective underwriters' several liabilities attributable to business ceded by United States domiciled ceding insurers to any underwriter of the group;

(2) for reinsurance ceded under reinsurance agreements with an inception date on or before December 31, 1992, and not amended or renewed after that date, notwithstanding the other provisions of this act, the trust shall consist of a trustee account in an amount not less than the respective underwriters' several insurance and reinsurance liabilities attributable to business written in the United States; and

(3) in addition to the trusts described in subsections (a)(4)(B)(iii)(a)(1) and (a)(4)(B)(iii)(a)(2), the group shall maintain in trust a trustee surplus of which \$100,000,000 shall be held jointly for the benefit of the United States domiciled ceding insurers of any member of the group for all years of account.

(b) The incorporated members of the group shall not be engaged in any business other than underwriting as a member of the group and shall be subject to the same level of regulation and solvency control by the group's domiciliary regulator as are the unincorporated members of the group; and

(c) within 90 days after its financial statements are due to be filed with the group's domiciliary regulator, the group shall provide to the commissioner an annual certification by the group's domiciliary regulator of the solvency of each underwriter member, or if a certification is unavailable, financial statements prepared by independent public accountants of each underwriter member of the group.

(iv) In the case of a group of incorporated underwriters under common

administration, the group shall meet all of the following requirements:

(a) Have continuously transacted an insurance business outside the United States for at least three years immediately prior to making application for accreditation;

(b) maintain an aggregate policyholders' surplus of at least \$10,000,000,000;

(c) maintain a trust fund in an amount not less than the group's several liabilities attributable to business ceded by United States domiciled ceding insurers to any member of the group pursuant to reinsurance contracts issued in the name of the group;

(d) in addition, maintain a joint trustee surplus of which \$100,000,000 shall be held jointly for the benefit of United States domiciled ceding insurers of any member of the group as additional security for these liabilities; and

(e) within 90 days after the group's financial statements are due to be filed with the group's domiciliary regulator, make available to the commissioner an annual certification of each underwriter member's solvency by the member's domiciliary regulator and financial statements of each underwriter member of the group prepared by its independent public accountant.

(5) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that has been certified by the commissioner as a reinsurer in this state and the reinsurer secures its obligations in accordance with the following requirements:

(A) In order to be eligible for certification, the assuming insurer shall meet all of the following requirements:

(i) Be domiciled and licensed to transact insurance or reinsurance in a qualified jurisdiction, as determined by the commissioner pursuant to subsection (a)(5)(C);

(ii) maintain minimum capital and surplus, or its equivalent, in an amount to be determined by the commissioner pursuant to regulation;

(iii) maintain financial strength ratings from two or more rating agencies deemed acceptable by the commissioner pursuant to regulation;

(iv) agree to submit to the jurisdiction of this state, appoint the commissioner as the assuming insurer's agent for service of process in this state, and agree to provide security for 100% of the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers if the assuming insurer resists enforcement of a final United States judgment;

(v) agree to meet applicable information filing requirements as determined by the commissioner, both with respect to an initial application for certification and on an ongoing basis; and

(vi) satisfy any other requirements for certification deemed relevant by the commissioner.

(B) An association including incorporated and individual unincorporated underwriters may be a certified reinsurer. In order to be eligible for certification, in addition to satisfying the requirements of subsection (a)(5)(A) and all of the following requirements:

(i) The association shall satisfy its minimum capital and surplus requirements through the capital and surplus equivalents, net of liabilities, of the association and its members, that shall include a joint central fund that may be applied to any unsatisfied obligation of the association or any of its members, in an amount determined by the commissioner to provide adequate protection;

(ii) the incorporated members of the association shall not be engaged in any business other than underwriting as a member of the association and shall be subject to

the same level of regulation and solvency control by the association's domiciliary regulator as are the unincorporated members of the association; and

(iii) within 90 days after the association's financial statements are due to be filed with the association's domiciliary regulator, the association shall provide to the commissioner an annual certification by the association's domiciliary regulator of the solvency of each underwriter member. If a certification is unavailable, financial statements prepared by independent public accountants of each underwriter member of the association shall be provided instead.

(C) The commissioner shall create and publish a list of qualified jurisdictions under which an assuming insurer licensed and domiciled in such jurisdiction is eligible to be considered for certification by the commissioner as a certified reinsurer.

(i) In order to determine whether the domiciliary jurisdiction of a non-U.S. assuming insurer is eligible to be recognized as a qualified jurisdiction, the commissioner shall evaluate the appropriateness and effectiveness of the reinsurance supervisory system of the jurisdiction, both initially and on an ongoing basis, and consider the rights, benefits and the extent of reciprocal recognition afforded by the non-U.S. jurisdiction to reinsurers licensed and domiciled in the United States. In order to be recognized as a qualified jurisdiction, a jurisdiction must agree to share information and cooperate with the commissioner with respect to all certified reinsurers domiciled within that jurisdiction. A jurisdiction shall not be recognized as a qualified jurisdiction if the commissioner has determined that the jurisdiction does not adequately and promptly enforce final United States judgments and arbitration awards. Additional factors may be considered in the discretion of the commissioner.

(ii) A list of qualified jurisdictions shall be published through the national association of insurance commissioners' process. The commissioner shall consider this list in determining qualified jurisdictions. If the commissioner recognizes a jurisdiction as qualified that does not appear on the list of qualified jurisdictions, the commissioner shall provide thoroughly documented justification in accordance with criteria to be developed under rules and regulations.

(iii) United States jurisdictions that meet the requirement for accreditation under the national association of insurance commissioners' financial standards and accreditation program shall be recognized as qualified jurisdictions.

(iv) If a certified reinsurer's domiciliary jurisdiction ceases to be a qualified jurisdiction, the commissioner has the discretion to suspend the reinsurer's certification indefinitely, in lieu of revocation.

(D) The commissioner shall assign a rating to each certified reinsurer, giving due consideration to the financial strength ratings that have been assigned by rating agencies deemed acceptable to the commissioner pursuant to rules and regulations. The commissioner shall publish a list of all certified reinsurers and their ratings.

(E) A certified reinsurer shall secure obligations assumed from United States ceding insurers under this subsection at a level consistent with the certified reinsurer's rating, as specified in rules and regulations promulgated by the commissioner.

(i) In order for a domestic ceding insurer to qualify for full financial statement credit for reinsurance ceded to a certified reinsurer, the certified reinsurer shall maintain security in a form acceptable to the commissioner and consistent with the provisions of subsection (b), or in a multi-beneficiary trust in accordance with subsection (a)(4), except as otherwise provided in this subsection.

(ii) If a certified reinsurer maintains a trust to fully secure its obligations subject to subsection (a)(4), and chooses to secure its obligations incurred as a certified reinsurer in the form of a multi-beneficiary trust, the certified reinsurer shall maintain separate trust accounts for its obligations incurred under reinsurance agreements issued or renewed as a certified reinsurer with reduced security as permitted by this subsection or comparable laws of other United States jurisdictions and for its obligations subject to subsection (a)(4). It shall be a condition to the grant of certification under subsection (a)(5) that the certified reinsurer shall have bound itself, by the language of the trust and agreement with the commissioner who has principal regulatory oversight of each such trust account, to fund, upon termination of any such trust account, any deficiency of any other such trust account out of the remaining surplus of the terminated trust account.

(iii) The minimum trusteed surplus requirements provided in subsection (a)(4) are not applicable with respect to a multi-beneficiary trust maintained by a certified reinsurer for the purpose of securing obligations incurred under this subsection, except that such trust shall maintain a minimum trusteed surplus of \$10,000,000.

(iv) With respect to obligations incurred by a certified reinsurer under this subsection, if the security is insufficient, the commissioner shall reduce the allowable credit by an amount proportionate to the deficiency, and the commissioner has the discretion to impose further reductions in allowable credit upon finding there is a material risk that the certified reinsurer's obligations will not be paid in full when due.

(v) For purposes of this subsection, a certified reinsurer whose certification has been terminated for any reason shall be treated as a certified reinsurer required to secure 100% of its obligations.

(a) As used in this paragraph, the term "terminated" includes revocation, suspension, voluntary surrender and inactive status.

(b) If the commissioner continues to assign a higher rating as permitted by other provisions of this subsection, this requirement does not apply to a certified reinsurer in inactive status or to a reinsurer whose certification has been suspended.

(F) If an assuming insurer applying for certification as a reinsurer in this state has been certified as a reinsurer in another jurisdiction accredited by the national association of insurance commissioners, the commissioner has the discretion to defer to that jurisdiction's certification, and has the discretion to defer to the rating assigned by that jurisdiction, and such assuming insurer shall be considered to be a certified reinsurer in this state.

(G) A certified reinsurer that ceases to assume new business in this state may request to maintain the reinsurer's certification in inactive status in order to continue to qualify for a reduction in amount of security required for the reinsurer's in force business. An inactive certified reinsurer shall continue to comply with all applicable requirements of this subsection, and the commissioner shall assign a rating that takes into account, if relevant, the reasons why the reinsurer is not assuming new business.

(6) (A) Credit shall be allowed when the reinsurance is ceded to an assuming insurer meeting each of the conditions set forth below.

(i) The assuming insurer must have its head office or be domiciled in, as applicable, and be licensed in a reciprocal jurisdiction. A "reciprocal jurisdiction" is a jurisdiction that meets one of the following:

(a) A non-U.S. jurisdiction that is subject to an in-force covered agreement with the United States, each within its legal authority, or, in the case of a covered agreement

between the United States and the European Union, is a member state of the European Union. For purposes of this subsection, a "covered agreement" is an agreement entered into pursuant to Dodd-Frank wall street reform and consumer protection act, 31 U.S.C. §§ 313 and 314, that is currently in effect or in a period of provisional application and addresses the elimination, under specified conditions, of collateral requirements as a condition for entering into any reinsurance agreement with a ceding insurer domiciled in this state or for allowing the ceding insurer to recognize credit for reinsurance;

(b) a United States jurisdiction that meets the requirements for accreditation under the national association of insurance commissioners financial standards and accreditation program; or

(c) a qualified jurisdiction, as determined by the commissioner pursuant to subsection (a)(5)(C), that is not otherwise described in subsection (a)(6)(A)(i)(a) or (b) and that meets certain additional requirements, consistent with the terms and conditions of in-force covered agreements, as specified by the commissioner.

(ii) The assuming insurer shall have and maintain, on an ongoing basis, minimum capital and surplus, or its equivalent, calculated according to the methodology of its domiciliary jurisdiction, in an amount to be set forth by the commissioner. If the assuming insurer is an association, including incorporated and individual unincorporated underwriters, it shall have and maintain, on an ongoing basis, minimum capital and surplus equivalents, net of liabilities, calculated according to the methodology applicable in its domiciliary jurisdiction, and a central fund containing a balance in amounts to be set forth by the commissioner.

(iii) The assuming insurer shall have and maintain, on an ongoing basis, a minimum solvency or capital ratio, as applicable, to be set forth by the commissioner. If the assuming insurer is an association, including incorporated and individual unincorporated underwriters, it shall have and maintain, on an ongoing basis, a minimum solvency or capital ratio in the reciprocal jurisdiction where the assuming insurer has its head office or is domiciled, as applicable, and is also licensed.

(iv) The assuming insurer shall agree and provide adequate assurance to the commissioner, in a form specified by the commissioner, as follows:

(a) The assuming insurer shall provide prompt written notice and explanation to the commissioner if it falls below the minimum requirements set forth in subsection (a)(6)(A)(ii) or (iii), or if any regulatory action is taken against the assuming insurer for serious noncompliance with applicable law;

(b) the assuming insurer shall consent in writing to the jurisdiction of the courts of this state and to the appointment of the commissioner as the assuming insurer's agent for service of process. The commissioner may require that consent for service of process be provided to the commissioner and included in each reinsurance agreement. Nothing in this provision shall limit, or in any way alter, the capacity of parties to a reinsurance agreement to agree to alternative dispute resolution mechanisms, except to the extent such agreements are unenforceable under applicable insolvency or delinquency laws;

(c) the assuming insurer shall consent in writing to pay all final judgments, wherever enforcement is sought, obtained by a ceding insurer or its legal successor, that have been declared enforceable in the jurisdiction where the judgment was obtained;

(d) each reinsurance agreement shall include a provision requiring the assuming insurer to provide security in an amount equal to 100% of the assuming insurer's

liabilities attributable to reinsurance ceded pursuant to that agreement if the assuming insurer resists enforcement of a final judgment that is enforceable under the law of the jurisdiction in which it was obtained or a properly enforceable arbitration award, whether obtained by the ceding insurer or by its legal successor on behalf of its resolution estate; and

(e) the assuming insurer shall confirm that it is not presently participating in any solvent scheme of arrangement that involves this state's ceding insurers, agree to notify the ceding insurer and the commissioner and to provide security in an amount equal to 100% of the assuming insurer's liabilities to the ceding insurer, should the assuming insurer enter into such a solvent scheme of arrangement. Such security shall be in a form consistent with the provisions of subsections (a)(5) and (b) and as specified by the commissioner.

(v) The assuming insurer or its legal successor shall provide, if requested by the commissioner, on behalf of itself and any legal predecessors, certain documentation to the commissioner, as specified by the commissioner.

(vi) The assuming insurer shall maintain a practice of prompt payment of claims under reinsurance agreements.

(vii) The assuming insurer's supervisory authority must confirm to the commissioner on an annual basis, as of the preceding December 31 or at the annual date otherwise statutorily reported to the reciprocal jurisdiction, that the assuming insurer complies with the requirements set forth in subsection (a)(6)(A)(ii) or (iii).

(viii) Nothing in this provision precludes an assuming insurer from providing the commissioner with information on a voluntary basis.

(B) The commissioner shall timely create and publish a list of reciprocal jurisdictions.

(i) A list of reciprocal jurisdictions is published through the national association of insurance commissioners committee process. The commissioner's list shall include any reciprocal jurisdiction, as defined under subsections (a)(6)(A)(i)(a) and (b), and shall consider any other reciprocal jurisdiction included on the national association of insurance commissioners list. The commissioner may approve a jurisdiction that does not appear on the national association of insurance commissioners list of reciprocal jurisdictions in accordance with criteria to be developed by the commissioner.

(ii) The commissioner may remove a jurisdiction from the list of reciprocal jurisdictions upon a determination that the jurisdiction no longer meets the requirements of a reciprocal jurisdiction, in accordance with a process set forth by the commissioner, except that the commissioner shall not remove from the list a reciprocal jurisdiction, as defined under subsections (a)(6)(A)(i)(a) and (b). Upon removal of a reciprocal jurisdiction from this list, credit for reinsurance ceded to an assuming insurer that has its home office or is domiciled in that jurisdiction shall be allowed, if otherwise allowed pursuant to this section.

(C) The commissioner shall timely create and publish a list of assuming insurers that have satisfied the conditions set forth in this subsection and to which cessions shall be granted credit in accordance with this subsection. The commissioner may add an assuming insurer to such list if a national association of insurance commissioners accredited jurisdiction has added such assuming insurer to a list of such assuming insurers or if, upon initial eligibility, the assuming insurer submits the information to the commissioner as required under subsection (a)(6)(A)(iv) and complies with any

additional requirements that the commissioner may impose, except to the extent that they conflict with an applicable covered agreement.

(D) If the commissioner determines that an assuming insurer no longer meets one or more of the requirements under this subsection, the commissioner may revoke or suspend the eligibility of the assuming insurer for recognition under this subsection.

(i) While an assuming insurer's eligibility is suspended, no reinsurance agreement issued, amended or renewed after the effective date of the suspension qualifies for credit except to the extent that the assuming insurer's obligations under the contract are secured in accordance with subsection (b).

(ii) If an assuming insurer's eligibility is revoked, no credit for reinsurance may be granted after the effective date of the revocation with respect to any reinsurance agreements entered into by the assuming insurer, including reinsurance agreements entered into prior to the date of revocation, except to the extent that the assuming insurer's obligations under the contract are secured in a form acceptable to the commissioner and consistent with the provisions of subsection (b).

(E) If subject to a legal process of rehabilitation, liquidation or conservation, as applicable, the ceding insurer, or its representative, may seek and, if determined appropriate by the court in which the proceedings are pending, may obtain an order requiring that the assuming insurer post security for all outstanding ceded liabilities.

(F) Nothing in this subsection shall limit or in any way alter the capacity of parties to a reinsurance agreement to agree on requirements for security or other terms in that reinsurance agreement, except as expressly prohibited by this section or other applicable law or regulation.

(G) Credit may be taken under this subsection only for reinsurance agreements entered into, amended or renewed on or after July 1, 2021, and only with respect to losses incurred and reserves reported on or after the later of the date on which the assuming insurer has met all eligibility requirements pursuant to subsection (a)(6)(A), or the effective date of the new reinsurance agreement, amendment or renewal.

(H) This paragraph does not alter or impair a ceding insurer's right to take credit for reinsurance, to the extent that credit is not available under this subsection, as long as the reinsurance qualifies for credit under any other applicable provision of this section.

(I) Nothing in this subsection shall:

(i) Authorize an assuming insurer to withdraw or reduce the security provided under any reinsurance agreement except as permitted by the terms of the agreement; or

(ii) limit, or in any way alter, the capacity of parties to any reinsurance agreement to renegotiate the agreement.

(7) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that does not meet the requirements of subsections (a)(1) through (a)(6), but only as to the insurance of risks located in jurisdictions where the reinsurance is required by applicable law or regulation of that jurisdiction.

(8) If the assuming insurer is not licensed, accredited or certified to transact insurance or reinsurance in this state, the credit permitted by subsections (a)(3) and (a)(4) of this section shall not be allowed, unless the assuming insurer agrees in the reinsurance agreement to do all of the following:

(A) (i) In the event of the failure of the assuming insurer to perform its obligations under the terms of the reinsurance agreement, the assuming insurer, at the request of the ceding insurer, will: Submit to the jurisdiction of any court of competent jurisdiction in

any state of the United States; comply with all requirements necessary to give the court jurisdiction; and abide by the final decision of the court or of any appellate court in the event of an appeal; and

(ii) the assuming insurer will designate the commissioner or a designated attorney as its true and lawful attorney to receive lawful process in any action, suit or proceeding instituted by or on behalf of the ceding insurer.

(B) This subsection is not intended to conflict with or override the obligation of the parties to a reinsurance agreement to arbitrate their disputes, if the obligation is created in the agreement.

(9) If the assuming insurer does not meet the requirements of subsection (a)(1), (a)(2), (a)(3) or (a)(6), the credit permitted by subsection (a)(4) or (a)(5) shall not be allowed unless the assuming insurer agrees in a trust agreement to the following conditions:

(A) Notwithstanding any other provisions in the trust instrument, if the trust fund is inadequate because the trust fund contains an amount less than the amount required by subsection (a)(4)(C), or if the grantor of the trust has been declared insolvent or has been placed into receivership, rehabilitation, liquidation or similar proceedings under the laws of the trust's state or country of domicile, the trustee shall comply with an order of the commissioner with regulatory oversight over the trust or with an order of a court of competent jurisdiction directing the trustee to transfer all of the assets of the trust fund to the commissioner with regulatory oversight over the trust.

(B) The assets shall be distributed and claims shall be filed with and valued by the commissioner with regulatory oversight in accordance with the laws of the state in which the trust is domiciled that are applicable to the liquidation of domestic insurance companies.

(C) If the commissioner with regulatory oversight over the trust determines that the assets of the trust fund or any part of the trust fund are not necessary to satisfy the claims of the United States ceding insurers of the grantor of the trust, the assets of the trust or part of those assets shall be returned by the commissioner with regulatory oversight over the trust to the trustee for distribution in accordance with the trust agreement.

(D) The grantor shall waive any right otherwise available to it under United States law that is inconsistent with the provisions of this subsection.

(10) Credit for reinsurance ceded to a certified reinsurer is limited to reinsurance contracts entered or renewed on or after the effective date of the certification of the assuming insurer by the commissioner.

(11) If an accredited or certified reinsurer ceases to meet the requirements of this section for accreditation or certification, the commissioner may suspend or revoke the reinsurer's accreditation or certification.

(A) The commissioner shall give the reinsurer notice and opportunity for a hearing prior to such suspension or revocation. The suspension or revocation shall not take effect until after the commissioner's order on hearing, unless one of the following applies:

(i) The reinsurer waives its right to a hearing;

(ii) the commissioner's order is based on regulatory action by the reinsurer's domiciliary jurisdiction or by the voluntary surrender or termination of the reinsurer's eligibility to transact insurance or reinsurance business in its domiciliary jurisdiction or

in the primary certifying state of the reinsurer under subsection (a)(5)(F); or

(iii) the commissioner finds that an emergency requires immediate action and a court of competent jurisdiction has not stayed the commissioner's action.

(B) While a reinsurer's accreditation or certification is suspended, a reinsurance contract issued or renewed after the effective date of the suspension does not qualify for credit, except to the extent that the reinsurer's obligations under the reinsurance contract are secured in accordance with subsection (b). If a reinsurer's accreditation or certification is revoked, credit for reinsurance shall not be granted after the effective date of the revocation, except to the extent that the reinsurer's obligations under the contract are secured in accordance with subsection (a)(5)(A) or (a)(5)(B).

(12) (A) A domestic ceding insurer shall take steps to manage its reinsurance recoverables proportionate to its own book of business. A domestic ceding insurer shall notify the commissioner within 30 days after reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, exceeds 50% of the domestic ceding insurer's last reported surplus to policyholders, or after it is determined that reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

(B) A domestic ceding insurer shall take steps to diversify its reinsurance program. A domestic ceding insurer shall notify the commissioner within 30 days after ceding to any single assuming insurer, or group of affiliated assuming insurers, more than 20% of the ceding insurer's gross written premium in the prior calendar year, or after the domestic ceding insurer has determined that the reinsurance ceded to any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

(b) An asset or a reduction from liability for the reinsurance ceded by a domestic insurer to an assuming insurer not meeting the requirements of subsection (a) shall be allowed in an amount not exceeding the liabilities carried by the ceding insurer. The reduction shall be in the amount of funds held by or on behalf of the ceding insurer, including funds held in trust for the ceding insurer, under a reinsurance contract with the assuming insurer as security for the payment of obligations under the contract, if the security is held in the United States subject to withdrawal solely by, and under the exclusive control of, the ceding insurer; or, in the case of a trust, held in a qualified United States financial institution, as defined in subsection (c)(2). The security may be in the form of any of the following:

(1) Cash;

(2) a security listed by the securities valuation office of the national association of insurance commissioners, including those securities deemed exempt from filing, as defined by the purposes and procedures manual of the national association of insurance commissioners investment analysis office, and qualifying as admitted assets;

(3) (A) clean, irrevocable, unconditional letters of credit, issued or confirmed by a qualified United States financial institution, as defined in subsection (c)(1), effective no later than December 31 of the year for which the filing is being made, and in the possession of, or in trust for, the ceding insurer on or before the filing date of the ceding insurer's annual statement; or

(B) a letter of credit meeting applicable standards of issuer acceptability as of the

date of the letter of credit's issuance, or confirmation, shall, notwithstanding the issuing or confirming, institution's subsequent failure to meet applicable standards of issuer acceptability, continue to be acceptable as security until their expiration, extension, renewal, modification or amendment, whichever first occurs; or

(4) any other form of security acceptable to the commissioner.

(c) (1) For purposes of subsection (b)(3), a "qualified United States financial institution" means an institution that meets all of the following requirements:

(A) Is organized or, in the case of a United States office of a foreign banking organization, licensed under the laws of the United States or any state thereof;

(B) is regulated, supervised and examined by United States federal or state authorities having regulatory authority over banks and trust companies; and

(C) has been determined by either the commissioner or the securities valuation office of the national association of insurance commissioners to meet the standards of financial condition and standing as are considered necessary and appropriate to regulate the quality of financial institutions whose letters of credit will be acceptable to the commissioner.

(2) For purposes of those provisions of this law specifying those institutions that are eligible to act as a fiduciary of a trust, a "qualified United States financial institution" means an institution that meets all of the following requirements:

(i) Is organized, or in the case of a United States branch or agency office of a foreign banking organization, is licensed under the laws of the United States or any state of the United States and has been granted authority to operate with fiduciary powers; and

(ii) is regulated, supervised and examined by federal or state authorities having regulatory authority over banks and trust companies.

(d) The commissioner is hereby authorized to adopt any rules and regulations necessary to implement the provisions of this law.";

Also on page 2, in line 29, after "K.S.A." by inserting "40-221a and"; also in line 29, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "to" by inserting "the regulation thereof; pertaining to credit for reinsurance;"; in line 2, after "updating" by inserting "requirements for when credit for reinsurance may be granted to an assuming insurer that is not licensed, accredited or certified to transact insurance or reinsurance in this state; updating"; also in line 2, after "K.S.A." by inserting "40-221a and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2608** be passed.

Also, **HB 2516** be amended on page 1, by striking all in lines 11 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 14; in line 21, by striking all after the stricken material; by striking all in line 22; in line 23, by striking "thereto," and inserting "summary of the offender's criminal history prepared for the court by the state";

On page 5, in line 21, by striking "21-6813,"; and by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "the"; by striking all in line 3; in line 4, by striking all before "an"; in line 7, by striking "21-6813,"; and the bill be passed as amended.

HB 2537, HB 2574, HB 2607 be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Public Health and Welfare** recommends **SB 155** be passed.

Also, **SB 489** be amended on page 3, in line 21, by striking "issue an order requiring" and inserting "recommend"; in line 28, by striking "order" and inserting "recommend"; in line 35, by striking "require" and inserting "recommend"; in line 41, by striking "require" and inserting "recommend"; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SR 1732 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 16, 2022.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, March 17, 2022.

Journal of the Senate

FORTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 17, 2022, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 38 senators present.
Senators Doll and O'Shea were excused.
Invocation by Reverend Cecil T. Washington:

St. Patrick's Day: Let The Sacred Remain Sacred
Matthew 28:19, 2 Corinthians 13:14, 1 Corinthians 13:13

Heavenly Father, in several parts of the world this day is recognized as St. Patrick's Day. And Lord, it's acknowledged by many as a sacred, religious holiday. But as the case usually is, like with Easter and Christmas, the focus gradually becomes less sacred and more secular.

Lord, when I searched for the religious viewpoint I found that St. Patrick, a Catholic Priest, used a three-leaf clover called a shamrock as a visual aid in his religious teaching. It was from Your Word, in Matthew 28:19 and again in 2 Corinthians 13:14, that St. Patrick understood the Holy Trinity, the trinity of Your being, that in essence You are one God yet in three persons.

He then used a three-leaf clover, called a shamrock, as his visual aid. One clover but three leaves, each leaf separately representing the Father, the Son and the Holy Spirit. And Lord, also in keeping with a sacred theme it is said that the three leaves symbolize the three enduring spiritual gifts of 1 Corinthians 13:13, faith, hope and love. And Lord, when there's a four-leaf clover the fourth is said to remind us of blessings from Your Hand which some chose to call good luck.

Unlike the world, Lord, help us keep holy the things that are sacred. I come to You in the Holy Name of Jesus the Christ. 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 570, AN ACT concerning the secretary of state; relating to biennial filing of business entity reports, associated fees and filing requirements effective January 1, 2023, enacted by 2021 House Bill No. 2391; changing the effective date of such provisions from January 1, 2023, to January 1, 2024; amending K.S.A. 17-1513, 17-1618, 17-2037, 17-4677, 17-5902, 17-7509, 17-7511, 53-601, 56-1a605 and 75-446 and K.S.A. 2021 Supp. 17-2036, 17-2718, 17-4634, 17-6014, 17-7002, 17-7503, 17-7504,

17-7505, 17-7506, 17-7510, 17-7512, 17-76,136, 17-76,139, 17-76,146, 17-76,147, 17-7903, 17-7904, 17-7905, 17-7906, 17-7910, 17-7936, 56-1a606, 56-1a607, 56a-1201 and 56a-1202 and repealing the existing sections; reviving K.S.A. 2021 Supp. 17-7507; also repealing K.S.A. 17-1513, as amended by section 2 of chapter 61 of the 2021 Session Laws of Kansas, 17-1618, as amended by section 3 of chapter 61 of the 2021 Session Laws of Kansas, 17-2037, as amended by section 5 of chapter 61 of the 2021 Session Laws of Kansas, 17-4677, as amended by section 9 of chapter 61 of the 2021 Session Laws of Kansas, 17-5902, as amended by section 10 of chapter 61 of the 2021 Session Laws of Kansas, 17-7509, as amended by section 18 of chapter 61 of the 2021 Session Laws of Kansas, 17-7511, as amended by section 20 of chapter 61 of the 2021 Session Laws of Kansas, 53-601, as amended by section 38 of chapter 61 of the 2021 Session Laws of Kansas, 56-1a605, as amended by section 40 of chapter 61 of the 2021 Session Laws of Kansas, and 75-446, as amended by section 51 of chapter 61 of the 2021 Session Laws of Kansas, and K.S.A. 2020 Supp. 17-2036, as amended by section 4 of chapter 61 of the 2021 Session Laws of Kansas, 17-2718, as amended by section 7 of chapter 61 of the 2021 Session Laws of Kansas, 17-4634, as amended by section 8 of chapter 61 of the Session Laws of Kansas, 17-6014, as amended by section 12 of chapter 61 of the 2021 Session Laws of Kansas, 17-7002, as amended by section 13 of chapter 61 of the 2021 Session Laws of Kansas, 17-7503, as amended by section 14 of chapter 61 of the 2021 Session Laws of Kansas, 17-7504, as amended by section 15 of chapter 61 of the 2021 Session Laws of Kansas, 17-7505, as amended by section 16 of chapter 61 of the 2021 Session Laws of Kansas, 17-7506, as amended by section 17 of chapter 61 of the 2021 Session Laws of Kansas, 17-7510, as amended by section 19 of chapter 61 of the 2021 Session Laws of Kansas, 17-7512, as amended by section 21 of chapter 61 of the 2021 Session Laws of Kansas, 17-76,136, as amended by section 22 of chapter 61 of the 2021 Session Laws of Kansas, 17-76,139, as amended by section 23 of chapter 61 of the 2021 Session Laws of Kansas, 17-76,146, as amended by section 24 of chapter 61 of the 2021 Session Laws of Kansas, 17-76,147, as amended by section 25 of chapter 61 of the 2021 Session Laws of Kansas, 17-7903, as amended by section 27 of chapter 61 of the 2021 Session Laws of Kansas, 17-7904, as amended by section 28 of chapter 61 of the 2021 Session Laws of Kansas, 17-7905, as amended by section 29 of chapter 61 of the 2021 Session Laws of Kansas, 17-7906, as amended by section 30 of chapter 61 of the 2021 Session Laws of Kansas, 17-7910, as amended by section 32 of chapter 61 of the 2021 Session Laws of Kansas, 17-7936, as amended by section 33 of chapter 61 of the 2021 Session Laws of Kansas, 56-1a606, as amended by section 41 of chapter 61 of the 2021 Session Laws of Kansas, 56-1a607, as amended by section 42 of chapter 61 of the 2021 Session Laws of Kansas, 56a-1201, as amended by section 45 of chapter 61 of the 2021 Session Laws of Kansas, and 56a-1202, as amended by section 46 of chapter 61 of the 2021 Session Laws of Kansas, and K.S.A. 2021 Supp. 17-7507, as revived by section 15 of this act, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Judiciary: **HB 2582, HB 2674.**

Local Government: **HB 2676.**

Ways and Means: **SB 569; HB 2541.**
 Committee of the Whole: **HCR 5032.**

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 390, AN ACT concerning elections; relating to handling of ballots by election workers; requiring the secretary of state and county election officers to develop an affidavit to be signed by such workers listing certain information, was considered on final action.

On roll call, the vote was: Yeas 27; Nays 10; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Present and Passing: Faust-Goudeau.

Absent or Not Voting: Doll, O'Shea.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Vice President: I vote "NO" on **Senate Bill 390**. County election officers have chain-of-custody systems; the Secretary of State has offered to make recommendations for a uniform chain-of-custody system to be used for all elections in the state. Instead of passing this bill we should take the Secretary up on that offer. The wording in this bill adds unnecessary complexity. Although it is to apply to all ballots, it does not ask for a count of ballot envelopes collected from a drop box. And because the wording does not distinguish between the handling of batches of ballots and handling individual ballots it seems to require an affidavit each time a ballot is transferred. If I go to the election office to vote in advance and spoil my first ballot, does the clerk need to sign an affidavit including my name as the person from whom that spoiled ballot was received? Let's make sure that the affidavits are available to the public, not sealed, and let's not implement a system that might require more affidavits to be signed than votes cast.—

MARCI FRANCISCO

Sub SB 563, AN ACT concerning reapportionment; relating to state senatorial districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-4,451, 4-4,453 and 4-4,494, was considered on final action.

On roll call, the vote was: Yeas 28; Nays 8; Present and Passing 2; Absent or Not Voting 2.

Yeas: Alley, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Ryckman, Steffen, Suellentrop, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Corson, Francisco, Holland, Pyle, Straub, Sykes, Tyson.

Present and Passing: Haley, Holscher.

Absent or Not Voting: Doll, O'Shea.

The substitute bill passed.

EXPLANATION OF VOTE

Mr. Vice President: I vote "NO" on **Senate Substitute for SB 563**. The committee process for redistricting did not provide adequate notice for comments from other legislators and, more importantly, the public. Comments made during the August listening tour seem to have been ignored, including those from my Douglas County Clerk about the difficulties created when voting districts are split. The Liberty Map Three described in this bill does not adhere to many of the guidelines set by the committee and it does split two townships and a total of 24 voting districts. In contrast, the Eisenhower Map, offered as an amendment, does not split any voting districts. Even though all the testimony at the hearing on this bill was in opposition to the Liberty map, no changes were made in response to that testimony and the bill was worked and voted out of committee the same day as the hearing. It takes several days for an amendment on the maps to be reviewed, so putting this bill on General Orders the day after that meeting meant there wasn't time for me to get an amendment to address my concerns over the splits. We can, and should, do better.—MARCI FRANCISCO

Senator Holland requests the record to show he concurs with the "Explanation of Vote" offered by Senator Francisco on **Sub SB 563**.

Mr. Vice President: I vote "NO" on **Sub SB 563**. The Liberty Three Kansas state senate redistricting map, if enacted, would separate the communities of interest (Tonganoxie, east and south Lawrence, Eudora and Baldwin City) currently contained within the boundaries of the existing KS State Third Senate District. Current boundaries were established by a federal district court on June 7, 2012 following the inability of the Kansas legislature to enact U.S. congressional, state senate and state house districts. During General Orders on March 16, 2022, I offered an alternative senate redistricting map (Free State 5) for consideration. Bill language and maps defining the amendment can respectively be found at:

1. [fa_2022_sb563_s_3724](https://kslegislature.org/fa_2022_sb563_s_3724) (kslegislature.org)
2. [map_fa_freestate5_3724](https://kslegislature.org/map_fa_freestate5_3724) (kslegislature.org)

There were several problems with the redistricting process as conducted by the Kansas Senate Redistricting Committee including logistical inability of legislators not assigned to the committee to prepare both bills and floor amendments for debate. The proposed 9th District is less compact as assessed by all 10 measures of compactness. The proposed 19th District boundaries attempt to establish a community of interest between east Topeka (urban) and north Lawrence (suburban); such a community does not exist.—TOM HOLLAND

Mr. Vice President: I vote "YES" on **Sub SB 563**. The opportunity to represent the great people of a now expanded District 34 is an incredible honor. To gain southern Kingman County and its Chikaskia River, Lumber Yard Restaurant and Outfitter Extraordinaire and Bill Suenram among others is so exciting. The hidden gem of Kansas and my new county is Barber County. With its deep canyons and lush grass, Barber County is straight out of a Clint Eastwood western. Medicine Lodge, the County Seat, is as fine a community as Kansas knows. A history steeped in Native American lore, oil and gas and agriculture, it is home to many friends and business acquaintances

from my college days at nearby Northwestern to my current foray in the oilfield. Mark and Tina Buck, Nicholas Water Service and Mid-West Oilfield Services are a sampling of the great folks that make Medicine Lodge and Barber County home. For the second time in thirty-six years, I have out-kicked my coverage.—Mark Steffen

HB 2478, AN ACT concerning roads and highways; designating a portion of United States highway 166 as the SGT Evan S Parker memorial highway; designating a portion of U.S. highway 56 as the PFC Shane Austin memorial highway, 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, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Doll, O'Shea.

The bill passed, as amended.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2528**, **HB 2712**.

Announcing passage of **SB 335**, **SB 392**; **Sub SB 400**.

Announcing passage of **SB 348**, as amended; **SB 408**, as amended; **SB 366**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2528, **HB 2712** 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.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Hilderbrand the Senate nonconcurred in the House amendments to **SB 348** and requested a conference committee be appointed.

The Vice President appointed Senators Hilderbrand, Gossage 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 **SB 366** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Haley as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 408** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Haley 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 Dietrich in the chair.

On motion of Senator Dietrich the following report was adopted:

HB 2508 be amended by motion of Senator Warren; on page 1, in line 35, after "(d)" by inserting "(1)";

On page 2, following line 8, by inserting: "(2) Any intentional disclosure of such information in violation of this section is a class A nonperson misdemeanor." amended; and the bill be passed as amended.

HB 2540 be amended by motion of Senator Olson; on page 1, in line 28, by striking "Kansas register" and inserting "statute book"; and the bill be passed as amended.

SB 529 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 529**; **HB 2508**, **HB 2540** were advanced to Final Action and roll call.

SB 529, AN ACT concerning nondriver's identification cards; providing for the electronic renewal thereof; amending K.S.A. 2021 Supp. 8-1324 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, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Doll, O'Shea.

The bill passed, as amended.

HB 2508, AN ACT concerning criminal history record information; requiring the retention of fingerprint information; participation in the rap back program; limiting access to fingerprints and records relating to fingerprints.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Doll, O'Shea.

The bill passed, as amended.

HB 2540, AN ACT authorizing the construction of a permanent memorial honoring Kansas gold star families on the state capitol grounds; establishing the Kansas gold star families memorial fund.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not

Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Doll, O'Shea.

The bill passed, as amended.

CHANGE OF REFERENCE

An objection having been made to **HB 2537, HB 2607** appearing on the Consent Calendar, the President directed the bill be removed and placed on the calendar under the heading of General Orders.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **Substitute for HB 2466** be amended on page 1, in line 34, by striking "high" and inserting "secondary";

On page 2, in line 9, by striking "high" and inserting "secondary"; in line 15, by striking "high" and inserting "secondary";

On page 1, in the title, in line 3, by striking "high" and inserting "secondary"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2489**, as amended by House Committee, be amended on page 2, in line 30, after "of" by inserting "the";

On page 4, in line 9, after "(12)" by inserting "'out-of-state bank" means a national or state bank, savings and loan association or savings bank not incorporated under the laws of Kansas;

(13) "out-of-state financial institution" means an out-of-state bank or an out-of-state trust company;

(14) "out-of-state trust company" means a national or state trust company not incorporated under the laws of Kansas;

(15)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 5, in line 40, after "(b)" by inserting "(1)"; also in line 40, after "No" by inserting "Kansas-chartered state"; also in line 40, after the comma by inserting "Kansas-chartered state"; following line 42, by inserting:

"(2) Except as otherwise provided by this subsection, any trust company whose application has been approved in accordance with this section and any out-of-state trust company engaging in fidfin transactions in this state shall be considered a fiduciary financial institution for the purposes of this act, shall have all rights and powers granted to a fiduciary financial institution under this act and shall owe all duties and obligations imposed on fiduciary financial institutions under this act, including, but not limited to, the fiduciary duties imposed under K.S.A. 2021 Supp. 9-2311 and 9-2313, and amendments thereto, and the requirements of K.S.A. 2021 Supp. 9-2302(c)(5) and (6), and amendments thereto.

(3) Any bank whose application has been approved in accordance with this section

and any out-of-state bank that engages in fidfin transactions in this state shall have a separate department for handling fidfin transactions. Except as otherwise provided by this subsection, such separate department shall be considered a fiduciary financial institution for the purposes of this act, shall have all rights and powers granted to a fiduciary financial institution under this act and shall owe all duties and obligations imposed on fiduciary financial institutions under this act, including, but not limited to, the fiduciary duties imposed under K.S.A. 2021 Supp. 9-2311 and 9-2313, and amendments thereto, and the requirements of K.S.A. 2021 Supp. 9-2302(c)(5) and (6), and amendments thereto.

(4) Notwithstanding the provisions of paragraphs (2) and (3):

(A) A bank or trust company whose application has been approved in accordance with this section or an out-of-state financial institution that engages in fidfin transactions in this state shall not be subject to the provisions of K.S.A. 2021 Supp. 9-2305, 9-2306 or 9-2308, and amendments thereto; and

(B) the commissioner shall not examine or require applications, reports or other filings from an out-of-state financial institution that is subject to oversight of such financial institution's fidfin transactions by a governmental agency of the jurisdiction that chartered the out-of-state financial institution.";

On page 11, following line 14, by inserting:

"Sec. 4. K.S.A. 2021 Supp. 9-2304 is hereby amended to read as follows: 9-2304.

(a) To the extent a conflict does not exist between this act and chapter 9 of the Kansas Statutes Annotated, and amendments thereto, except as provided in subsections (b), (c) and (e), the provisions of chapter 9 of the Kansas Statutes Annotated, and amendments thereto, shall apply to a fiduciary financial institution in the same manner as it applies to a trust company except that references in chapter 9 of the Kansas Statutes Annotated, and amendments thereto, to:

- (1) "Capital stock" includes membership capital and partner capital;
- (2) "stock" includes membership units and partnership interests;
- (3) "common stock" includes common units and common interests;
- (4) "preferred stock" includes preferred units and preferred interests;
- (5) "stockholders" includes members and partners;
- (6) "articles of incorporation" includes articles of organization and articles of limited partnership;
- (7) "incorporation" includes organization;
- (8) "corporation" includes company and partnership;
- (9) "corporate" includes company and partnership;
- (10) "trust business" and "business of a trust company" includes fidfin and fiduciary financial institution business; and
- (11) K.S.A. 9-901a(a), and amendments thereto, means K.S.A. 2021 Supp. 9-2305, and amendments thereto.

(b) For a Kansas-chartered state trust company that receives authority to engage in fidfin transactions under K.S.A. 2021 Supp. 9-2302(b), and amendments thereto, the provisions of subsection (a) shall not apply, however, references in chapter 9 of the Kansas Statutes Annotated, and amendments thereto, to "trust business" and "business of a trust company" include fidfin and fiduciary financial institution business.

(c) For a Kansas-chartered state bank that receives authority to engage in fidfin transactions under K.S.A. 2021 Supp. 9-2302(b), and amendments thereto, the

provisions of subsection (a) shall not apply, however, the provisions of chapter 9 of the Kansas Statutes Annotated, and amendments thereto, shall apply in the same manner as they would apply to a trust department of such bank, except that references in chapter 9 of the Kansas Statutes Annotated, and amendments thereto, to "trust business" and "business of a trust company" include fidfin and fiduciary financial institution business.

(d) (1) Except as provided in paragraph (2), if any conflict exists between any provisions of chapter 9 of the Kansas Statutes Annotated, and amendments thereto, and this act, the provisions of this act shall control.

(2) If the fiduciary financial institution is a bank department or trust company that received authority to engage in fidfin transactions under K.S.A. 2021 Supp. 9-2302(b), and amendments thereto, the provisions of this act shall only control with regard to fidfin transactions as authorized under K.S.A. 2021 Supp. 9-2302(b), and amendments thereto.

(e) The provisions of this section shall not apply to an out-of-state financial institution.";

On page 22, in line 29, before "9-2306" by inserting "9-2304,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, before "fees" by inserting "out-of-state financial institutions; imposing certain fiduciary duties and charitable distribution requirements on financial institutions engaging in fiduciary financial institution business; requiring banks to conduct fidfin transactions through a separate department; exempting financial institutions from certain provisions of the technology-enabled fiduciary financial institutions act; establishing"; in line 7, before "9-2306" by inserting "9-2304,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2517**, As Amended by House Committee, be amended on page 6, in line 36, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 460** be passed.

Also, **HB 2386**, as amended by House Committee, be amended on page 5, in line 30, after the semicolon by inserting "and"; in line 33, by striking all after "method"; by striking all in line 34; in line 35, by striking all before the period; and the bill be passed as amended.

Committee on **Transparency and Ethics** recommends **SB 485** be amended on page 1, in line 31, after "services" by inserting "when such expenses are incurred as a result of the candidate's candidacy for office or holding office and are directly related to or have an effect on the candidate's campaign activities or duties as an office holder";

On page 2, in line 6, by striking "18" and inserting "13"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2458** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2458," as follows:

"Senate Substitute for HOUSE BILL No. 2458

By Committee on Transportation

"AN ACT concerning driver's licenses; relating to vision requirements; limiting the liability of optometrists and ophthalmologists who provide information to the division of vehicles; amending K.S.A. 8-295 and repealing the existing section.";

And the substitute bill be passed.

Also, **HB 2476** be amended on page 2, following line 31, by inserting:

"New Sec. 3. (a) On and after January 1, 2023, any owner or lessee of one or more passenger vehicles, motorcycles 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 a Kansas department of wildlife and parks license plate established pursuant to this section for each such passenger vehicle, motorcycle or truck. Such license plate 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 the payment to the county treasurer of the wildlife and parks license plate royalty payment established pursuant to this section.

(b) Any applicant or renewal for a Kansas department of wildlife and parks license plate authorized by this section shall make an annual payment of a wildlife and parks license plate royalty payment of an amount determined by the secretary of the Kansas department of wildlife and parks of not less than \$40 nor more than \$100. Payment of such wildlife and parks license plate royalty payment shall be made to the county treasurer for each such license plate to be issued.

(c) Subject to the approval of the director of vehicles, the Kansas department of wildlife and parks is authorized to establish four new distinctive license plates. Each such plate shall be subject to the provisions of K.S.A. 8-1,141, and amendments thereto. The plates are intended to depict and promote the following:

- (1) State parks;
- (2) hunting;
- (3) fishing; and
- (4) nongame wildlife.

(d) Any person may make an application for a license plate authorized by this section 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, and any applicant for such license plate shall pay to the county treasurer the wildlife and parks license plate royalty payment. Application for registration of a passenger vehicle, motorcycle or truck and 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.

(e) No registration or license plate issued under this section shall be transferable to any other person.

(f) The director of vehicles may transfer a Kansas department of wildlife and parks license plate from a leased vehicle to a purchased vehicle.

(g) Renewals of registration under this section shall be made annually, upon payment of the regular license fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer the payment of the wildlife and parks license plate royalty payment. If such annual wildlife and parks license plate royalty payment is not made 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.

(h) As a condition of receiving the Kansas department of wildlife and parks 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, royalty payment amount, plate

number and vehicle type, to the Kansas department of wildlife and parks and the state treasurer.

(i) Annual wildlife and parks license plate royalty payments collected by county treasurers under this section 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. Of each deposit, amounts shall be credited as follows:

(1) For license plates issued pursuant to subsection (c)(1), the entire annual wildlife and parks license plate royalty payment shall be credited to the parks fee fund created by K.S.A. 32-991, and amendments thereto; and

(2) for license plates issued pursuant to subsections (c)(2), (3) and (4):

(A) An amount equal to the current cost of an annual park and recreation motor vehicle permit that is established according to K.S.A. 8-134, and amendments thereto, shall be credited to the parks fee fund created by K.S.A. 32-991, and amendments thereto; and

(B) the balance remaining after crediting pursuant to subparagraph (A) shall be credited to the wildlife fee fund created by K.S.A. 32-990, and amendments thereto.";

On page 4, following line 31, by inserting:

"Sec. 6. K.S.A. 32-901 is hereby amended to read as follows: 32-901. (a) (1) Except as otherwise provided by law or rules and regulations of the secretary, a valid park and recreation motor vehicle permit is required to use a motor vehicle in any state park, or any portion thereof, or in any other area designated by the secretary pursuant to subsection (f), which is posted in accordance with subsection (g).

(2) A motor vehicle issued a license plate pursuant to section 3, and amendments thereto, shall constitute a permit allowing the driver of the motor vehicle the rights and obligations to enter a state park as if the driver were an annual permit holder established pursuant to this section in the event that the motor vehicle:

(A) Is currently registered and such registration is not expired; and

(B) has been issued a license plate pursuant to section 3, and amendments thereto, and the vehicle displays such plate on the motor vehicle as required by law.

(b) (1) The secretary shall issue annual and daily park and recreation motor vehicle permits, in addition to permits as provided in K.S.A. 8-134, and amendments thereto.

(2) The annual permit shall be issued for each calendar year as provided in K.S.A. 32-983, 32-984 and 32-985, and amendments thereto, and shall not be transferable. The fee for an annual permit shall be fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto. A duplicate permit may be issued upon proof of loss of the original permit for the remainder of the calendar year for a fee fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto. If the motor vehicle for which an annual permit has been issued is sold or traded during the calendar year for which the permit was issued and the original permit is surrendered to the department, a new permit effective for the remainder of the calendar year may be issued to the person who sold or traded the motor vehicle for a fee fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto. Before any duplicate or new permit is issued, the purchaser thereof must show by evidence that the purchaser was issued the original permit and that the purchaser is the holder of a valid certificate of title to the motor vehicle for which the duplicate or new permit is issued.

(3) A daily permit shall be issued for a day, shall be issued for a specific vehicle and shall not be transferable. The fee for such a daily permit shall be fixed by the secretary by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto.

(c) Except as provided in K.S.A. 8-134, and amendments thereto, the following fees shall be applicable until changed by rules and regulations of the secretary:

(1) Annual motor vehicle permit: \$22.50;
(2) daily motor vehicle permit: \$3.50; and
(3) the fee for a daily permit or annual permit for a motor vehicle registered in Kansas by a resident who is 65 or more years of age or who is a person with a disability and displays a special license plate or placard issued pursuant to K.S.A. 8-1,125, and amendments thereto, shall be an amount equal to $\frac{1}{2}$ the fee fixed by the secretary for daily or annual park and recreation motor vehicle permits. A nonresident shall pay the full fee.

(d) The provisions of subsection (a) do not apply to:

(1) A motor vehicle used in the operation or maintenance of state parks or other areas under the secretary's control, emergency motor vehicles, state-owned motor vehicles, law enforcement motor vehicles or private or government motor vehicles being operated on official business for a governmental agency;

(2) a motor vehicle of a nonresident who secures a special fee, license or permit required by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto, relating to the use of the park or other area;

(3) a motor vehicle for which a special permit or pass has been issued pursuant to subsection (d);

(4) a motor vehicle in a state park or other area to which subsection (d) applies on dates designated pursuant to subsection (e); or

(5) a motor vehicle in an area or at a time not designated pursuant to subsection (f) as an area or time which requires a permit.

(e) The secretary may issue a special permit or pass for a motor vehicle used for the purpose of sightseeing, attending a church service, attending an approved special event by members of the news media or emergency reasons, as provided by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto.

(f) The secretary may designate by resolution two days each calendar year during which persons may use motor vehicles in state parks and other areas under the secretary's control without having a valid park and recreation motor vehicle permit.

(g) (1) The secretary shall designate the state parks and other areas under the secretary's control, or portions thereof, and the time periods in which motor vehicle permits shall be required hereunder.

(2) The secretary shall cause signs to be posted and maintained at the entrances to all such designated state parks or other areas, or portions thereof, which signs shall display a legend that a motor vehicle entering and using the state park or area, or portion thereof, is required to display on the motor vehicle a permit of the type described in this section.

(h) All fees, licenses and other charges, and rules and regulations relating to the use of and conduct of persons in a state park or other area under the secretary's control, or any facility therein, shall be posted in a convenient and conspicuous place in each such

park, area or facility. Except as otherwise provided in this section, each and every person using any such park, area or facility shall be charged the same fees, licenses and every other charge.";

Also on page 4, in line 32, before "K.S.A" by inserting "K.S.A. 32-901 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "providing for four distinctive license plates for the Kansas department of wildlife and parks;"; also in line 3, after "amending" by inserting "K.S.A. 32-901 and"; and the bill be passed as amended.

HB 2483 be amended on page 2, following line 35, by inserting:

"Sec. 2. (a) On and after January 1, 2023, 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 order of the eastern star license plate for each such passenger vehicle or truck. Such license plate 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 either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The order of the eastern star may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee may apply annually to the order of the eastern star for use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 to the order of the eastern star as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) The order of the eastern star, which shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) 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, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and 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 an order of the eastern star 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 subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or faxed

by the order of the eastern star, or the annual royalty payment is not made 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 order of the eastern star shall provide to all county treasurers an electronic mail address where applicants can contact the order of the eastern star for information concerning the application process or the status of such applicant's license plate application.

(h) The order of the eastern star, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the order of the eastern star 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, royalty payment amount, plate number and vehicle type, to the order of the eastern star and the state treasurer.

(j) The collection and remittance of annual royalty payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "plate" by inserting "and the order of the eastern star license plate"; and the bill be passed as amended.

HB 2595 be amended on page 1, in line 30, by striking "having" and inserting "with"; in line 31, by striking "prior to"; also in line 31, by striking "1960" and inserting "50 years old or older"; in line 35, by striking the second "of"; in line 36, by striking all before the comma and inserting "newer than 50 years";

Also on page 1, in the title, in line 3, by striking "of 1960 or later instead of 1950 or later" and inserting "newer than 50 years"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned Pro Forma until 9:30 a.m., March 18, 2022.

Journal of the Senate

FORTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 18, 2022, 9:30 a.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 571, AN ACT concerning the legislature; relating to the organization thereof; providing for the appointment of members of standing, special and select committees; establishing a standing committee on organization of the senate and a standing committee on organization of the house of representatives therefor, 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: **HB 2528**.

Transparency and Ethics: **SB 570**.

Ways and Means: **HB 2712**.

MESSAGES FROM THE GOVERNOR

Enclosed is Executive Order 22-03 for your information. (March 17, 2022)

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

The Senate met pursuant to recess with Senator Dietrich in the chair.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 509** be passed.

Also, **SB 556** be amended on page 6, in line 34, by striking all after the second comma; in line 35, by striking all before the first "the"; and the bill be passed as amended.

Committee on **Education** recommends **SB 455** be amended on page 1, in line 10, after "thereto" by inserting ", and section 2, and amendments thereto";

On page 2, following line 8, by inserting:

"New Sec. 2. (a) On or before January 1, 2023, each board of education of a school district shall adopt a policy to determine the number of nonresident students that the school district has the capacity to accept in each grade level for each school of the

school district pursuant to K.S.A. 72-3123, and amendments thereto. Such policies shall clearly specify the reasons that the board may use to deny continued enrollment of a nonresident student who is not in good standing. Such reasons for a denial of continued enrollment may include, but shall not be limited to, the nonresident student's record of school absenteeism and repeated suspensions or expulsions.

(b) The policy adopted pursuant to subsection (a) shall be published on the school district's website.";

On page 3, in line 9, by striking "(1) On and after July 1, 2022," and inserting "Beginning in school year 2023-2024, any child of school age pursuant to K.S.A. 72-3118, and amendments thereto, may attend a school operated by a school district where such child does not reside if such school district has open seats as determined pursuant to this section.

(b)";

Also on page 3, by striking all in lines 26 through 35; in line 36, by striking "(3)" and inserting "if such school district has open seats as determined pursuant to this section.

(c) Each school district shall determine capacity in each school of the school district for the following school year as follows:

(1) For kindergarten and grades one through eight, the classroom student-teacher ratio in each grade level; and

(2) for grades nine through 12, the student-teacher ratio for each school building or program in each school building, including, but not limited to, advanced placement or international baccalaureate programs.

(d) (1) (A) On or before May 1 of each year, each school board shall determine for each grade level in each school building of the school district for the next succeeding school year the:

(i) Capacity as determined pursuant to subsection (c);

(ii) number of students expected to attend school in the school district; and

(iii) number of open seats available to nonresident students.

(B) On or before June 1 of each year, each school district shall publish on such school district's website the number of open seats available to nonresident students in each grade level for each school building of the school district for the next succeeding school year.

(C) From June 1 through June 30, each school district shall accept applications from nonresident students. Applications shall be on a form and in a manner determined by the school district.

(D) If the number of applications for a grade level in a school building is less than the number of available seats for such grade level in such school building, the nonresident students shall be accepted for enrollment and attendance at such school district. If the number of applications for a grade level in a school building is greater than the number of available seats for such grade level in such school building, the school district shall randomly select nonresident students using a confidential lottery process. Such process shall be completed on or before July 15 of each year.

(2) (A) On or before October 1 of each year, each school board shall determine for each grade level in each school building of the school district for the next succeeding semester the:

(i) Capacity as determined in accordance with this section;

(ii) number of students expected to attend school in the school district; and

(iii) number of open seats available to nonresident students.

(B) On or before November 1 of each year, each school district shall publish on such school district's website the number of open seats available to nonresident students in each grade level for each school building of the school district for the next succeeding semester.

(C) From November 1 through November 30, each school district shall accept applications from nonresident students. Applications shall be on a form and in a manner determined by the school district.

(D) If the number of applications for a grade level in a school building is less than the number of available seats for such grade level in such school building, the nonresident students shall be accepted for enrollment and attendance at such school district. If the number of applications for a grade level in a school building is greater than the number of available seats for such grade level in such school building, the school district shall randomly select nonresident students using a confidential lottery process. Such process shall be completed on or before December 15 of each year.

(3) The school district shall provide to the parent or person acting as parent of such student the reason for the denial and an explanation of the nonresident student selection process.

(e) (1) Subject to capacity, school districts shall give priority to any sibling of a nonresident student who was accepted to enroll in and attend such school district. Priority shall be given when the nonresident student is first accepted and, if necessary, at any other time the school district considers transfer applications. Any such sibling shall not be subject to the open seat lottery.

(2) Any child who is in the custody of the department for children and families and who is living in the home of a nonresident student who transfers may attend school in the receiving school district.

(f)";

Also on page 3, also in line 36, after "not" by inserting "":

(1)";

Also on page 3, in line 39, by striking the period; by striking all in lines 40 and 41; in line 42, by striking all before "accept" and inserting "": or

(2)";

On page 4, by striking all in lines 3 through 7; in line 8, by striking all before "Any" and inserting:

"(g) A nonresident student who has been accepted for enrollment and attendance at a receiving school district shall be permitted to continue such enrollment and attendance in such school district until such student graduates from high school, unless such student is no longer in good standing. A receiving school district may deem a nonresident student as not in good standing in accordance with such school district's nonresident transfer policy.

(h) A student may always enroll at any time in the school district where such student resides.

(i) Except for a child in the custody of the department for children and families, a nonresident student shall not transfer more than two times per school year to one or more receiving school districts.

(j)";

Also on page 4, in line 13, by striking "(A)" and inserting "(1)"; in line 15 by striking

"(B)" and inserting "(2)"; by striking all in lines 19 through 43;

On page 5, by striking all in lines 1 through 25; in line 26, by striking "(h)" and inserting:

"(k) A receiving school district shall not be required to provide transportation to nonresident students. If space is available on school district transportation vehicles, a school district may provide nonresident students an in-district bus stop where transportation may be provided by such school district to and from such bus stop and the school for such nonresident students.

(l)";

Also on page 5, in line 30, by striking all before the period and inserting "section 2, and amendments thereto"; in line 33, by striking "(i)" and inserting "(m) (1); also in line 33, by striking all after "the"; by striking all in lines 34 through 37; in line 38, by striking all before the period and inserting "state department of education, as part of the department's enrollment audit, shall audit the nonresident student capacity and enrollment.

(2) In calendar year 2026, the legislative post audit committee shall direct the legislative division of post audit to conduct an audit of nonresident student transfers pursuant to this section. Such audit shall be reported to the legislative post audit committee on or before January 15, 2027, and subsequently presented to the house standing committee on K-12 education budget and the senate standing committee on education, or any successor committees.

(n) Nothing in this section shall be construed to exempt any nonresident student who transfers to a receiving school district pursuant to this section from the policies and requirements of the activities association referred to in K.S.A. 72-7114, and amendments thereto";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking all after the semicolon; in line 5, by striking "denied;"; and the bill be passed as amended.

Committee on **Transparency and Ethics** recommends **HB 2579**, as amended by House Committee, be amended on page 1, in line 11, by striking "electronically"; also in line 11, after "the" by inserting "office of the"; in line 12, after the period by inserting "Reports for candidates for statewide office shall be filed electronically. Reports for candidates for state office other than candidates elected on a statewide basis that are due on or after December 31, 2023, shall be filed electronically."; in line 21, by striking "eighth" and inserting "8th"; in line 25, by striking "eighth" and inserting "8th"; in line 28, after "(3)" by inserting "the Tuesday following the second Monday in"; also in line 28, by striking "10"; in line 32, after "next" by inserting "Tuesday following the second Monday in"; also in line 32, by striking "10"; and the bill be passed as amended.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes:

Senator Dietrich: congratulating the Washburn Rural High School Boys Wrestling Team on winning the 2022 6A State Championship, congratulating Aiden Bolin on winning the 2022 6A State Wrestling Championship in the 160-Pound Weight Class,

congratulating Austin Fager on winning the 2022 6A State Wrestling Championship in the 182-Pound Weight Class;

Senator Francisco: celebrating Freda Roberson's 90th Birthday;

Senator Haley: celebrating Gerald Wendell Hall's 90th Birthday, celebrating Melba Jean (Jefferson) Hall's 90th Birthday; and

Senators Pittman and McGinn: celebrating Theatre in Our Schools Day at the Capitol.

On motion of Senator Francisco, the Senate adjourned until 1:30 p.m., Monday, March 21, 2022.

Journal of the Senate

FORTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 21, 2022, 1:30 p.m.

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

Spring Is Springing Forth New Opportunities
Genesis 1:14, 8:20-22, 9:12, Psalm 51:10

Dear God of all creation, before there was a where or a when, You said “Let there be...!” And there was! In Genesis 1:14, You spoke and separated the light of day from the dark of night. Lord, You have separated our times into wonderful seasons.

And in Genesis 8:20-22, after mankind was wiped off the Earth and You started again with Noah, You said You’d never again destroy all of life in the same way, that as long as the Earth remains there will be seasons for planting and harvest, summer and winter, cold and heat.

So Lord, now that Spring is springing let this new season be seen as a time for new beginnings. You promised to continue giving us new seasons and in Genesis 9:12 You hang the rainbow in the sky to help us remember. Lord, would You also help us to persist in newness. Any old ways that are not in keeping with Your ways, let them be made new.

And as we take on fresh new challenges, let old, stagnant, unproductive mindsets be transformed. Please fulfill in us the request of the Psalmist in 51:10, “Create in me a clean heart, O God, and renew a right spirit within me.”

I pray this prayer 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 572, AN ACT concerning firearms; enacting the covert firearms act; establishing criminal penalties for the possession, manufacture, distribution, transportation, shipping or receiving of certain firearms or components, by Committee on Federal and State Affairs.

SB 573, AN ACT concerning reapportionment; relating to state senatorial districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-4,451, 4-4,453 and 4-4,494, by Committee on Federal and State Affairs.

SB 574, AN ACT concerning reapportionment; relating to state senatorial districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-4,451, 4-4,453 and 4-4,494, by Committee on Federal and State Affairs.

SB 575, AN ACT concerning family law; relating to legal custody, residency and parenting time; requiring the court to adopt a parenting plan that maximizes each party's parenting time; adding misleading the court as a factor to consider when the court considers legal custody, residency and parenting time; creating a presumption that joint legal custody in a temporary parenting plan is in the best interests of a child and defining related terms under the Kansas family law code; adding failure to exercise parenting time as an action that may be considered a material change of circumstances; amending K.S.A. 2021 Supp. 23-3202, 23-3203, 23-3211, 23-3212, 23-3213 and 23-3221 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Interstate Cooperation: **SB 571**.

MESSAGES FROM THE GOVERNOR

Enclosed herewith is Executive Directive No. 22-551 for your information. (March 14, 2022)

March 14, 2022

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate is an appointment made by me as the Governor of the State of Kansas, pursuant to law.

LAURA KELLY
Governor

Commissioner, Kansas Corporation Commission, Dwight D. Keen, Winfield, (R), pursuant to the authority vested in me by K.S.A. 74-601 and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed himself.

REFERENCE OF APPOINTMENTS

The President referred the appointment of Dwight D. Keen to the **Calendar** under the heading **Consideration of Appointments**.

MESSAGE FROM THE HOUSE

The House accedes to the request of the Senate for a conference on **SB 348** 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 366** 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 408** and has appointed Representatives Owens, Smith, E. and Highberger as conferees on the part of the House.

FINAL ACTION ON CONSENT CALENDAR

HB 2574 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, was considered on final action.

HB 2574, AN ACT concerning the attorney general; relating to the crime victims compensation board; awarding of compensation for mental health counseling; increasing the amount of certain awards; changing the definition of "crime scene cleanup"; amending K.S.A. 2021 Supp. 74-7301 and 74-7305 and repealing the existing sections.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

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

Absent or Not Voting: Claeys, McGinn, Suellentrop.

The bill passed.

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 Hilderbrand in the chair.

On motion of Senator Hilderbrand the following report was adopted:

SB 484 be passed.

Three motions by Senator Doll to amend **SB 484** failed.

A motion offered by Senator Dietrich to amend **SB 484** failed.

An amendment offered by Senator Straub on **SB 484** was ruled non-germane.

SB 496 be amended by motion of Senator Kerschen; on page 1, in line 23, by striking "informed of and" and inserting "able to"; in line 30, by striking the comma; by striking all in line 31; in line 32, by striking "immunizations";

On page 2, in line 21, by striking "Be informed of and"; and **SB 496** be passed as amended.

An amendment offered by Senator Holscher on **SB 496** was ruled non-germane.

SB 340, **SB 455**; **HB 2510**, **HB 2564** be amended by the adoption of the committee amendments, and the bills be passed as amended.

A motion by Senator Pettey to amend **SB 455** failed.

Vice President Wilborn assumed the chair.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 462** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL No. 462," as follows:

"Substitute for SENATE BILL No. 462

By Committee on Assessment and Taxation

"AN ACT concerning financial institutions; relating to payments made with credit and debit cards; eliminating the prohibition of a surcharge for use of such cards; requiring notice of surcharge for use of credit cards; amending K.S.A. 72-1176 and

K.S.A. 2021 Supp. 12-16,125, 19-122 and 75-30,100 and repealing the existing sections; also repealing K.S.A. 2021 Supp. 16a-2-403.";

And the substitute bill be passed.

Also, **SB 565** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL No. 565," as follows:

"Substitute for SENATE BILL No. 565

By Committee on Assessment and Taxation

"AN ACT concerning income taxation; relating to rates; providing a 4.75% tax rate for individuals; amending K.S.A. 79-32,110, as amended by section 15 of 2022 Senate Bill No. 347, and repealing the existing section.";

And the substitute bill be passed.

HB 2316 be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2316," as follows:

"Senate Substitute for HOUSE BILL No. 2316

By Committee on Assessment and Taxation

"AN ACT concerning sales taxation; relating to rates and exemptions; expanding the eligible uses for the 0% state rate for sales of certain utilities and providing for the levying of such tax by cities, counties and Washburn university of Topeka; authorizing cities and counties to exempt sales of such utilities from such city or county taxes; providing an exemption for sales of school supplies, personal computers and clothing during an annual sales tax holiday; providing an exemption for certain purchases and sales by the Johnson county Christmas bureau association; relating to exclusions from the sales or selling price; excluding manufacturers' coupons; removing the expiration on manufacturer cash rebates on motor vehicles; relating to countywide retailers' sales tax; discontinuing an Atchison countywide retailers' sales tax; allowing counties to decide whether to apportion revenue received for general purposes between the county and cities located therein; relating to returns and payment of tax by retailers; increasing thresholds for timing of returns and payment; discontinuing the first 15 days of the month remittance requirements for certain retailers; amending K.S.A. 13-13a39 and 79-3607 and K.S.A. 2021 Supp. 12-187, 12-189a, 12-192, 79-3602, 79-3603 and 79-3606, as amended by section 16 of 2022 Senate Bill No. 347, and repealing the existing sections; also repealing K.S.A. 79-3607, as amended by section 3 of chapter 83 of the 2021 Session Laws of Kansas.";

And the substitute bill be passed.

HB 2597 be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2597," as follows:

"Senate Substitute for HOUSE BILL No. 2597

By Committee on Assessment and Taxation

"AN ACT concerning property taxation; relating to tax levy rates; establishing a revenue neutral rate complaint process; authorizing the county clerk to limit the amount of ad valorem taxes to be levied in certain circumstances; establishing a deadline for budgets to be filed with the director of accounts and reports; requiring roll call vote and publication of information; relating to classification and valuation; land devoted to agricultural use; definition; agritourism activity and zoos; classifying such land that is subject to the federal grassland conservation reserve program as grassland; relating to exemptions; establishing a property tax exemption for antique utility trailers; relating to assessment; allowing for the proration of value when certain personal property is

acquired or sold prior to September 1 of any tax year; amending K.S.A. 79-1476 and 79-2930 and K.S.A. 2021 Supp. 79-2988 and repealing the existing sections.";

And the substitute bill be passed.

SB 180 be amended on page 1, in line 6, by striking "2022" and inserting "2023"; in line 20, after the period by inserting "The surviving spouse of an eligible person who was receiving an exemption pursuant to this section at the time of such person's death shall be eligible to continue to receive such exemption until the surviving spouse remarries."; in line 28, after the period by inserting "The department of revenue shall also provide to each qualifying eligible person an exemption certificate in the form of a driver's-license-size card that includes the veteran exemption identification number of such eligible person and any other information necessary to prove eligibility to any retailer."; in line 29, after "shall" by inserting "present the exemption certificate card or"; and the bill be passed as amended.

SB 514 be amended on page 1, in line 25, by striking "state historical society" and inserting "department of revenue"; in line 31, after "fund" by inserting "shall be distributed to the historic sites in accordance with the selections of taxpayers and"; in line 32, by striking all after the first "of"; in line 33, by striking all before the period and inserting "such sites"; in line 36, by striking "the state historical society" and inserting "revenue"; also in line 36, by striking "a person designated by";

On page 2, in line 1, by striking "secretary" and inserting "secretary's designee"; and the bill be passed as amended.

SB 553 be amended on page 7, in line 32, by striking "and"; in line 33, after "(F)" by inserting "an investment fund that mirrors or is similar to the investment portfolio of the KPERS defined benefit plan; and

(G)"; and the bill be passed as amended.

HB 2239 be amended by substituting a new bill as recommended by the Senate Committee on Assessment and Taxation as reported in the Journal of the Senate on March 26, 2021, and the bill, as printed as Senate Substitute for House Bill No. 2239, be further amended on page 1, in line 22, by striking "2019" and inserting "2021"; in line 23, by striking "2019" and inserting "2021";

On page 2, in line 25, by striking "2020" and inserting "2022";

On page 3, in line 5, by striking "2019" and inserting "2021";

On page 4, in line 30, by striking all after "thereto"; by striking all in lines 31 and 32; in line 33, by striking "thereafter";

On page 5, in line 1, by striking "2020" and inserting "2022";

On page 7, in line 31, after "homestead" by inserting "for the base year"; in line 33, by striking "2020" and inserting "2022";

On page 8, by striking all in lines 5 through 43;

On page 9, by striking all in lines 1 through 25; following line 25, by inserting:

"New Sec. 19. (a) Sections 19 through 24, and amendments thereto, shall be known and may be cited as the salt parity act.

(b) The legislature finds and declares that the deductibility of state income taxes should be the same for C corporations, S corporations and partnerships.

(c) The provisions of this act shall be a part of and supplemental to the Kansas income tax act.

New Sec. 20. As used in sections 19 through 24, and amendments thereto, unless the context otherwise requires:

- (a) "Act" means the provisions of sections 19 through 24, and amendments thereto.
- (b) "C corporation" means a corporation other than an S corporation.
- (c) "Electing pass-through entity" means, with respect to a taxable period, an S corporation or partnership that has made the election under section 21, and amendments thereto, with respect to the taxable period.
- (d) "Electing pass-through entity owner" means, with respect to an S corporation, a shareholder of the S corporation and, with respect to a partnership, a partner in the partnership, except that a partner does not include a C corporation.
- (e) "Income attributable to the state" means, with respect to an S corporation or partnership, the portion of the items of income, gain, loss or deduction of the S corporation or partnership apportioned or allocated to this state in accordance with the provisions of K.S.A. 79-3271 through 79-3293b, and amendments thereto.
- (f) "Income not attributable to the state" means all items of income, gain, loss or deduction of an electing pass-through entity other than income attributable to the state.
- (g) "S corporation" means a corporation having an election in effect under subchapter S of the federal internal revenue code.
- (h) "Taxable period" means any taxable year or portion of a taxable year during which a corporation is an S corporation or a noncorporate entity is a partnership.

New Sec. 21. Notwithstanding K.S.A. 79-32,129 and 79-32,139, and amendments thereto, for taxable years commencing on or after January 1, 2022, an S corporation or partnership may annually elect to be subject to tax at the entity level for the taxable period. The S corporation or partnership shall make the election on the return filed by such S corporation or partnership under K.S.A. 79-3220 and 79-3221, and amendments thereto. The filing of such return shall be binding on all electing pass-through entity owners.

New Sec. 22. (a) With respect to any taxable period for which it has made the election under section 21, 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 each resident electing pass-through entity owner's distributive share of the electing pass-through entity's income and each nonresident electing pass-through entity owner's distributive share of income attributable to the state, all as 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 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 section 21, 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 section 21, 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 section 21, and amendments thereto, was made, an election under section 21, 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 section 21, 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.

New Sec. 23. (a) Notwithstanding K.S.A. 79-32,129 and 79-32,139, and amendments thereto, and as provided in K.S.A. 79-32,138(c)(vii), and amendments thereto, electing pass-through entity owners shall not be liable for the tax under this act in their separate or individual capacities. Resident electing pass-through entity owners subject to Kansas individual income tax shall be entitled to a credit against the tax imposed under section 21, and amendments thereto. The credit shall be equal to the electing pass-through entity owner's direct share of the tax imposed under section 21, and amendments thereto. Subsequent to the application of all other credits allowed, if any excess credit exists, such amount shall be refundable to the electing pass-through entity owner. The credit allowed to an electing pass-through entity owner under this subsection shall not exceed the direct share of pass-through entity tax reported by such pass-through entity.

(b) Notwithstanding the provisions of this act and K.S.A. 79-32,138(c)(vii), and amendments thereto, the basis in the hands of an electing pass-through entity owner in the interest in the partnership or the stock or indebtedness in the S corporation shall be determined as if the election under section 21, and amendments thereto, had not been made.

New Sec. 24. The secretary of revenue may adopt rules and regulations to require or permit an electing pass-through entity to make returns, set forth information or furnish copies of information as may be deemed necessary to carry out the provisions of this act. The secretary of revenue may adopt such other rules and regulations as may be deemed necessary or expedient in enforcing the provisions of this act.

Sec. 25. K.S.A. 79-3220 is hereby amended to read as follows: 79-3220. (a) (1) Each individual required to file a federal income tax return and any other individual whose gross income exceeds the sum of such individual's applicable Kansas standard deduction amount and Kansas personal exemption amount shall each make and sign a return or statement stating specifically such items as are required by the forms and rules and regulations of the secretary of revenue. If any individual is unable to make a return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer. Notwithstanding any provision of the Kansas income tax act to the contrary, all individuals not required to

file a Kansas income tax return hereunder shall not be liable for any tax imposed pursuant to such act.

(2) In accordance with the provisions of K.S.A. 75-5151a, and amendments thereto, an individual who is required to file a return may file such return by electronic means in a manner approved by the secretary of revenue. A paid preparer who prepares 50 or more returns per year shall file by electronic means not less than 90% of such returns eligible for electronic filing. The requirements of this subsection may be waived by the secretary of revenue for a paid preparer if the paid preparer demonstrates a hardship in complying with the requirements of this subsection.

(3) For purposes of this subsection, a nonresident individual or fiduciary whose only source of income from this state is income from an electing pass-through entity under the salt parity act shall not be required to file a return.

(b) Every corporation subject to taxation under this act, including, but not limited to, all farmers, fruit growers, or like associations organized and operated on a cooperative basis, except electric cooperative exclusively engaged in the manufacture or distribution of electric power for their members, shall make a return, or statement stating specifically such items as may be required by the forms and regulations of the secretary of revenue. The return shall be signed by the president, vice-president, treasurer, assistant treasurer, chief accounting officer, or any other officer so authorized to act. The fact that an individual's name is signed on a return shall be prima facie evidence that such individual is authorized to sign such return on behalf of such corporation. In cases where receivers, trustees in bankruptcy or assignees are operating the property or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns. Any tax due on the basis of such returns shall be collected in the same manner as if collected from the corporation for which the return is made.

(c) Every fiduciary, except a receiver appointed by authority of law in possession of part only of the property of an individual shall make and sign a return for each of the individuals, estates, or trusts for which the fiduciary acts, when such returns are required by the provisions of this act, stating specifically such items as may be required by the forms and regulations of the secretary of revenue. In the case of joint fiduciaries, whether residents or nonresidents, a return may be made by any one and shall be sufficient compliance with the above requirements. Any fiduciary required to make a return under this act shall be subject to all of the provisions of law which apply to individuals.

(d) Every partnership shall make a return for each taxable year, stating specifically such items as may be required by the forms and regulations of the secretary of revenue. The returns shall be signed by any one of the partners.

Sec. 26. K.S.A. 79-32,111 is hereby amended to read as follows: 79-32,111. (a) The amount of income tax paid to another state by a resident individual, resident estate or resident trust on income derived from sources in another state, and included in Kansas adjusted gross income, shall be allowed as a credit against the tax computed under the provisions of this act. Such credit shall not be greater in proportion to the tax computed under this act than the Kansas adjusted gross income for such year derived in another state while such taxpayer is a resident of this state is to the total Kansas adjusted gross income of the taxpayer. As used in this subsection, "state" ~~shall have the meaning ascribed thereto means the same as defined by subsection (h) of K.S.A. 79-3271(i), and~~

amendments thereto. The credit allowable hereunder for income tax paid to a foreign country or political subdivision thereof shall not exceed the difference of such income tax paid less the credit allowable for such income tax paid by the federal internal revenue code. No redetermination of income tax paid for the purposes of determining the credit allowed by this subsection shall be required for the taxable year for which an income tax refund payment pursuant to the provisions of section 18 of article 10 of the Missouri constitution is made, but the income tax paid allowable for credit in the next following taxable year shall be reduced by the amount of such refund amount, except that, for tax year 1998, the income tax paid allowable for credit shall be reduced by the amount of such refunds made for all taxable years prior to tax year 1998.

(b) There shall be allowed as a credit against the tax computed under the provisions of the Kansas income tax act, and amendments thereto, on the Kansas taxable income of an individual, corporation or fiduciary the amount determined under the provisions of K.S.A. 79-32,153 to 79-32,158, and amendments thereto.

(c) For purposes of subsection (a), the amount of income tax paid to another state by an S corporation or partnership that is included in Kansas adjusted gross income of a resident individual, resident estate or resident trust who is a member, shareholder or partner of such S corporation or partnership shall be considered income tax paid to another state by such resident individual, resident estate or resident trust.

Sec. 27. K.S.A. 2021 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(c)(xv), and amendments thereto, 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 beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyers savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2021 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2021 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. 2021 Supp. 58-4904(e), and amendments thereto.

~~(xxvii)~~(xxviii) 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.

(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 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 beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2021 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.

~~(xxv)~~(xxvi) 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)~~(xxvii) 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)~~(xxviii) 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.

(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.

(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. 28. K.S.A. 2021 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) For tax year ~~years 2021 and 2022, 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.

(3) For tax year 2023, 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, \$3,850; married filing status, \$8,800; and head of household filing status, \$6,600.

(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.

Sec. 29. K.S.A. 2021 Supp. 79-32,138 is hereby amended to read as follows: 79-32,138. (a) Kansas taxable income of a corporation taxable under this act shall be the corporation's federal taxable income for the taxable year with the modifications specified in this section, except that in determination of such federal taxable income for all taxable years commencing after December 31, 2020, section 118 of the federal internal revenue code of 1986 shall be applied as in effect on December 21, 2017.

(b) There shall be added to federal taxable income:

(i) The same modifications as are set forth in K.S.A. 79-32,117(b), and amendments thereto, with respect to resident individuals, except subsections (b)(xix), (b)(xx), (b)(xxi), (b)(xxii) and (b)(xxiii);

(ii) the amount of all depreciation deductions claimed for any property upon which the deduction allowed by K.S.A. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is claimed;

(iii) the amount of any charitable contribution deduction claimed for any contribution or gift to or for the use of any racially segregated educational institution;

(iv) for taxable years commencing 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;

(v) the amount of any charitable contribution deduction claimed for any contribution or gift made to a scholarship granting organization to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto;

(vi) the federal net operating loss deduction; ~~and~~

(vii) for all taxable years commencing after December 31, 2020, the amount of any deduction claimed under section 250(a)(1)(B) of the federal internal revenue code of 1986; and

(viii) for taxable years commencing after December 31, 2021, an amount equal to the electing pass-through entity owner's distributive share of the electing pass-through entity's losses attributable to the state that are taxed pursuant to the provisions of the salt parity act.

(c) There shall be subtracted from federal taxable income:

(i) The same modifications as are set forth in K.S.A. 79-32,117(c), and amendments thereto, with respect to resident individuals, except subsection (c)(xx);

(ii) the federal income tax liability for any taxable year commencing prior to December 31, 1971, for which a Kansas return was filed after reduction for all credits thereon, except credits for payments on estimates of federal income tax, credits for gasoline and lubricating oil tax, and for foreign tax credits if, on the Kansas income tax return for such prior year, the federal income tax deduction was computed on the basis of the federal income tax paid in such prior year, rather than as accrued. Notwithstanding the foregoing, the deduction for federal income tax liability for any year shall not exceed that portion of the total federal income tax liability for such year which bears the same ratio to the total federal income tax liability for such year as the Kansas taxable income, as computed before any deductions for federal income taxes and after application of subsections (d) and (e) as existing for such year, bears to the federal taxable income for the same year;

(iii) an amount for the amortization deduction allowed pursuant to K.S.A. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto;

(iv) for all taxable years commencing after December 31, 1987, the amount included in federal taxable income pursuant to the provisions of section 78 of the internal revenue code;

(v) 80% of dividends from corporations incorporated outside of the United States or the District of Columbia which are included in federal taxable income. As used in this paragraph, "dividends" includes amounts included in income under section 965 of the federal internal revenue code of 1986, net of the deduction permitted by section 965(c) of the federal internal revenue code of 1986. For all taxable years commencing after December 31, 2020, this paragraph does not apply to amounts excluded from income pursuant to K.S.A. 79-32,117(c)(~~xxv~~)(xxvi), and amendments thereto, or amounts added back pursuant to K.S.A. 79-32,138(b)(vii), and amendments thereto; ~~and~~

(vi) for all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 162(r) of the federal internal revenue code of 1986, as in effect on January 1, 2018; and

(vii) for taxable years commencing after December 31, 2021, an amount equal to the electing pass-through entity owner's distributive share of the electing pass-through

entity's income attributable to the state that is taxed pursuant to the provisions of the salt parity act.

(d) If any corporation derives all of its income from sources within Kansas in any taxable year commencing after December 31, 1979, its Kansas taxable income shall be the sum resulting after application of subsections (a) through (c). Otherwise, such corporation's Kansas taxable income in any such taxable year, after excluding any refunds of federal income tax and before the deduction of federal income taxes provided by subsection (c)(ii) shall be allocated as provided in K.S.A. 79-3271 through 79-3293, and amendments thereto, plus any refund of federal income tax as determined under K.S.A. 79-32,117(b)(iv), and amendments thereto, and minus the deduction for federal income taxes as provided by subsection (c)(ii) shall be such corporation's Kansas taxable income.

(e) A corporation may make an election with respect to its first taxable year commencing after December 31, 1982, whereby no addition modifications as provided for in subsection (b)(ii) and subtraction modifications as provided for in subsection (c) (iii) as those subsections existed prior to their amendment by this act, shall be required to be made for such taxable year.

Sec. 30. K.S.A. 2021 Supp. 79-32,143 is hereby amended to read as follows: 79-32,143. (a) (1) (A) For net operating losses incurred in taxable years prior to January 1, 2018, a net operating loss deduction shall be allowed in the same manner that it is allowed under the federal internal revenue code, except that such net operating loss may only be carried forward to each of the 10 taxable years following the taxable year of the net operating loss.

(B) For net operating losses incurred in taxable years beginning after December 31, 2017, a net operating loss deduction shall be allowed in the same manner that it is allowed under the federal internal revenue code, except that such net operating loss deduction may only be carried forward.

(2) For net operating farm losses, as defined by section 172 of the federal internal revenue code, incurred in taxable years beginning after December 31, 1999, a net operating loss deduction shall be allowed in the same manner that it is allowed under the federal internal revenue code except that such net operating loss may be carried forward to each of the 10 taxable years following the taxable year of the net operating loss.

(3) The amount of the net operating loss that may be carried back or forward for Kansas income tax purposes shall be that portion of the federal net operating loss allocated to Kansas under this act in the taxable year that the net operating loss is sustained.

(b) The amount of the loss to be carried back or forward will be the federal net operating loss after: (1) All modifications required under this act applicable to the net loss in the year the loss was incurred; and (2) after apportionment as to source in the case of corporations, nonresident individuals for losses incurred in taxable years beginning prior to January 1, 1978, and nonresident estates and trusts in the same manner that income for such corporations, nonresident individuals, estates and trusts is required to be apportioned.

(c) If a net operating loss was incurred in a taxable year beginning prior to January 1, 1988, the amount of the net operating loss that may be carried back and carried forward and the period for which it may be carried back and carried forward shall be

determined under the provisions of the Kansas income tax laws that were in effect during the year that such net operating loss was incurred.

(d) If any portion of a net operating loss described in subsections (a) and (b) is not utilized prior to the final year of the carryforward period provided in subsection (a), a refund shall be allowable in such final year in an amount equal to the refund which would have been allowable in the taxable year the loss was incurred by utilizing the three year carryback provided under K.S.A. 79-32,143, as in effect on December 31, 1987, multiplied by a fraction, the numerator of which is the unused portion of such net operating loss in the final year, and the denominator of which is the amount of such net operating loss that could have been carried back to the three years immediately preceding the year in which the loss was incurred. In no event may such fraction exceed one.

(e) Notwithstanding any other provisions of the Kansas income tax act, the net operating loss as computed under subsections (a), (b) and (c) shall be allowed in full in determining Kansas taxable income or at the option of the taxpayer allowed in full in determining Kansas adjusted gross income.

(f) No refund of income tax that results from a net operating farm loss carry back shall be allowed in an amount exceeding \$1,500 in any year. Any overpayment in excess of \$1,500 may be carried forward to any year or years after the year of the loss and may be claimed as a credit against the tax. The refundable portion of such credit shall not exceed \$1,500 in any year.

(g) For tax year 2013, and all tax years thereafter, a net operating loss allowed by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to K.S.A. 79-32,110(c), and amendments thereto, and used only to determine such taxpayer's corporate income tax liability.

(h) Notwithstanding any other provisions of the Kansas income tax act, for tax year 2006, if a net operating loss is incurred from the sale at a loss of a historic hotel located in a community with less than 2,500 citizens improved by funds borrowed on both such hotel and farmland owned by the taxpayer that is located within 20 miles of such hotel, and previously the farmland was sold at a gain and in which case a majority of the proceeds were used to pay off the mortgage on such hotel, the net operating loss may be carried back three years to offset the gain on the sale of such farmland. The taxpayer may file an amended return for the three prior years.;

Also on page 9, in line 26, after "K.S.A." by inserting "79-3220 and 79-32,111 and K.S.A. 2021 Supp. 79-32,117, 79-32,117q, 79-32,119, 79-32,138 and"; also in line 26, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking "corporations,"; by striking all in line 5; in line 6, by striking all before the semicolon and inserting "deductions; establishing the salt parity act to allow pass-through entities to elect to pay state income tax at the entity level; increasing the Kansas standard deduction; relating to certain net operating losses; providing a subtraction modification to allow the carryforward of certain net operating losses for individuals; allowing a carryback on loss from sale of certain historic hotels"; also in line 6, after "K.S.A." by inserting "79-3220 and 79-32,111 and K.S.A. 2021 Supp. 79-32,117, 79-32,119, 79-32,138 and"; also in line 6, by striking "section" and inserting "sections; also repealing K.S.A. 2021 Supp. 79-32,117q"; and the bill be passed as amended.

HB 2315 be amended on page 2, in line 14, by striking "2021" and inserting "2022"; in line 15, after "a" by inserting "community college or"; in line 23, by striking "2021" and inserting "2022"; in line 24, by striking "2021" and inserting "2022"; also in line 24, by striking "2022."; also in line 24, by striking the second "and" and inserting a comma; also in line 24, after "2025" by inserting "and 2026"; in line 25, after the period by inserting "The amount of the credit allowed by this paragraph shall equal 60% of the total amount contributed during the taxable year by the taxpayer to a community college or a technical college located in Kansas for such purposes."; in line 26, after the second "a" by inserting "community college or"; in line 28, after "shall" by inserting "not"; in line 30, after "a" by inserting "community college or"; in line 32, after "a" by inserting "community college and"; in line 34, after "such" by inserting "community college or";

On page 3, in line 17, after "a" by inserting "community college or"; in line 18, after the third "the" by inserting "community college or"; in line 20, after "such" by inserting "community college or";

On page 4, in line 3, by striking "2021" and inserting "2022"; also in line 3, by striking "2025" and inserting "2026"; in line 5, by striking "\$500,000" and inserting "\$1,000,000"; in line 7, after "one" by inserting "community college or"; also in line 7, by striking "\$500,000" and inserting "\$1,000,000"; in line 10, by striking "\$3,500,000" and inserting "\$7,000,000";

On page 1, in the title, in line 2, after "to" by inserting "community colleges and"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 522**; **HB 2462** be passed.

SB 351 be amended on page 6, in line 24, by striking "ensure that no component of the" and inserting "make all"; in line 25, by striking "system is connected" and inserting "systems and vote tabulating equipment available to any candidate or any authorized poll agent for review to ensure there is no connectivity";

On page 1, in the title, in line 6, by striking "election judges" and inserting "that candidates be allowed to review such systems"; and the bill be passed as amended.

HB 2688, As Amended by House Committee, be amended on page 2, in line 20, by striking "that" and inserting "such person may be issued a farm winery license pursuant to K.S.A. 41-316, and amendments thereto, or a producer license pursuant to K.S.A. 41-355, and amendments thereto, and"; in line 21, by striking all after the second comma; by striking all in lines 22 through 23; and the bill be passed as amended.

HB 2710 be amended on page 7, in line 14, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2299**, As Amended by House Committee of the Whole, be amended on page 2, in line 6, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **HB 2377** be amended as recommended by the Senate Committee on Judiciary, as reported in the Journal of the Senate on March 30, 2021, and the bill, as printed as As Amended by Senate Committee, be further amended on page 2, in line 30, by striking "2020" and inserting "2021";

On page 4, following line 16, by inserting:

"Sec. 3. K.S.A. 2021 Supp. 8-241 is hereby amended to read as follows: 8-241. (a) Except as provided in K.S.A. 8-2,125 through 8-2,142, and amendments thereto, any person licensed to operate a motor vehicle in this state shall submit to an examination whenever: (1) The division of vehicles has good cause to believe that such person is

incompetent or otherwise not qualified to be licensed; or (2) the division of vehicles has suspended such person's license pursuant to K.S.A. 8-1014, and amendments thereto, as the result of a test refusal, test failure or conviction for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by K.S.A. 8-1567, and amendments thereto, except that no person shall have to submit to and successfully complete an examination more than once as the result of separate suspensions arising out of the same occurrence.

(b) When a person is required to submit to an examination pursuant to subsection (a)(1), the fee for such examination shall be in the amount provided by K.S.A. 8-240, and amendments thereto. When a person is required to submit to an examination pursuant to subsection (a)(2), the fee for such examination shall be \$25. In addition, any person required to submit to an examination pursuant to subsection (a)(2) as the result of a test failure, a conviction for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by K.S.A. 8-1567, and amendments thereto, shall be required, at the time of examination, to pay a reinstatement fee of \$200 after the first occurrence, \$400 after the second occurrence, \$600 after the third occurrence and \$800 after the fourth or subsequent occurrence; and as a result of a test refusal, shall be required, at the time of examination, to pay a reinstatement fee of \$600 after the first occurrence, \$900 after the second occurrence, \$1,200 after the third occurrence and \$1,500 after the fourth or subsequent occurrence.

(1) All examination fees collected pursuant to this section shall be remitted to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount in the state treasury and credit 80% to the state highway fund and 20% shall be disposed of as provided in K.S.A. 8-267, and amendments thereto.

~~(2) On and after July 1, 2014, through June 30, 2018, all reinstatement fees collected pursuant to this section shall be remitted to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount in the state treasury and credit 26% to the community alcoholism and intoxication programs fund created pursuant to K.S.A. 41-1126, and amendments thereto, 12% to the juvenile alternatives to detention fund created by K.S.A. 79-4803, and amendments thereto, 12% to the forensic laboratory and materials fee fund created by K.S.A. 28-176, and amendments thereto, 17% to the driving under the influence fund created by K.S.A. 75-5660, and amendments thereto, and 33% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 20-1a15, and amendments thereto. Moneys credited to the forensic laboratory and materials fee fund as provided herein shall be used to supplement existing appropriations and shall not be used to supplant general fund appropriations to the Kansas bureau of investigation.~~

~~(3) On and after July 1, 2018, All reinstatement fees collected pursuant to this section shall be remitted to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount in the state treasury and credit 35% to the community alcoholism and intoxication programs fund created pursuant to K.S.A. 41-1126, and amendments thereto, 20% to the juvenile alternatives to detention fund created by K.S.A. 79-4803, and amendments thereto, 20% to the forensic laboratory and materials fee fund created by K.S.A. 28-176, and amendments thereto, and 25% to the driving under the influence fund created by K.S.A.~~

75-5660, and amendments thereto. Moneys credited to the forensic laboratory and materials fee fund as provided herein shall be used to supplement existing appropriations and shall not be used to supplant general fund appropriations to the Kansas bureau of investigation.

(c) When an examination is required pursuant to subsection (a), at least five days' written notice of the examination shall be given to the licensee. The examination administered hereunder shall be at least equivalent to the examination required by K.S.A. 8-247(e), and amendments thereto, with such additional tests as the division deems necessary. Upon the conclusion of such examination, the division shall take action as may be appropriate and may suspend or revoke the license of such person or permit the licensee to retain such license, or may issue a license subject to restrictions as permitted under K.S.A. 8-245, and amendments thereto.

(d) Refusal or neglect of the licensee to submit to an examination as required by this section shall be grounds for suspension or revocation of the license.

(e) The division may issue a driver's license with a DUI-IID designation for a licensee that is operating under ignition interlock restrictions required by K.S.A. 8-1014, and amendments thereto. The reexamination requirement in subsection (a)(2) shall not require reexamination and payment of reinstatement fees until the end of the licensee's ignition interlock restriction period. If the applicant's Kansas driver's license has been expired for one year or more, the applicant must complete a reexamination and pay any applicable reinstatement fees before qualifying for a driver's license with an ignition interlock designation. All other requirements for issuance and renewal of a driver's license under K.S.A. 8-240, and amendments thereto, shall continue to apply. The renewal periods and other requirements in K.S.A. 8-247, and amendments thereto, shall apply. The fees charged for the driver's license with ignition interlock designation shall include: (1) The fee amounts set out in K.S.A. 8-240(f), and amendments thereto; (2) fees prescribed by the secretary of revenue and required in K.S.A. 8-243(a), and amendments thereto; and (3) a \$10 fee to the DUI-IID designation fund. There is hereby created in the state treasury the DUI-IID designation fund. All moneys credited to the DUI-IID designation fund shall be used by the ~~department of revenue~~ highway patrol only for the purpose of funding the administration and oversight of state certified ignition interlock manufacturers and their service providers.";

Also on page 4, in line 17, by striking "2020" and inserting "2021";

On page 6, in line 21, by striking "2022" and inserting "2023";

On page 7, in line 14, by striking "Ninety" and inserting "One hundred and eighty"; in line 16, by striking "one year" and inserting "two years";

On page 9, in line 9, by striking "2022" and inserting "2023"; in line 10, by striking "2020" and inserting "2021";

On page 10, in line 20, by striking "provided" and inserting "if"; in line 22, by striking "2020" and inserting "2021"; in line 25, after "minimum" by inserting "of"; in line 29, after "minimum" by inserting "of"; in line 32, after "minimum" by inserting "of";

On page 11, in line 27, by striking "provided" and inserting "if"; in line 29, by striking "2020" and inserting "2021"; in line 32, after "minimum" by inserting "of";

On page 12, in line 1, by striking all after "(2)"; by striking all in lines 2 through 42; in line 43, by striking "(3)";

On page 15, in line 36, by striking "2020" and inserting "2021"; in line 38, by

striking "2020" and inserting "2021";

On page 16, in line 28, by striking "2020" and inserting "2021"; following line 35, by inserting:

"Sec. 6. K.S.A. 2021 Supp. 8-2,150 is hereby amended to read as follows: 8-2,150. (a) A driver or a holder of a commercial driver's license may not enter into a diversion agreement in lieu of further criminal proceedings that would prevent such person's conviction for any violation, in any type of motor vehicle, of a state or local traffic control law, except a parking violation, from appearing on the person's record, whether the person was convicted for an offense committed in the state where the person is licensed or another state.

(b) For purposes of subsection (a), a person shall be considered a holder of a commercial driver's license if the person was a holder of a commercial driver's license at the time the person was arrested or was issued a citation and shall remain a holder of a commercial driver's license even if the person surrenders the commercial driver's license after the arrest or citation.

(c) (1) A prosecuting attorney as defined in K.S.A. 22-2202, and amendments thereto, shall not mask or defer imposition of judgment or allow an individual to enter into a diversion program that would prevent a commercial learner's permit or commercial driver's license holder's conviction from appearing on the CDLIS driver record of any violation of a state or local traffic control law that occurred in any type of motor vehicle. The provisions of this subsection shall apply regardless of whether the driver was convicted for an offense committed in the state where the driver is licensed or in any another state.

(2) The provisions of this subsection shall not apply to parking, vehicle weight or vehicle defect violations.

(d) The provisions of this section shall be a part of and supplemental to the Kansas uniform commercial drivers' license act.

Sec. 7. K.S.A. 2021 Supp. 8-1014 is hereby amended to read as follows: 8-1014. (a) Except as provided by subsection (e) and K.S.A. 8-2,142, and amendments thereto, if a person refuses a test, the division, pursuant to K.S.A. 8-1002, and amendments thereto, shall:

(1) On the person's first occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for two years to driving only a motor vehicle equipped with an ignition interlock device;

(2) on the person's second occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for three years to driving only a motor vehicle equipped with an ignition interlock device;

(3) on the person's third occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for four years to driving only a motor vehicle equipped with an ignition interlock device;

(4) on the person's fourth occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for five years to driving only a motor vehicle equipped with an ignition interlock device; and

(5) on the person's fifth or subsequent occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for 10 years to driving only a motor vehicle equipped with an ignition interlock device.

(b) (1) Except as provided by subsections (b)(2) and (e) and K.S.A. 8-2,142, and amendments thereto, if a person fails a test or has an alcohol or drug-related conviction in this state, the division shall:

(A) On the person's first occurrence, suspend the person's driving privileges for 30 days and at the end of the suspension, restrict the person's driving privileges as provided by K.S.A. 8-1015(b), and amendments thereto;

(B) on the person's second occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device;

(C) on the person's third occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for two years to driving only a motor vehicle equipped with an ignition interlock device;

(D) on the person's fourth occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for three years to driving only a motor vehicle equipped with an ignition interlock device; and

(E) on the person's fifth or subsequent occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for 10 years to driving only a motor vehicle equipped with an ignition interlock device.

(2) Except as provided by subsection (e) and K.S.A. 8-2,142, and amendments thereto, if a person fails a test or has an alcohol or drug-related conviction in this state and the person's blood or breath alcohol concentration is 0.15 or greater, the division shall:

(A) On the person's first occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device;

(B) on the person's second occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for two years to driving only a motor vehicle equipped with an ignition interlock device;

(C) on the person's third occurrence, suspend the person's driving privileges for one year and at the end of the suspension restrict the person's driving privileges for three years to driving only a motor vehicle equipped with an ignition interlock device;

(D) on the person's fourth occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for four years to driving only a motor vehicle equipped with an ignition interlock device; and

(E) on the person's fifth or subsequent occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for 10 years to driving only a motor vehicle equipped with an ignition interlock device.

(3) Whenever a person's driving privileges have been restricted to driving only a motor vehicle equipped with an ignition interlock device for 10 years under this section, such person may petition any district court for relief from such restriction after five years of such restriction have been served. The court shall consider, but not be limited to, whether: (A) Such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court; and (B) such person proves installation, maintenance and use of an ignition interlock device

approved by the ~~division~~ highway patrol throughout the five-year period. If the court finds that the person's driving privileges should be restored, then the court shall electronically report such order to the division. The division, upon receiving such order, shall restore such person's driving privileges, unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court.

(c) Except as provided by subsection (e) and K.S.A. 8-2,142, and amendments thereto, if a person who is less than 21 years of age fails a test or has an alcohol or drug-related conviction in this state, penalties shall be imposed pursuant to subsection (b).

(d) Whenever the division is notified by a provider, as defined in K.S.A. 8-1008, and amendments thereto, or a court that the person has failed to follow any recommendation made by the provider or otherwise ordered by a court for a conviction of a violation of K.S.A. 8-1567, and amendments thereto, the division shall suspend the person's driving privileges until the division receives notice of the person's completion of such recommendation.

(e)(1) Except as provided in K.S.A. 8-2,142, and amendments thereto, if a person's driving privileges are subject to suspension pursuant to this section for a test refusal, test failure or alcohol or drug-related conviction arising from the same arrest, the period of such suspension shall not exceed the longest applicable period authorized by subsection (a) or (b), and such suspension periods shall not be added together or otherwise imposed consecutively. In addition, in determining the period of such suspension as authorized by subsection (a) or (b), such person shall receive credit for any period of time for which such person's driving privileges were suspended while awaiting any hearing or final order authorized by this act.

(2) If a person's driving privileges are subject to restriction pursuant to this section for a test failure or alcohol or drug-related conviction arising from the same arrest, the restriction periods shall not be added together or otherwise imposed consecutively. In addition, in determining the period of restriction, the person shall receive credit for any period of suspension imposed for a test refusal arising from the same arrest.

(f) If the division has taken action under subsection (a) for a test refusal or under subsection (b) for a test failure and such action is stayed pursuant to K.S.A. 8-259, and amendments thereto, or if temporary driving privileges are issued pursuant to K.S.A. 8-1020, and amendments thereto, the stay or temporary driving privileges shall not prevent the division from taking the action required by subsection (b) for an alcohol or drug-related conviction.

(g) The provisions of subsections (a), (b) and (c), as amended by this act and section 14 of chapter 105 of the 2011 Session Laws of Kansas, may be applied retroactively only if requested by a person who has had such person's driving privileges suspended or restricted pursuant to subsection (a), (b) or (c) prior to such amendment. Such person may apply to the division to have the penalties applied retroactively, as provided under K.S.A. 8-1015(g), and amendments thereto.

(h) When modifying penalties pursuant to subsection (g), the division shall credit any suspension or revocation time in excess of one year which was imposed and served prior to retroactive application of the provisions of subsections (a), (b) and (c), as amended by this act and section 14 of chapter 105 of the 2011 Session Laws of Kansas, toward the required ignition interlock restriction period imposed pursuant to the retroactive application of such provisions if:

(1) The person's driving record indicates no driving by the person during the applicable suspension or revocation period; and

(2) the person completes a form prescribed by the division indicating that the person did not drive during the applicable suspension or revocation period.

(i) As used in this section, "suspension" includes any period of suspension and any period of restriction as provided in K.S.A. 8-1015(a), and amendments thereto.;

Also on page 16, in line 36, by striking "2020" and inserting "2021";

On page 18, in line 32, by striking "division" and inserting "highway patrol";

On page 20, in line 34, by striking "secretary of revenue"; also in line 34, by striking "shall" and inserting "superintendent of the highway patrol may"; also in line 34, by striking all after "regulations"; in line 35, by striking all before "for"; in line 36, by striking "division" and inserting "highway patrol";

On page 21, in line 5, after the semicolon by inserting "and"; in line 6, after "division" by inserting "and the highway patrol"; in line 8, by striking all after "device"; by striking all in line 9; in line 10, by striking all before the period; in line 12, by striking "this section" and inserting "subsection (a)"; also in line 12, by striking "secretary of revenue" and inserting "superintendent of the highway patrol"; in line 19, after "division" by inserting "and the highway patrol"; in line 32, by striking "division" and inserting "highway patrol"; in line 33, by striking "this section" and inserting "subsection (a)"; in line 34, by striking "division" and inserting "highway patrol"; in line 38, by striking "division" and inserting "highway patrol"; in line 43, after "(e)" by inserting "All rules and regulations of the secretary of revenue adopted pursuant to this section, prior to its amendment by this act, that are described in subsection (a) and are in effect on June 30, 2022, shall be deemed to be the rules and regulations of the superintendent of the highway patrol and shall continue to be effective until amended, revoked or nullified pursuant to law.

(f);

On page 22, following line 33, by inserting:

"(3) The secretary of revenue shall adopt rules and regulations prior to March 1, 2023, establishing the requirements and guidelines for receiving reduced ignition interlock device program costs pursuant to this subsection.;"

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 22, in line 37, by striking "2020" and inserting "2021";

On page 24, in line 9, by striking "provided" and inserting "if"; in line 11, by striking "2020" and inserting "2021"; in line 14, after "minimum" by inserting "of"; in line 18, after "minimum" by inserting "of"; in line 21, after "minimum" by inserting "of"; also in line 21, by striking "complete" and inserting "completed,;"

On page 25, in line 17, by striking "provided" and inserting "if"; in line 19, by striking "2020" and inserting "2021"; in line 22, after "minimum" by inserting "of";

On page 26, in line 22, by striking "provided" and inserting "if"; in line 24, by striking "2020" and inserting "2021"; in line 27, after "minimum" by inserting "of";

On page 27, in line 25, by striking "provided" and inserting "if"; in line 27, by striking "2020" and inserting "2021"; in line 30, after "minimum" by inserting "of";

On page 28, in line 3, by striking "2020" and inserting "2021"; in line 25, by striking all before the comma; in line 26, by striking "2020" and inserting "2021";

On page 31, in line 10, by striking "2020" and inserting "2021"; in line 12, by

striking "2020" and inserting "2021";

On page 33, in line 15, by striking "2020" and inserting "2021"; in line 32, by striking "2020" and inserting "2021";

On page 36, in line 1, by striking "2020" and inserting "2021";

On page 37, in line 16, by striking "2020" and inserting "2021"; by striking all in lines 18 through 43;

By striking all on pages 38 through 46;

On page 47, by striking all in lines 1 through 34; following line 34, by inserting:

"Sec. 13. K.S.A. 2021 Supp. 21-6604 is hereby amended to read as follows: 21-6604. (a) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(1) Commit the defendant to the custody of the secretary of corrections if the current crime of conviction is a felony and the sentence presumes imprisonment, or the sentence imposed is a dispositional departure to imprisonment; or, if confinement is for a misdemeanor, to jail for the term provided by law;

(2) impose the fine applicable to the offense and may impose the provisions of subsection (q);

(3) release the defendant on probation if the current crime of conviction and criminal history fall within a presumptive nonprison category or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate. In felony cases ~~except for violations of K.S.A. 8-1567 or 8-2,144, and amendments thereto~~, the court may include confinement in a county jail not to exceed 60 days, which need not be served consecutively, as a condition of an original probation sentence;

(4) assign the defendant to a community correctional services program as provided in K.S.A. 75-5291, and amendments thereto, or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(5) assign the defendant to a conservation camp for a period not to exceed six months as a condition of probation followed by a six-month period of follow-up through adult intensive supervision by a community correctional services program, if the offender successfully completes the conservation camp program;

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2021 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by K.S.A. 2021 Supp. 21-6602(c), and amendments thereto;

(8) order the defendant to repay the amount of any reward paid by any crime stoppers chapter, individual, corporation or public entity that materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2021 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire that has been determined to be arson or aggravated arson as defined in K.S.A. 2021 Supp. 21-5812, and amendments thereto, if the defendant is convicted of such crime; repay the amount of any public funds utilized by a law

enforcement agency to purchase controlled substances from the defendant during the investigation that leads to the defendant's conviction; or repay the amount of any medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

(9) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court;

(10) order the defendant to pay a domestic violence special program fee authorized by K.S.A. 20-369, and amendments thereto;

(11) if the defendant is convicted of a misdemeanor or convicted of a felony specified in K.S.A. 2021 Supp. 21-6804(i), and amendments thereto, assign the defendant to a work release program, other than a program at a correctional institution under the control of the secretary of corrections as defined in K.S.A. 75-5202, and amendments thereto, provided such work release program requires such defendant to return to confinement at the end of each day in the work release program. On a second or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program shall serve the total number of hours of confinement mandated by that section;

(12) order the defendant to pay the full amount of unpaid costs associated with the conditions of release of the appearance bond under K.S.A. 22-2802, and amendments thereto;

(13) impose any appropriate combination of paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and through (12); or

(14) suspend imposition of sentence in misdemeanor cases.

(b) (1) In addition to or in lieu of any of the above, the court shall order the defendant to pay restitution, which shall include, but not be limited to, damage or loss caused by the defendant's crime. Restitution shall be due immediately unless: (A) The court orders that the defendant be given a specified time to pay or be allowed to pay in specified installments; or (B) the court finds compelling circumstances that would render restitution unworkable, either in whole or in part. In regard to a violation of K.S.A. 2021 Supp. 21-6107, and amendments thereto, such damage or loss shall include, but not be limited to, attorney fees and costs incurred to repair the credit history or rating of the person whose personal identification documents were obtained and used in violation of such section, and to satisfy a debt, lien or other obligation incurred by the person whose personal identification documents were obtained and used in violation of such section. In regard to a violation of K.S.A. 2021 Supp. 21-5801, 21-5807, 21-5813 or 21-5818, and amendments thereto, such damage or loss shall include the cost of repair or replacement of the property that was damaged, the reasonable cost of any loss of production, crops and livestock, reasonable labor costs of any kind, reasonable material costs of any kind and any reasonable costs that are attributed to equipment that is used to abate or repair the damage to the property. If the court finds restitution unworkable, either in whole or in part, the court shall state on the record in detail the reasons therefor.

(2) If the court orders restitution, the restitution shall be a judgment against the

defendant that may be collected by the court by garnishment or other execution as on judgments in civil cases. If, after 60 days from the date restitution is ordered by the court, a defendant is found to be in noncompliance with the restitution order, and the victim to whom restitution is ordered paid has not initiated proceedings in accordance with K.S.A. 60-4301 et seq., and amendments thereto, the court shall assign an agent procured by the judicial administrator pursuant to K.S.A. 20-169, and amendments thereto, to collect the restitution on behalf of the victim. The chief judge of each judicial district may assign such cases to an appropriate division of the court for the conduct of civil collection proceedings.

(3) If a restitution order entered prior to the effective date of this act does not give the defendant a specified time to pay or set payment in specified installments, the defendant may file a motion with the court prior to December 31, 2020, proposing payment of restitution in specified installments. The court may recall the restitution order from the agent assigned pursuant to K.S.A. 20-169, and amendments thereto, until the court rules on such motion. If the court does not order payment in specified installments or if the defendant does not file a motion prior to December 31, 2020, the restitution shall be due immediately.

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by K.S.A. 2021 Supp. 21-6602(d), and amendments thereto.

(d) In addition to any of the above, the court shall order the defendant to reimburse the county general fund for all or a part of the expenditures by the county to provide counsel and other defense services to the defendant. Any such reimbursement to the county shall be paid only after any order for restitution has been paid in full. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court that sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(e) In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole, conditional release or postrelease supervision.

(f) (1) When a new felony is committed while the offender is incarcerated and serving a sentence for a felony, or while the offender is on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed consecutively pursuant to the provisions of K.S.A. 2021 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(2) When a new felony is committed during a period of time when the ~~defendant~~

offender would have been on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony had the ~~defendant~~ offender not been granted release by the court pursuant to K.S.A. 2021 Supp. 21-6608(d), and amendments thereto, or the prisoner review board pursuant to K.S.A. 22-3717, and amendments thereto, the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(3) When a new felony is committed while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony, upon conviction, the court shall sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure. The conviction shall operate as a full and complete discharge from any obligations, except for an order of restitution, imposed on the offender arising from the offense for which the offender was committed to a juvenile correctional facility.

(4) When a new felony is committed while the offender is on release for a felony pursuant to the provisions of article 28 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, or similar provisions of the laws of another jurisdiction, a new sentence may be imposed consecutively pursuant to the provisions of K.S.A. 2021 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(g) Prior to imposing a dispositional departure for a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2021 Supp. 21-6824, and amendments thereto, prior to revocation of a nonprison sanction of a defendant whose offense is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2021 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012,

or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and amendments thereto, or a community intermediate sanction center. Pursuant to this subsection the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or community intermediate sanction center and the defendant meets all of the conservation camp's or community intermediate sanction center's placement criteria unless the court states on the record the reasons for not placing the defendant in a conservation camp or community intermediate sanction center.

(h) In committing a defendant to the custody of the secretary of corrections, the court shall fix a term of confinement within the limits provided by law. In those cases where the law does not fix a term of confinement for the crime for which the defendant was convicted, the court shall fix the term of such confinement.

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court that sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

(j) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty as a result of conviction of crime.

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(l) The secretary of corrections is authorized to make direct placement to the Labette correctional conservation camp or a conservation camp established by the secretary pursuant to K.S.A. 75-52,127, and amendments thereto, of an inmate sentenced to the secretary's custody if the inmate:

(1) Has been sentenced to the secretary for a probation revocation, as a departure from the presumptive nonimprisonment grid block of either sentencing grid, for an offense that is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, in grid blocks 4-E, 4-F, 4-G, 4-H

or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, or for an offense that is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and such offense does not meet the requirements of K.S.A. 2021 Supp. 21-6824, and amendments thereto; and

(2) otherwise meets admission criteria of the camp.

If the inmate successfully completes a conservation camp program, the secretary of corrections shall report such completion to the sentencing court and the county or district attorney. The inmate shall then be assigned by the court to six months of follow-up supervision conducted by the appropriate community corrections services program. The court may also order that supervision continue thereafter for the length of time authorized by K.S.A. 2021 Supp. 21-6608, and amendments thereto.

(m) When it is provided by law that a person shall be sentenced pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of this section shall not apply.

(n) (1) Except as provided by K.S.A. 2021 Supp. 21-6630 and 21-6805(f), and amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2021 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2021 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 75-52,144, and amendments thereto, including, but not limited to, an approved after-care plan. The amount of time spent participating in such program shall not be credited as service on the underlying prison sentence.

(2) If the defendant fails to participate in or has a pattern of intentional conduct that demonstrates the defendant's refusal to comply with or participate in the treatment program, as established by judicial finding, the defendant shall be subject to sanction or revocation pursuant to the provisions of K.S.A. 22-3716, and amendments thereto. If the defendant's probation is revoked, the defendant shall serve the underlying prison sentence as established in K.S.A. 2021 Supp. 21-6805, and amendments thereto.

(A) Except as provided in subsection (n)(2)(B), for those offenders who are convicted on or after July 1, 2003, but prior to July 1, 2013, upon completion of the underlying prison sentence, the offender shall not be subject to a period of postrelease supervision.

(B) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation is revoked pursuant to K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to K.S.A. 22-3716(c)(1), and amendments thereto, shall serve a period of postrelease supervision upon the completion of the underlying prison term.

(o) (1) Except as provided in paragraph (3), in addition to any other penalty or disposition imposed by law, upon a conviction for unlawful possession of a controlled substance or controlled substance analog in violation of K.S.A. 2021 Supp. 21-5706, and amendments thereto, in which the trier of fact makes a finding that the unlawful possession occurred while transporting the controlled substance or controlled substance analog in any vehicle upon a highway or street, the offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be suspended for one year.

(2) Upon suspension of a license pursuant to this subsection, the court shall require

the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(3) (A) In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person as provided in paragraph (1), the judge of the court in which such person was convicted may enter an order that places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

(B) Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license, which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this paragraph a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this paragraph.

(C) Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this paragraph, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(4) As used in this subsection, "highway" and "street" mean the same as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2021 Supp. 22-4616, and amendments thereto, the court shall require the defendant to: (1) Undergo a domestic violence offender assessment conducted by a certified batterer intervention program; and (2) follow all recommendations made by such program, unless otherwise ordered

by the court or the department of corrections. The court may order a domestic violence offender assessment and any other evaluation prior to sentencing if the assessment or evaluation would assist the court in determining an appropriate sentence. The entity completing the assessment or evaluation shall provide the assessment or evaluation and recommendations to the court and the court shall provide the domestic violence offender assessment to any entity responsible for supervising such defendant. A defendant ordered to undergo a domestic violence offender assessment shall be required to pay for the assessment and, unless otherwise ordered by the court or the department of corrections, for completion of all recommendations.

(q) In imposing a fine, the court may authorize the payment thereof in installments. In lieu of payment of any fine imposed, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed by the later of one year after the fine is imposed or one year after release from imprisonment or jail, or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance shall become due on that date. If conditional reduction of any fine is rescinded by the court for any reason, then pursuant to the court's order the person may be ordered to perform community service by one year after the date of such rescission or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date. All credits for community service shall be subject to review and approval by the court.

(r) In addition to any other penalty or disposition imposed by law, for any defendant sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2021 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the court shall order that the defendant be electronically monitored upon release from imprisonment for the duration of the defendant's natural life and that the defendant shall reimburse the state for all or part of the cost of such monitoring as determined by the prisoner review board.

(s) Whenever the court has released the defendant on probation pursuant to subsection (a)(3), the defendant's supervising court services officer, with the concurrence of the chief court services officer, may impose the violation sanctions as provided in K.S.A. 22-3716(c)(1)(B), and amendments thereto, without further order of the court, unless the defendant, after being apprised of the right to a revocation hearing before the court pursuant to K.S.A. 22-3716(b), and amendments thereto, refuses to waive such right.

(t) Whenever the court has assigned the defendant to a community correctional services program pursuant to subsection (a)(4), the defendant's community corrections officer, with the concurrence of the community corrections director, may impose the violation sanctions as provided in K.S.A. 22-3716(c)(1)(B), and amendments thereto, without further order of the court unless the defendant, after being apprised of the right to a revocation hearing before the court pursuant to K.S.A. 22-3716(b), and amendments thereto, refuses to waive such right.

(u) In addition to any of the above, the court shall authorize an additional 18 days

of confinement in a county jail to be reserved for sanctions as set forth in K.S.A. 22-3716(b)(3)(B), (b)(4) or (c)(1)(B), and amendments thereto.

(v) The amendments made to this section by ~~this act~~ section 1 of chapter 9 of the 2020 Session Laws of Kansas are procedural in nature and shall be construed and applied retroactively.";

Also on page 47, in line 35, by striking "2020" and inserting "2021";

On page 49, in line 41, by striking "2020" and inserting "2021";

On page 50, in line 7, by striking "2020" and inserting "2021"; in line 11, by striking "2020" and inserting "2021"; in line 15, by striking "2020" and inserting "2021"; in line 17, by striking "2020" and inserting "2021"; in line 21, by striking "2020" and inserting "2021"; in line 32, by striking "2020" and inserting "2021";

On page 51, in line 8, by striking "2020" and inserting "2021"; in line 42, by striking "2020" and inserting "2021"; in line 43, by striking "2020" and inserting "2021";

On page 52, in line 4, by striking "2020" and inserting "2021"; in line 7, by striking "2020" and inserting "2021"; in line 13, by striking "2020" and inserting "2021"; in line 17, by striking "2020" and inserting "2021"; in line 22, by striking "2020" and inserting "2021"; in line 23, by striking "2020" and inserting "2021"; in line 26, by striking "2020" and inserting "2021"; in line 27, by striking "2020" and inserting "2021"; in line 29, by striking "2020" and inserting "2021"; in line 32, by striking "2020" and inserting "2021"; in line 34, by striking "2020" and inserting "2021"; in line 35, by striking "2020" and inserting "2021"; in line 39, by striking "2020" and inserting "2021"; in line 40, by striking "2020" and inserting "2021";

On page 53, in line 12, by striking "2020" and inserting "2021"; in line 17, by striking "2020" and inserting "2021"; in line 20, by striking "2020" and inserting "2021"; in line 22, by striking "2020" and inserting "2021"; in line 23, by striking "2020" and inserting "2021"; in line 27, by striking "2020" and inserting "2021"; in line 28, by striking "2020" and inserting "2021";

On page 54, in line 24, by striking "2020" and inserting "2021"; in line 29, by striking "2020" and inserting "2021";

On page 55, in line 5, by striking "2020" and inserting "2021"; in line 7, by striking "2020" and inserting "2021"; in line 9, by striking "2020" and inserting "2021"; in line 19, by striking "2020" and inserting "2021"; in line 23, by striking "2020" and inserting "2021"; in line 31, by striking "2020" and inserting "2021"; in line 33, by striking "2020" and inserting "2021";

On page 56, in line 15, by striking "2020" and inserting "2021";

On page 57, in line 32, by striking "2020" and inserting "2021";

On page 58, in line 3, by striking "2020" and inserting "2021"; in line 5, by striking "2020" and inserting "2021"; also in line 5, after the first comma by inserting "8-241,"; in line 6, after the second comma by inserting "8-2,150, 8-1014,";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after the semicolon by inserting "relating to commercial drivers' licenses; increasing the period of disqualification for certain offenses and"; in line 7, after the semicolon by inserting "prohibiting prosecuting attorneys from concealing certain traffic violations from the CDLIS driver report"; in line 15, after the semicolon by inserting "providing that the highway patrol has oversight of state certification of ignition interlock manufacturers and their service providers"; in line 17, by striking "devices" and inserting "device program costs"; in

line 23, by striking "2020" and inserting "2021"; also in line 23, after "8-235," by inserting "8-241,,"; also in line 23, after "8-2,144," by inserting "8-2,150, 8-1014,,"; and the bill be passed as amended.

HB 2515 be amended on page 11, in line 41, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2448** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2448," as follows:

"Senate Substitute for HOUSE BILL No. 2448

By Committee on Public Health and Welfare

"AN ACT concerning public assistance; requiring able-bodied adults without dependents to complete an employment and training program in order to receive food assistance; amending K.S.A. 39-709 and repealing the existing section.";

And the substitute bill be passed.

HB 2280 be amended as recommended by the Senate Committee on Public Health and Welfare as reported in the Journal of the Senate on March 30, 2021, and the bill be further amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2280" as recommended by the Senate Committee on Public Health and Welfare as reported in the Journal of the Senate on February 9, 2022, and the bill, as printed as Senate Substitute for HB 2280, be further amended on page 1, in line 24, by striking "(A)"; in line 28, by striking all after the period; by striking all in lines 29 through 36;

On page 7, in line 38, by striking all after "such"; in line 39, by striking all before the period and inserting "refusal to fill or refill such prescription is based solely on a known or assumed diagnosis of a COVID-19 infection or its prophylactic treatment"; and the bill be passed as further amended.

Committee on **Transportation** recommends **SB 546** be amended on page 1, in line 19, by striking all after "(d)"; in line 20, by striking "(e)"; in line 25, by striking "(f)" and inserting "(e)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 2, in line 26, by striking all after "task"; in line 27, by striking "department"; in line 34, after "(4)" by inserting "the driverless-capable vehicle cannot exceed 34,000 pounds on tandem axles. The provisions of this paragraph shall expire and have no effect on and after July 1, 2025; and

(5)";

Also on page 2, in line 36, by striking "first year" and inserting "twelve consecutive months"; in line 37, after the period by inserting "The provision of this paragraph shall not apply to a person that operates:

(A) A vehicle that is not designed, intended or marketed for human occupancy; or

(B) a dedicated driverless-capable vehicle that lacks manual controls for operation by a conventional human driver.";

Also on page 2, in line 41, by striking "the department of transportation" and inserting "an agency that operates 24 hours a day and seven days a week"; in line 43, after "operation" by inserting ", and on which side of the vehicle contact information of the fleet support specialist is readily visible";

On page 3, in line 1, by striking all after "(2)"; in line 2, by striking all before the

semicolon and inserting "information regarding safety considerations for first responders in dealing with a driverless-capable vehicle as the result of collision or fire"; in line 11, by striking "to a"; in line 12, by striking all before "shall" and inserting ", when it is reasonably foreseeable that a human should respond,"; in line 19, by striking "prompted by the automated driving system" and inserting "it is reasonably foreseeable that a human should respond"; in line 23, by striking all after "task"; in line 24, by striking all before the period; following line 30, by inserting:

"(e) Sections 1 through 10, and amendments thereto, shall not be construed to modify the responsibilities of a conventional human driver that operates a system-equipped vehicle when the automated driving system is not engaged.";

Also on page 3, in line 39, after "through" by inserting "8-1606 and"; in line 41, after "if" by inserting "the vehicle remains at the scene or in the immediate vicinity of the crash until law enforcement arrives or vehicle registration and insurance information is provided to the parties affected by the accident, and either";

On page 4, in line 1, after the semicolon by inserting "or"; in line 4, by striking all after "crash"; by striking all in lines 5 and 6; in line 7, by striking all before the period and inserting "by the governmental departments that regulate operation and ownership of conventional human driver vehicles"; in line 10, by striking "reasonably" and inserting "by its nature"; in line 28, after the period by inserting "Violations of state and local traffic laws are enforceable as if the vehicle has a licensed human driver on board."

(3) Governmental departments may adopt rules and regulations implementing sections 1 through 10, and amendments thereto. Governmental departments are limited to adopting rules and regulations to implement sections 1 through 10, and amendments thereto, for those provisions under the jurisdiction of the governmental department when regulating operation and ownership of conventional human driven vehicles.";

On page 5, in line 8, by striking "reasonably"; in line 17, by striking all before "on"; following line 22, by inserting:

"New Sec. 10. A driverless-capable vehicle that is designed to be operated exclusively by the automated driving system for all trips is not subject to motor vehicle equipment laws or regulations of this state that:

(1) Support motor vehicle operation by a conventional human driver seated in the vehicle, including, but not limited to, mirrors, windshields and windshield wipers; and

(2) are not relevant for an automated driving system.";

Also on page 5, by striking all in line 38; in line 39, by striking all after "(9)"; in line 40, by striking all before the period and inserting "two members appointed by the chairperson of the state corporation commission;

(10) one member appointed by the Kansas league of municipalities;

(11) one member appointed by the Kansas association of counties;

(12) one member appointed by the governor from the light-duty motor vehicle manufacturers;

(13) one member appointed by the governor from the original equipment manufacturers;

(14) one member appointed by the governor from the original equipment manufacturers trade association;

(15) one member appointed by the governor from the heavy-duty motor vehicle manufacturers;

(16) one member appointed by the governor from the automated driving system

developers;

(17) one member appointed by the governor from the automated driving system developers trade association;

(18) one member appointed by the governor from the automated driving system manufacturers;

(19) one member appointed by the governor from the on-demand transportation network companies;

(20) one member appointed by the Kansas sheriffs' association;

(21) one member appointed by the Kansas state troopers association; and

(22) one member appointed by ABATE of Kansas";

Also on page 5, in line 43, by striking "co-chairperson" and inserting "chairperson";

On page 6, in line 1, after "committee" by inserting "during even-numbered calendar years"; in line 3, by striking "co-chairperson" and inserting "chairperson"; also in line 3, after "committee" by inserting "during odd-numbered calendar years"; in line 8, after the second comma by inserting "and each year July 1 thereafter,"; in line 13, by striking "2023" and inserting "2027";

On page 7, in line 37, after "(h)" by inserting "A driverless-capable vehicle's registered owner shall be responsible for all applicable traffic law violations when the automated driving system is engaged. For the purposes of prosecution of traffic law violations, the owner is considered to be the operator of the vehicle when the automated driving system is engaged.";

And by renumbering sections accordingly; and the bill be passed as amended.

Also, **HB 2633**, As Amended by House Committee, be amended on page 4, following line 21, by inserting:

"Sec. 2. License plates issued by the division of vehicles on and after July 1, 2022, shall include a decal designating the county of registration for any:

(a) 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; and

(b) vehicle that displays a distinctive license plate.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "plate" by inserting "; requiring that certain plates have a county of registration decal"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2541** be passed.

REPORT ON ENROLLED BILLS

SB 335, SB 392; Sub SB 400 reported correctly enrolled, properly signed and presented to the Governor on March 21, 2022.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Tuesday, March 22, 2022.

Journal of the Senate

FORTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 22, 2022, 10:00 a.m.

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

What Does The All-Knowing, All-Seeing God Perceive?
Psalm 139: Lamentations 3:22

To our awesome God of Heaven and Earth, Your Holy Word gives us firm permanent reminders that You are omniscient...all-knowing, that Your knowledge has no limits and like David, the hymn writer revealed in Psalm 139, we are the main focus of Your knowledge.

You know what we're thinking and You know our logic, Lord, You know what motivates us. You are acquainted with all our ways. There's not a word we utter that escapes Your ear or a thing we do that escapes Your sight. You see and hear everything, the good and the bad. Lord, help us do more of the good. Help us to be more like You, created in Your image. Guide us in showing love and compassion to our neighbors, to those that are different, who think different and who look and act different.

Let today's date, March 22, 2022, remind us all day of Lamentations 3:22 so we can be like You. In spite of what You know about us, it says that Your unfailing love and mercy still continues fresh as the morning as sure as the sunrise.

Lord, I pray that on this day, Your eyes see acts of love and Your ears hear words of love. In the Name of Him Who loved us to death. 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 LTC Frank Obermeyer, active duty officer in the German Army with a history in Armor, having served in the allied combat theaters of Afghanistan and Iraq. He has come to Fort Leavenworth after serving on assignment in NATO headquarters in Brussels, Belgium. He is here with his wife Anne, daughters Lena and Emma, and is attending the American Command and General Staff College (CGSC) for one year, developing expertise and skill sets necessary for the effective management of German national forces in rapport with US military forces. Fort Leavenworth's CGSC has operated since 1895 and international military officers from around the world have come to Fort

Leavenworth to study military art and science and educate field grade officers to be agile, innovative and adaptive leaders within increasingly complex and uncertain environments. LTC Obermeyer stands as a representative of that program, especially the role of the over 120 international officers from over 90 different allied countries that come to Kansas. The son of a Diplomat from the northeast area of Germany in Mecklenburg Western Pomerania, we recognize the role these international officers have on behalf of their countries to the USA and vice versa the role that our local community and indeed our state has as ambassadors. Today we recognize the role LTC Obermeyer has in the German army where Germany has taken a leading role in NATO during the Ukraine crisis on the fronts of military, financial and humanitarian aid. We recognize the importance of our allies to the USA and its strategic military and economic interests. As we stand symbolically together to recognize LTC Obermeyer and the international officers in the Ft. Leavenworth CGSC 2022 class, we reaffirm today our support of our international allies as we stand together as nations to promote freedom and to build a better global future for our kids.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 576, AN ACT concerning reapportionment; relating to state board of education districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-514 and 4-526, by Committee on Ways and Means.

SB 577, AN ACT concerning reapportionment; relating to state board of education districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-514 and 4-526, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Judiciary: **SB 572**, **SB 575**.

Redistricting: **SB 573**, **SB 574**.

MESSAGE FROM THE HOUSE

The House nonconcur in Senate amendments to **S Sub for HB 2361**, requests a conference and has appointed Representatives Owens, Smith E. and Highberger as conferees on the part of the House.

The House nonconcur in Senate amendments to **S Sub for HB 2057**, requests a conference and has appointed Representatives Barker, Arnberger and Ruiz, L. as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2087**, requests a conference and has appointed Representatives Barker, Arnberger and Ruiz, L. as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2005**, requests a conference and has appointed Representatives Highland, Orr and Vaughn as conferees on the part of the House.

The House nonconcur in Senate amendments to **S Sub for HB 2262**, requests a conference and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2109**, requests a conference and has appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2387**, requests a conference and has appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2508**, requests a conference and has appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2075**, requests a conference and has appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2478**, requests a conference and has appointed Representatives Proehl, Delperdang and Helgerson as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2540**, requests a conference and has appointed Representatives Clark, Ellis and Weigel as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2136**, requests a conference and has appointed Representatives Johnson, S., Croft and Neighbor as conferees on the part of the House.

ORIGINAL MOTION

On motion of Senator Olson, the Senate acceded to the request of the House for a conference on **HB 2005**.

The President appointed Senators Olson, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

On motion of Senator Olson, the Senate acceded to the request of the House for a conference on **S Sub HB 2057**.

The President appointed Senators Olson, Hilderbrand 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 2075**.

The President appointed Senators Warren, Wilborn and Haley 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 2087**.

The President appointed Senators Billinger, Claeys and Hawk 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 2109**.

The President appointed Senators Warren, Wilborn and Haley 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 2136**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Hilderbrand, the Senate acceded to the request of the House for a conference on **S Sub HB 2262**.

The President appointed Senators Hilderbrand, Gossage and Pettay 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 2361**.

The President appointed Senators Warren, Wilborn and Haley 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 2387**.

The President appointed Senators Warren, Wilborn and Haley 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 2478**.

The President appointed Senators Petersen, Claeys and Hawk 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 2508**.

The President appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

On motion of Senator Olson, the Senate acceded to the request of the House for a conference on **HB 2540**.

The President appointed Senators Olson, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 340, AN ACT concerning higher education; relating to the Kansas promise scholarship act; responsibilities of the state board of regents and postsecondary educational institutions; authorizing designation of additional eligible programs and fields of study; amending K.S.A. 2021 Supp. 74-32,271, 74-32,272, 74-32,273, 74-32,274, 74-32,275 and 74-32,276 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kersch, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettay, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed, as amended.

SB 455, AN ACT concerning education; relating to school attendance; allowing students to transfer to and attend school in any school district in the state; requiring school districts to set transfer capacity and adopt certain transfer policies; amending K.S.A. 72-13,101, 72-3122, 72-3123, 72-3124 and 72-3125 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 23; Nays 16; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Billinger, Bowers, Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Kerschen, Pettey, Pittman, Ryckman, Sykes, Ware.

Absent or Not Voting: McGinn.

The bill passed, as amended.

The Call was lifted.

EXPLANATION OF VOTE

Mr. President: I stand in support of **SB 455**, which allows students to transfer to and attend a school in another district. It is very unfortunate that so many unfounded fears and misrepresentations have been spread about this bill that was carefully vetted and amended in the Senate Education Committee. With **SB 455**, elected school boards will work with their administration to determine whether there is capacity for out-of-district students to transfer in. School districts in Kansas experiencing growth will never be required to take in students beyond their capacity. And out-of-state students are already attending Kansas border school districts, funded by state taxpayers at a .5 FTE rate. The focus of **SB 455** is to help parents find the best opportunities for learning for their child or children. As legislators, when you return to your Senate districts and you speak to your constituents, to parents, teachers, principals and superintendents, don't perpetuate the lies that have been spread about **SB 455**.—MOLLY BAUMGARDNER

Senators Erickson, Gossage and Masterson request the record to show they concur with the "Explanation of Vote" offered by Senator Baumgardner on **SB 455**.

Mr. President: Uprooting kids' lives – rather than strengthening their support system – like this legislation proposes, will not lead to long-term success for Kansas kids. As with many bills considered by this body, this legislation is unnecessary. There are already processes for school districts with capacity to accept nonresident transfers. These processes should be left to these districts and their school boards to adequately address the needs of their students and communities. But its pointlessness is the point. By eroding this local control and making this the Legislature's business, we are placing a stake in this process so that we can eventually find problems and move toward privatizing our schools. I will not support legislation that furthers inequality in our schools or that threatens whether we are meeting our constitutional obligation to provide "equal access to substantially similar educational opportunity." I vote no.—DINAH SYKES

Senators Faust-Goudeau and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **SB 455**.

SB 484, AN ACT concerning education; relating to student athletes; enacting the fairness in women's sports act; restricting participation on women's teams to female students; providing a cause of action for violations, 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 12; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: McGinn.

The bill passed.

The Call was lifted.

EXPLANATION OF VOTE

Mr. President: I strongly support female athletics and the underlying intent of this legislation. I want to be clear, I do not support boys competing in girls sports. However, this bill applies to intramural sports sponsored by a school district for students Kindergarten through fifth grade. These students, both male and female, currently play and compete together. As a former Superintendent, I have seen first-hand the skills and confidence students gain when participating in these activities. While the intent of this bill may not be to eliminate opportunities like these for students; the reality is it does. This bill hurts my heart. Again, I strongly support creating fairness in women's athletics and don't think biological boys should be winning high school and college championships. That is simply wrong. However, the unintended consequence of eliminating opportunities for all students to participate in sporting activities is important to me and the people I represent. Therefore, I vote no on **SB 484**.—BRENDA DIETRICH

Mr. President: Like last year, I voted to "PASS" for the ban on transgender women in women's sports. Only now, mean-spiritedly compelled by a Call of the Senate, must I split my 50/50 deliberation to vote one way or another on this divisive measure. Accordingly, by a hair's breadth, I vote "NO" on **SB 484**. Our Great State of Kansas can ill afford the stigma which is conferred on jurisdictions that are deemed discriminatory, insensitive and politically incorrect. Further, I predict that the future will judge those who have instituted such bans (when the federal government nullifies them) as Neanderthalistic and absolutely regressive in thought. Though I always have believed and fought for equality and inclusion for all people, at my heart I am an avowed feminist. Despite ingrained courtesies accorded women (like holding the door, etc.), women deserve equality and should *not* be subjected to some "superiority" or deference whether acknowledged in society through gender-prescribed and dominated customs *or* an inherent physical superiority on some field of play. Similarly, my record of advocating for identified transgender and LGBTQ issues (be it: marriage equality, bathrooms, hate crime sentencing, etc. ... you name it) is *without equal* in this Senate. I do not vote for any discriminatory measure; especially those seemingly generated by mean-spiritedness and/or sheer ignorance due to non-exposure of divergent populations.

But, unlike even a swimming or weight-lifting contest or even track and field, the first time I see a woman's boxing match and a transgendered woman punches a biological woman in the face it will go against everything I hold in my core belief down to my soul. There are undisputed physical differences in anatomical strengths between our respective biologies. Until we, as a society, are able to clearly delineate scientifically if such birth biological advantage has been significantly neutralized, as an admirer of women, I can not vote for a measure that may relegate many women to yet

another suppression by a man, albeit a transitioned one, now a woman, in a sports-related contest. Oddly though, I am now compelled to do so in preservation of our State's opportunities and image as well as my belief that history will record it as the correct thing to do.—DAVID HALEY

Mr. President: The Kansas Legislature needs to stop bullying transgender kids. I vote NO on **SB 484**.—TOM HOLLAND

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator Holland on **SB 484**.

Mr. President: Competitive high school and college sports are already regulated by KSHSAA and the NCAA to address trans-athletes in competition and we should observe and evaluate their leadership as they develop rules that keep women's sports competitive and fair, especially at these competitive levels. **SB 484**, however, has been constructed to divide our voters. This bill unfairly targets elementary kids all the way down to kindergarten and originally contained genital inspections which goes too far for me. It targets a population in broad strokes that is at a higher risk of suicide. It has economic risks for Kansas with regard to factoring against us for NCAA, FIFA, and other tournaments. This bill on transgender athletes was a solution in search of a problem, as we have not had a problem here in Kansas and we should look for better frameworks to deal with this issue.—JEFF PITTMAN

Senators Francisco, Holscher and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **SB 484**.

Mr. President: This body was given multiple opportunities to make this legislation less harmful to Kansas kids, to narrowly tailor it to address the purported purpose of this bill which tells our kids that there is something wrong with who they are. It is a fact that transgender youths are at an increased risk of mental health problems and suicidal ideation. Pediatric endocrinologists and psychologists have time and again highlighted that legislation that calls into question trans kids' dignity has an adverse effect on their mental health. According to a survey from the Centers for Disease Control and Prevention, about 1.8% of high school students identify as transgender; 35% reported that they had attempted suicide. These concerns were called an "emotional distraction." I am sorry that these concerns are inconvenient for advocates for this legislation, but I am more sorry for the trans kids who, for the second year in a row, have been told by their elected leaders that they are a threat to their friends and teammates. 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 484**.

Mr. President: I vote YES on **SB 484**, Fairness in Women's Sports Act. It is as simple as its title. The hallmark of athletic competition is fairness. It's why we have different weight classes, age groups, and it's why we have women's sports to begin with. As the mother of four – three daughters and a son – this legislation is essential to preserve five decades of protections that women fought for. If we are serious about Title IX and the longstanding understanding of the Equal Protection Clause, we must support this bill. Kansans know that there are physiological differences between the sexes that matter, and Kansans don't want their girls to lose opportunities to biological males. I will always stand up to protect women.—KELLIE WARREN

SB 496, AN ACT concerning education; relating to schools and school districts; establishing the parents' bill of rights, 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 15; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Longbine, O'Shea, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: McGinn.

The bill passed, as amended.

The Call was lifted.

EXPLANATION OF VOTE

Mr. President: I vote no on **SB 496** known as the “Parent’s Bill of Rights.” This bill was brought forward as a result of dark money groups working to undermine public schools and our teachers, and is not something actual parents of public school children have requested. Through decisions regarding this bill and others that are concerning, it has become apparent there is a huge disconnect between the reality of what happens in our public schools and the perspectives of our legislators. As the amendment that I brought forward yesterday requiring a week of volunteer work in a public school was not added on, today I will issue a challenge: “Can you do two?” In other words – can you volunteer for two days in a public school over our April break? Our break is a great time to get feedback from constituents and give back to the community. What better way to do that than volunteering for two days in a public school? The only requirements are that one day has to be in an elementary school and not on a Friday which is often field trip day. Bonus points for spending time with special needs children.—CINDY HOLSCHER

Mr. President: 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 is a list of demands modeled after national legislation that co-opts civil rights language in order to undermine our public school teachers and districts that teach and care for Kansas kids. In the committee hearing on this bill, I asked for Kansas examples that this bill addresses, and Kansas public school parents that believe this is an urgent problem facing our schools. I have not received a single response to that request. 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

Senator Pettey requests the record to show she concurs with the "Explanation of Vote" offered by Senator Sykes on **SB 496**.

Mr. President: I voted aye on **SB 496**, the Parental Bill of Rights. For Kansas parents and their children, this bill codifies rights long recognized by the U.S. Supreme Court and federal law. Parents across the state are asking for their rights to be protected. This bill will promote parental engagement and is best for all Kansas kids.—KELLIE WARREN

HB 2510, AN ACT concerning insurance; relating to permissible investments made by life insurance companies; updating certain investment limitation requirements to provide increased options for Kansas domiciled life insurance companies investing in equity interests and preferred stock; amending K.S.A. 40-2b06 and 40-2b07 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 37; Nays 2; Present and Passing 0; Absent or Not Voting 1.

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

Nays: Steffen, Straub.

Absent or Not Voting: McGinn.

The bill passed, as amended.

The Call was lifted.

HB 2564, AN ACT concerning insurance; relating to the regulation thereof; pertaining to credit for reinsurance; risk-based capital requirements; updating requirements for when credit for reinsurance may be granted to an assuming insurer that is not licensed, accredited or certified to transact insurance or reinsurance in this state; updating the version of instructions in effect; amending K.S.A. 40-221a and 40-2c01 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 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: McGinn.

The bill passed, as amended.

The Call was lifted.

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.

HB 2490 be passed.

HCR 5022 be amended by the adoption of the committee amendments, and the concurrent resolution be adopted as 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 President Masterson in the chair.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2253; Sub HB 2447; HB 2600, HB 2632, HB 2644, HB 2734.**

Announcing passage of **SB 141; Sub SB 300; SB 330, SB 336, SB 417, SB 419, SB 440, SB 448, SB 483.**

Announcing passage of **Sub SB 34**, as amended; **SB 200**, as amended; **SB 215**, as amended; **SB 313**, as amended; **SB 331**, as amended; **SB 343**, as amended, **SB 346**, as amended; **SB 446**, as amended; **SB 451**, as amended; **SB 453**, as amended; **SB 479**, as amended.

Announcing passage of **SB 19**, as amended by **H Sub for SB 19; SB 28**, as amended by **H Sub for SB 28; SB 261**, as amended by **H Sub for SB 261**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2253; Sub HB 2447; HB 2600, HB 2632, HB 2644, HB 2734 were thereupon introduced and read by title.

CHANGE OF REFERENCE

The President withdrew **HB 2582** from the Committee on **Judiciary**, and referred the bill to the Committee on **Public Health and Welfare**.

The President withdrew **S Sub HB 2380** from the Committee on **Financial Institutions and Insurance**, and referred the bill to the Committee on **Ways and Means**.

The President referred **HB 2253** to the Committee on **Public Health and Welfare**.

COMMITTEE OF THE WHOLE

The Senate returned to Committee of the Whole for consideration of bills under the heading of General Orders with Senator Bowers in the Chair.

On motion of Senator Bowers, the report for the morning and the following afternoon session was adopted.

HB 2110, HB 2462, HB 2481, HB 2547, HB 2568 be passed.

HB 2559 be amended by motion of Senator Francisco; on page 2, in line 8, by striking "seven" and inserting "three";

On page 3, in line 11, by striking "Attempt to"; also in line 11, by striking ", if practicable," and **HB 2559** be passed as amended.

Motions offered by Senators Peck, Steffen and Straub to amend **HB 2559** failed.

SCR 1619, SCR 1621; and HCR 5030 be adopted.

A motion by Senator Pyle to amend **SCR 1621** failed, and the following amendment was rejected; on page 1, in line 12, after "5" by inserting ", 8"; by striking all in lines 14

through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 7; following line 7 by inserting:

""§ 5. Selection of justices of the supreme court. (a) Any vacancy occurring in the office of any justice of the supreme court and any position to be open thereon as a result of enlargement of the court, or the retirement or failure of an incumbent to file his declaration of candidacy to succeed himself as hereinafter required, or failure of a justice to be elected to succeed himself, resignation or removal of a justice, shall be filled by appointment by the governor of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided election at the next general election. Such election shall be partisan and from the state as a whole. Except as otherwise provided in this section, election laws applicable to other state officers elected from the state as a whole shall apply to the nomination and election of justices of the supreme court. Each justice of the supreme court elected as provided by law shall hold office for a term of six years. Such term shall commence on the second Monday in January following the general election. Justices of the supreme court may seek reelection.

(b) In event of the failure of the governor to make the appointment within sixty days from the time the names of the nominees are submitted to him, the chief justice of the supreme court shall make the appointment from such nominees. Each justice of the supreme court in office at the time this amendment takes effect shall hold office for the term for which such justice was retained in office by election, or hold office for the initial term for which such justice was appointed, and until a successor is elected and qualified. The office that such justice holds shall be open upon the expiration of such justice's term of office or upon the retirement, resignation or removal of such justice, whichever occurs first. Such justice shall be eligible for election to such office in the manner prescribed in this section, unless by law such justice is compelled to retire or such justice retired, resigned or was removed from such office.

(c) Each justice of the supreme court appointed pursuant to provisions of subsection (a) of this section shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of twelve months in office. Not less than sixty days prior to the holding of the general election next preceding the expiration of his term of office, any justice of the supreme court may file in the office of the secretary of state a declaration of candidacy for election to succeed himself. If a declaration is not so filed, the position held by such justice shall be open from the expiration of his term of office. If such declaration is filed, his name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall _____

Here insert name of justice.)

(Here insert the title of the court.)

be retained in office?"

If a majority of those voting on the question vote against retaining him in office, the position or office which he holds shall be open upon the expiration of his term of office; otherwise he shall, unless removed for cause, remain in office for the regular term of six

years from the second Monday in January following such election. At the expiration of each term he shall, unless by law he is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.

(d) ~~A nonpartisan nominating commission whose duty it shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court is hereby established, and shall be known as the "supreme court nominating commission." Said commission shall be organized as hereinafter provided.~~

(e) ~~The supreme court nominating commission shall be composed as follows: One member, who shall be chairman, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident members of the bar in each such district; and one member, who is not a lawyer, from each congressional district, appointed by the governor from among the residents of each such district.~~

(f) ~~The terms of office, the procedure for selection and certification of the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.~~

(g) ~~No member of the supreme court nominating commission shall, while he is a member, hold any other public office by appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court. The commission may act only by the concurrence of a majority of its members.~~

"§ Sec. 8. Prohibition of political activity by justices and certain judges. No justice of the supreme court who is appointed or retained under the procedure of section 5 of this article, nor any judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 6 of this article; shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.";

Also on page 4, by striking all in lines 20 through 43; following line 43, by inserting:

"Explanatory statement. The purpose of this amendment is to provide for election of justices of the supreme court and to eliminate the supreme court nominating commission. Future justices would be elected in partisan, statewide elections. Each justice elected would hold office for a term of six years and would be allowed to seek reelection.

"A vote for this proposition would cause justices of the supreme court to be elected in partisan, statewide elections for terms of six years.

"A vote against this proposition would continue the current system in which justices of the supreme court are appointed by the governor from a list of three individuals submitted by the supreme court nominating commission."";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "5" by inserting ", 8"; in line 3, by striking "senate confirmation" and inserting "direct partisan election"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 10; Nays 24; Present and Passing 3; Absent or Not Voting 3.

Yeas: Hilderbrand, Kerschen, Olson, Peck, Petersen, Pyle, Straub, Thompson, Tyson, Warren.

Nays: Alley, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Holscher, Longbine, Masterson, O'Shea, Pettey, Pittman, Ryckman, Steffen, Suellentrop, Sykes, Ware, Wilborn.

Present and Passing: Baumgardner, Holland, Kloos.

Absent or Not Voting: Billinger, Claeys, McGinn.

A motion by Senator Pyle to amend **SCR 1621** failed, and the following amendment was rejected; on page 1, in line 12, by striking "Sections" and inserting "Section"; also in line 12, by striking "and 15"; in line 20, by striking "be elected to"; in line 21, after "office" by inserting "by senate confirmation"; in line 25, by striking "a person"; in line 26, by striking all before the period and inserting "one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided"; in line 32, by striking "date such vacancy occurred or such"; in line 33, by striking all before the comma and inserting "time the names of the nominees are submitted to the governor"; in line 34, before the comma by inserting "from such nominees"; in line 35, by striking ", of a person possessing the qualifications of office";

On page 2, in line 17, by striking "governor" and inserting "supreme court nominating commission"; in line 18, by striking all after "shall"; in line 19, by striking all before "such" and inserting "nominate and submit the names of three persons possessing the qualifications of office to the governor, and a subsequent appointment shall be made as provided in subsection (a)."; in line 29, by striking "provisions of"; also in line 29, by striking "of this section"; in line 30, by striking "an initial" and inserting "a"; in line 31, by striking "first"; in line 32, by striking "twelve months" and inserting "six years"; in line 34, by striking all after "(2)"; in line 35, by striking "election" and inserting "On or before the eighth calendar day of the regular legislative session"; in line 36, by striking all after "file"; in line 37, by striking all before "a" and inserting "with the secretary of the senate"; in line 41, by striking the second "such"; by striking all in lines 42 and 43;

On page 3, by striking all in lines 1 through 6 and inserting "the senate shall vote to consent to the retention in office not later than sixty days after such declaration is received by the senate. If the senate fails to vote on the retention in office within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to retaining such justice in office."; in line 8, by striking all after "(3)" and inserting "In the event that a majority of the senate does not vote to consent to"; in line 13, by striking all after the first "the"; in line 14, by striking all before the period and inserting "term provided in this subsection"; in line 16, by striking "election" and inserting "senate confirmation"; in line 42, by striking all after "(4)";

On page 4, by striking all in line 1; in line 2, by striking all before "to" and inserting "In the event that a majority of the senate does not vote to consent to retaining a justice in office, the secretary of the senate shall report such result"; following line 7, by inserting:

"(d) A nonpartisan nominating commission, whose duty shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court, is hereby established and shall be known as the "supreme court nominating commission." The commission shall be organized as hereinafter provided.

(e) The supreme court nominating commission shall be composed as follows: One

member, who shall be the chairperson, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident members of the bar in each such district; one member, who is not a lawyer, from each congressional district, appointed by the governor from among the residents of each such district; two members appointed by the president of the senate; and two members appointed by the speaker of the house of representatives.

(f) The terms of office, the procedure for selection and certification of the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.

(g) While a member, no member of the supreme court nominating commission shall hold any other public office by appointment or any official position in a political party, or for six months thereafter, be eligible for nomination for the office of justice of the supreme court. The commission may act only by the concurrence of a majority of the commission's members.;

Also on page 4, by striking all in lines 8 through 16; in line 17, by striking all before the quotation mark; in line 22, by striking "supreme court nominating commission" and inserting "process of retention in office by election and require retention in office by senate confirmation"; in line 23, by striking "a qualified person" and inserting "one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission"; in line 25, by striking "appoint a qualified person" and inserting "make the appointment from such nominees"; in line 28, by striking all after the comma; in line 29, by striking "person" and inserting "the nomination and appointment process is repeated"; in line 34, after the period by inserting "Justices will hold office for a term ending on the second Monday in January following the general election that occurs after the expiration of six years in office and will be subject to retention in office by senate confirmation. The amendment would also expand the supreme court nominating commission from nine members to 13 members by adding two members appointed by the president of the senate and two members appointed by the speaker of the house of representatives.;" in line 35, by striking all after "would"; in line 36, by striking all before "provide"; in line 38, after "justice" by inserting "from a list of three individuals submitted by the supreme court nominating commission"; in line 39, after the period by inserting "Justices will hold office for a term ending on the second Monday in January following the general election that occurs after the expiration of six years in office and will be subject to retention in office by senate confirmation. The amendment would also expand the supreme court nominating commission from nine members to 13 members by adding two members appointed by the president of the senate and two members appointed by the speaker of the house of representatives.;" in line 43, before the period by inserting "and are not subject to senate confirmation. Justices will continue to be subject to retention in office by election and hold office for a regular term of six years ending on the second Monday in January following the general election at which such justice is retained in office by the electors. The supreme court nominating commission will remain at nine members";

On page 1, in the title, in line 1, by striking "sections" and inserting "section"; also in line 1, by striking "and 15"; in line 3, by striking all after the second semicolon; in line 4, by striking all before the period and inserting "eliminating the process of retention in

office by election and requiring retention in office by senate confirmation; increasing the number of members on the supreme court nominating commission"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 7; Nays 29; Present and Passing 2; Absent or Not Voting 2.

Yeas: Bowers, Dietrich, Francisco, Pittman, Pyle, Straub, Tyson.

Nays: Alley, Baumgardner, Claeys, Corson, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Longbine, Masterson, O'Shea, Peck, Petersen, Pettey, Ryckman, Steffen, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Present and Passing: Kloos, Olson.

Absent or Not Voting: Billinger, McGinn.

SCR 1620 be amended by the adoption of the committee amendments, and the concurrent resolution be adopted as amended.

HB 2363, HB 2476, HB 2489, HB 2595, HB 2605, HB 2703 be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 438 be amended by the adoption of the committee amendments, be further amended by motion of Senator Hilderbrand; on page 1, in line 18, after the semicolon by inserting "and"; in line 19, by striking all after "(4)"; by striking all in line 20; in line 21, by striking "(5)"

and **SB 438** be passed as further amended.

SB 546 be amended by the adoption of the committee amendments, be further amended by motion of Senator Hawk; on page 2, in line 36, by striking the second "and"; in line 37, after "(5)" by inserting "a conventional human driver shall be required to be physically present in every driverless-capable vehicle that provides transportation services for riders pursuant to K.S.A. 8-2701 et seq., and amendments thereto, for the first 24 consecutive months from the date that an entity places driverless-capable vehicles into service in this state; and

(6) except as otherwise provided in paragraph (5).";

On page 4, in line 32, before "A" by inserting "Subject to the provisions of section 2, and amendments thereto,"

and **SB 546** be passed as further amended.

SB 541 be amended by the adoption of the committee amendments, be further amended by motion of Senator Hilderbrand; on page 3, in line 30, by striking the first comma and inserting "or"; also in line 30, by striking "or limits religious gatherings";

On page 5, following line 39, by inserting:

"New Sec. 4. Notwithstanding any provision of law to the contrary, a governmental entity or public official shall not:

- (a) Restrict the manner of any worship service or activity in any way in this state;
- (b) suspend, regulate or prohibit the conduct of any worship service or activity in this state, regardless of whether the worship service or activity is conducted inside a building, inside a temporary structure or outdoors; or
- (c) limit the number of participants of any worship service or activity in this state, other than by enforcing limitations on the number of persons in a building imposed by fire codes.";

On page 17, in line 11, by striking "section 3" and inserting "sections 3 and 4";

On page 18, in line 10, by striking the second comma and inserting "or"; in line 11,

by striking "or limits religious gatherings";

On page 20, in line 1, by striking "section 3" and inserting "sections 3 and 4"; in line 4, by striking the comma and inserting "or"; in line 5, by striking "or limiting religious gatherings";

On page 21, in line 34, by striking "section 3" and inserting "sections 3 and 4";

And by renumbering sections accordingly;

On page 1, in the title, in line 6, after the semicolon by inserting "prohibiting a governmental entity or public official from restricting worship services or activities"; in line 8, by striking the comma and inserting "and"; also in line 8, by striking all after "restrictions"

SB 541 be further amended by motion of Senator Steffen; on page 20, in line 2, by striking "to issue" and inserting "for"; in line 3, before "limiting" by inserting "to be issued"; in line 10, after "effective" by inserting "only"; also in line 10, after "if" by inserting ":

(i)"; in line 13, after "disability" by inserting "; and

(ii) a declared state of disaster emergency under K.S.A. 48-924, and amendments thereto, or a declared state of local disaster emergency under K.S.A. 48-932, and amendments thereto, is currently in effect"; also in line 13, by striking "Such" and inserting:

"(B) An"; also in line 13, after "order" by inserting "approved pursuant to subparagraph (A)"; also in line 13, after "shall" by inserting ":

(i) Be rescinded upon the expiration of a declared state of disaster emergency under K.S.A. 48-924, and amendments thereto, or a declared state of local disaster emergency under K.S.A. 48-932, and amendments thereto; and

(ii)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 23; Nays 11; Present and Passing 1; Absent or Not Voting 5.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kloos, Masterson, O'Shea, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Haley, Hawk, Holland, Holscher, Kerschen, Pettey, Pittman, Sykes, Ware.

Present and Passing: Francisco.

Absent or Not Voting: Doll, Faust-Goudeau, Longbine, McGinn, Olson.

and **SB 541** be passed as further amended.

A motion by Senator Pettey to amend **SB 541** failed.

SB 351 be amended by the adoption of the committee amendments, be further amended by motion of Senator Francisco; on page 1, following line 17, by inserting:

"New Section 1. (a) The secretary of state, in consultation with county election officers, shall develop an affidavit system to be utilized for the transfer of ballots. Each person who transfers ballots for a county election office shall be required to sign an affidavit listing, if applicable, the:

(1) Number of blank ballots;

(2) number of spoiled ballots;

- (3) number of provisional ballots;
- (4) number of counted ballots;
- (5) number of advanced ballots in envelopes;
- (6) name of the person to whom such ballots were delivered; and
- (7) location of where the ballots were delivered.

(b) The affidavit system developed under this section shall apply to all ballots delivered, collected and transferred by county election offices prior to, on and after the date of an election and shall operate in conjunction with the provisions of K.S.A. 25-2707, 25-2708 and 25-2709, and amendments thereto, regarding transporting, preserving and destroying ballots and election records.

(c) (1) It shall be a violation of this section to alter any information provided in an affidavit or provide false information in an affidavit with the intent to hinder, prevent or defeat a fair election.

- (2) A violation of this section is a severity level 9, nonperson felony.;"
- And by renumbering sections accordingly;

On page 1, in the title, in line 12, after the semicolon by inserting "transfer of ballots by election workers; requiring the secretary of state and county election officers to develop an affidavit to be signed by such workers listing certain information;" and **SB 351** be passed as further amended.

A motion by Senator Francisco to amend **SB 351** failed.

Committee report on **HB 2458** recommending **S Sub HB 2458** be adopted, and the substitute bill be passed.

Committee report on **HB 2567** recommending **S Sub HB 2567** be adopted, and the substitute bill be passed.

Committee report on **S Sub for HB 2416** recommending **S Sub HB 2416** be adopted.

Senator Francisco moved, in accordance with Senate Rule 27, to divide the question on **S Sub HB 2416** into two parts. Part one was retained. Part two was rejected.

S Sub HB 2416 be passed over and retain a place on the calendar.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Baumgardner the Senate nonconcurrred in the House amendments to **SB 215** 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 Kerschen the Senate nonconcurrred in the House amendments to **H Sub SB 261** and requested a conference committee be appointed.

The President appointed Senators Kerschen, Ryckman and Ware as a conference committee on the part of the Senate.

On motion of Senator Petersen the Senate nonconcurrred in the House amendments to **SB 313** and requested a conference committee be appointed.

The President appointed Senators Petersen, Claeys and Hawk as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **SB 331** 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 Hilderbrand the Senate nonconcurred in the House amendments to **SB 343** and requested a conference committee be appointed.

The President appointed Senators Hilderbrand, Gossage and Pettey as a conference committee on the part of the Senate.

On motion of Senator Petersen the Senate nonconcurred in the House amendments to **SB 446** and requested a conference committee be appointed.

The President appointed Senators Petersen, Claey's and Hawk as a conference committee on the part of the Senate.

On motion of Senator Hilderbrand the Senate nonconcurred in the House amendments to **SB 453** and requested a conference committee be appointed.

The President appointed Senators Hilderbrand, Gossage and Pettey as a conference committee on the part of the Senate.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **HB 2712** be passed.

Also, **HB 2380** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2380," as follows:

"Senate Substitute for HOUSE BILL No. 2380

By Committee on Ways and Means

"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. 74-2013 and 79-3604 and K.S.A. 2021 Supp. 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 and 58-4204 and repealing the existing sections; also repealing K.S.A. 75-5160.";

And the substitute bill be passed.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Wednesday, March 23, 2022.

Journal of the Senate

FORTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 23, 2022, 10:00 a.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 39 senators present.

Senator McGinn was excused.

Invocation by Reverend Cecil T. Washington:

Paying Honor, Praise, Tribute To God!
1 Corinthians 10:31

Lord, Your Word says, in 1 Corinthians 10:31, that we should give glory to You in everything we do. In keeping with this, Andre Crouch wrote the song “My Tribute.”

“My Tribute”

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 to Thee
To God be the glory for the things He has done
With His blood He has saved me, with his power He has raised me
To God be the glory for the things He has done
Just let me live my life, let it be pleasing Lord to Thee
And if I gain any praise let it go to Calvary
With His blood He has saved me, with his power he has raised me
To God be the glory for the things He has done.
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: **HB 2644**.

Judiciary: **Sub HB 2447**.

Public Health and Welfare: **HB 2632, HB 2734**.

Redistricting: **SB 576, SB 577**.

Ways and Means: **HB 2600**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Thompson the Senate nonconcurred in the House amendments

to **H Sub SB 19** and requested a conference committee be appointed.

The Vice President appointed Senators Thompson, Petersen and Francisco as a conference committee on the part of the Senate.

On motion of Senator Olson the Senate nonconcurred in the House amendments to **SB 479** and requested a conference committee be appointed.

The Vice President appointed Senators Olson, Hilderbrand and Faust-Goudeau as a conference committee on the part of the Senate.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointment, submitted by the Governor to the Senate for confirmation was considered.

Senator Alley moved the following appointment be confirmed.

By the Governor

On the appointment to the:

State Corporation Commission:

Dwight Keen, to serve a term ending March 15, 2026

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

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

Absent or Not Voting: Holland, McGinn.

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 Claeys in the chair.

HB 2712 be passed.

HB 2537 be amended be amended by motion of Senator Warren; on page 2, in line 12, by striking "statute book" and inserting "Kansas register" and the bill be passed as amended.

Committee report on **HB 2597** recommending **S Sub HB 2597** be adopted, and the substitute bill be passed.

HB 2299, **HB 2386** be amended by the adoption of the committee amendments and the bills be passed as amended.

An amendment offered by Senator Haley on **HB 2299** was ruled not germane.

SB 489 be amended by the adoption of the committee amendments, be further amended by motion of Senator Thompson; on page 3, in line 1, by striking all after "diseases"; in line 2, by striking all before the period

SB 489 be further amended by motion of Senator Thompson; on page 4, in line 37, by striking "known" and inserting "medically necessary and reasonable" and the bill be passed as further amended.

The Committee rose and reported progress. (See Committee of the Whole afternoon and evening 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 Claeys in the Chair.

Sub HB 2466, be amended by the adoption of the committee amendments, and the bill be passed as amended.

HCR 5014 be adopted.

A motion offered by Senator Francisco on **HCR 5014** failed and the following amendment was rejected; on page 1, in line 36, after "regulations" by inserting "other than to supersede such rules and regulations by enacting legislation".

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 11; Nays 27; Present and Passing 0; Absent or Not Voting 2.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Erickson, McGinn.

Committee report on **HB 2056** recommending **S Sub HB 2056** be adopted, be amended by motion of Senator Hilderbrand; on page 1, in line 15, after "(b)" by inserting "(1)"; in line 16, after "be" by inserting ":

(A)";

Also on page 1, in line 17, by striking all after "office"; in line 18, by striking all before the period and inserting ";

(B) located inside a state or municipal building where employees of the state or such municipality are physically present; or

(C) located inside any other building and continuously observed by two authorized poll agents who shall not be registered with the same political party";

Also on page 1, also in line 18, after the period by inserting:

"(2)";

Also on page 1, in line 33, by striking all after "(d)"; by striking all in lines 34 through 36;

On page 2, by striking all in lines 1 through 5; in line 6, by striking "(e)"; in line 11, by striking the comma and inserting ":

(1)";

Also on page 2, in line 15, after "site" by inserting " and

(2) "state or municipal building" means a building owned or leased by the state or a municipality. "State or municipal building" does not include a building owned by the

state or a municipality that is leased by a private entity whether for profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly, and **S Sub HB 2056** be passed as amended.

A motion by Senator Francisco to rerefer **S Sub HB 2056** to the Committee on **Federal and State Affairs failed.**

A motion by Senator Holscher to amend **S Sub HB 2056** was ruled not germane.

HB 2456 be amended by the adoption of the committee amendments, be further amended by motion of Senator Peck; on page 1, in line 7, after "(a)" by inserting "(1)"; in line 9, by striking all after "is"; in line 10, by striking all before "a"; in line 11, after the comma by inserting "and:

(A) Five years of age or younger,";

Also on page 1, in line 12, by striking all before "may" and inserting "; or

(B) at least six years of age but not more than 12 years of age, upon payment of a license fee that shall not exceed \$400.

(2) Such license fee";

Also on page 1, also in line 12, after the period by inserting:

"(3)";

Also on page 1, in line 14, by striking "fee shall not exceed \$400" and inserting "fees may be increased up to an additional \$100", and **HB 2456** be passed as further amended.

Committee report on **HB 2239** recommending **S Sub HB 2239** as amended be adopted, be further amended by motion of Senator Tyson; on page 11, in line 36, by striking all after the third comma; in line 37, by striking all before "electing"; in line 39, by striking "Resident"; in line 41, by striking "section 21" and inserting "K.S.A. 79-32,110";

On page 12, in line 6, by striking all after "act"; in line 7, by striking all before the third comma;

On page 26, in line 1, after the stricken material, by inserting "and"; in line 4, by striking all after "1986"; by striking all in lines 5 through 7; in line 8, by striking all before the period; in line 42, after the stricken material, by inserting "and";

On page 27, in line 2, by striking the semicolon; by striking all in lines 3 through 6; in line 7, by striking all before the period

S Sub HB 2239 be further amended by motion of Senator Tyson; on page 20, in line 13, after "credit" by inserting ", work opportunity tax credit and similar"; also in line 13, after the fourth period by inserting "For taxable years beginning after December 31, 2019, the provisions of this paragraph shall also apply to the employee retention credit.";

On page 1, in the title, in line 11, after the semicolon by inserting "providing a subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowance;"

S Sub HB 2239 be further amended by motion of Senator Baumgardner; on page 29, following line 14, by inserting:

"Sec. 31. K.S.A. 79-32,261 is hereby amended to read as follows: 79-32,261. (a) (1) On and after July 1, 2008, any taxpayer who contributes in the manner prescribed by this ~~section~~ paragraph to a community college located in Kansas for capital

improvements, to a technical college for deferred maintenance or the purchase of technology or equipment or to a postsecondary educational institution located in Kansas for deferred maintenance, shall be allowed a credit against the tax imposed by the Kansas income tax act, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The tax credit allowed by this ~~section paragraph~~ is applicable for the tax year 2008 for any contributions made on and after July 1, 2008, and for the tax years 2009, 2010, 2011 and 2012 for any contributions made during the entire tax year. The amount of the credit allowed by this ~~section paragraph~~ shall not exceed 60% of the total amount contributed during the taxable year by the taxpayer to a community college or a technical college located in Kansas for such purposes. The amount of the credit allowed by this ~~section paragraph~~ shall not exceed 50% of the total amount contributed during the taxable year by the taxpayer to a postsecondary educational institution for such purposes. If the amount of the credit allowed by this ~~section paragraph~~ for a taxpayer who contributes to a community college or a technical college exceeds the taxpayer's income tax liability imposed by the Kansas income tax act, such excess amount shall be refunded to the taxpayer. If the amount of the tax credit for a taxpayer who contributes to a postsecondary educational institution exceeds the taxpayer's income tax liability for the taxable year, the amount which exceeds the 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 credit has been deducted from tax liability, except that no such tax credit shall be carried over for deduction after the third taxable year succeeding the taxable year in which the contribution is made. Prior to the issuance of any tax credits pursuant to this ~~section paragraph~~, the structure of the process in which contributions received by a community college, a technical college or a postsecondary educational institution qualify as tax credits allowed and issued pursuant to this ~~section paragraph~~ shall be developed by a community college, a technical college and a postsecondary educational institution in consultation with the secretary of revenue and the foundation or endowment association of any such community college, technical college or postsecondary educational institution in a manner that complies with requirements specified in the federal internal revenue code of 1986, as amended, so that contributions qualify as charitable contributions allowable as deductions from federal adjusted gross income.

(2) On and after July 1, 2022, any taxpayer who contributes in the manner prescribed by this paragraph to a community college or technical college located in Kansas for capital improvements, deferred maintenance or the purchase of technology or equipment shall be allowed a credit against the tax imposed by the Kansas income tax act, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The tax credit allowed by this paragraph is applicable for the tax year 2022 for any contributions made on and after July 1, 2022, and for the tax years 2023, 2024, 2025 and 2026 for any contributions made during the entire tax year. The amount of the credit allowed by this paragraph shall equal 60% of the total amount contributed during the taxable year by the taxpayer to a community college or a technical college located in Kansas for such purposes. If the amount of the

credit allowed by this paragraph for a taxpayer who contributes to a community college or technical college exceeds the taxpayer's income tax liability imposed by the Kansas income tax act, such excess amount shall not be refunded to the taxpayer. Prior to the issuance of any tax credits pursuant to this paragraph, the structure of the process in which contributions received by a community college or technical college qualify as tax credits allowed and issued pursuant to this paragraph shall be developed by a community college and technical college in consultation with the secretary of revenue and the foundation or endowment association of any such community college or technical college in a manner that complies with requirements specified in the federal internal revenue code of 1986, as amended, so that contributions qualify as charitable contributions allowable as deductions from federal adjusted gross income.

(b) (1) Upon receipt of any ~~such~~ contributions to a community college made pursuant to the provisions of ~~this section subsection (a)(1)~~, the treasurer of the community college shall deposit such contributions to the credit of the capital outlay fund of such community college established as provided by K.S.A. 71-501a, and amendments thereto. Expenditures from such fund shall be made for the purposes described in ~~subsection (a)~~ of K.S.A. 71-501(a), and amendments thereto, except that expenditures shall not be made from such fund for new construction or the acquisition of real property for use as building sites or for educational programs.

(2) Upon receipt of any ~~such~~ contributions to a technical college made pursuant to the provisions of ~~this section subsection (a)(1)~~, such contributions shall be deposited to the credit of a deferred maintenance fund or a technology and equipment fund established by the technical college which received the contribution. Expenditures from such fund shall be made only for the purpose as provided in ~~this subsection (b)(1)~~.

(3) Upon receipt of any such contributions to a postsecondary educational institution made pursuant to the provisions of ~~this section subsection (a)(1)~~, such contributions shall be deposited to the credit of the appropriate deferred maintenance support fund of the postsecondary educational institution ~~which that~~ received the contribution. Expenditures from such fund shall be made only for the purposes designated for such fund pursuant to law.

(4) Upon receipt of any such contributions to a community college or technical college made pursuant to the provisions of subsection (a)(2), the treasurer of the community college or technical college shall deposit such contributions to the credit of the capital outlay fund of such community college or technical college established as provided by K.S.A. 71-501a, and amendments thereto. Expenditures from such fund shall be made for the purposes designated for such fund pursuant to law.

(c) (1) In no event shall the total amount of credits allowed under ~~this section subsection (a)(1)~~ for taxpayers who contribute to any one such community college or technical college exceed the following amounts: For the tax year 2008, an amount not to exceed \$78,125; for the tax year 2009, an amount not to exceed \$156,250; and for the tax years 2010, 2011 and 2012, an amount not to exceed \$208,233.33.

(2) In no event shall the total of credits allowed under ~~this section subsection (a)(1)~~ for taxpayers who contribute to postsecondary educational institutions exceed the following amounts: For the tax year 2008, an amount not to exceed \$5,625,000; for the tax year 2009, an amount not to exceed \$11,250,000; and for the tax years 2010, 2011 and 2012, an amount not to exceed \$15,000,000. Except as otherwise provided, the allocation of such tax credits for each individual state educational institution shall be

determined by the state board of regents in consultation with the secretary of revenue and the university foundation or endowment association of each postsecondary educational institution, and such determination shall be completed prior to the issuance of any tax credits pursuant to ~~this section~~ subsection (a)(1). Not more than 40% of the total of credits allowed under ~~this section~~ subsection (a)(1) shall be allocated to any one postsecondary educational institution unless all such postsecondary educational institutions approve an allocation to any one such postsecondary educational institution which exceeds 40% of the total of such credits allowed under ~~this section~~ subsection (a)(1).

(3) For the tax years 2022 through 2026, the amount of such credit awarded under subsection (a)(2) for each taxpayer shall not exceed \$500,000 per tax year.

(4) In no event shall the total of credits allowed under subsection (a)(2) for contributions to any one community college or technical college exceed \$1,000,000 per tax year.

(5) In no event shall the total of credits allowed under subsection (a)(2) exceed \$7,000,000 for each tax year that the credit remains in effect.

(d) As used in this section: (1) "Community college" means a community college established under the provisions of the community college act;

(2) "deferred maintenance" means the maintenance, repair, reconstruction or rehabilitation of a building located at a technical college or a postsecondary educational institution which has been deferred, any utility systems relating to such building, any life-safety upgrades to such building and any improvements necessary to be made to such building in order to comply with the requirements of the Americans with disabilities act or other federal or state law, except that for taxable years commencing after December 31, 2013, deferred maintenance shall not include any maintenance, repair, reconstruction or rehabilitation of any building in which any abortion, as defined in K.S.A. 65-6701, and amendments thereto, is performed;

(3) "postsecondary educational institution" means the university of Kansas, Kansas state university of agriculture and applied science, Wichita state university, Emporia state university, Pittsburg state university, Fort Hays state university and Washburn university of Topeka; and

(4) "technical college" means a technical college as designated pursuant to K.S.A. 74-32,458, 74-32,460, 74-32,461, 74-32,462 ~~and~~ 74-32,464; and 74-32,465, and amendments thereto, and the institute of technology at Washburn university.

(e) Any taxpayer not subject to Kansas income, privilege or premiums tax who contributes to a community college, technical college or postsecondary educational institution, hereinafter designated the transferor, may sell, assign, convey or otherwise transfer tax credits allowed and earned pursuant to this section. The sale price of a tax credit shall be at least 50% of the full value of the credit. Such credit shall be deemed to be allowed and earned by any such taxpayer which is only disqualified therefrom by reason of not being subject to such Kansas taxes. The taxpayer acquiring earned credits, hereinafter designated the transferee, may use the amount of the acquired credits to offset up to 100% of the taxpayer's income, privilege or premiums tax liability for the taxable year in which such acquisition was made. Such credits may be sold or transferred only one time and, if sold or transferred, shall be transferred in the tax year such credit is earned or the two successive tax years. A transferred credit shall be claimed in the year purchased. The transferor shall enter into a written agreement with

the transferee establishing the terms and conditions of the sale or transfer and shall perfect such transfer by notifying the secretary of revenue in writing within 30 calendar days following the effective date of the transfer, subject to the review and approval or denial of such transfer by the secretary of revenue. The transferor and transferee shall provide any information pertaining to the sale or transfer as may be required by the secretary of revenue to administer and carry out the provisions of this section. The amount received by the transferor of such tax credit shall be taxable as income of the transferor, and the excess of the value of such credit over the amount paid by the transferee for such credit shall be taxable as income of the transferee.

(f) The secretary of revenue shall submit an annual report to the legislature to assist the legislature in the evaluation of the utilization of any credits claimed pursuant to this act, including information specific as to each community college, technical college or postsecondary educational institution. Such report shall be due on or before the first day of the legislative session following the tax year in which the credits were claimed.

(g) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this section.";

Also on page 29, in line 15, by striking the first "and"; also in line 15, after "79-32,111" by inserting "and 79-32,261";

And by renumbering sections accordingly;

On page 1, in the title, in line 11, after the semicolon by inserting "providing a credit for contributions to community colleges and technical colleges;"; in line 12, by striking the first "and" and inserting a comma; also in line 12, after "79-32,111" by inserting "and 79-32,261";

And adjusting the title and repealer accordingly if multiple amendments are adopted; and the substitute bill be passed as amended.

S Sub HB 2239 be further amended by motion of Senator Francisco, on page 12, following line 17, by inserting:

"New Sec. 25. (a) For all tax years commencing after December 31, 2022, each Kansas state individual income tax return form shall contain a designation as follows:

Kansas Historic Site Fund. Check if you wish to donate, in addition to your tax liability, or designate from your refund, ___\$1, ___\$5, ___\$10 or \$_____ to historic site number _____.

(b) For purposes of administration of this section, the director of taxation of the department of revenue shall assign a historic site number to all state-owned historic sites administered by the Kansas state historical society in order for a taxpayer to choose the historic site that will receive the donation. The instructions accompanying the individual income tax return shall include a brief description of all state-owned historic sites administered by the Kansas state historical society and identify each historic site number assigned for purposes of a contribution pursuant to this section.

(c) The director of taxation of the department of revenue shall determine annually the total amount designated for contribution to the Kansas historic site fund pursuant to subsection (a) and shall report such amount to the state treasurer, who shall credit the entire amount thereof to the Kansas historic site fund. Such fund is hereby established in the state treasury and shall be administered by the department of revenue. In the case where donations are made pursuant to subsection (a), the director shall remit the entire amount thereof 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 historic site fund. All moneys deposited in such fund shall be distributed to the historic sites in accordance with the selections of taxpayers and shall be used for the purpose of the operation, maintenance and preservation of such sites. 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 of revenue or the secretary's designee.";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "establishing a checkoff for contributions to the Kansas historic site fund;" and **S Sub HB 2239** be passed as amended.

An amendment offered by Senator Holland was ruled not germane.

Senator Holland challenged the ruling of the chair.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 26; Nays 9; Present and Passing 4; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Ryckman, Steffen, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Sykes, Ware.

Present and Passing: Corson, Pittman, Pyle, Straub.

Absent or Not Voting: McGinn.

The ruling was sustained.

The Committee rose and reported progress. (See Committee of the Whole morning and evening session.)

On motion of Senator Alley, the Senate recessed until 7:45 p.m.

EVENING 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 Claeys in the Chair.

On motion of Senator Claeys, the report for the morning, afternoon and the following evening session was adopted.

SB 155, HB 2541, HB 2608, be passed.

HB 2607 be amended by motion of Senator Warren; on page 2, in line 41, by striking "Kansas register" and inserting "statute book".

HB 2607 be further amended by motion of Senator Wilborn; on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2021 Supp. 59-29a02 is hereby amended to read as follows: 59-29a02. As used in this act:

(a) "Sexually violent predator" means any person who has been convicted of or charged with a sexually violent offense and who suffers from a mental abnormality or

personality disorder which makes the person likely to engage in repeat acts of sexual violence and who has serious difficulty in controlling such person's dangerous behavior.

(b) "Mental abnormality" means a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to commit sexually violent offenses in a degree constituting such person a menace to the health and safety of others.

(c) "Likely to engage in repeat acts of sexual violence" means the person's propensity to commit acts of sexual violence is of such a degree as to pose a menace to the health and safety of others.

(d) "Sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) "Sexually violent offense" means:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2021 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or K.S.A. 2021 Supp. 21-5506(a), and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or K.S.A. 2021 Supp. 21-5506(b), and amendments thereto;

(4) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) and (a)(3), prior to its repeal, or K.S.A. 2021 Supp. 21-5504(a)(3) and (a)(4), and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2021 Supp. 21-5504(b), and amendments thereto;

(6) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or K.S.A. 2021 Supp. 21-5508(a), and amendments thereto;

(7) aggravated indecent solicitation of a child, as defined in K.S.A. 21-3511, prior to its repeal, or K.S.A. 2021 Supp. 21-5508(b), and amendments thereto;

(8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2021 Supp. 21-5510, and amendments thereto;

(9) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2021 Supp. 21-5505(b), and amendments thereto;

(10) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2021 Supp. 21-5604(b), and amendments thereto;

(11) any conviction for a felony offense in effect at any time prior to the effective date of this act, that is comparable to a sexually violent offense as defined in paragraphs (1) through (11) or any federal or other state conviction for a felony offense that under the laws of this state would be a sexually violent offense as defined in this section;

(12) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 and 21-3303, prior to their repeal, or K.S.A. 2021 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent offense as defined in this subsection; or

(13) any act which either at the time of sentencing for the offense or subsequently during civil commitment proceedings pursuant to this act, has been determined beyond a reasonable doubt to have been sexually motivated.

(f) "Agency with jurisdiction" means ~~that agency which~~ an agency that releases upon lawful order or authority, a person confined or serving a sentence or term of confinement—and includes the department of corrections, the Kansas department for aging and disability services and the prisoner review board.

(g) "Person" means an individual who is a potential or actual subject of proceedings under this act.

(h) "Treatment staff" means the persons, agencies or firms employed by or contracted with the secretary to provide treatment, supervision or other services at the sexually violent predator facility.

(i) "Transitional release" means any halfway house, work release, sexually violent predator treatment facility or other placement designed to assist the person's adjustment and reintegration into the community.

(j) "Secretary" means the secretary for aging and disability services.

(k) "Conditional release" means approved placement in the community for a minimum of five years while under the supervision of the person's court of original commitment and monitored by the secretary for aging and disability services.

(l) "Conditional release monitor" means an individual appointed by the court to monitor the person's compliance with the treatment plan while placed on conditional release and who reports to the court. Such monitor shall not be a court services officer.

(m) "Progress review panel" means individuals appointed by the secretary for aging and disability services to evaluate a person's progress in the sexually violent predator treatment program.

Sec. 2. K.S.A. 2021 Supp. 59-29a03 is hereby amended to read as follows: 59-29a03. (a) ~~(1) Prior to July 1, 2023,~~ when it appears that a person may meet the criteria of a sexually violent predator as defined in K.S.A. 59-29a02, and amendments thereto, the agency with jurisdiction shall give written notice of such to the attorney general and the multidisciplinary team established in subsection (f); Such notice shall be given 90 days prior to the anticipated release of a person and includes, but is not limited to:

~~(1)(A)~~ (A) The anticipated release from total confinement of a person who has been convicted of a sexually violent offense, except that in the case of ~~persons who are a person who is~~ returned to prison for no more than 90 days as a result of revocation of postrelease supervision, written notice shall be given as soon as practicable following the person's readmission to prison;

~~(2)(B)~~ (B) release of a person who has been charged with a sexually violent offense and who has been determined to be incompetent to stand trial pursuant to K.S.A. 22-3305, and amendments thereto;

~~(3)(C)~~ (C) release of a person who has been found not guilty ~~by reason of insanity~~ of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto; or

~~(4)(D)~~ (D) release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto, and the jury who returned the verdict of not guilty answers in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto.

(2) On and after July 1, 2023, and prior to July 1, 2024, when it appears that a person may meet the criteria of a sexually violent predator as defined in K.S.A. 59-29a02, and amendments thereto, the agency with jurisdiction shall give written notice of such to the attorney general and the multidisciplinary team established in subsection (f). Such notice shall be given 90 days to two years prior to the anticipated release of a person and includes, but is not limited to:

(A) The anticipated release from total confinement of a person who has been convicted of a sexually violent offense, except that in the case of a person who is returned to prison for no more than 90 days as a result of revocation of postrelease

supervision, written notice shall be given as soon as practicable following the person's readmission to prison;

(B) release of a person who has been charged with a sexually violent offense and who has been determined to be incompetent to stand trial pursuant to K.S.A. 22-3305, and amendments thereto;

(C) release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto; or

(D) release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto, and the jury who returned the verdict of not guilty answers in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto.

(3) On and after July 1, 2024, when it appears that a person may meet the criteria of a sexually violent predator as defined in K.S.A. 59-29a02, and amendments thereto, the agency with jurisdiction shall give written notice of such to the attorney general and the multidisciplinary team established in subsection (f). Such notice shall be given two years prior to the anticipated release of a person and includes, but is not limited to:

(A) The anticipated release from total confinement of a person who has been convicted of a sexually violent offense, except that in the case of a person who is returned to prison for no more than 90 days as a result of revocation of postrelease supervision, written notice shall be given as soon as practicable following the person's readmission to prison;

(B) release of a person who has been charged with a sexually violent offense and who has been determined to be incompetent to stand trial pursuant to K.S.A. 22-3305, and amendments thereto;

(C) release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto; or

(D) release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto, and the jury who returned the verdict of not guilty answers in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto.

(b) The agency with jurisdiction shall inform the attorney general and the multidisciplinary team established in subsection (f) of the following:

(1) The person's name, identifying factors, anticipated future residence and offense history; and

(2) documentation of institutional adjustment and any treatment received.

(c) Any reports of evaluations prepared or provided pursuant to subsection (b) shall demonstrate that the person evaluated was informed of the following:

(1) The nature and purpose of the evaluation; and

(2) that the evaluation will not be confidential and that any statements made by the person and any conclusions drawn by the evaluator may be disclosed to a court, the detained person's attorney, the prosecutor and the trier of fact at any proceeding conducted under the Kansas sexually violent predator act.

(d) The permitted disclosures required to be submitted to the attorney general under this section shall be deemed to be in response to the attorney general's civil demand for relevant and material information to investigate whether a petition shall be filed. The information provided shall be specific to the purposes of the Kansas sexually violent predator act and as limited in scope as reasonably practicable.

(e) The agency with jurisdiction, its employees, officials, members of the multidisciplinary team established in subsection (f), members of the prosecutor's review committee appointed as provided in subsection (g) and individuals contracting, appointed or volunteering to perform services hereunder shall be immune from liability for any good-faith conduct under this section.

(f) The secretary of corrections shall establish a multidisciplinary team which may include individuals from other state agencies to review available records of each person referred to such team pursuant to subsection (a). The team shall include the mental health professional who prepared any evaluation, interviewed the person or made any recommendation to the attorney general. The team shall assess whether or not the person meets the definition of a sexually violent predator, as established in K.S.A. 59-29a02, and amendments thereto. The team shall notify the attorney general of its assessment.

(g) The attorney general shall appoint a prosecutor's review committee to review the records of each person referred to the attorney general pursuant to subsection (a). The prosecutor's review committee shall assist the attorney general in the determination of whether or not the person meets the definition of a sexually violent predator. The assessment of the multidisciplinary team shall be made available to the attorney general and the prosecutor's review committee.

(h) The provisions of this section are not jurisdictional and failure to comply with such provisions not affecting constitutional rights in no way prevents the attorney general from proceeding against a person otherwise subject to the provisions of the Kansas sexually violent predator act.

Sec. 3. K.S.A. 2021 Supp. 59-29a05 is hereby amended to read as follows: 59-29a05. (a) Upon filing of a petition under K.S.A. 59-29a04, and amendments thereto, the judge court shall determine whether probable cause exists to believe that the person named in the petition is a sexually violent predator. If such determination is made, the judge court shall:

(1) Direct that the person be taken into custody and detained in the county jail until such time as a determination is made that the person is a sexually violent predator subject to commitment under the Kansas sexually violent predator act, unless the person is subject to secure confinement at a correctional facility operated by the secretary of corrections. When the person is no longer subject to secure confinement at a correctional facility operated by the secretary of corrections, the court shall direct that the sheriff of the county where the petition is filed, or the sheriff's lawful designee, transport the person to the county jail and detain the person in the county jail until such time as a determination is made that the person is a sexually violent predator subject to commitment under the Kansas sexually violent predator act; and

(2) file a protective order permitting disclosures of protected health information to the parties, their counsel, evaluators, experts and others necessary to the litigation during the course of the proceedings subject to the Kansas sexually violent predator act.

(b) ~~Within 72 hours after a person is taken into custody pursuant to subsection (a), or~~ As soon as reasonably practicable or agreed upon by the parties, such person shall after the filing of a petition under K.S.A. 59-29a04, and amendments thereto, the court shall order that the person named in the petition be provided with notice of, and an opportunity to appear in person at, a hearing to contest probable cause as to whether the ~~detained~~ person is a sexually violent predator. At this hearing the court shall:

(1) Verify the ~~detainer's~~ person's identity; and
 (2) determine whether probable cause exists to believe that the person is a sexually violent predator. The state may rely upon the petition and supplement the petition with additional documentary evidence or live testimony.

(c) At the probable cause hearing as provided in subsection (b), the ~~detained~~ person shall have the following rights in addition to the rights previously specified:

- (1) To be represented by counsel;
- (2) to present evidence on such person's behalf;
- (3) to cross-examine witnesses who testify against such person; and
- (4) to view and copy all petitions and reports in the court file.

(d) If the probable cause determination is made, the court shall order that the person be transferred to an appropriate secure facility, including, but not limited to, a county jail, for an evaluation as to whether the person is a sexually violent predator. The evaluation ordered by the court shall be conducted by a person deemed to be professionally qualified to conduct such an examination.

(e) The person conducting the evaluation ordered by the court pursuant to this section shall notify the ~~detained~~ person being evaluated of the following:

- (1) The nature and purpose of the evaluation; and
- (2) that the evaluation will not be confidential and that any statements made by the ~~detained~~ person and any conclusions drawn by the evaluator, will be disclosed to the court, the ~~detained~~ person's attorney, the prosecutor and the trier of fact at any proceeding conducted under the Kansas sexually violent predator act.

(f) When a proceeding under the Kansas sexually violent predator act is required to be conducted by the court and the person involved in the proceeding remains subject to secure confinement at a correctional facility operated by the secretary of corrections, the court may secure the person's attendance at the proceeding by directing the sheriff of the county where the proceeding will be held, or the sheriff's lawful designee, to take the person into the sheriff's physical custody. The sheriff may detain such person in the county jail for such time deemed reasonable by the sheriff and the secretary of corrections to secure the person's attendance at the proceeding.

(g) Nothing in this section shall be construed to give a person:

(1) The right to appear at a proceeding under the Kansas sexually violent predator act absent a court order; or

(2) any right whatsoever in the amount of time the person is detained in the county jail to secure the person's attendance at a proceeding under the Kansas sexually violent predator act."

On page 2, in line 39, after "Supp." by inserting "59-29a02, 59-29a03, 59-29a05 and"; also in line 39, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "to" by inserting "civil commitment pursuant to the Kansas sexually violent predator act; requiring notice of release of a person who may be a sexually violent predator to the attorney general and multidisciplinary team; time; providing for detention during proceedings; relating to"; in line 2, after "Supp." by inserting "59-29a02, 59-29a03, 59-29a05 and"; in line 3, by striking "section" and inserting "sections", and **HB 2607** be passed as amended.

HB 2228, HB 2377 be amended by the adoption of the committee amendments, and the bills be passed as amended.

An amendment on **HB 2228** offered by Senator Holscher was ruled not germane.

A motion was offered by Senator Faust-Goudeau to amend **HB 2377**. A ruling of the chair was requested as to the germaneness of the amendment. The chair ruled the amendment was germane to the bill. The amendment failed.

Committee report on **HB 2448** recommending **S Sub HB 2448** be adopted, and the substitute bill be passed.

Committee report on **HB 2280** recommending **S Sub HB 2280**, as amended be adopted, and **S Sub HB 2280** be passed as amended.

S Sub HB 2416 (See previous action as noted in the March 22, 2022 Senate Journal) be amended by motion of Senator Warren; on page 1, in line 10, by striking all after "(a)"; by striking all in lines 11 through 22; in line 23, by striking "(b)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

S Sub HB 2416 be further amended by motion of Senator Baumgardner; as amended pursuant to a motion to divide the question in accordance with Senate Rule 27 adopted by the Senate Committee of the Whole as reported in the Journal of the Senate on March 22, 2022, on page 1, in line 14, after "disease" by inserting "in humans"; in line 26, after "(c)" by inserting "(1)"; following line 30, by inserting:

"(2) A claimant shall not be eligible for compensation if such claimant knew or should have known of a dangerous condition and such claimant failed to respond in a reasonable manner to address such dangerous condition that resulted in the use, restriction on use, damage, loss or destruction of property, including, but not limited to, sanitization or food safety.";

On page 2, in line 16, after "disease" by inserting "in humans";

On page 4, following line 6, by inserting:

"Sec. 2. K.S.A. 2021 Supp. 79-1614 is hereby amended to read as follows: 79-1614. (a) (1) The owner of any building listed and assessed for property taxation purposes as real property that maintains a business on the property that was shut down or restricted because of any action taken by the state, county, city or other political subdivision of the state pursuant to an executive order issued by the governor pursuant to K.S.A. 48-925, and amendments thereto, or any action taken by a county, city or other political subdivision of the state related to a state of disaster emergency declared 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, or any action taken by a county, city or other political subdivision of the state related to a contagious or infectious disease in humans pursuant to chapter 65 of the Kansas Statutes Annotated, and amendments thereto, may make application to the board of county commissioners of the county in which such property is located for the reimbursement of the property taxes levied upon such property during the shutdown or restriction.

(2) An owner shall not be eligible for reimbursement if such owner knew or should have known of a dangerous condition and such owner failed to respond in a reasonable manner to address such dangerous condition that resulted in the shutdown or restriction, including, but not limited to, sanitization or food safety.

(3) The county treasurer shall reimburse from the county general fund any owner who makes an application or operator that joins in an application that is determined to be valid for the period of time that the shutdown or restriction remained in effect. For ordered shutdowns, the reimbursement shall be calculated as a $\frac{1}{365}$ amount of the total

ad valorem real property taxes levied by the state, county and all other taxing subdivisions due for the property for the year multiplied by the number of calendar days the ordered shutdown was in effect. For ordered restrictions, the reimbursement shall be calculated as a $\frac{1}{365}$ amount of the total ad valorem real property taxes levied by the state, county and all other taxing subdivisions due for the property for the year multiplied by the percentage of the ordered restrictions and further multiplied by the number of calendar days the ordered restriction was in effect.

(b) If the owner is the operator of the business on the property that was shut down or restricted, the owner shall be entitled to 100% of such reimbursement amount. If the owner is not the operator of such business that was shut down or restricted from conducting operations:

(1) The owner shall disclose and attest to the identity of the operator of such business on the application form;

(2) the owner shall be entitled to 50% of such reimbursement amount;

(3) the operator of such business shall be entitled to 50% of such reimbursement amount if such operator joins in the owner's application; and

(4) such operator that joins in the owner's application may elect to assign such operator's share of the reimbursement amount to the owner to be credited against any delinquent rent due to the owner.

(c) If the state, a city or other political subdivision of the state was the governmental entity that shut down or restricted the business resulting in a reimbursement to an owner or operator pursuant to this section, such governmental entity that shut down or restricted the business shall reimburse the county for the cost of such reimbursement.

(d) For purposes of this section, "restriction" or "restricted" means any occupancy limitation, limitation on periods of operation or the exertion by any governmental entity of other significant control on business resources or functionality.

~~(e) The provisions of this section shall be applicable on and after January 1, 2022.~~

Sec. 3. K.S.A. 2021 Supp. 79-1614 is hereby repealed.;

And by renumbering sections accordingly;

On page 1, in the title, in line 7, before the period by inserting "; authorizing reimbursement of property taxes levied upon businesses shut down or restricted as a result of certain governmental actions related to contagious or infectious disease in humans; amending K.S.A. 2021 Supp. 79-1614 and repealing the existing section"

A ruling of the chair was requested as to the germaneness of the amendment. The chair ruled the amendment was germane to the bill.

S Sub HB 2416 be further amended by motion of Senator Tyson; as amended pursuant to a motion to divide the question in accordance with Senate Rule 27 adopted by the Senate Committee of the Whole as reported in the Journal of the Senate on March 22, 2022, on page 1, following line 9, by inserting:

"Section 1. The provisions of sections 1 through 14, and amendments thereto, shall be known and may be cited as the COVID-19 retail storefront property tax relief act. The purpose of this act shall be to provide refunds to certain businesses impacted by COVID-19 related shutdowns and restrictions during tax years 2020 and 2021 based on a portion of property taxes accrued on retail storefront property.

Sec. 2. As used in this act:

(a) "Act" means the COVID-19 retail storefront property tax relief act.

(b) (1) "Claimant" means a for-profit business, regardless of legal structure, who has filed a claim under the provisions of this act and who:

(A) Conducts a majority of its retail sales through customers' physical, on-site presence at a retail storefront property;

(B) was in operation on or prior to July 1, 2019, and filed a 2019 tax return;

(C) had at least \$10,000 but less than \$2,500,000 in annual revenues, including gross sales and receipts, in 2019;

(D) received less gross revenue in 2020 or 2021, as applicable, compared to 2019;

(E) was in active operations as of March 1, 2020; and

(F) has not received more than a total of \$150,000 in prior COVID-19-related local, state or federal funding or any combination thereof.

(2) "Claimant" shall not include:

(A) Grocery stores and pharmacies;

(B) hardware stores and home improvement businesses;

(C) retail liquor stores;

(D) manufacturers and food processors;

(E) schools, such as pre-kindergarten, kindergarten through grade 12, post-secondary, higher education, technical education and training;

(F) hospitals and healthcare providers, including, but not limited to, physicians, surgeons, psychologists and psychoanalysts, but not including personal services providers such as massage therapists and chiropractors;

(G) property management and real estate services, including owners or operators of short-term rental properties;

(H) professional services, including, but not limited to, accounting, insurance, legal, financial services and firms, information technology, engineering and architecture;

(I) agriculture and aquaculture producers, including farms, ranches and fisheries, but not including their retail storefronts used to conduct retail sales to customers;

(J) hosts or operators of a vacation or short-term rental unit;

(K) passive businesses, investment companies and investors who file a schedule E on their individual tax returns;

(L) financial businesses primarily engaged in the business of lending, such as banks, finance companies and factoring companies;

(M) cable companies, telephone companies, utilities and other similar businesses; and

(N) energy production, generation and distribution companies.

(3) When a retail storefront is occupied by two or more businesses and more than one of the businesses is able to qualify as a claimant, the businesses may determine between them as to whom the claimant will be. If they are unable to agree, the matter shall be referred to the secretary of revenue whose decision shall be final.

(c) "Gross rent" means the rental paid at arm's length solely for the right of occupancy of a retail storefront paid to a landlord, as expressly set out in the rental agreement, exclusive of charges for any utilities, services, furniture and furnishings or personal property appliances furnished by the landlord as a part of the rental agreement, whether or not expressly set out in the rental agreement. Whenever the director of taxation finds that the landlord and tenant have not dealt with each other at arm's length and that the gross rent charge was excessive, the director may adjust the gross rent to a

reasonable amount for the purpose of the claim.

(d) "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's retail storefront in 2020 or 2021, as applicable, by the state of Kansas and the political and taxing subdivisions of the state. When a retail storefront is owned by two or more persons or entities as joint tenants or tenants in common and one or more of the persons or entities is not a part of claimant's business, "property taxes accrued" is that part of property taxes levied on the retail storefront that reflects the ownership percentage of the claimant's business. For purposes of this act, property taxes are "levied" when the tax roll is delivered to the local treasurer with the treasurer's warrant for collection. When a claimant owns its retail storefront part of a calendar year, "property taxes accrued" means only taxes levied on the retail storefront when both owned and occupied as a retail storefront by the claimant's business at the time of the levy, multiplied by the percentage of 12 months that the property was owned and occupied by the business as its retail storefront in the year. When a business owns and occupies two or more different retail storefronts in the same calendar year, property taxes accrued shall be the sum of the taxes allocable to those several properties while occupied by the business as its retail storefront during the year. Whenever a retail storefront is an integral part of a larger unit such as a multi-purpose or multi-retail storefront building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the retail storefront is of the total value. For the purpose of this act, the word "unit" refers to that parcel of property covered by a single tax statement of which the retail storefront is a part.

(e) "Rent constituting property taxes accrued" means 15% of the gross rent actually paid in cash or its equivalent in 2020 or 2021, as applicable, by a claimant solely for the right of occupancy of a retail storefront on which ad valorem property taxes were levied in full for that year. When a claimant occupies two or more different retail storefronts in the same calendar year, rent constituting property taxes accrued shall be computed by adding the rent constituting property taxes accrued for each property rented by the claimant while occupied by the claimant as its retail storefront during the year.

(f) "Retail storefront" means the real property in this state, whether owned or rented, that is occupied by the claimant's business and where the claimant conducts retail sales through customers' physical, on-site presence. "Retail storefront" may consist of a part of a multi-purpose or multi-retail storefront building. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

Sec. 3. (a) For tax years 2020 and 2021, a claimant shall be eligible for a claim for refund under this act if the claimant's eligible business operated at the retail storefront was operationally shut down or restricted by a COVID-19-related order or action imposed by the state, a local unit of government or a local health officer, including, but not limited to, by an executive order issued by the governor pursuant to K.S.A. 48-925, and amendments thereto, or any action taken by a local unit of government related to a state of disaster emergency declared 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.

(b) The amount of refund under this act shall be equal to 33% of the COVID-19 qualifying sum. The COVID-19 qualifying sum shall be the sum of the COVID-19

ordered shutdown days gross rebate amount calculated pursuant to subsection (c) and the COVID-19 ordered restricted operations days gross rebate amount calculated pursuant to subsection (d).

(c) The COVID-19 ordered shutdown days gross rebate amount shall be the amount of the claimant's property taxes accrued or rent constituting property taxes accrued for the tax year divided by the applicable factor set forth in the following schedule:

Number of ordered shutdown days	Divide property taxes accrued or rent constituting property taxes or accrued by:
91 or more	3
61 to 90	4
31 to 60	6
1 to 30	12

(d) The COVID-19 ordered restricted operations days gross rebate amount shall be the amount of the claimant's property taxes accrued or rent constituting property taxes accrued for the tax year divided by the applicable factor set forth in the following schedule:

Number of ordered shutdown days	Divide property taxes accrued or rent constituting property taxes or accrued by:
211 or more	2
181 to 210	2.289
151 to 180	2.667
121 to 150	3.2
91 to 120	4
61 to 90	5.333
31 to 60	8
1 to 30	16

(e) For purposes of subsections (c) and (d), an eligible calendar day may be counted only once as either an ordered shutdown day or an ordered restricted operations day.

(f) A claimant with a qualifying business at a retail storefront that ceased operations after March 1, 2020, and before January 1, 2021, is eligible for a rebate only for tax year 2020.

(g) The maximum amount of a refund that may be claimed by a claimant in any single tax year pursuant to this act shall be \$7,500.

Sec. 4. A claimant may claim property tax relief under this act with respect to property taxes accrued or rent constituting property taxes accrued and, after audit by the director of taxation with respect to this act, the allowable amount of such claim shall be paid, except as otherwise provided in section 9, and amendments thereto, to the claimant from the income tax refund fund. Such payment shall be made upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of

taxation or by any person designated by the claimant, but no warrant issued shall be drawn in an amount of less than \$5. No interest shall be allowed on any payment made to a claimant pursuant to this act.

Sec. 5. Only one claimant per retail storefront per year shall be entitled to relief under this act.

Sec. 6. For tax years 2020 and 2021, no claim shall be paid or allowed unless such claim is filed with and in the possession of the department of revenue on or before April 15, 2023, except that the director of taxation may extend the time for filing any claim or accept a claim filed after the filing deadline when good cause exists, if the claim has been filed within four years of the deadline.

Sec. 7. (a) In administering this act, the director of taxation shall make available suitable forms with instructions for claimants.

(b) 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 act.

Sec. 8. (a) Every claimant under this act shall provide to the director of taxation, in support of a claim, reasonable proof of eligibility for the refund.

(b) Every claimant who is a retail storefront owner, or whose claim is based wholly or partly upon retail storefront ownership at some time during the calendar year, shall supply to the director of taxation, in support of a claim, the amount of property taxes levied upon the property claimed as a retail storefront and a statement that the property taxes accrued used for purposes of this act have been or will be paid by the claimant. Upon request by the director, such claimant shall provide a copy of the statement of property taxes levied upon the property claimed as a retail storefront.

(c) Every claimant who is a retail storefront renter, or whose claim is based wholly or partly upon retail storefront rental at some time during the calendar year, shall supply to the division, in support of a claim, a statement prescribed by the director certifying the amount of gross rent paid and that ad valorem property taxes were levied in full for that year on the property, all or a part of which was rented by the claimant.

(d) The information required to be furnished under subsection (b) or (c) shall be in addition to that required under subsection (a).

Sec. 9. (a) The amount of any claim otherwise payable under this act may be applied by the director of taxation against any liability outstanding on the books of the department of revenue against the claimant in the year that the claim relates.

(b) If there are delinquent property taxes for tax year 2020 or 2021 on a retail storefront owned by the claimant, the refund shall be paid to the county treasurer of the county in which such retail storefront is located and applied to such delinquent property taxes.

Sec. 10. If there are delinquent property taxes for a tax year commencing prior to January 1, 2020, on a retail storefront owned by the claimant, the claimant shall not be eligible for the refund pursuant to this act for such retail storefront.

Sec. 11. In any case in which it is determined that a claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full, and, if the claim has been paid, the amount paid may be recovered by assessment as income taxes are assessed, and such assessment shall bear interest from the date of payment or credit of the claim, until recovered, at the rate of 1% per month. The claimant in such case and any person who assisted in the preparation or filing of such excessive claim or supplied information upon which such excessive claim was prepared, with fraudulent intent,

shall be guilty of a class B misdemeanor. In any case in which it is determined that a claim is or was excessive and was negligently prepared, 10% of the corrected claim shall be disallowed, and, if the claim has been paid, the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed, and such assessment shall bear interest at the rate of 1% per month from the date of payment until recovered. In any case in which it is determined that a claim is or was excessive due to the fact that the claimant neglected to include certain income received during the year, the claim shall be corrected and the excess disallowed, and, if the claim has been paid, the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed.

Sec. 12. A claim shall be disallowed if the director of taxation finds that the claimant received title to such claimant's retail storefront primarily for the purpose of receiving benefits under this act.

Sec. 13. Each county shall pay to the state an amount equal to 33% of the refund claims paid pursuant to this act for eligible property located in such county. A county may expend moneys from the county general fund to pay the state pursuant to this section.

Sec. 14. To the extent applicable, the provisions of K.S.A. 79-3226, and amendments thereto, shall apply to claims for refunds allowable pursuant to this act that may become in dispute.";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, before the period, by inserting "; establishing the COVID-19 retail storefront property tax relief act to provide partial refunds to certain businesses impacted by COVID-19-related shutdowns and restrictions";

And by adjusting the title and repealer accordingly if multiple amendments are adopted, and **S Sub HB 2416** be passed as amended.

S Sub for HB 2062, HB 2151 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, and **SB 155, SB 489; S Sub HB 2056, HB 2228; S Sub HB 2239; S Sub HB 2280, HB 2299, HB 2377, HB 2386; S Sub HB 2416; S Sub HB 2448, HB 2541, HB 2456; Sub HB 2466, HB 2537; S Sub HB 2597; HB 2607, HB 2608, HB 2712; HCR 5014** were advanced to Final Action and roll call.

SB 155, 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 moneys to the Kansas newborn screening fund; amending K.S.A. 65-181 and 65-183 and K.S.A. 2020 Supp. 65-180 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck,

Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed.

SB 351, AN ACT concerning elections; relating to defining and using electronic poll books; approval of electronic poll books by the secretary of state; granting the secretary of state authority to adopt rules and regulations governing their use; prohibiting election systems from having the capability of being connected to the internet or other computer or communications networks; requiring that candidates be allowed to review such systems to ensure such systems are not so connected; providing that post-election equipment testing must occur within five days of the county vote canvass and that notice of such testing be provided on county websites; expanding the crime of electronic or electromechanical voting system fraud to include fraudulent use of or unauthorized possession of electronic poll books; transfer of ballots by election workers; requiring the secretary of state and county election officers to develop an affidavit to be signed by such workers listing certain information; amending K.S.A. 25-4401, 25-4402, 25-4403, 25-4404, 25-4405, 25-4406, 25-4407, 25-4408, 25-4409, 25-4411, 25-4414, 25-4415, 25-4610 and 25-4613 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 10; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Francisco, Gossage, Hilderbrand, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Haley, Hawk, Holland, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: McGinn.

The bill passed, as amended.

SB 438, AN ACT concerning elections; relating to election audits; concerning election procedures; amending K.S.A. 25-3009 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

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

Nays: Holland.

Absent or Not Voting: McGinn.

The bill passed, as amended.

SB 489, AN ACT concerning infectious or contagious diseases; relating to the secretary of health and environment and local health officers; restricting the powers thereof; amending K.S.A. 65-119, 65-128 and 65-129b and K.S.A. 2021 Supp. 65-101 and 65-202 and repealing the existing sections; also repealing K.S.A. 65-126.

On roll call, the vote was: Yeas 24; Nays 15; Present and Passing 0; Absent or Not

Voting 1.

Yeas: Alley, Baumgardner, Billinger, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Longbine, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: McGinn.

The bill passed, as amended.

SB 541, AN ACT concerning governmental action; relating to public health; prohibiting a governmental entity or public official from ordering or otherwise requiring a person to wear a face mask as a response to a contagious or infectious disease; prohibiting a governmental entity or public official from restricting worship services or activities; providing that orders and similar actions by public officials relating to gathering limitations and business restrictions shall not exceed 30 days in duration at a time before being renewed or allowed to expire; requiring court petitions challenging such orders and actions to be ruled on without unreasonable delay; prohibiting school officials from issuing or requiring use of a COVID-19 vaccination passport or discriminating against a student based upon COVID-19 vaccination status; requiring schools to recognize exemptions from vaccination requirements; modifying judicial review provisions related to certain executive orders issued during a state of disaster emergency and certain actions taken by a local unit of government during a state of local disaster emergency; limiting powers of the governor and other governmental entities under the Kansas emergency management act related to the exercise of religion; prescribing powers, duties and functions of the board of education of each school district, the governing body of each community college and the governing body of each technical college related to contagious or infectious disease and modifying judicial review provisions related thereto; removing the sunset provision in the COVID-19 contact tracing privacy act; prohibiting schools and child care facilities from denying access to facilities unless there are reasonable grounds to believe that the person is actually infected with a disease suspected of being infectious or contagious; amending K.S.A. 65-119, 65-122 and 72-6262 and K.S.A. 2021 Supp. 48-925, 48-925c, 48-925d, 48-932, 48-961, 65-101, 65-201 and 65-202 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 24; Nays 14; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Longbine, Pettey, Pittman, Sykes, Ware.

Present and Passing: O'Shea.

Absent or Not Voting: McGinn.

The bill passed, as amended.

SB 546, AN ACT concerning motor vehicles; relating to autonomous motor vehicles; providing for the use and regulation thereof; establishing the autonomous vehicle advisory committee; amending K.S.A. 2021 Supp. 8-2106 and 8-2204 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 24; Nays 12; Present and Passing 3; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Petersen, Ryckman, Straub, Suellentrop, Thompson, Warren, Wilborn.

Nays: Corson, Holland, Holscher, Olson, Peck, Pettey, Pittman, Pyle, Steffen, Sykes, Tyson, Ware.

Present and Passing: Faust-Goudeau, Francisco, Haley.

Absent or Not Voting: McGinn.

The bill passed, as amended.

S Sub HB 2056, AN ACT concerning elections; relating to advance voting ballots; regulating the use of remote ballot boxes for the return of such ballots; extending the time for transmittal of such ballots to 23 days prior to an election; requiring the return of such ballots by 7:00 p.m. on the day of the election; amending K.S.A. 25-1122, 25-1123, 25-1128, 25-1132 and 25-2311 and repealing the existing sections.

On roll call, the vote was: Yeas 22; Nays 17; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Billinger, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Longbine, Pettey, Pittman, Steffen, Sykes, Ware.

Absent or Not Voting: McGinn.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. President: I vote "aye" on **S Sub for HB 2056**. The American public demands election security, and their confidence in our election procedures and laws is paramount. While this bill doesn't solve every election security issue, it is a good place to start. We still have much work to do on auditing voter rolls. Without voter confidence in our elections, every law the legislature passes can and should be called into question. Secure elections will quite literally determine the future of our State and Nation.—

ALICIA STRAUB

HB 2110, AN ACT concerning insurance; relating to the state employees health care commission; mandating coverage for pediatric acute-onset neuropsychiatric syndrome (PANS) and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); requiring submission of an impact report to the legislature, was considered on final action.

On roll call, the vote was: Yeas 32; Nays 4; Present and Passing 3; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Hawk, Hilderbrand, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Ryckman, Suellentrop, Sykes, Ware, Warren, Wilborn.

Nays: Holland, Peck, Steffen, Tyson.

Present and Passing: Gossage, Straub, Thompson.

Absent or Not Voting: McGinn.
The bill passed.

EXPLANATION OF VOTE

Mr. President: I am choosing to pass on **HB 2110** because the advocates are following the process set in statute which would give us a better sense, beyond the preliminary estimated cost, of what adding this mandate will cost Kansas families, employers and taxpayers (cities, counties and school districts) and I commend them for following that process. I have utmost respect and sympathy for the parents of children who have struggled and suffered with this condition and celebrate with those whose children have recovered. Yet, I will continue to be concerned about government dictating increased costs on those struggling to afford health insurance, including our state employees—BEVERLY GOSSAGE

HB 2228, AN ACT concerning sexual assault evidence kits; relating to submission of kits by law enforcement agencies; conducting evidence collection at child advocacy centers; amending K.S.A. 38-2227 and 65-448 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed, as amended.

S Sub HB 2239, AN ACT concerning income taxation; establishing the golden years homestead property tax freeze act, providing residential property tax refunds; collectively renaming homestead property relief as the golden years homestead property tax freeze program; establishing a checkoff for contributions to the Kansas historic site fund; relating to deductions; establishing the salt parity act to allow pass-through entities to elect to pay state income tax at the entity level; increasing the Kansas standard deduction; relating to certain net operating losses; providing a subtraction modification to allow the carryforward of certain net operating losses for individuals; allowing a carryback on loss from sale of certain historic hotels; providing a subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowance; providing a credit for contributions to community colleges and technical colleges; amending K.S.A. 79-3220, 79-32,111 and 79-32,261 and K.S.A. 2021 Supp. 79-32,117, 79-32,119, 79-32,138 and 79-32,143 and repealing the existing sections; also repealing K.S.A. 2021 Supp. 79-32,117q.

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

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Doll, Sykes.

Present and Passing: Pettey.

Absent or Not Voting: McGinn.

The substitute bill passed, as amended.

S Sub HB 2280, AN ACT concerning health and healthcare; relating to prescription medications; authorizing the prescribing and dispensing of drugs for off-label use to prevent and treat COVID-19 infections; prohibiting pharmacists from using professional discretion to refuse to fill prescriptions for such drugs; relating to childhood vaccinations; requiring a child care facility or school to grant religious exemptions from vaccination requirements without inquiring into the sincerity of such religious beliefs; amending K.S.A. 65-508 and 72-6262 and K.S.A. 2021 Supp. 65-1637 and repealing the existing sections.

On roll call, the vote was: Yeas 21; Nays 16; Present and Passing 2; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Longbine, O'Shea, Pettey, Pittman, Sykes, Ware.

Present and Passing: Kerschen, Suellentrop.

Absent or Not Voting: McGinn.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

Mr. President: The COVID pandemic posed so many new challenges for our families, for our businesses and for this legislature. In fact, the reason I ran for the Senate was to make sure small businesses – like my own – were not harmed by the future management of pandemics. But, our duty to wisely govern through future pandemics should not be used as a vehicle to undo the proven medical advances that generations before us have invested in. Through careful research and the sacrifices of our parents and grandparents, these medical advances allow our children and grandchildren the chance to grow up without knowing the debilitating effects of serious diseases like polio and meningitis. The last-minute amendment that was tacked onto this bill regarding school-aged immunizations is troubling. As a new mother, I cannot support creating blanket exemptions that will take our state backwards and likely allow for the return of dangerous diseases that have nearly been eradicated in our country by safe, effective immunizations.—KRISTEN O'SHEA

Mr. President: Kansas children need our help and protection. Making it harder to mitigate the spread of disease in our schools and child care settings puts kids and the people the kids come in contact with at risk. Ninety-five percent of Kansans believe vaccines are very important to monitoring good health. These vaccine requirements that have been in place since 1979 have served our families and communities well. I vote "no" on **S Sub SB 2280**.—PAT PETTEY

Senator Sykes requests the record to show she concurs with the "Explanation of Vote" offered by Senator Pettey on **S Sub SB 2280**.

Mr. President: I voted YES on **S Sub HB 2280** solely because it has the ability to prevent suffering and death through the promotion of the early treatment of COVID. Thousands of Kansans and hundreds of thousands of Americans have died needlessly because of mainstream, academic medicine's shutdown of effective treatment protocols that utilize FDA approved medications such as HCQ and Ivermectin. This fear based, greedy, political and incompetent shutdown of early treatment will be deemed a national tragedy.—MARK STEFFEN

Senators Baumgardner, Straub and Thompson request the record to show they concur with the "Explanation of Vote" offered by Senator Steffen on **S Sub HB 2280**.

HB 2299, AN ACT concerning crimes, punishment and criminal procedure; relating to search and seizure; extending the time within which a search warrant may be executed; amending K.S.A. (2021) Supp. 22-2506 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed, as amended.

HB 2363, AN ACT concerning the board of indigents' defense services; relating to appointed counsel; increasing the maximum rate paid to appointed counsel; amending K.S.A. 22-4507 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 3; Present and Passing 1; Absent or Not Voting 1.

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

Nays: Hilderbrand, Peck, Tyson.

Present and Passing: Pyle.

Absent or Not Voting: McGinn.

The bill passed, as amended.

HB 2377, AN ACT concerning driving; relating to driving under the influence; authorizing reinstatement of a driver's license for certain persons with an ignition interlock device restriction; removing the motorized bicycle license option for persons whose driving privileges are suspended for a DUI-related offense; relating to commercial drivers' licenses; increasing the period of disqualification for certain offenses and allowing certain persons disqualified from driving a commercial motor vehicle to have commercial driving privileges restored; prohibiting prosecuting attorneys from concealing certain traffic violations from the CDLIS driver report; modifying the criminal penalties for driving a commercial motor vehicle under the influence and driving under the influence, authorizing courts to waive certain fines and clarifying that amendment or dismissal of certain charges is permitted; allowing persons with suspended driving privileges to seek driving privileges restricted to driving only a

motor vehicle equipped with an ignition interlock device earlier in the suspension period; requiring persons with an ignition interlock device restriction to complete the ignition interlock device program before driving privileges are fully reinstated; providing that the highway patrol has oversight of state certification of ignition interlock manufacturers and their service providers; requiring the secretary of revenue to adopt certain rules and regulations related to ignition interlock device program costs; providing for reduced ignition interlock device program costs for certain persons; reducing the restricted driving privileges period for certain persons less than 21 years of age; clarifying that a city attorney or a county or district attorney shall not enter into a diversion agreement for certain traffic violations if the defendant is a commercial driver's license holder; amending K.S.A. 8-1016 and K.S.A. 2021 Supp. 8-235, 8-241, 8-2,142, 8-2,144, 8-2,150, 8-1014, 8-1015, 8-1567, 8-1567a, 12-4415, 21-6604, 21-6804 and 22-2908 and repealing the existing sections.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

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

Nays: Steffen.

Absent or Not Voting: McGinn.

The bill passed.

HB 2386, AN ACT concerning insurance; relating to dental benefits; dental benefit plans and related coverage; establishing requirements and restrictions for the payment and reimbursement of dental services thereby.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: McGinn.

The bill passed, as amended.

S Sub for HB 2416, AN ACT concerning public health; requiring compensation for the use, restriction on use, damage, loss or destruction of property as a result of certain governmental actions; authorizing reimbursement of property taxes levied upon businesses shut down or restricted as a result of certain governmental actions related to contagious or infectious disease in humans; amending K.S.A. 2021 Supp. 79-1614 and repealing the existing section; establishing the COVID-19 retail storefront property tax relief act to provide partial refunds to certain businesses impacted by COVID-19-related shutdowns and restrictions.

On roll call, the vote was: Yeas 26; Nays 11; Present and Passing 2; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen,

Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Haley, Hawk, Holscher, Longbine, Pettey, Pittman, Sykes, Ware.

Present and Passing: Francisco, Holland.

Absent or Not Voting: McGinn.

The substitute bill passed, as amended.

S Sub HB 2448, AN ACT concerning public assistance; requiring able-bodied adults without dependents to complete an employment and training program in order to receive food assistance; amending K.S.A. 39-709 and repealing the existing section.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: McGinn.

The bill passed.

HB 2456, AN ACT concerning wildlife; relating to hunting; establishing the Kansas kids lifetime combination hunting and fishing license; requiring an annual report from the secretary of wildlife and parks to certain legislative committees on the number of such licenses issued.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 1; Absent or Not Voting 1.

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

Present and Passing: Francisco.

Absent or Not Voting: McGinn.

The bill passed, as amended.

S Sub HB 2458, AN ACT concerning driver's licenses; relating to vision requirements; limiting the liability of optometrists and ophthalmologists who provide information to the division of vehicles; amending K.S.A. 8-295 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

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

Nays: Steffen.

Absent or Not Voting: McGinn.

The substitute bill passed.

HB 2462, AN ACT concerning the joint committee on state-tribal relations; removing the requirement that members be selected from the membership of certain standing committees; amending K.S.A. 46-2303 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed.

Sub HB 2466, AN ACT concerning education; enacting the promoting advancement in computing knowledge act; relating to computer science courses of instruction in secondary schools; establishing the computer science educator program; authorizing scholarship awards to licensed and preservice teachers taking computer science courses.

On roll call, the vote was: Yeas 27; Nays 11; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Steffen, Sykes, Ware.

Present and Passing: Francisco.

Absent or Not Voting: McGinn.

The substitute bill passed, as amended.

HB 2476, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the silver star medal and bronze star medal distinctive license plates; providing for four distinctive license plates for the Kansas department of wildlife and parks; amending K.S.A. 32-901 and K.S.A. 2021 Supp. 8-1,141 and 8-1,147 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed, as amended.

HB 2481, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; authorizing the purchase of participating service credit for certain in-state nonfederal governmental employment; providing certain terms and conditions, 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed.

HB 2489, AN ACT concerning financial institutions; relating to technology-enabled fiduciary financial institutions; out-of-state financial institutions; imposing certain fiduciary duties and charitable distribution requirements on financial institutions engaging in fiduciary financial institution business; requiring banks to conduct fidfin transactions through a separate department; exempting financial institutions from certain provisions of the technology-enabled fiduciary financial institutions act; establishing fees and assessments; examinations; disclosures to consumers; mandatory reporting of elder abuse; amending K.S.A. 39-1401 and K.S.A. 2021 Supp. 9-2301, 9-2302, 9-2303, 9-2304, 9-2306, 9-2307, 9-2310, 9-2311, 9-2312, 9-2317 and 9-2318 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 2; Absent or Not Voting 1.

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

Present and Passing: Hawk, Holland.

Absent or Not Voting: McGinn.

The bill passed, as amended.

HB 2490, AN ACT concerning persons with disabilities; relating to income taxation, ABLE savings accounts; authorizing the state treasurer to determine account owners and designated beneficiaries; adopting the federal definition for an eligible individual; adding persons who may open an account; requiring additional compliance with the federal internal revenue code; amending K.S.A. 75-651, 75-652, 75-653 and 75-655 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed.

HB 2537, AN ACT concerning the insurance department; relating to the Kansas administrative procedure act; requiring a hearing at the request of any person subject to an order; amending K.S.A. 40-281 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed, as amended.

HB 2541, AN ACT concerning the judicial branch; relating to docket fees, marriage license fees and drivers' license reinstatement fees; crediting the fees to the state general fund; amending K.S.A. 28-177 and 28-178 and K.S.A. 2021 Supp. 8-2110, 20-1a04, 20-362 and 23-2510 and repealing the existing sections; also repealing K.S.A. 2021 Supp. 8-2110c.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Petersen, Pettey, Pittman, Ryckman, Steffen, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Olson, Peck, Pyle, Straub, Tyson.

Absent or Not Voting: McGinn.

The bill passed.

HB 2547, AN ACT concerning insurance; relating to the captive insurance act; authorizing technology-enabled fiduciary financial institution insurance companies; providing for the certificate of authority, requirements and operations thereof; amending K.S.A. 40-4301, 40-4302, 40-4303, 40-4310 and 40-4353 and repealing the existing sections, was considered on final action.

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

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

Nays: Sykes.

Present and Passing: Hawk, Holland.

Absent or Not Voting: McGinn.

The bill passed.

HB 2559, AN ACT concerning agriculture; creating the Kansas cotton boll weevil program; relating to the powers and duties thereof; requiring the program to levy an assessment upon Kansas-produced cotton in order to monitor and mitigate the risk of boll weevils, 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Petersen, Pettey, Pittman, Ryckman, Suellentrop, Sykes, Ware, Warren, Wilborn.

Nays: Hilderbrand, Peck, Steffen, Straub, Thompson, Tyson.

Present and Passing: Pyle.

Absent or Not Voting: McGinn.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. President: I vote no on **HB 2559**. As a supporter of limited government, this additional layer of bureaucracy undermines Kansas Farmers. A voluntary Cotton Boll Weevil monitoring program like the current one that is successfully operating through non-governmental associations, better serves our Kansas Farmers. Please protect their First Amendment rights, and allow our Kansas Farmers the freedom to grow their crops without overreaching government mandates.—ALICIA STRAUB

Senator Steffen requests the record to show he concurs with the "Explanation of Vote" offered by Senator Straub on **HB 2559**.

S Sub HB 2567, AN ACT concerning education; relating to state aid; removing federal impact aid from the determination of local foundation aid; excluding Fort Leavenworth school district and virtual school students from the capital improvement state aid determination; extending the general obligation bond limitation; amending K.S.A. 72-5135 and 72-5461 and K.S.A. 2021 Supp. 72-5132 and 72-5462 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The substitute bill passed.

HB 2568, AN ACT concerning financial institutions; relating to the Kansas mortgage business act; authorizing certain mortgage business to be conducted at remote locations; establishing procedures and requirements for license and registration renewal or reinstatement; adjusting surety bond requirements; providing for evidence of solvency and net worth; requiring notice to commissioner when adding or closing any branch office; amending K.S.A. 9-2215 and K.S.A. 2021 Supp. 9-2201, 9-2203, 9-2204, 9-2205, 9-2208 and 9-2211 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

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

Nays: Steffen.

Absent or Not Voting: McGinn.

The bill passed.

HB 2595, AN ACT concerning motor vehicles; relating to antique vehicles; making certain antique vehicle titling procedures applicable to vehicles having a model year newer than 50 years; amending K.S.A. 2021 Supp. 8-170 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed, as amended.

S Sub HB 2597, AN ACT concerning property taxation; relating to tax levy rates; establishing a revenue neutral rate complaint process; authorizing the county clerk to limit the amount of ad valorem taxes to be levied in certain circumstances; establishing a deadline for budgets to be filed with the director of accounts and reports; requiring roll call vote and publication of information; relating to classification and valuation; land devoted to agricultural use; definition; agritourism activity and zoos; classifying such land that is subject to the federal grassland conservation reserve program as grassland; relating to exemptions; establishing a property tax exemption for antique utility trailers; relating to assessment; allowing for the proration of value when certain personal property is acquired or sold prior to September 1 of any tax year; amending K.S.A. 79-1476 and 79-2930 and K.S.A. 2021 Supp. 79-2988 and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Hawk, Hilderbrand, Holland, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Doll, Holscher, Pettey, Pittman, Sykes, Ware.

Present and Passing: Francisco.

Absent or Not Voting: McGinn.

The substitute bill passed.

HB 2605, AN ACT concerning animal care; relating to the veterinary training program for rural Kansas; establishing an advisory committee; increasing the rural population requirement maximum; creating a food animal percentage requirement in lieu of such rural population requirement; amending K.S.A. 76-4,112 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes,

Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed, as amended.

HB 2607, AN ACT concerning civil actions; relating to civil commitment pursuant to the Kansas sexually violent predator act; requiring notice of release of a person who may be a sexually violent predator to the attorney general and multidisciplinary team; time; providing for detention during proceedings; relating to habeas corpus; clarifying time limitations for filing; amending K.S.A. 2021 Supp. 59-29a02, 59-29a03, 59-29a05 and 60-1507 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed, as amended.

HB 2608, AN ACT concerning judgments; relating to criminal restitution; removing civil enforcement provisions; authorizing contracts for collection services for restitution; wage garnishment; providing that undisputed payments are not subject to refund or recoupment; amending K.S.A. 2021 Supp. 20-169, 21-6604, 22-3424, 60-2310 and 60-2403 and repealing the existing sections; also repealing K.S.A. 60-4301, 60-4302, 60-4303 and 60-4304 and K.S.A. 2021 Supp. 60-4305.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Francisco, Gossage, Hawk, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Doll, Faust-Goudeau, Haley, Hilderbrand, Tyson.

Absent or Not Voting: McGinn.

The bill passed.

HB 2703, AN ACT concerning employment security law; relating to the employment security fund; employer contribution rates; revising the definition of employment for conformity with federal law; making changes to the my reemployment plan program including making the program mandatory; providing that the secretary of labor is to request that claimants create resumes in the Kansasworks system and that the secretary of commerce shall provide assistance to claimants through Kansasworks and may require claimants to participate in reemployment services; providing claimants with additional time to respond; providing the educational institution providing work skills training shall monitor compliance and report to the secretary of commerce and secretary of labor; amending K.S.A. 44-703, 44-710a and 44-775 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, Bowers, Claeys, Corson, Dietrich, Doll,

Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn.

The bill passed, as amended.

HB 2712, AN ACT establishing the Kansas commission for the United States semiquincentennial as part of the department of commerce; prescribing commission membership, responsibilities, meetings and expiration; creating the Kansas commission for the United State semiquincentennial gifts and donations fund.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: McGinn.

The bill passed.

SCR 1619, A CONCURRENT RESOLUTION urging the Legislature to adopt the conclusions and recommendations of the 2021 Special Committee on Taxation regarding the fiscal future of Kansas, was considered on final action.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: McGinn.

The resolution was adopted.

SCR 1620, A PROPOSITION to amend article 11 of the constitution of the state of Kansas by adding a new section thereto; requiring a supermajority for passage of certain bills for new or increased state taxes, was considered on final action.

On roll call, the vote was: Yeas 25; Nays 14; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Longbine, O'Shea, Pettey, Sykes, Ware.

Absent or Not Voting: McGinn.

The resolution was not adopted.

EXPLANATION OF VOTE

Mr. President: **SCR 1620** presents us a very simple question: Should we give

Kansans the ability to vote on an amendment to the Kansas Constitution requiring super majority of the legislature to raise taxes? Or, put more simply, should it be harder for the legislature to take more of the people's hard-earned money? With prices continually rising and this stifling inflation projected to continue for the remainder of the Biden administration, families are feeling the squeeze. Now, more than ever, it is time for this issue to put before the people of Kansas and let them decide. I vote "Yes."—TY MASTERSON

Mr. President: I vote aye on **SR 1620**. I understand some legislators don't like making it more difficult for the Kansas Legislature to increase taxes. I, for one, really like the idea of incentivizing the Legislature to look at efficiencies in government and in government spending before considering tax increases. However, SCR 1620 is not about what members of the Legislature want – it is about allowing Kansans the opportunity to vote on a constitutional amendment that will require a two-thirds majority vote to increase taxes on Kansas families and businesses. To put it another way. A yes vote says, "I trust Kansas voters," while a no vote says, "I know better for Kansas voters." Sadly, the reduce, raise, reduce, raise, etc., decisions related to taxes in Kansas have created hesitancy and uncertainty for job creators (business and industry) to come to or expand in Kansas. If the Legislature allows voters to vote and decide to amend the State Constitution, it will provide consistency in our tax code. Certainty of the tax code will be good for all Kansans – including legislators and, more importantly, Kansas families and job creators. Let's do the right thing for Kansas. I vote, "aye."—VIRGIL PECK

Senators Masterson and Thompson request the record to show they concur with the "Explanation of Vote" offered by Senator Peck on **SCR 1620**.

Mr. President: The majority party holds 29 of the 40 seats in the Kansas Senate — a super majority. They have held a comfortable majority in the Senate for over two decades. The majority party holds 86 of the 125 seats in the Kansas House — a super majority. Their majority has been comfortable for nearly as long. The majority party does not need a constitutional amendment to advance their agenda, but is advocating for this constitutional amendment to ensure they retain total control no matter where the political winds blow. If a super majority of the Legislature is required to raise taxes – but not cut them – the state will eventually be forced to cut spending in a variety of areas, making it harder to fund schools, repair our roads, ensure our state is safe to live in, and invest in state agencies in order to serve Kansans efficiently and effectively. The impact will disproportionately fall on low and moderate-income Kansans. Kansas knows better than any state in the country what happens when we try to score easy political points by destroying our state government. Common sense prevailed last time we played this game; fixing the mess this constitutional amendment would create will be much more difficult.—DINAH SYKES

SCR 1621, A PROPOSITION to amend sections 5 and 15 of article 3 of the constitution of the state of Kansas; relating to the selection of supreme court justices; providing for senate confirmation; abolishing the supreme court nominating commission, was considered on final action.

On roll call, the vote was: Yeas 26; Nays 13; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: McGinn.

The resolution was not adopted.

EXPLANATION OF VOTE

Mr. President: Our current model for selecting Kansas Supreme Court justices, in which attorneys selected by other attorneys control the process, is an outlier among the states, provides the public no meaningful input on who leads the highest court in our state, and is void of any real checks and balances. **SCR 1621** will allow Kansans to vote on whether they should have a voice, through both the governor and Senate Confirmation, via a process they are accustomed to at the federal level and with the Court of Appeals here in Kansas, where it has worked very well. In fact, we are witnessing this confirmation process work regarding a SCOTUS nominee at this very moment. I have confidence it would produce a philosophically balanced court that the people of Kansans can have confidence in, while providing the requisite checks and balances that are so essential to our system of government. After 64 years of using the current undemocratic and unusual method, it is time for the people of Kansas to weigh in on this critical topic.—TY MASTERSON

Mr. President: Recent efforts to politicize judicial retention elections have been unsuccessful, because Kansans recognize the importance of an impartial judiciary that is independent from the political games played in this building. Advocates for this proposal aren't winning under the current system, so they're trying to change the rules. They have provided no evidence that the democratic process is not working and have not demonstrated the need to change the system that has served us well for over half a century. The U.S. Senate is in the middle of deliberating on the historic nomination of Judge Ketanji Brown Jackson to the U.S. Supreme Court. She would be the first Black woman to serve as a Supreme Court Justice, and thus far, the resistance she's faced has had nothing to do with her jurisprudence and everything to do with politically-expedient attacks. We should not change our constitution and invite that dysfunction to Kansas. I vote no.—DINAH SYKES

HCR 5014, A PROPOSITION to amend article 1 of the constitution of the state of Kansas by adding a new section thereto, concerning oversight by the legislature of certain executive branch actions.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: McGinn.
The resolution was adopted.

EXPLANATION OF VOTE

Mr. President: In Kansas, we empower the Legislature to enact policy through an open process where Kansans can weigh in and ultimately hold legislators accountable at the ballot box. While we do provide administrative agencies the ability to implement those policies through reasonable rules and regulations, Kansans have increasingly become frustrated with unelected bureaucrats crossing the line from implementing our laws to making law. **HCR 5014** provides Kansans the opportunity to enact a constitutional amendment that would empower the legislature to revoke rules and regulations that run afoul of the legislation that enabled them in the first place. To preserve the principle of limited and accountable government, I vote Yes.—KELLIE WARREN

HCR 5022, A PROPOSITION to amend sections 2 and 5 of article 9 of the constitution of the state of Kansas to require that a sheriff be elected in each county for a term of four years, was considered on final action.

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

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

Nays: Hawk, Holscher.

Present and Passing: Holland.

Absent or Not Voting: McGinn.

The resolution was adopted, as amended.

HCR 5030, A CONCURRENT RESOLUTION recognizing the growing problem of antisemitism in the United States and calling for the adoption of the International Holocaust Remembrance Alliance Working Definition of Antisemitism as an important tool to address the problem, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 1; Absent or Not Voting 1.

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

Present and Passing: Holland.

Absent or Not Voting: McGinn.

The resolution was adopted.

REPORTS OF STANDING COMMITTEES

Committee on **Public Health and Welfare** recommends **HB 2253**, as amended by House Committee, be amended on page 9, in line 5, by striking "Kansas register" and

inserting "statute book"; and the bill be passed as amended.

Also, **HB 2582**, As Further Amended by House Committee, be amended on page 7, in line 42, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

MESSAGE FROM THE HOUSE

Announcing passage of **SB 367**.

Announcing passage of **SB 434, Sub SB 450, SB 506**.

Announcing adoption of **HCR 5035**.

HCR 5035, A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2022 regular session of the legislature, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5035** was adopted by voice vote.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes:

Senator Bowers: congratulating the City of Mankato on its 150th Anniversary Celebration, congratulating Alsop Sand Company on their 75th Year in Business, congratulating Jude Stecklein on his well-deserved retirement;

Senator Faust-Goudeau: congratulating Rev. Dr. T. LaMont Holder on his second term as President of the Missionary Baptist State Convention of Kansas;

Senator Kerschen: congratulating Shawny Montgomery on receiving The National Art Education Association's 2022 Kansas Art Educator Award; and

Senator Pittman: commending LTC Frank Obermeyer on his military service.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Monday, March 28, 2022.

Journal of the Senate

FORTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 28, 2022, 10:00 a.m.

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

Good Alignment Empowers Good Achievement
Psalms 33:12

Heavenly Father, in the Irving Berlin song “God Bless America”, we ask that You stand beside her and guide her with Your light from above. And that's exactly what we need as we confront the questions and difficulties of life.

But Lord, in some ways we're like a vehicle with wheels out of alignment. When we're not aligned with You and your Word, we have problems trying to go straight because we're pulling to one side or the other and finding it difficult to stay on Your side.

Like tires that are not aligned, intellectually and emotionally, we experience uneven wear and tear which in due course leads to breakdowns. Lord, You've made it clear that having good alignment is having alignment that is good. And since You are good, being aligned with You inspires and empowers achievement that is good.

So, Lord, please save us from the foolishness of thinking we can have genuine success without Your regular adjustments. Like a Master Mechanic, pull us up on Your rack and bring every wheel, every thought, attitude, action and habit into the alignment that's appropriate for Your blessings.

Your Word says in Psalm 33:12, “Blessed is the nation whose God is the Lord.”

I praise You and I thank You for that initial day and all the following days that you choose to haul me in for repairs.

In Jesus' Name, I pray, Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. 1624—
By Senator Holland

A PROPOSITION to amend article 15 of the constitution of the state of Kansas by adding a new section thereto, requiring that certain individuals be mandated reporters of child abuse and neglect.

WHEREAS, This proposition to amend the constitution of the state of Kansas shall be known and may be cited as the Stop Protecting Pedophile Priests 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 15 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 17. Mandated reporters of child abuse and neglect. (a) Any law that requires persons who have reason to suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse to report such suspicions as provided by law shall include the following persons as mandated reporters:

- (1) Any person providing medical care or treatment who is:
 - (A) Licensed by a state regulatory body to provide such services;
 - (B) engaged in postgraduate training programs for the provision of medical care or treatment approved by a state regulatory body; or
 - (C) the chief administrative officer of a medical care facility;
- (2) any person providing mental health services who is licensed or registered by a state regulatory body to provide such services, including, but not limited to, psychologists, psychotherapists, social workers, marriage and family therapists, behavioral analysts and professional counselors;
- (3) any person who is a teacher, school administrator or otherwise employed by an educational institution;
- (4) any person providing child care services who is licensed by a state regulatory body to provide such services or the employees of any such person;
- (5) any person who is a:
 - (A) Firefighter;
 - (B) emergency medical services personnel;
 - (C) law enforcement officer;
 - (D) juvenile intake and assessment worker;
 - (E) court services officer;
 - (F) community corrections officer; or
 - (G) case manager or mediator appointed as provided by law for alternative dispute resolution in family law matters involving children;
- (6) any person employed by or who works as a volunteer for any organization, whether for profit or not-for-profit, that provides social

services to pregnant teenagers, including, but not limited to, counseling, adoption services and pregnancy education and maintenance; and

(7) any person who is a duly ordained minister of religion or who is employed by or who works as a volunteer for any religious organization.

(b) No penitential communication privilege shall apply to any reporting requirements provided by law.

(c) As used in this section:

(1) "Duly ordained minister of religion" means a person who has been ordained, in accordance with the ceremonial ritual or discipline of a church, religious sect or organization established on the basis of a community of faith and belief, doctrines and practices of a religious character, to preach and to teach the doctrines of such church, sect or organization and to administer the rites and ceremonies thereof in public worship and who, as part of such person's regular and customary vocation, preaches and teaches the principles of religion and administers the ordinances of public worship as embodied in the creed or principles of such church, sect or organization; and

(2) "religious organization" means any organization, church, body of communicants or group gathered in common membership for mutual support and edification in piety, worship and religious observances or a society of individuals united for religious purposes at a definite place and such religious organization or society of individuals maintains an established place of worship within this state, has a regular schedule of services or meetings at least on a weekly basis and has been determined to be organized and created as a bona fide religious organization."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The Stop Protecting Pedophile Priests Amendment would require that any state law that requires individuals to report suspected child abuse or neglect include duly ordained ministers and employees and volunteers of religious organizations in addition to those people who are currently mandated reporters under state law.

"A vote for the Stop Protecting Pedophile Priests Amendment would require that any state law that requires individuals to report suspected child abuse or neglect include duly ordained ministers and employees and volunteers of religious organizations in addition to those people who are currently mandated reporters under state law.

"A vote against the Stop Protecting Pedophile Priests Amendment would make no change regarding any state law requiring the reporting of suspected child abuse or neglect."

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 2022, 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 following bills are stricken from the House Calendar in accordance with House Rule 1507: **SB 102, SB 377, SB 385, SB 399, SB 435.**

Announcing passage of **HB 2340, HB 2492, HB 2495, HB 2502; Sub HB 2504; Sub for Sub HB 2512; HB 2596, HB 2609; Sub HB 2615; HB 2631, HB 2697, HB 2716, HB 2717; Sub HB 2737.**

The House concurs in Senate amendments to **HB 2231.**

Announcing passage of **SB 12**, as amended; **SB 150**, as amended; **SB 161**, as amended; **SB 199**, as amended; **SB 405**, as amended; **SB 493**, as amended; **Sub SB 563**, as amended;

Announcing passage of **Sub SB 267**, as amended by **H Sub for Sub SB 267.**

The House accedes to the request of the Senate for a conference on **SB 215** and has appointed Representatives Huebert, Thomas and Stogsdill as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 313** and has appointed Representatives Proehl, Delperdang 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 for SB 261** and has appointed Representatives Rahjes, Smith, E. and Carlin as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 331** and has appointed Representatives Johnson, S., Croft and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 343** 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 446** and has appointed Representatives Proehl, Delperdang and Helgerson as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2340, HB 2492, HB 2495, HB 2502; Sub HB 2504; Sub for Sub HB 2512; HB 2596, HB 2609; Sub HB 2615; HB 2631, HB 2697, HB 2716, HB 2717; Sub HB 2737 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Hilderbrand the Senate nonconcurred in the House

amendments to **SB 12** and requested a conference committee be appointed.

The President appointed Senators Hilderbrand, Gossage and Pettey as a conference committee on the part of the Senate.

On motion of Senator Olson the Senate nonconcurred in the House amendments to **Sub SB 34** and requested a conference committee be appointed.

The President appointed Senators Olson, Hilderbrand and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Hilderbrand the Senate nonconcurred in the House amendments to **SB 200** and requested a conference committee be appointed.

The President appointed Senators Hilderbrand, Gossage and Pettey 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 Sub SB 267** and requested a conference committee be appointed.

The President appointed Senators Billinger, Claeys and Hawk as a conference committee on the part of the Senate.

On motion of Senator Alley, the Senate recessed until 4:00 p.m.

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

MESSAGE FROM THE HOUSE

The House accedes to the request of the Senate for a conference on **SB 453** 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 **H Sub for SB 19** 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 479** and has appointed Representatives Barker, Arnberger and Ruiz, L. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 12** and has appointed Representatives Concannon, Esau 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 34** and has appointed Representatives Barker, Arnberger and Ruiz, L. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 200** 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 **H Sub for Sub SB 267** and has appointed Representatives Waymaster, Hoffman and Wolfe Moore as conferees on the part of the House.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 150** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Haley as a conference

committee on the part of the Senate.

On motion of Senator Olson the Senate nonconcurred in the House amendments to **SB 405** and requested a conference committee be appointed.

The President appointed Senators Olson, Hilderbrand and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Wilborn the Senate nonconcurred in the House amendments to **Sub SB 563** and requested a conference committee be appointed.

The President appointed Senators Wilborn, Masterson and Sykes as a conference committee on the part of the Senate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The President referred **HB 2717** to the Committee on Federal and State Affairs.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Hilderbrand moved the Senate concur in House amendments to **SB 348**.

SB 348, AN ACT concerning public health; relating to cosmetology; hair removal; exempting persons engaged in threading from the practice of cosmetology and the requirements thereof; amending K.S.A. 65-1901 and 65-1928 and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Billinger, Holland, Holscher, Pettey, Sykes, Ware.

Absent or Not Voting: Haley, McGinn.

The Senate concurred.

Senator Kerschen moved the Senate concur in House amendments to **SB 451**.

SB 451, AN ACT concerning wildlife and parks; relating to permanent hunting licenses; removing the requirement to submit proof that a person is at least 1/16 American Indian by blood; amending K.S.A. 32-929 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Haley, McGinn.

The Senate concurred.

Senator Erickson moved the Senate concur in House amendments to **SB 493**.

SB 493, AN ACT concerning cities and counties; prohibiting the regulation of plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages.

On roll call, the vote was: Yeas 26; Nays 12; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Hawk, Holland, Holscher, Pettey, Pittman, Ryckman, Sykes, Ware.

Absent or Not Voting: Haley, McGinn.

The Senate concurred.

CHANGE OF CONFERENCE

Senator Corson is appointed to replace Senator Haley as a member of the conference committee on **H Sub Sub SB 286**.

REPORT ON ENROLLED BILLS

SB 141; Sub SB 300; SB 330, SB 336, SB 367, SB 417, SB 419, SB 440, SB 448; Sub SB 450; SB 483, SB 506 reported correctly enrolled, properly signed and presented to the Governor on March 28, 2022.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Tuesday, March 29, 2022.

Journal of the Senate

FIFTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 29, 2022, 10:00 a.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 40 senators present.

President Masterson introduced guest, Pastor Jacob Heine, Faith Lutheran Church in Topeka, to deliver the Invocation:

Gracious God, Heavenly Father, through the Apostle Paul to the first letter to the church at Thessalonica (5:16-18), You tell us that Your will for us in Christ Jesus our Lord is that we rejoice always, pray constantly and give thanks in everything.

We admit that far too often we do not rejoice but grumble against You and each other when we do not get our way. We complain when others do not listen to us or do not agree with us. Forgive us for our grumbling and complaining. Help us to rejoice not in ourselves, but rather to rejoice in You and the work You have given us to do. May we once again appreciate the opportunities You have given us in these hallowed halls to work for the good of all people.

We also admit that we rarely seek You truly in prayer and for direction. We make our own decisions, based on our own thoughts and feelings. Forgive us for not seeking You first and only asking You to bless us after the fact. Today we pray that You would guide the decisions that are made in this chamber that they would follow Your ways, bring glory to You and serve our neighbors.

Further we admit that we rarely return to You to give thanks for all that You have done for us; house and home, food and drink, family and friends, our colleagues and the work we get to do on behalf of others. We are humbled to be trusted with good things from Your hand.

Above all Lord, we come to You to ask that you send your spirit of love, grace and mercy among those who serve and work in this place. May they know You and the love of God in Christ Jesus our Lord, in whom 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:

Education: **Sub Sub HB 2512; HB 2596; Sub HB 2615; HB 2631.**

Federal and State Affairs: **HB 2340, HB 2502.**

Judiciary: **SCR 1624; HB 2495, HB 2697.**

Redistricting: **Sub HB 2737.**

Transportation: **Sub HB 2504; HB 2609.**

Ways and Means: **HB 2492, HB 2716.**

MESSAGE FROM THE HOUSE

The House nonconcurrs in Senate amendments to **HB 2377**, requests a conference and has appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2537**, requests a conference and has appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2299**, requests a conference and has appointed Representatives Patton, Ralph and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2489**, requests a conference and has appointed Representatives Kelly, Hoheisel and Xu as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub for HB 2448**, requests a conference and has appointed Representatives Tarwater, Long and Clayton as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2703**, requests a conference and has appointed Representatives Tarwater, Long and Clayton as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2476**, requests a conference and has appointed Representatives Proehl, Delperdang and Helgerson as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2595**, requests a conference and has appointed Representatives Proehl, Delperdang and Helgerson as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **Sub HB 2466**, requests a conference and has appointed Representatives Huebert, Thomas and Stogsdill as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HCR 5022**, requests a conference and has appointed Representatives Barker, Arnberger and Ruiz, L. as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub for HB 2056**, requests a conference and has appointed Representatives Barker, Arnberger and Miller as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2456**, requests a conference and has appointed Representatives Corbet, Ryckman and Carlin as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2239**, requests a conference and has appointed Representatives Smith, A., Highland and Gartner as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub for HB 2567**, requests a conference and has appointed Representatives Williams, Hoffman and Winn as conferees on the part of the House.

The House nonconcur in Senate amendments to **S Sub for HB 2597**, requests a conference and has appointed Representatives Smith, A., Highland and Gartner as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2559**, requests a conference and has appointed Representatives Rahjes, Smith, E. and Carlin as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2607**, requests a conference and has appointed Representatives Owens, Smith, E. and Highberger as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2564**, requests a conference and has appointed Representatives S. Johnson, Croft and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2510**, requests a conference and has appointed Representatives S. Johnson, Croft and Neighbor as conferees on the part of the House.

ORIGINAL MOTION

On motion of Senator Olson, the Senate acceded to the request of the House for a conference on **S Sub HB 2056**.

The President appointed Senators Olson, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

On motion of Senator Peck, the Senate acceded to the request of the House for a conference on **S Sub HB 2239**.

The President appointed Senators Tyson, Peck 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 2299**.

The President appointed Senators Warren, Wilborn and Haley 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 2377**.

The President appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

On motion of Senator Hilderbrand, the Senate acceded to the request of the House for a conference on **S Sub HB 2448**.

The President appointed Senators Hilderbrand, Gossage 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 2456**.

The President appointed Senators Kerschen, Ryckman and Ware 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 **Sub HB 2466**.

The 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 2476**.

The President appointed Senators Petersen, Claeys and Hawk 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 2489**.

The President appointed Senators Longbine, Fagg and Pittman 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 2510**.

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 2537**.

The President appointed Senators Warren, Wilborn and Haley 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 2559**.

The President appointed Senators Kerschen, Ryckman and Ware 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 2564**.

The President appointed Senators Longbine, Fagg and Holscher 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 2567**.

The 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 2595**.

The President appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

On motion of Senator Peck, the Senate acceded to the request of the House for a conference on **S Sub HB 2597**.

The President appointed Senators Tyson, Peck 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 2607**.

The President appointed Senators Warren, Wilborn and Haley 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 2703**.

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 **HCR 5022**.

The President appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

CHANGE OF CONFERENCE

Senators Baumgardner, Erickson and Sykes are appointed to replace Senators Warren, Wilborn and Haley as members of the conference committee on **SB 58**.

Senators Tyson, Peck, and Holland are appointed to replace Senators Warren, Baumgardner, and Haley as members of the conference committee on **HB 2106**.

Senator Corson is appointed to replace Senator Haley as a member of the conference committee on **SB 150**.

On motion of Senator Alley, the Senate recessed until 4:00 p.m.

AFTERNOON SESSION

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

MESSAGES FROM THE GOVERNOR

SB 335, SB 392; Sub SB 400 approved on March 29, 2022.

MESSAGE FROM THE HOUSE

The House accedes to the request of the Senate for a conference on **SB 150** and has appointed Representatives Tarwater, Arnberger and Clayton as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 405** and has appointed Representatives Barker, Arnberger and Ruiz, L. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **Sub SB 563** and has appointed Representatives Croft, Ralph and Burroughs as conferees on the part of the House.

The announced the appointment of Representatives Barker, Arnberger and Ruiz, L. as conferees on **HB 2540** to replace Representatives Clark, Ellis and Wiegel.

The House announced the appointment of Representatives Williams, Hoffman and Winn as conferees on **SB 58** to replace Representatives Patton, Ralph and Carmichael.

The House concurs in Senate amendments to **HB 2228**.

The House concurs in Senate amendments to **S Sub HB 2458**.

The House concurs in Senate amendments to **HB 2605**.

The House concurs in Senate amendments to **HB 2075**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2537**, and requests return of the bill.

The House nonconcurrs in Senate amendments to **S Sub HB 2416**, requests a conference and has appointed Representatives Smith, A., Mason and Gartner as conferees on the part of the House.

The House announced the appointment of Representatives Williams, Hoffman, and Winn to replace Representative Rahjes, Smith, E., and Carlin on the Conference Committee on **SB 160**.

The House announced the appointment of Representative Highland to replace Representative Mason as a conferee on **HB 2106**.

The House announced the appointment of Representatives Landwehr, Eplee and Ruiz, S to replace Representatives Barker, Arnberger and Ruiz, L as conferees on **HB 2540**.

The House announced the appointment of Representative Highland to replace Representative Mason as a conferee on **S Sub HB 2416**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Petersen moved the Senate concur in House amendments to **H Sub SB 101**.

H Sub SB 101, AN ACT concerning electric-assisted bicycles; relating to the regulation and approved use thereof; providing for use of certain sizes of motors; amending K.S.A. 8-1437, 8-1439a, 8-1489, 8-1592b and 32-701 and K.S.A. 2021 Supp. 8-126, 8-128, 8-1402a, 8-1438, 8-1498 and 8-2401 and repealing the existing sections.

On roll call, the vote was: Yeas 37; Nays 2; Present and Passing 0; Absent or Not Voting 1.

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

Nays: Hilderbrand, Tyson.

Absent or Not Voting: Kerschen.

The Senate concurred.

Senator Erickson moved the Senate concur in House amendments to **SB 161**.

SB 161, AN ACT concerning personal package delivery devices; definitions; operating requirements and restrictions; exemption from motor vehicle requirements; limitation of local regulation; requiring entities to submit annual fees and certification forms to the division of vehicles; amending K.S.A. {2021} Supp. 8-126 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, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kloos, Longbine, Masterson, McGinn, O'Shea, Petersen, Ryckman, Straub, Suellentrop, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Olson, Peck, Pettey, Pittman, Pyle, Steffen, Sykes, Thompson, Tyson, Ware.

Absent or Not Voting: Kerschen.

The Senate concurred.

Senator Gossage moved the Senate concur in House amendments to **SB 199**.

SB 199, AN ACT concerning insurance; relating to health insurance; providing for short-term, limited-duration health plans; amending K.S.A. 40-2,193 and repealing the existing section.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren,

Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: Kerschen.

The Senate concurred.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2717**, As Amended by House Committee, be passed.

Also, **HB 2644** be amended on page 1, in line 7, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Redistricting** recommends **SB 577** be amended on page 1, in line 28, by striking "24,"; also in line 28, after the second comma by inserting "38,"; in line 32, after "districts" by inserting "24,"; also in line 32, by striking the second comma and inserting "and"; also in line 32, by striking "and 38"; in line 34, by striking "26, 27" and inserting "25"; also in line 34, after "28" by inserting ", 29";

On page 2, in line 2, by striking "25, 29" and inserting "26, 27"; and the bill be passed as amended.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Wilborn an emergency was declared by a 2/3 constitutional majority, and **SB 577**, as amended by Senate committee, was advanced to Final Action subject to amendment, debate and roll call.

SB 577, AN ACT concerning reapportionment; relating to state board of education districts; providing for the reapportionment thereof; repealing K.S.A. 2021 Supp. 4-514 and 4-526.

On roll call, the vote was: Yeas 31; Nays 8; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Hilderbrand, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Corson, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Sykes.

Absent or Not Voting: Kerschen.

The bill passed, as amended.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2005** 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 3, by inserting:

"New Sec. 2. The provisions of sections 2 through 21, and amendments thereto, shall be known and may be cited as the elevator safety act.

New Sec. 3. As used in sections 1 through 20, and amendments thereto:

(a) "Act" means the elevator safety act.

- (b) "Board" means the elevator safety advisory board.
- (c) (1) "Elevator" means any device for lifting or moving people, cargo or freight within, or adjacent and connected to, a structure or excavation, including, but not limited to, an escalator, power-driven stairway, moving walkway or stairway chair lift.
- (2) The term "elevator" does not mean any:
- (A) Amusement ride or other device subject to the Kansas amusement ride act, K.S.A. 2021 Supp. 44-1601 et seq., and amendments thereto;
- (B) mining equipment;
- (C) aircraft, railroad car, boat, barge, ship, truck or other self-propelled vehicle or component thereof;
- (D) a dumbwaiter, conveyor, chain or bucket hoist, construction hoist or similar device used for the primary purpose of elevating or lowering materials;
- (E) boiler grate stoker or other similar firing mechanism subject to the boiler safety act, K.S.A. 44-913 et seq., and amendments thereto; or
- (F) lift, manlift, belt manlift, chain hoists, climb assists, special purpose personnel elevator, automated people mover or similar device in wind turbine towers, grain elevators, grain warehouses, seed processing facilities, grain processing facilities, biofuel processing facilities, feed mills, flour mills or any similar pet food, feed or agricultural commodity processing facilities.
- (d) "Elevator apprentice" means an individual who works under the supervision or general direction of a licensed elevator mechanic.
- (e) "Elevator contractor" means a sole proprietorship, firm, partnership, corporation or association that is engaged in the business of erecting, constructing, installing, altering, servicing, repairing or maintaining elevators.
- (f) "Elevator inspector" means an individual engaged in the business of inspecting elevators.
- (g) "Elevator mechanic" means an individual engaged in the business of erecting, constructing, installing, altering, servicing, repairing or maintaining elevators under the direct supervision of an elevator contractor.
- (h) "Licensee" means an elevator contractor, inspector or mechanic who is licensed pursuant to this act.
- New Sec. 4. (a) The provisions of this act shall apply to the design, construction, installation, operation, inspection, testing, maintenance, alteration and repair of elevators.
- (b) The provisions of this act shall not apply to elevators that are:
- (1) In or adjacent to a building or excavation owned by or under the operational control of any federal agency or located on property owned by the United States or any federally recognized native American Indian tribe;
- (2) in a single family residence; or
- (3) in or adjacent to a building or structure within a manufacturing, utility or other industrial facility.
- (c) Any elevator described in subsection (b) shall be inspected by a licensed elevator inspector upon request by the owner or the owner's agent and payment of the inspection fee.
- (d) Nothing in this act shall be construed to relieve or lessen the responsibility or liability of any individual, firm or corporation owning, operating, controlling, maintaining, erecting, constructing, installing, altering, inspecting, testing or repairing

any elevator for damages to a person or property caused by any defect therein, or as an assumption of any such liability or responsibility or any liability to any person for whatever reason by the state by enactment of this act or any acts or omissions arising under the provisions of this act.

New Sec. 5. Nothing in this act shall be construed to preempt or otherwise restrict a city or county from adopting or continuing any requirements or standards that meet or exceed those of this act and any rules and regulations adopted pursuant thereto. Any city or county that has adopted such requirements or standards shall notify the state fire marshal of such adoption on or before June 30, 2023, and on each June 30 thereafter.

New Sec. 6. (a) No individual shall erect, construct, alter, replace, maintain, remove or dismantle any elevator contained within a building or other structure in this state or wire any elevator from the mainline feeder terminals on the controller unless such individual is a licensed elevator mechanic and such individual is working under the direct supervision of a licensed elevator contractor. An elevator mechanic's license or elevator contractor's license is not required for removing or dismantling elevators that are destroyed as a result of a complete demolition of a secured building or structure, or where the hoistway or wellway is demolished back to the basic support structure whereby no access is permitted therein to endanger the safety and welfare of a person.

(b) No individual shall inspect any elevator within a building or other structure in this state, including, but not limited to, private residences, unless such individual is a licensed elevator inspector. This subsection shall not apply to any individual employed as an elevator inspector by a city or county who performs inspections only while engaged in the performance of such individual's duties as an employee of such city or county.

(c) No individual, firm, partnership, corporation, association or other entity shall erect, alter, replace, maintain, remove, dismantle or operate any elevator in this state or construct any elevator for use in this state in violation of this act or rules and regulations adopted pursuant thereto.

(d) All elevators shall conform to the rules and regulations adopted pursuant to this act. Where any material alteration is made, the elevator shall conform to applicable requirements of the code. Nothing in this act shall be construed so as to prevent the use, sale or reinstallation of an elevator installed in this state prior to the effective date of this act, provided that such elevator has been made to conform to the rules and regulations adopted pursuant to this act and has not been found upon inspection to be in an unsafe condition or in violation of this act or rules and regulations adopted pursuant thereto.

New Sec. 7. (a) There is hereby established the elevator safety advisory board. The elevator safety advisory board shall consist of the following eleven members who shall be residents of this state:

- (1) Seven members, to be appointed by the governor as follows:
 - (A) One representative from a major elevator manufacturing company or its authorized representative;
 - (B) one representative from an elevator servicing company;
 - (C) one representative of the architectural design or elevator consulting profession;
 - (D) one representative of a city or county in this state;
 - (E) one representative of a building owner or building manager;

(F) one representative of labor involved in the installation, maintenance and repair of elevators; and

(G) one representative from the general public;

(2) one member to be appointed by the president of the senate;

(3) one member to be appointed by the speaker of the house of representatives;

(4) the state fire marshal or the state fire marshal's designee, who shall serve ex officio; and

(5) the secretary of administration or the secretary's designee, who shall serve ex officio.

(b) Each member of the board appointed under subsections (a)(1) through (3) shall serve a term of three years or until a successor is appointed and qualified. Whenever a vacancy occurs, a successor shall be appointed in accordance with subsection (a). The members of the board shall elect one of the members to serve as chairperson.

(c) The members of the board shall serve without compensation. Members who are not state officers or employees and who are attending meetings of such committee, or attending a subcommittee meeting thereof authorized by such committee, shall be paid amounts provided in K.S.A. 75-3223(e), and amendments thereto.

(d) The board shall meet at least six times each year at a time and place to be fixed by the state fire marshal and at such other times as the state fire marshal deems necessary for the consideration of rules and regulations and for the transaction of such other business as may come properly before the board.

(e) The board shall advise the state fire marshal and make recommendations regarding rules and regulations necessary to implement and enforce the provisions of this act. The board shall annually review any rules and regulations adopted by the state fire marshal pursuant to this act.

New Sec. 8. (a) (1) Any individual, firm, partnership, corporation, association or other entity wishing to engage in the business of installing, altering, servicing, replacing or maintaining elevators shall make application for an elevator contractor's license in such form and manner as prescribed by the state fire marshal and shall pay the required initial application fee, which shall not exceed \$500. An applicant shall demonstrate that such applicant employs a licensed elevator mechanic or mechanics to perform the work described in section 6, and amendments thereto, and shall provide proof of compliance with the insurance requirements set forth in section 9, and amendments thereto.

(2) Any individual wishing to engage in installing, altering, repairing or servicing of elevators shall make application for an elevator mechanic's license in such form and manner as prescribed by the state fire marshal and shall pay the required initial application fee, which shall not exceed \$150.

(3) Any individual wishing to engage in the business of inspecting elevators shall make application for an elevator inspector's license in such form and manner as prescribed by the state fire marshal and shall pay the required initial application fee, which shall not exceed \$250. An applicant shall provide proof of compliance with the insurance requirements set forth in section 9, and amendments thereto.

(b) No license shall be issued to any applicant that has not demonstrated the requisite qualifications and abilities required by this act and rules and regulations adopted pursuant thereto. Upon the state fire marshal's approval of an application as having met the requirements for licensure, the state fire marshal shall issue a license. Such license shall be valid for a period of two years and shall be renewable biennially

upon submission of a renewal application and payment of the required renewal application fee, which shall not exceed the initial application fee.

(c) An elevator mechanic license shall be issued, upon application, to an applicant that holds a certificate of completion from the national association of elevator contractors certified elevator technician certification program, national elevator industry education apprenticeship program or other equivalent nationally approved apprenticeship program; holds a valid license from a state having standards substantially equal to those of this act and the rules and regulations adopted pursuant thereto; or those persons who can demonstrate within the first year following enactment that such person has worked as an elevator mechanic without supervision for at least 8,000 hours within six years prior to the date of application.

(d) An elevator contractor's license may be issued, upon application, to an applicant that holds a valid license from a state having standards substantially equal to those of this act and rules and regulations adopted pursuant thereto.

(e) An elevator apprentice is not required to hold a license.

(f) Any city or county that has adopted requirements and standards that meet or exceed the requirements and standards of this act and any rules and regulations adopted pursuant thereto may issue an elevator contractor's license or elevator mechanic's license in accordance with such requirements and standards. Any such license shall specify that it is issued by such city or county. No such license shall be issued in lieu of any license issued by the state fire marshal or authorize the licensee to perform work as an elevator contractor or elevator mechanic outside the jurisdiction of the issuing city or county.

New Sec. 9. (a) Elevator contractors shall submit proof to the state fire marshal of a current insurance policy issued by an insurance company authorized to do business in this state that provides general liability coverage of at least \$1,000,000 for injury or death of any number of persons in any one occurrence, with coverage of at least \$500,000 for property damage in any one occurrence and proof of workers compensation insurance coverage as required by Kansas law.

(b) Elevator inspectors, except those employed by an agency, city or county, shall submit to the state fire marshal proof of a current insurance policy issued by an insurance company authorized to do business in this state that provides general liability coverage of at least \$1,000,000 for injury or death of any number of persons in any one occurrence, with coverage of at least \$500,000 for property damage in any one occurrence and proof of statutory workers compensation insurance coverage.

(c) Proof of such policies shall be delivered to the state fire marshal with the application for the license. A licensee shall provide the state fire marshal of notice of any material alteration or cancellation of any policy at least 10 days prior to the effective date of such change in the policy.

New Sec. 10. (a) Whenever the state fire marshal determines an emergency exists in the state due to a disaster, an act of God or work stoppage and the number of persons in the state holding elevator mechanic's licenses is determined by the state fire marshal to be insufficient to cope with the emergency, the state fire marshal may issue emergency elevator mechanic's licenses as necessary to assure the safety of the public. An elevator contractor or applicant for an emergency mechanic's license shall furnish such proof of competency as may be required by rules and regulations adopted pursuant to this act.

(b) An elevator contractor shall notify the state fire marshal when there are no licensed elevator mechanics available to perform work requiring such license. The elevator contractor may request that the state fire marshal issue temporary elevator mechanic's licenses to individuals certified by the licensed elevator contractor to have an acceptable combination of documented experience and education to perform such work without the direct and immediate supervision of a licensed elevator mechanic. Any individual who is certified as such by an elevator contractor may apply for a temporary elevator mechanic's license in such form and manner as prescribed by the state fire marshal. The applicant shall pay the required application fee with such application, which shall not exceed \$50. The state fire marshal may issue a temporary elevator mechanic's license if the state fire marshal finds that the requirements for such licenses have been met.

New Sec. 11. (a) An application for a license may be denied or a license may be suspended or revoked by the state fire marshal upon a finding that one or more of the following have been committed by the applicant or licensee:

(1) Any willfully false statement or willful omission as to a material matter made in the process of securing a license or renewal of a license. A material matter is a fact relevant to a question or line of inquiry in the applicable application form or in additional inquiry of the applicant by the state fire marshal that if made known to the state fire marshal could constitute a basis for a denial of the application under this act or rules and regulations adopted pursuant thereto;

(2) fraud, misrepresentation or bribery in securing a license;

(3) failure to notify the state fire marshal and the owner of an elevator or the owner's agent when:

(A) Any elevator is being operated in this state that is not in compliance with this act or rules and regulations adopted pursuant thereto; and

(B) that such noncompliance was known by the licensee or reasonably should have been known by the licensee;

(4) failure to maintain any requirement or to notify the state fire marshal of any material alteration or change relating to any requirement that is necessary to obtain or renew a license that is in nature a continuing requirement, including, but not limited to, insurance requirements; or

(5) any violation of this act or rules and regulations adopted pursuant thereto.

(b) A license may be suspended or revoked upon a finding by the state fire marshal that facts and circumstances exist that require suspension or revocation of the license to protect the safety of the public, including, but not limited to, facts and circumstances going to the competence, ability or fitness of the licensee to safely conduct the work or activities permitted by the license in a manner that does not risk the safety or well-being of co-workers, employees or the public.

(c) An elevator inspector license may be suspended or revoked upon a finding by the state fire marshal that the licensed elevator inspector has performed duties incompetently, demonstrated untrustworthiness, falsified any matter or statement contained in any application or report or failed to report findings of any inspection made by such licensee to the state fire marshal as required under section 16, and amendments thereto. Such a suspension or revocation shall be effective upon receipt of notice of the suspension or termination by the licensee or the licensee's employer.

(d) Except as otherwise provided by this act, no license shall be suspended or

revoked until after a written order issued by the state fire marshal has been served to the licensee who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of the person to request a hearing as provided in section 13, and amendments thereto. The state fire marshal may issue emergency orders, including, but not limited to, immediate suspensions or revocations of a license, as provided by the Kansas administrative procedure act.

New Sec. 12. (a) In addition to any other penalty provided by law, the state fire marshal, upon a finding that any owner, lessee or operator of an elevator, or owner or lessee of a building or structure in which an elevator is located, has violated, knowingly permitted a violation or negligently failed to detect, report or correct a violation of any provision of this act or rules and regulations adopted pursuant thereto with regard to the construction, installation, maintenance, inspection or operation of an elevator, is authorized to impose a civil penalty not to exceed \$1,000 per violation for each day of such unlawful operation or violation. Such civil penalty shall constitute an actual and substantial economic deterrent to the violation for which the penalty is assessed.

(b) In addition to any other penalty provided by law, the state fire marshal, upon a finding that any licensee has violated, knowingly permitted a violation or negligently failed to detect, report or correct a violation of any provision of this act or rules and regulations adopted pursuant thereto, is authorized to impose a civil penalty not to exceed \$1,000 per violation. Such civil penalty shall constitute an actual and substantial economic deterrent to the violation for which the penalty is assessed.

(c) No civil penalty shall be imposed except upon the written order of the state fire marshal to the person who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of the person to request a hearing as provided in section 13, and amendments thereto.

(d) All fines assessed and collected under this section 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 elevator safety fee fund.

New Sec. 13. (a) Any individual, sole proprietor, firm, partnership, association or corporation aggrieved by an order issued by the state fire marshal pursuant to the provisions of this act may request a hearing on such order within 15 days from the date of the service of such order by filing such request in writing with the state fire marshal. Such hearing shall be conducted in accordance with the provisions of the Kansas administrative procedure act. The filing of a request for a hearing shall not abate or operate as a stay of the effect of an emergency order or an order to cease and desist or a stop work order unless otherwise stated in such order.

(b) Except as otherwise provided, all administrative proceedings by the state fire marshal under this act shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(c) Judicial review and civil enforcement of agency actions under this act shall be in accordance with the Kansas judicial review act.

New Sec. 14. It shall be the responsibility of a licensee to ensure that the design, construction, installation, operation, inspection, testing, maintenance, alteration and repair of an elevator is performed in compliance with the provisions of the state safety and fire prevention act, K.S.A. 31-132 et seq., and amendments thereto.

New Sec. 15. (a) No elevator shall be erected, constructed, installed or altered

within or adjacent to a building or structure unless a valid permit is obtained from the state fire marshal. Such permit shall be issued prior to the commencement of any work on such elevator. A permit shall only be issued to a licensed elevator contractor. A copy of such permit shall be kept at the construction site at all times while the work is in progress. Notwithstanding the issuance of a permit, no work shall be performed on any such elevator if the state fire marshal has issued a stop work order for such elevator.

(b) A licensed elevator contractor may apply for a permit in such form and manner as prescribed by the state fire marshal. The applicant shall pay the required permit fee with such application, which shall not exceed \$400.

(c) A permit may be revoked by the state fire marshal for any of the following reasons:

(1) Any false statement or misrepresentation exists as to the material facts in the application, or in the plans or specifications on which the permit was based;

(2) the permit was issued in error and should not have been issued in accordance with the provisions of this act;

(3) the work detailed under the permit is not being performed in accordance with the provisions of the application, or in the plans or specifications on which the permit was based, or is not in accordance with the code; or

(4) the licensed elevator contractor to whom the permit was issued fails or refuses to comply with a stop work order issued by the state fire marshal.

(d) (1) A permit shall expire:

(A) If the work authorized by such permit is not commenced within six months after the date of issuance, or within a shorter period of time specified by the state fire marshal, in the state fire marshal's discretion, at the time the permit is issued; or

(B) if, after the work has been commenced, the work is suspended or abandoned for a period of 60 days, or such shorter period of time as specified by the state fire marshal, in the state fire marshal's discretion, at the time the permit is issued.

(2) For good cause, the state fire marshal, in the state fire marshal's discretion, may allow an extension of any of the periods of time set forth in this subsection.

(e) This section shall not apply to any elevator to be erected, constructed, installed or altered in any city or county that has adopted requirements or standards that meet or exceed the requirements or standards of this act and any rules and regulations adopted pursuant thereto.

New Sec. 16. (a) It shall be the responsibility of the owner of any new or existing elevator or the owner's agent to have such elevator inspected annually by a licensed elevator inspector. Upon such inspection, the licensed elevator inspector shall provide the owner of the elevator or the owner's agent, the owner or lessee of the property where such elevator is located and the state fire marshal with a written inspection report describing any and all code violations. The owner of the elevator or the owner's agent shall have 30 days from the date of the inspection report to be in full compliance by correcting such violations. The state fire marshal may grant additional 30-day extensions of time if the state fire marshal determines good cause has been shown and the safety of the public will not be endangered.

(b) It shall be the responsibility of the owner of any elevator or the owner's agent to have a licensed elevator contractor conduct all required tests at the intervals required by this act and rules and regulations adopted pursuant thereto. All tests shall be performed by a licensed elevator mechanic.

(c) This section shall not apply to any elevator located in a city or county that has adopted requirements or standards that meet or exceed the requirements or standards of this act and any rules and regulations adopted pursuant thereto.

New Sec. 17. (a) For any elevator installed prior to July 1, 2022, the owner of the elevator or the owner's agent shall apply for a certificate of operation on or before July 1, 2023. Such application shall be in such form and manner as prescribed by the state fire marshal and shall include a copy of the most recent inspection report required pursuant to section 16, and amendments thereto, and payment of the required application fee, which shall not exceed \$100.

(b) For any elevator installed on or after July 1, 2022, and prior to January 1, 2023, the owner of such elevator or the owner's agent shall apply for a certificate of operation within six months after such elevator is placed into operation. Such application shall be in such form and manner as prescribed by the state fire marshal and shall include a certification by the licensed elevator contractor that such installation was performed in compliance with the applicable provisions of this act and rules and regulations adopted pursuant thereto and payment of the required application fee, which shall not exceed \$100.

(c) On and after January 1, 2023, before a newly installed elevator may be placed into operation, the licensed elevator contractor that performed the new installation shall apply for a certificate of operation. Such application shall be in such form and manner as prescribed by the state fire marshal and shall include a certification by the licensed elevator contractor that such installation was performed in compliance with the applicable provisions of this act and rules and regulations adopted pursuant thereto and payment of the required application fee, which shall not exceed \$100.

(d) The state fire marshal shall grant applications and renewal applications for certificates of operation if the state fire marshal finds the applicant has demonstrated to the state fire marshal's satisfaction that all applicable provisions of this act and rules and regulations adopted pursuant thereto have been met, the elevator will be operated in accordance with the rules and regulations adopted pursuant to this act and operation of the elevator will not present a danger to the public.

(e) A certificate of operation shall be valid for one year from the date of issuance and may be renewed upon application submitted to the state fire marshal and payment of the required renewal fee, which shall not exceed the initial application fee. An application for a renewal certificate shall be accompanied by an inspection report for an inspection performed within the immediately preceding 12 months.

(f) Certificates of operation shall be clearly displayed on or in each elevator or in the machine room for such elevator. Each certificate of operation shall state that the elevator has been inspected, tested and found to be in compliance with all applicable standards of operation.

(g) This section shall not apply to any elevator located in a city or county that has adopted requirements and standards that meet or exceed the requirements and standards of this act and any rules and regulations adopted pursuant thereto.

New Sec. 18. (a) The state fire marshal shall establish a registry of elevators that are in operation and for which a certificate of operation has been issued and shall maintain the information provided under subsection (b) as part of such registry.

(b) On or before July 1, 2023, each elevator that was in operation on or before July 1, 2022, for which a certificate of operation has been issued pursuant to section 17, and

amendments thereto, shall be registered with the state fire marshal. Such registration shall include:

- (1) The name of the owner of such elevator, the owner's agent, if any, and the operator of the elevator;
- (2) the type;
- (3) the rated load and speed;
- (4) the name of the manufacturer;
- (5) the location and purpose for which such elevator is used; and
- (6) such additional information as may be required by rules and regulations adopted pursuant to this act.

(c) Any elevator that is placed into service and for which a certificate of operation is issued after July 1, 2022, shall be registered at such time as a certificate of operation is issued for such elevator. The registration for any such elevator shall include that information described in subsection (b).

(d) This section shall not apply to any elevator located in a city or county that has adopted requirements and standards that meet or exceed the requirements and standards of this act and any rules and regulations adopted pursuant thereto. Any such city or county shall establish and maintain a registry of elevators located in such city or county that are in operation. Such registry shall include that information described in subsection (b)(1) through (6).

New Sec. 19. (a) Any person may request an investigation into an alleged violation of this act or rules and regulations adopted pursuant thereto, or the installation, servicing, maintenance or operation of an elevator that appears to place the public or persons using such elevator in danger by notifying the state fire marshal of such violation or danger. Such request shall be in writing, setting forth in reasonable particularity the grounds for the request and be signed by the person making the request.

(b) Such request, notice and any records relating to the request shall be confidential and shall not be disclosed by the state fire marshal unless ordered to be disclosed by a court of competent jurisdiction. The provisions of this subsection shall expire on July 1, 2027, unless the legislature reviews and reenacts such provisions in accordance with K.S.A. 45-229, and amendments thereto, prior to July 1, 2027.

(c) Upon receipt of such notification, the state fire marshal shall investigate the alleged violation as soon as practicable, and to the extent determined appropriate by the state fire marshal, determine if such violation or danger exists and may issue such orders as the state fire marshal deems necessary to avoid danger to the public during such investigation. If the state fire marshal determines that there are no reasonable grounds to believe that a violation or danger exists, the state fire marshal shall notify in writing the person who submitted the request for investigation and the owner of the elevator or the owner's agent of such determination. If the state fire marshal determines that a violation or danger exists, the state fire marshal shall revoke the certificate of operation for such elevator, issue such orders as the state fire marshal deems necessary to address the violation or danger or take such other actions as provided by this act to address the violation or danger.

New Sec. 20. (a) On or before January 1, 2023, the state fire marshal shall adopt rules and regulations necessary to implement and enforce the provisions of this act. Rules and regulations adopted by the state fire marshal shall be based on and follow generally accepted national engineering standards, formula and practices that shall at a

minimum include adoption of current American national standards known as the American society of mechanical engineers (ASME) safety code for elevators and escalators and the safety standards for wind turbine tower elevators.

(b) Such rules and regulations shall include rules and regulations:

(1) For the operation, maintenance, servicing, construction, alteration and installation of elevators;

(2) requirements and qualifications for the licensure of elevator contractors, mechanics and inspectors, including initial and renewal application requirements, examination requirements and continuing education requirements;

(3) requirements and qualifications for the issuance of emergency and temporary licenses;

(4) requirements for issuance of permits and certificates of operation, including initial and renewal application requirements;

(5) requirements for registration of elevators; and

(6) standards for granting exceptions and variances from rules and regulations adopted pursuant to this act and municipal ordinances.

(b) The state fire marshal shall establish a schedule for fees for licenses, permits, certificates of operation, inspections and variance requests. The fees shall reasonably reflect the state fire marshal's actual costs and expenses to operate and to conduct those duties and obligations as described in this act.

(c) The state fire marshal shall have the authority to grant or deny requests for exceptions and variances from the requirements of rules and regulations adopted pursuant to this act or from municipal ordinances in cases where the state fire marshal finds such exception or variance would not jeopardize the public safety and welfare and that the request meets the applicable standards adopted by the state fire marshal for granting such an exception or variance.

New Sec. 21. The elevator safety fee fund is hereby established in the state treasury and shall be administered by the state fire marshal. The state fire marshal shall remit all moneys received from fees, charges or penalties assessed in accordance with this act 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 elevator safety fee fund. All expenditures from the elevator safety 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 state fire marshal or the state fire marshal's designee.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "public safety; relating to the duties of the state fire marshal; amending"; in line 3, after the semicolon by inserting "creating the elevator safety act; relating to safety standards for elevators; licensure requirements for elevator inspection, installation and repair; establishing the elevator safety fee fund;"

And your committee on conference recommends the adoption of this report.

ROB OLSON

RICHARD HILDERBRAND

OLETHA FAUST GOUDEAU

Conferees on part of Senate

RONALD HIGHLAND

BOYD ORR

LINDSAY VAUGHN

Conferees on part of House

Senator Olson moved the Senate adopt the Conference Committee Report on **HB 2005**.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Ryckman, Straub, Suellentrop, Sykes, Ware, Warren, Wilborn.

Nays: Hilderbrand, Pyle, Steffen, Thompson, Tyson.

Absent or Not Voting: Kerschen.

The Conference Committee Report was adopted.

ORIGINAL MOTION

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **S Sub HB 2416**.

The President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

CHANGE OF CONFERENCE

Senators Olson, Hilderbrand and Faust-Goudeau are appointed to replace Senators Billinger, Claeys, and Hawk as members of the conference committee on **HB 2087**.

Senator Bowers is appointed to replace Senator Claeys as a member of the conference committees on **SB 313, SB 446; HB 2476, HB 2478, HB 2595**.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Wednesday, March 30, 2022.

Journal of the Senate

FIFTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 30, 2022, 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:

My Good Jekyll and My Awful Hyde Competition
Romans 7:15, Galatians 5:17

Heavenly Father, as we serve in these chambers and in all our other areas of responsibility, we really want Your approval. Most of all we want to be pleasing to You. Yet there's something in us that tends to lean in the wrong direction. And no matter how good or ethical we want to be, we miss the target because we weren't even aiming at it. We were aiming in the wrong direction.

Years ago, Robert Louis Stevenson wrote an allegory depicting the dual nature of our predicament. The good Dr. Jekyll in us is competing with the awful Mr. Hyde. Lord, there's a Jekyll and Hyde in us that You inspired the Apostle Paul to write about in Romans 7:14-20. He said that Your standards are spiritually good but in us there's a corrupt nature. We don't do the good that we want to do. Instead, we do the things we don't want to do.

Your Word also says in Galatians 5:17, our bad Mr. Hyde desires are against our good Dr. Jekyll desires; they are opposed to each other. A war goes on inside us. But through Paul You gave us the solution. We find in Romans 7:25 that in surrendering to You the struggle is lessened and the good in me triumphs.

Help us Lord to stay humbly submitted to You, that Your standards will prevail. My prayer is in the Name of Jesus, Amen!

The Pledge of Allegiance was led by President Masterson.

FINAL ACTION

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, **HB 2644**, as amended by Senate committee, **HB 2717** were advanced to Final Action subject to amendment, debate and roll call.

HB 2644, AN ACT designating the Sandhill plum as the official state fruit.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand,

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

Absent or Not Voting: Suellentrop.

The bill passed, as amended.

HB 2717, AN ACT concerning municipalities; relating to law enforcement agencies and cooperation with federal officials regarding citizenship, immigration status and enforcement of federal immigration laws; requiring any municipal identification card to state it is not valid for state identification including voter identification; amending K.S.A. 8-1327 and 25-2908 and repealing the existing sections.

On roll call, the vote was: Yeas 29; Nays 10; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holscher, Pettey, Sykes, Ware.

Absent or Not Voting: Suellentrop.

The bill passed.

EXPLANATION OF VOTE

Mr. President: I vote "NO" on **House Bill 2717**. I recognize that this bill would still allow the issuance of municipal identification cards; my objection is to the elimination of a municipal identification card as a form of identification for voting. Those cards, issued by cities and counties, have made meeting the requirement to have a photo identification card easier for many individuals who do not have any other forms of photo identification; one example of those is some seniors in nursing facilities. This is not a card that can be used to register to vote; only a card to provide the required photo identification. Let's not put one more barrier in the way of allowing registered voters to vote.—MARCI FRANCISCO

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Kerschen moved the Senate concur in House amendments to **SB 346**.

A substitute motion to nonconcur and appoint a new conference failed.

SB 346, AN ACT concerning agriculture; relating to milk and dairy products; allowing on-farm retail sale of milk and milk products; extending certain milk and dairy license fees; authorizing the secretary of agriculture to declare an imminent health hazard; authorizing civil penalties for certain dairy law violations; relating to animals; transporting animals into the state; authorizing the animal health commissioner to assess a civil penalty for violations relating thereto; amending K.S.A. 47-607c, 65-771, 65-778, 65-781, 65-786 and 65-788 and repealing the existing sections.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Kerschen, Longbine, Masterson, McGinn, O'Shea, Olson, Pettey, Pittman, Ryckman, Sykes, Ware, Warren, Wilborn.

Nays: Baumgardner, Erickson, Gossage, Hilderbrand, Kloos, Peck, Petersen, Pyle, Steffen, Straub, Thompson, Tyson.

Absent or Not Voting: Suellentrop.

The Senate concurred.

EXPLANATION OF VOTE

Mr. President: I voted No on **SB 346** because the potential good of the milk bill was outweighed by the potential ill effects of the animal transportation bill stuck in at the last second. We have to realize that an Ag committee overwhelmingly controlled by big city dwellers that only listen to special interest groups and government employees proves a detriment to our Kansas farmers and ranchers.—MARK STEFFEN

Senator Straub requests the record to show she concurs with the "Explanation of Vote" offered by Senator Steffen on **SB 346**.

MESSAGE FROM THE HOUSE

The House announced the appointment of Representative Anderson to replace Representative Long as a conferee on **S Sub HB 2448**.

On motion of Senator Alley, the Senate recessed until 4:00 p.m.

The Senate met pursuant to recess with Vice President Rick Wilborn in the chair.

POINT OF PERSONAL PRIVILEGE

Senator Faust-Goudeau rose on a Point of Personal Privilege to welcome Ava Johnson from Wichita to the Kansas Senate. Ava is 8 years old, in the second grade and holds two titles, Miss Kansas Cover Girl and Miss Kansas Superstar. Her dream is to become a doctor of medicine.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 62**.

The House concurs in Senate amendments to **HB 2607**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2564**, and requests return of the bill.

The House nonconcurrs in Senate amendments to **HB 2237**, requests a conference and has appointed Representatives Kelly, Hoheisel and Xu as conferees on the part of the House.

The House announced the appointment of Rep. Mason to replace Rep. Highland as a conferee on **HB 2106**, **HB 2239**; **S Sub HB 2416**, **S Sub HB 2597**.

Announcing passage of **Sub SB 84**, as amended by **H Sub Sub SB 84**.

The House nonconcurrs in Senate amendments to **S Sub HB 2280**, requests a conference and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

ORIGINAL MOTION

On motion of Senator Olson the Senate nonconcurred in the House amendments to **H Sub Sub SB 84** and requested a conference committee be appointed.

The President appointed Senators Olson, Hilderbrand and Faust-Goudeau as a conference committee 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 2280**.

The President appointed Senators Hilderbrand, Gossage and Petty as conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 62** 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 Further Amended by House Committee, as follows:

On page 2, following line 4, by inserting:

"New Section 1. (a) A person seeking to interpret under K.S.A. 75-4355a through 75-4355d, and amendments thereto, and section 1 through 5, and amendments thereto, or to comply with any state or federal law or rules and regulations shall obtain registration in accordance with this section.

(b) To obtain registration as an interpreter, an applicant shall submit an application on a form and in a manner prescribed by the commission and shall pay the registration fee determined by the commission in rules and regulations. The commission may grant registration to any person who:

- (1) Has obtained a high school diploma or its equivalent;
- (2) is 18 years of age or older;
- (3) has no other record of disqualifying conduct as determined by the commission;

and

(4) has obtained a certification or other appropriate credentials as determined by the commission.

(c) (1) The commission may grant registration as an interpreter to an applicant who has been duly licensed or registered as an interpreter by examination under the laws of another state, territory or the District of Columbia if, in the opinion of the commission, the applicant substantially meets the qualifications for registration as an interpreter in this state. The applicant shall provide satisfactory evidence of verification of the applicant's licensure or registration from the original state of licensure or registration.

(2) The commission may grant temporary registration to a nonresident interpreter who holds a certificate or license in such interpreter's state of residence. An interpreter granted a temporary registration shall not interpret more than 20 separate days in a year in this state.

(d) (1) Registrations issued under this section shall expire on the date established by rules and regulations of the commission unless revoked prior to that time. The commission shall send a notice for renewal of registration to every interpreter at least 60 calendar days prior to the expiration date of such person's registration.

(2) (A) A registered interpreter shall have a grace period of 30 calendar days after a registration has expired to renew such registration without a late fee. The commission may charge a late fee for any renewal application received after such grace period. The commission shall determine the amount of the late fee in rules and regulations, but such fee shall not exceed \$200.

(B) An interpreter whose registration has expired after failing to submit a renewal application may renew registration upon payment of the late fee and submission of satisfactory evidence of completion of continuing education requirements established by the commission. For renewals of expired registrations, the commission may require additional testing, training or education to establish the interpreter's present ability to perform the functions and responsibilities of an interpreter.

(3) An interpreter, as a condition for renewal of a registration, shall attend not less than 30 hours of continuing education programming within a two-year period. Upon receipt of such application, payment of fee and evidence of satisfactory completion of the required continuing education, the commission shall verify the accuracy of the application and grant renewal of the registration.

(c) (1) The commission may require an applicant for registration as an interpreter to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The commission is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The commission may use the information obtained from fingerprinting and the applicant's criminal history for purposes of verifying the identification of the applicant and making the official determination of the qualifications and fitness of the application to be issued or maintain registration.

(2) Local and state law enforcement officers and agencies shall assist the commission in taking the fingerprints of applicants for registration. Local and state law enforcement officers and agencies may charge a fee as reimbursement for expenses incurred in taking and processing fingerprints under this section. The Kansas bureau of investigation shall release all records of an applicant's adult convictions to the commission.

(3) The commission may fix and collect a fee for fingerprinting and conducting a state and national criminal history record check of applicants or registrants as may be required by the commission in an amount equal to the cost of fingerprinting and the criminal history record check.

(f) The commission may refuse to issue, renew or reinstate a registration, may condition, limit, revoke or suspend the registration of any individual if the applicant or registrant:

- (1) Has been found incompetent or negligent in the practice of interpreting;
- (2) has been convicted of a felony offense or a misdemeanor against persons and has not demonstrated to the commission's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;
- (3) submits an application that contains false, misleading or incomplete information;
- (4) fails or refuses to provide any information requested by the commission;
- (5) fails or refuses to pay the required fees;
- (6) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state or the United States, territory of the United States or another country, and the applicant or registrant has not demonstrated to the commission's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

or

(7) has had a license, registration or certificate to practice as an interpreter revoked, suspended or limited, or has been the subject of other disciplinary action, or an application for a license, registration or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia, or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(g) Administrative proceedings and disciplinary actions regarding interpreter registration under sections 1 through 3, and amendments thereto, shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under sections 1 through 3, and amendments thereto, shall be in accordance with the Kansas judicial review act.

(h) The executive director of the commission shall adopt rules and regulations to effectuate the provisions of this section. Such rules and regulations may include, but not be limited to:

(1) Fees, including, but not limited to, registration fees and late fees, that are necessary to fund the expenses and operating costs incurred in the administration and enforcement of this section;

(2) categories of interpreter certification and interpreter endorsements, including necessary credentials or qualifications;

(3) continuing education requirements and programs for registered interpreters;

(4) a code of professional conduct;

(5) a supervision and mentorship requirements and programs for interpreters with provisional registration;

(6) suspension or revocation of interpreter registration; and

(7) any other matter deemed necessary by the executive director to implement and administer this section.

New Sec. 2. (a) Except as provided in subsection (c), it shall be unlawful for any person who is not registered with the commission, or whose registration has been suspended or revoked, to:

(1) Practice as an interpreter;

(2) hold out to the public the intention, authority or skill to interpret;

(3) provide video remote interpreting services; or

(4) use any title or abbreviation to indicate the person is an interpreter registered with the commission.

(b) Except as provided in subsection (c), it shall be unlawful to:

(1) Cause or permit a person to interpret in Kansas, either in-person or remotely, with knowledge that such person is not a registered interpreter;

(2) represent that a person is a registered interpreter, when the entity knows or reasonably should know that such person is not a registered interpreter;

(3) hold out to the public, on behalf of a person, the intention, skill or authority to interpret, when the entity knows or reasonably should know that such person is not a registered interpreter; or

(4) accept payment for securing an interpreter under the provisions of K.S.A. 75-4355a through 75-4355d, and amendments thereto, when the person provided by the entity to interpret is not a registered interpreter.

(c) This section shall not apply to a person:

- (1) Interpreting during a religious event;
- (2) interpreting as a volunteer without compensation after receiving approval from the commission or the executive director;
- (3) interpreting during an emergency, until the services of a registered interpreter can be obtained; or
- (4) a student who is enrolled in and pursuing a degree or credential in interpreting or an interpreter training program or a provisional interpreter with a supervision plan overseen by the commission, while such student or provisional interpreter is under the supervision of a registered interpreter.

(d) When it appears to the commission that any person or entity is violating this section, the commission may bring an action in the name of the state of Kansas in a court of competent jurisdiction for an injunction against such violation without regard to whether proceedings have been or may be instituted before the commission or whether criminal proceedings have been or may be instituted.

New Sec. 3. (a) The commission shall develop and administer a program to provide guidelines for the utilization of communication access services, communication access service providers and interpreter service agencies. The executive director of the commission may adopt rules and regulations to effectuate the provisions of this section. Such rules and regulations may include, but not be limited to:

- (1) Fees necessary to fund the expenses and operating costs incurred in the administration and enforcement of this section;
- (2) determination of the qualifications of communication access service providers;
- (3) minimum standards of training of communication access service providers;
- (4) registration of communication access service providers and interpreter service agencies;
- (5) a code of professional conduct governing communication access service providers;
- (6) standards for equipment or technology supporting communication access services;
- (7) a system of statewide coordination of communication access services; and
- (8) any other matter that the executive director deems necessary to effectuate the provisions of this section.

(b) (1) The commission may require communication access service providers to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The commission is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The commission may use the information obtained from fingerprinting and the applicant's criminal history for purposes of verifying the identification of any individual and in the official determination of the qualifications and fitness of the individual to provide communication access services.

(2) Local and state law enforcement officers and agencies shall assist the commission in taking the fingerprints of individuals. Local and state law enforcement officers and agencies may charge a fee as reimbursement for expenses incurred in taking and processing fingerprints under this section. The Kansas bureau of

investigation shall release all records of an individual's adult convictions to the commission.

(3) The commission may fix and collect a fee for fingerprinting and conducting a state and national criminal history record check of individuals pursuant to this section as may be required by the commission in an amount equal to the cost of fingerprinting and the criminal history record check.

New Sec. 4. (a) The commission shall remit all moneys received from fees, charges or penalties under sections 1 through 3, and amendments thereto, 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 Kansas commission for the deaf and hard of hearing registration fee fund.

(b) There is hereby created in the state treasury the commission for deaf and hard of hearing registration fee fund. All moneys credited to the fund shall be used to carry out the powers, duties and functions of the commission. The fund shall be administered by the Kansas commission for the deaf and hard of hearing. 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 executive director of the commission or the executive director's designee.

New Sec. 5. As used in K.S.A 75-4355a through 75-4355d, and amendments thereto, and sections 1 through 5, and amendments thereto:

- (a) "Commission" means the Kansas commission for the deaf and hard of hearing.
- (b) "Communication access services" includes, but is not limited to:
 - (1) Communication access realtime translation services;
 - (2) notetakers;
 - (3) open and closed captioning services;
 - (4) support service providers for the deaf-blind; and
 - (5) any other effective method of making aurally delivered information available to individuals who are deaf or hard of hearing.
- (c) "Communication access service provider" means an individual who is trained to offer a communication access service to communicate aurally delivered information to individuals who are deaf, hard of hearing or have speech and language impairments.
- (d) "Executive director" means the executive director for the Kansas commission for the deaf and hard of hearing.
- (e) "Interpreter" means an individual who engages in the practice of interpreting.
- (f) "Interpreter service agency" means an entity that contracts with or employs registered interpreters to provide interpreter services, whether in person or remotely, for a fee.
- (g) "Interpreting" means the translating or transliterating of English concepts to any communication modes of individuals who are deaf, hard of hearing or have speech and language impairments or the translating or transliterating of the communication modes of individuals who are deaf, hard of hearing or have speech and language impairments to English language concepts. Communication modes include, but are not limited to, American sign language, English-based sign language, cued speech, oral transliterating and information received tactually.
- (h) "Video remote interpreter" means an interpreter who engages in the practice of video remote interpreting.

(i) "Video remote interpreting" means the process that allows an individual who is deaf or hard of hearing to communicate with a hearing individual at the same location through an interpreter displayed through videoconferencing or similar technology.";

On page 5, following line 1, by inserting:

"Sec. 8. K.S.A. 75-4355a is hereby amended to read as follows: 75-4355a. ~~A qualified~~ An interpreter registered with the Kansas commission for the deaf and hard of hearing shall be secured for any person who is deaf, hard of hearing or speech impaired in any grand jury, court or jury proceeding whether such person is a plaintiff, defendant, juror or witness in such action, and the interpreter shall interpret throughout the actual trial and during the time that the jury is sequestered or engaged in its deliberations.

Sec. 9. K.S.A. 75-4355b is hereby amended to read as follows: 75-4355b. (a) All interpreters for the deaf, hard of hearing and ~~speech impaired individuals that have speech and language impairments~~, secured under the provisions of K.S.A. 75-4355a through 75-4355d, ~~and amendments thereto, or in compliance with any state or federal law or rules and regulations~~, shall be ~~certified by or~~ registered with the Kansas commission for the deaf and hard of hearing or an agency designated by the commission. The chairperson of the governmental committee or commission, ~~or~~ the head of the governmental agency or other entity, or the court is responsible for assuring the procurement of the interpreter.

(b) The commission shall recommend reasonable fees for the services of the interpreter. At no time shall the fees for interpreter services be assessed against the person who is deaf, hard of hearing or ~~speech impaired~~ has speech and language impairments.

(c) No person shall serve as an interpreter if such interpreter is married to that person, related to that person or is otherwise interested in the outcome of the proceeding. Exceptions can be made in extreme conditions, subject to the approval of the commission.

(d) No person shall serve as an interpreter pursuant to K.S.A. 75-4355a through 75-4355d, ~~and amendments thereto~~, unless the commission makes the determination that the person is qualified to interpret. The commission may designate the executive director of the commission or a local agency to make such determination and approval under the provisions of K.S.A. 75-4355a through 75-4355d, ~~and amendments thereto~~. A person is qualified to interpret if such person is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary.

(e) If preferred by the deaf, hard of hearing or speech impaired person and if feasible, other ~~modes of communication, such as notetakers, open captioning equipment, assistive listening devices~~ access services or other technology may be used in place of an interpreter.

Sec. 10. K.S.A. 75-5391 is hereby amended to read as follows: 75-5391. (a) There is hereby established within the Kansas department for children and families the Kansas commission for the deaf and hard of hearing. The commission shall:

(1) Advocate services affecting the deaf and hard of hearing in the areas of public services, health care, educational, vocational and employment opportunity;

(2) act as a bureau of information for the deaf and hard of hearing to state agencies and public institutions providing general health and mental health care, employment, vocational, and educational services, and to local agencies and programs;

(3) collect facts and statistics and other special studies of conditions affecting the health and welfare of the deaf and hard of hearing in this state;

(4) provide for a mutual exchange of ideas and information on the national, state and local levels;

(5) provide public education ~~of prenatal and postnatal warning signs of conditions which may lead to deafness or hearing impairment in the fetus or newborn child;~~

(A) Regarding best practices in language acquisition development in deaf and hard of hearing children and aural rehabilitation options; and

(B) to promote the eradication of ignorance and discrimination toward deaf and hard of hearing people in schools and employment;

(6) encourage and assist local governments in the development of programs for the deaf and hard of hearing;

(7) cooperate with public and private agencies and units of local, state and federal governments in promoting coordination in programs for the deaf and hard of hearing;

(8) provide for the social, emotional, educational and vocational needs of the deaf and hard of hearing and their families;

(9) serve as an advisory board to the governor and legislature on the needs of the deaf and hard of hearing by preparing an annual report ~~which that~~ reviews the status of all state services to the deaf and hard of hearing within Kansas, and to recommend priorities ~~to the governor~~ for the development and coordination of services to the deaf and hard of hearing; and

(10) make recommendations for needed improvements, and serve as an advisory board in regard to new legislation affecting the deaf and hard of hearing.

(b) The commission may:

(1) Develop and oversee programs concerning interpreters, interpreter service agencies, and communication access services;

(2) become a member of or affiliate with any professional organization related to the powers, duties and functions of the commission; and

(3) undertake any and all other acts as may be necessary for the performance of the commission's powers, duties and functions in the administration of K.S.A. 75-4355a through 75-4355d, and amendments thereto, and sections 1 through 5, and amendments thereto.

(c) Except as otherwise provided by this act, all budgeting, purchasing and related management functions of the Kansas commission for the deaf and hard of hearing shall be administered ~~under the direction and supervision of~~ by the secretary for children and families. Within the limitations of available appropriations, the secretary for children and families shall provide additional clerical and other assistance as may be required for the commission. The executive director shall report directly to the deputy secretary or secretary for administrative purposes only.

Sec. 11. K.S.A. 75-5393 is hereby amended to read as follows: 75-5393. (a) The Kansas commission for the deaf and hard of hearing shall employ an executive director and shall fix the duties, responsibilities and qualifications thereof. The executive director shall be a full-time employee of the commission who shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary to be fixed by the commission, and such salary shall be comparable to the salaries of executive directors of other commissions. The executive director shall receive actual and necessary expenses incurred while in the discharge of official duties.

(b) The executive director, with the advice and consent of the commission shall:

(1) Within the limitations of available appropriations, plan and oversee the establishment of service centers for the deaf and hard of hearing in areas where the commission deems they are needed and in concurrence with the secretary for children and families and in consultation with local boards of directors of community service centers and local groups promoting or providing services to the deaf or hard of hearing, or both;

(2) promote accessibility of all governmental services to deaf and hard of hearing citizens in Kansas including those deaf and hard of hearing persons with multiple disabilities;

(3) identify agencies, both public and private ~~which that~~ provide community services, evaluate the extent to which they make services available to deaf and hard of hearing people and their families, and cooperate with the agencies in coordinating and extending these services;

(4) provide for the mutual exchange of ideas and information on services for deaf and hard of hearing people between federal, state and local governmental agencies and private organizations and individuals;

(5) survey the needs of the deaf and hard of hearing population in Kansas and assist the commission in the preparation of its report to the governor;

(6) maintain a listing of persons qualified in various types of interpreting and ~~aural rehabilitation communication access services~~ for the deaf and make this information available to local, state, federal and private organizations and to individuals;

(7) promote the training of interpreters for the deaf and hard of hearing;

(8) serve as an advocate for the rights of deaf and hard of hearing people and perform such other duties as may be required by law;

(9) provide interpreter services for the deaf and hard of hearing to be funded from ~~user fees collected pursuant to K.S.A. 75-5397a, and amendments thereto;~~

(10) provide a telecommunication message relay service for the deaf and hard of hearing;

(11) provide for a program of ~~regulation and certification~~ registration of interpreters; ~~and~~

(12) provide for a program of statewide coordination for communication access services and service providers; and

(13) employ such persons as may be needed from time to time, in the judgment of the executive director, to carry out the director's responsibilities under paragraphs (9), (10) and, (11) of this subsection and (12). Such employees shall be in the unclassified civil service and shall receive an annual salary to be fixed by the commission.

(c) In selecting an executive director, the commission shall select an individual who is fluent in the American sign language of the deaf and shall give consideration and priority to qualified applicants who are deaf or hard of hearing. The commission shall supervise and evaluate the executive director.

Sec. 12. K.S.A. 75-5397a is hereby amended to read as follows: 75-5397a. (a) The Kansas commission for the deaf and hard of hearing may fix, charge and collect reasonable fees for providing interpreter services, interpreter ~~certification registration,~~ communication access services and sign language instruction.

(b) The secretary for children and families shall remit all moneys received by the commission for ~~such providing interpreter services, communication access services and~~

sign language instruction 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 department for children and families enterprise fund.";

Also on page 5, in line 2, by striking "and" and inserting a comma; in line 3, before "are" by inserting ", 75-4355a, 75-4355b, 75-5391, 75-5393 and 75-5397a";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "schools; relating to" and inserting "sensory impairments; relating to hearing and vision impairments and the provision of assistance related thereto; authorizing the Kansas commission for the deaf and hard of hearing to adopt rules and regulations for interpreters and interpreter services; establishing a sign language interpreter registration process; providing guidelines for communication access services; providing standards for"; also in line 1, by striking all after "screenings"; in line 2, by striking all before the semicolon; in line 5, by striking the first "and" and inserting a comma; also in line 5, before the second "and" by inserting ", 75-4355a, 75-4355b, 75-5391, 75-5393 and 75-5397a";

And your committee on conference recommends the adoption of this report.

STEVE HUEBERT
ADAM THOMAS
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 62**.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claey's, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Holland, Holscher, Kerschen, Kloos, Longbine, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Ryckman, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Hilderbrand, Pyle, Steffen, Straub, Tyson.

Absent or Not Voting: Masterson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **S Sub HB 2448** 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. 2448, as follows:

On page 9, in line 12, after "to" by inserting ":

(i)";

Also on page 9, in line 13, after "dependents" by inserting "; and
 (ii) individuals who are not employed at least 30 hours per week";
 And your committee on conference recommends the adoption of this report.

RICHARD HILDERBRAND
 BEVERLY GOSSAGE
 PAT PETTEY
Conferees on part of Senate

SEAN TARWATER
 AVERY ANDERSON
 STEPHANIE CLAYTON
Conferees on part of House

Senator Gossage moved the Senate adopt the Conference Committee Report on **S Sub HB 2448**.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: Masterson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2476** 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, following line 24, by inserting:

"New Sec. 4. (a) On and after January 1, 2023, 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 Hutchinson 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 either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The city of Hutchinson may authorize the use of its flag image as its logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be used to support the Hutch rec foundation and park development in Hutchinson. Any motor vehicle owner or lessee may apply annually to the city of Hutchinson for use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 to the city of Hutchinson as a logo use royalty

payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) The city of Hutchinson, who shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) 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 either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty 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 Hutchinson 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(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or sent by the city of Hutchinson, or the annual royalty payment is not made 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 Hutchinson shall provide to all county treasurers an electronic mail address where applicants can contact the city of Hutchinson for information concerning the application process or the status of such applicant's license plate application.

(h) The city of Hutchinson, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the city of Hutchinson 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, royalty payment amount, plate number and vehicle type to the city of Hutchinson and the state treasurer.

(j) The collection and remittance of annual royalty 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 Hutchinson royalty fund shall be made on a monthly basis to the appropriate designee of the Hutch rec foundation. A change of the city's designee shall occur only by mutual agreement of the city of Hutchinson and the Hutch rec foundation.

New Sec. 5. (a) On and after January 1, 2023, 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 daughters of the American revolution license plate for each such passenger vehicle or truck. Such license plate 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 either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The daughters of the American revolution may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee may apply annually to the daughters of the American revolution for use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 to the daughters of the American revolution as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) The daughters of the American revolution, which shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) 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, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and 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 daughters of the American revolution 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(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or sent by the daughters of the American revolution, or the annual royalty payment is not made 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 daughters of the American revolution shall provide to all county treasurers an electronic mail address where applicants can contact the daughters of the American revolution for information concerning the application process or the status of such applicant's license plate application.

(h) The daughters of the American revolution, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the daughters of the American revolution 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, royalty payment amount, plate number and vehicle type to the daughters of the American revolution and the state treasurer.

(j) The collection and remittance of annual royalty payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto.

Sec. 6. K.S.A. 2021 Supp. 8-161 is hereby amended to read as follows: 8-161. (a) Any disabled veteran as defined in K.S.A. 8-160, and amendments thereto, who resides in Kansas and who makes application to the director of vehicles on a form furnished by the director for registration of a motor vehicle that is a passenger vehicle, a truck with a gross weight of not more than 20,000 pounds, or a motorcycle and is owned or leased and used by such veteran may have such motor vehicle registered, and the director shall issue a distinctive license plate for it. Such license plate shall be issued for the same period of time as other license plates are issued. Such registration shall be made and such license plates issued free of charge to the disabled veteran. The director of vehicles shall also issue to the disabled veteran an individual identification card which must be carried by the disabled veteran when the motor vehicle being operated by the disabled veteran or used for the transportation of such disabled veteran is parked in a designated accessible parking space. Such distinctive license plate shall not be printed with the international symbol of access to the physically disabled unless the disabled veteran meets the definition of a person with a disability as defined in K.S.A. 8-1,124, and amendments thereto.

(b) Any Kansas resident who owns or leases a motor vehicle and who is responsible for the transportation of a disabled veteran or any resident disabled veteran desiring a distinctive license plate for a vehicle other than a motor vehicle owned or leased by the veteran may make application to the director of vehicles for such a license plate. Such license plate shall be issued for the same period of time as other license plates are issued. There shall be no fee for such license plates in addition to the regular registration fee. Such license plates shall not be printed with the international symbol of access to the physically disabled unless the applicant is responsible for the transportation of the disabled veteran who meets the definition of a person with a disability as defined in K.S.A. 8-1,124, and amendments thereto.

(c) (1) The director of vehicles shall design a special license plate to be issued as provided in this act. No registration or license plates issued under this act shall be transferable to any other person. No registration under this act shall be made until the applicant has filed with the director acceptable proof that the applicant is a disabled veteran as defined by K.S.A. 8-160, and amendments thereto, or is responsible for the transportation of such veteran. Any applicant who requests the international symbol of access to be printed on the applicant's distinctive license plate shall provide the director with acceptable proof that the applicant meets the definition of a person with a disability as defined in K.S.A. 8-1,124, and amendments thereto.

(2) Motor vehicles displaying the distinctive license plates ~~provided for in this act~~ with the international symbol of access displayed on such license plates shall be permitted to:

(A) Park in any parking space on public or private property which is clearly marked as being reserved for the use of persons with a disability or persons responsible for the

transportation of a person with a disability, except a parking space on private property which is clearly marked as being reserved for the use of a specified person with a disability;

(B) park without charge in any metered zone ~~and~~. Such motor vehicle shall be exempt from any time limitation imposed on parking in any zone designated for parking; during the hours in which parking is permitted in any city; or

(C) park without charge in any parking space in a public parking facility or public parking lot if such parking space is clearly marked as being reserved for the use of persons with a disability or persons responsible for the transportation of a person with a disability and such public parking facility or public parking lot employs persons who are parking attendants ~~to~~ and who collect payment. Any parking occurring under the provisions of this subparagraph shall also comply with all regulations and restrictions posted at the entrance of the public parking facility or public parking lot by ~~its~~ the management thereof.

(3) Motor vehicles displaying the distinctive license plates without the international symbol of access on such license plates shall be permitted to:

(A) Park without charge in any metered zone. Such motor vehicle shall be exempt from any time limitation imposed on parking in any zone designated for parking during the hours in which parking is permitted in any city; or

(B) park without charge in any parking space in a public parking facility or public parking lot if such parking space is clearly marked as being reserved for the use of persons with a disability or persons responsible for the transportation of a person with a disability and such public parking facility or public parking lot employs persons who are parking attendants and who collect payment. Any parking occurring under the provisions of this subparagraph shall also comply with all regulations and restrictions posted at the entrance of the public parking facility or public parking lot by the management thereof.

(d) Any person who willfully and falsely represents that such person has the qualifications to obtain the distinctive license plates provided for by this section, or who falsely utilizes the parking privilege accorded by this section, shall be guilty of an unclassified misdemeanor punishable by a fine of not more than \$250.";

On page 6, following line 14, by inserting:

"Sec. 8. K.S.A. 2021 Supp. 8-1,146 is hereby amended to read as follows: 8-1,146.

(a) Any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less, motorcycles or travel trailers; who is a resident of the state of Kansas, ~~and who~~ submits satisfactory proof to the director of vehicles as provided in subsection (c), in accordance with rules and regulations adopted by the secretary of revenue, that such person has proof of: (1) Having served and is designated as a veteran, and has had an honorable discharge from the United States army, navy, air force, marine corps, coast guard, space force or merchant marines; or (2) currently serving in the United States army, navy, air force, marine corps, coast guard, space force or merchant marines, upon compliance with the provisions of this section, may be issued one distinctive license plate for each such passenger vehicle, truck, motorcycle or travel trailer designating such person as an United States military veteran. Such license ~~plates~~ plate shall be issued for the same period of 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.

~~(b)~~ (c) ~~On and after January 1, 2005,~~ Any person issued a license plate under this section may request a decal for each license plate indicating the appropriate military branch in which the person served or is currently serving.

~~(b)~~ (c) Any person who is a veteran or current member of the United States army, navy, air force, marine corps, coast guard, ~~space force~~ or merchant marines may make application for such distinctive license ~~plates~~ 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; ~~and~~ Any applicant for the distinctive license ~~plates~~ plate shall furnish the director with proof as the director shall require that the applicant is a veteran or current member of the United States army, navy, air force, marine corps, coast guard, ~~space force~~ or merchant marines. As proof of military veteran status, an applicant may provide a DD214 form, a DD form 2 (Retired) or a Kansas driver's license with a veteran designation pursuant to K.S.A. 8-243(e), and amendments thereto. Application for the registration of a passenger vehicle, truck, motorcycle or travel trailer and issuance of the license plates 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.

~~(e)~~ (d) No registration or distinctive license plates issued under the authority of this section shall be transferable to any other person.

~~(e)~~ (c) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in ~~subsection (a) K.S.A. 8-143, and amendments thereto,~~ and in the manner prescribed in ~~subsection (b) of K.S.A. 8-132(b), and amendments thereto.~~ No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in subsection ~~(b)~~ (c). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plates to the county treasurer of such person's residence.

~~(e)~~ (f) A fee of \$2 shall be paid for each decal issued under subsection (a). The director of vehicles shall design such decals. Such decals shall be affixed to the license plate in the location required by the director.:"

On page 8, in line 33, after "Supp." by inserting "8-161,,"; also in line 33, after "8-1,141" by inserting ", 8-1,146";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "and" and inserting a comma; also in line 2, after the second "medal" by inserting ", city of Hutchinson and daughters of the American revolution"; in line 4, after the semicolon by inserting "allowing the printing of the international symbol of access for disabled veteran distinctive license plates and certain parking privileges for disabled veterans who meet certain physical disability definitions; allowing veteran distinctive license plate applicants to provide a DD214 form, DD form 2 (Retired) or a Kansas veteran driver's license as proof of veteran status;"; in line 5, after "Supp." by inserting "8-161,,"; also in line 5, after "8-1,141" by inserting ", 8-1,146";

And your committee on conference recommends the adoption of this report.

MIKE PETERSEN

ELAINE BOWERS

TOM HAWK

Conferees on part of Senate

RICHARD PROEHL
 LEO DELPERDANG
 HENRY HELGERSON

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2476**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Masterson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2478** 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 28, by inserting:

"Sec. 3. The portion of United States highway 69 from the northern junction of United States highway 69 and United States highway 54 in Bourbon county, then north on United States highway 69 to the Linn county line is hereby designated as the Senator Tom R Van Sickle memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the Senator Tom R Van Sickle memorial highway.

Sec. 4. Bridge No. 19-0115 located between the intersections with K-126 and north grand street and K-126 and north rouse street in the city of Pittsburg in Crawford county is hereby designated as the Dennis Crain memorial bridge. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the bridge is the Dennis Crain memorial bridge.

Sec. 5. The portion of United States highway 69 from the northern junction of United States highway 69 and K-52 highway in Linn county, then south on United States highway 69 to the southern junction of United States highway 69 and K-52 highway is hereby designated as the AMM2c Walter Scott Brown memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the AMM2c Walter Scott Brown memorial highway.

Sec. 6. Bridge no. 0011-B0072 located on K-66 highway in Cherokee county and bridge no. 0011-B0005 located on K-66 highway in Cherokee county are each hereby designated as the veterans memorial bridge. Upon compliance with K.S.A. 68-10,114,

and amendments thereto, the secretary of transportation shall place suitable signs to indicate that each bridge is the veterans memorial bridge.";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "highway" by inserting "; designating a portion of United States highway 69 as the Senator Tom R Van Sickle memorial highway; designating a certain bridge on K-126 as the Dennis Crain memorial bridge; designating a portion of United States highway 69 as the AMM2c Walter Scott Brown memorial highway; designating bridges on K-66 highway as veterans memorial bridge";

And your committee on conference recommends the adoption of this report.

MIKE PETERSEN

ELAINE BOWERS

TOM HAWK

Conferees on part of Senate

RICHARD PROEHL

LEO DELPERDANG

HENRY HELGERSON

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2478**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Masterson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2595** 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 32, by striking "50" and inserting "60";

On page 2, in line 1, by striking "50" and inserting "60";

On page 1, in the title, in line 3, by striking "50" and inserting "60";

And your committee on conference recommends the adoption of this report.

MIKE PETERSEN

ELAINE BOWERS

TOM HAWK

Conferees on part of Senate

RICHARD PROEHL
 LEO DELPERDANG
 HENRY HELGERSON

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2595**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Masterson.

The Conference Committee Report was adopted.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Longbine moved the Senate concur in House amendments to **H Sub SB 28**.

H Sub SB 28, AN ACT concerning insurance; relating to the regulation of pharmacy benefits managers; requiring licensure rather than registration of such entities; enacting the pharmacy benefits manager licensure act; amending K.S.A. 40-3821, 40-3822, 40-3823, 40-3824, 40-3825, 40-3826, 40-3827, 40-3829 and 40-3830 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, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Masterson.

The Senate concurred.

On motion of Senator Alley, the Senate recessed until 7:00 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 **Sub SB 563**.

The House accedes to the request of the Senate for a conference on **H Sub Sub SB 84** and has appointed Representatives Barker, Arnberger and Ruiz, L. as conferees on the part of the House.

ORIGINAL MOTION

On motion of Senator Olson, the Senate acceded to the request of the House for a conference on **HB 2237**.

The President appointed Senators Olson, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

CHANGE OF CONFERENCE

Senator Olson is appointed to replace Senator Alley as a member of the conference committee on **S Sub HB 2138**.

Senators Baumgardner, Erickson and Sykes are appointed to replace Senators Warren, Wilborn, and Haley as members of the conference committee on **SB 160**.

ORIGINAL MOTION

Senator Alley moved Joint Rule 3(f) be suspended and the 30 minute rule be waived on the conference committee report on **Sub SB 563**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **Sub SB 563** 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 158, following line 36, by inserting:

"Sec. 174. In accordance with section 3 of article 6 of the constitution of the state of Kansas, the state of Kansas is divided into 10 single-member state board of education districts.

Sec. 175. The senatorial districts referred to in sections 177 through 186 are those senatorial districts established by sections 5 through 44.

Sec. 176. The provisions of this act shall not affect the term of any member of the state board of education elected to represent a district at the general election of 2020 or the term of any successor to such member serving for an unexpired term. All such members shall continue to serve the districts from which elected until such members elected from the districts established by this act commence their terms of office in January of 2025.

Sec. 177. State board of education member district one shall consist of senatorial districts 1, 5, 18 and 22.

Sec. 178. State board of education member district two shall consist of senatorial districts 4, 6, 7 and 8.

Sec. 179. State board of education member district three shall consist of senatorial districts 11, 23, 35 and 37.

Sec. 180. State board of education member district four shall consist of senatorial districts 3, 9, 10 and 21.

Sec. 181. State board of education member district five shall consist of senatorial districts 36, 38, 39 and 40.

Sec. 182. State board of education member district six shall consist of senatorial districts 2, 17, 19 and 20.

Sec. 183. State board of education member district seven shall consist of senatorial districts 24, 31, 33 and 34.

Sec. 184. State board of education member district eight shall consist of senatorial districts 25, 28, 29 and 30.

Sec. 185. State board of education member district nine shall consist of senatorial districts 12, 13, 14 and 15.

Sec. 186. State board of education member district ten shall consist of senatorial districts 16, 26, 27 and 32.";

Also on page 158, in line 38, by striking "and" and inserting a comma; also in line 38, after "4-4,494" by inserting ", 4-514 and 4-526";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "and" and inserting a comma; in line 2, after "representative" by inserting "and board of education"; in line 4, by striking "and" and inserting a comma; also in line 4, after "4-4,494" by inserting ", 4-514 and 4-526";

And your committee on conference recommends the adoption of this report.

CHRIS CROFT

BRAD RALPH

TOM BURROUGHS

Conferees on part of House

RICK WILBORN

TY MASTERSON

DINAH SYKES

Conferees on part of Senate

Senator Wilborn moved the Senate adopt the Conference Committee Report on **Sub SB 563**.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Ryckman, Steffen, Suellentrop, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Corson, Francisco, Haley, Holland, Holscher, Pettey, Pyle, Straub, Sykes, Tyson.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

Mr. President: I strongly support the Senate and State Board of Education Map, but I have concerns about the way the House constructed their districts in my home area of Cloud County. I believe there were better ways to draw those boundaries that would have been easier for voters to understand. However, in spite of those concerns, I respect the process and I vote Yes."—ELAINE BOWERS

Mr. President: I vote No on the CCR on **Sub SB 563**. The Liberty Three Kansas state senate redistricting map, if enacted, would separate the communities of interest (Tonganoxie, east and south Lawrence, Eudora and Baldwin City) currently contained within the boundaries of the existing KS State Third Senate District. Current boundaries were established by a federal district court on June 7, 2012 following the inability of the Kansas legislature to enact U.S. congressional, state senate and state house districts.

During General Orders on March 16, 2022, I offered an alternative senate redistricting map (Free State 5) for consideration. Bill language and maps defining the amendment can respectively be found at:

1. [fa_2022_sb563_s_3724](https://kslegislature.org/fa_2022_sb563_s_3724) (kslegislature.org)
2. [map_fa_freestate5_3724](https://kslegislature.org/map_fa_freestate5_3724) (kslegislature.org)

The proposed 9th District is less compact as assessed by all 10 measures of compactness. The proposed 19th District boundaries attempt to establish a community of interest between east Topeka (urban) and north Lawrence (suburban); such a community does not exist. The proposed State House redistricting map separates the communities of interest for the existing 10th District. The proposed State Board of Education redistricting map separates communities of interest for Wyandotte County.—

TOM HOLLAND

POINT OF PERSONAL PRIVILEGE

Senator Faust-Goudeau rose on a Point of Personal Privilege to congratulate Lt. Eric Hatcher on his retirement from the Kansas Highway Patrol and to thank him for his many years of outstanding service in the Statehouse.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Thursday, March 31, 2022.

Journal of the Senate

FIFTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 31, 2022, 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:

A Clay Pot's Prayer To The Potter
Jeremiah 18:1-13

Lord, God, once again it's that time we set aside for prayer; prayer because it is the way in which You permit us, even instruct us to come to You. You are our Alpha and Omega, Our Beginning and End. From A to Z You are the description of all that is good. All that is good is a description of You. There are no human words we can utter that can embrace the magnitude of Who You are and Your love for us.

In speaking to Your Prophet Jeremiah, in 18:1-13, You gave him a picture of Who You are and the breadth of Your love and forgiveness. You had him observe a potter molding a piece of clay. When the vessel he was shaping was faulty he would crush it and rework it into what he wanted.

Then You let Jeremiah know that his homeland was like the clay in the potter's hands. You said You could do the same thing with his nation that he saw the potter do with the clay. You could crush it. You could bring it down.

But You went on to say, suppose the nation repents and turns away from its faults then You would change Your plans about crushing it, an expression of Your love.

So Lord, let Your mercies that are new every day be extended to this nation. Help us individually and as a nation turn away from our faults, that we as a people may be a reflection of Your goodness and grace. On behalf of all of us clay pots I offer this prayer, in Jesus Name, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

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.

MESSAGE FROM THE HOUSE

The House nonconcur in Senate amendments to **HB 2644**, requests a conference and has appointed Representatives Barker, Arnberger and Ruiz, L. as conferees on the part of the House.

The House adopts the Conference Committee report on **HB 2476**.

The House adopts the Conference Committee report on **HB 2478**.

The House adopts the Conference Committee report on **HB 2595**.

CHANGE OF CONFERENCE

Senator Olson is appointed to replace Senator Alley as a member of the conference committee on **S Sub HB 2252**.

Senators Hilderbrand, Gossage and Pettey are appointed to replace Senators Olson, Hilderbrand and Faust-Goudeau as members of the conference committee on **HB 2540**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Olson moved the Senate concur in House amendments to **SB 405**.

SB 405, 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.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Baumgardner.

The Senate concurred.

Senator Bowers moved the Senate concur in House amendments to **SB 479**.

SB 479, AN ACT authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol; establishing the Kansas suffragist memorial fund.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Baumgardner.

The Senate concurred.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2087** 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 5, by inserting:

"New Section 1. (a) All rules and regulations adopted by state agencies under the provisions of K.S.A. 77-415 et seq., and amendments thereto, shall be reviewed every five years in accordance with this section.

(b) (1) Each state agency that has adopted rules and regulations shall submit a report to the joint committee on administrative rules and regulations on or before July 15 of the year that corresponds to such state agency under paragraph (2). Such report shall contain a summary of such state agency's review and evaluation of rules and regulations adopted by such state agency, including a statement for each rule and regulation as to whether such rule and regulation is necessary for the implementation and administration of state law or may be revoked pursuant to K.S.A. 77-426(d), and amendments thereto.

(2) Each state agency that has adopted rules and regulations shall submit a report as required under paragraph (1) in the years that correspond to such state agency as follows:

(A) For 2023 and every fifth year thereafter, the following state agencies:

- (i) Department of administration;
- (ii) municipal accounting board;
- (iii) state treasurer;
- (iv) Kansas department of agriculture;
- (v) Kansas department of agriculture—division of water resources;
- (vi) state election board;
- (vii) secretary of state;
- (viii) livestock brand commissioner;
- (ix) Kansas department of agriculture—division of animal health;
- (x) Kansas bureau of investigation;
- (xi) Kansas department of agriculture—division of conservation;
- (xii) agricultural labor relations board;
- (xiii) alcoholic beverage control board of review;
- (xiv) Kansas department of revenue—division of alcoholic beverage control;
- (xv) athletic commission;
- (xvi) attorney general;
- (xvii) office of the state bank commissioner;
- (xviii) employee award board;
- (xix) governmental ethics commission;
- (xx) crime victims compensation board;
- (xxi) Kansas human rights commission;
- (xxii) state fire marshal; and
- (xxiii) Kansas department of wildlife and parks;

(B) for 2024 and every fifth year thereafter, the following state agencies:

- (i) Kansas wheat commission;
- (ii) Kansas state grain inspection department;
- (iii) Kansas department for aging and disability services;
- (iv) Kansas energy office;

- (v) department of health and environment;
 - (vi) Kansas department for children and families;
 - (vii) park and resources authority;
 - (viii) state salvage board;
 - (ix) Kansas department of transportation;
 - (x) Kansas highway patrol;
 - (xi) savings and loan department;
 - (xii) Kansas turnpike authority;
 - (xiii) insurance department;
 - (xiv) food service and lodging board;
 - (xv) commission on alcoholism;
 - (xvi) corrections ombudsman board;
 - (xvii) department of corrections;
 - (xviii) Kansas prisoner review board;
 - (xix) executive council;
 - (xx) mined-land conservation and reclamation (KDHE);
 - (xxi) department of labor—employment security board of review;
 - (xxii) department of labor;
 - (xxiii) department of labor—division of employment; and
 - (xxiv) department of labor—division of workers compensation;
- (C) for 2025 and every fifth year thereafter, the following state agencies:
- (i) State records board;
 - (ii) state library;
 - (iii) board for the registration and examination of landscape architects;
 - (iv) adjutant general's department;
 - (v) state board of nursing;
 - (vi) Kansas board of barbering;
 - (vii) state board of mortuary arts;
 - (viii) board of engineering examiners;
 - (ix) board of examiners in optometry;
 - (x) state board of technical professions;
 - (xi) Kansas board of examiners in fitting and dispensing of hearing instruments;
 - (xii) state board of pharmacy;
 - (xiii) Kansas state board of cosmetology;
 - (xiv) state board of veterinary examiners;
 - (xv) Kansas dental board;
 - (xvi) board of examiners of psychologists;
 - (xvii) registration and examining board for architects;
 - (xviii) board of accountancy;
 - (xix) state bank commissioner—consumer and mortgage lending division;
 - (xx) board of basic science examiners;
 - (xxi) Kansas public employees retirement system;
 - (xxii) office of the securities commissioner; and
 - (xxiii) Kansas corporation commission;
- (D) for 2026 and every fifth year thereafter, the following state agencies:
- (i) Public employee relations board;
 - (ii) abstracters' board of examiners;

- (iii) Kansas real estate commission;
 - (iv) education commission;
 - (v) state board of regents;
 - (vi) school budget review board;
 - (vii) school retirement board;
 - (viii) state department of education;
 - (ix) Kansas department of revenue;
 - (x) Kansas department of revenue—division of property valuation;
 - (xi) state board of tax appeals;
 - (xii) crop improvement association;
 - (xiii) Kansas commission on veterans' affairs office;
 - (xiv) Kansas water office;
 - (xv) Kansas department of agriculture—division of weights and measures;
 - (xvi) state board of healing arts;
 - (xvii) podiatry board;
 - (xviii) behavioral sciences regulatory board;
 - (xix) state bank commissioner and savings and loan commissioner—joint regulations;
 - (xx) consumer credit commissioner, credit union administrator, savings and loan commissioner and bank commissioner—joint regulations;
 - (xxi) state board of indigents' defense services;
 - (xxii) Kansas commission on peace officers' standards and training; and
 - (xxiii) law enforcement training center; and
- (E) for 2027 and every fifth year thereafter, the following state agencies:
- (i) Kansas state employees health care commission;
 - (ii) emergency medical services board;
 - (iii) department of commerce;
 - (iv) Kansas lottery;
 - (v) Kansas racing and gaming commission;
 - (vi) Kansas department of wildlife and parks;
 - (vii) Kansas state fair board;
 - (viii) real estate appraisal board;
 - (ix) state historical society;
 - (x) health care data governing board;
 - (xi) state department of credit unions;
 - (xii) pooled money investment board;
 - (xiii) department of corrections—division of juvenile services;
 - (xiv) state child death review board;
 - (xv) Kansas agricultural remediation board;
 - (xvi) unmarked burial sites preservation board;
 - (xvii) Kansas housing resources corporation;
 - (xviii) department of commerce— Kansas athletic commission;
 - (xix) department of health and environment—division of health care finance;
 - (xx) home inspectors registration board;
 - (xxi) committee on surety bonds and insurance;
 - (xxii) 911 coordinating council; and
 - (xxiii) office of administrative hearings.

(c) For any state agency not listed in subsection (b)(2) that adopts rules and regulations that become effective on or after July 1, 2022, such state agency shall submit a report to the joint committee on administrative rules and regulations in accordance with subsection (b)(1) on or before July 15 of the fifth year after such rules and regulations become effective and every fifth year thereafter.

(d) Notwithstanding any other provision of law, a rule and regulation may be adopted or maintained by a state agency only if such rule and regulation serves an identifiable public purpose to support state law and may not be broader than is necessary to meet such public purpose.

(e) This section shall be a part of and supplemental to the rules and regulations filing act, K.S.A. 77-415 et seq., and amendments thereto.;

On page 4, in line 31, by striking "2023" and inserting "2026";

On page 11, following line 32, by inserting:

"Sec. 7. K.S.A. 77-426 is hereby amended to read as follows: 77-426. (a) All rules and regulations ~~which that~~ are in force and effect at the time this act takes effect shall continue in full force and effect and may be amended, revived or revoked as provided by law. All new rules and regulations and all amendments, revivals or revocations of rules and regulations, other than temporary regulations, adopted in any year shall be filed with the secretary of state and shall become effective 15 days following its publication in the Kansas register or such later date as clearly expressed in the body of such rule and regulation.

(b) Except for rules and regulations revoked pursuant to subsection (d), as soon as possible after the filing of any rules and regulations by a state agency, the secretary of state shall submit to the joint committee on administrative rules and regulations such number of copies as may be requested by the joint committee on administrative rules and regulations.

(c) At any time prior to adjournment sine die of the regular session of the legislature, the legislature may adopt a concurrent resolution expressing the concern of the legislature with any permanent or temporary rule and regulation ~~which that~~ is in force and effect and on file in the office of the secretary of state and any permanent rule and regulation filed in the office of the secretary of state during the preceding year and requesting the revocation of any such rule and regulation or the amendment of any such rule and regulation in the manner specified in such resolution.

(d) (1) Notwithstanding any other provision of the rules and regulations filing act, any rule and regulation may be revoked pursuant to this subsection if such rule and regulation is identified by a state agency in the report submitted to the joint committee on administrative rules and regulations pursuant to section 1, and amendments thereto, as one that may be revoked pursuant to this subsection. A state agency may revoke a rule and regulation by filing a notice of such revocation with the secretary of state and causing such notice to be published in the Kansas register. Such notice of revocation shall not contain any new rules and regulations or any amendments to any rules and regulations.

(2) Prior to filing the notice of revocation with the secretary, the state agency shall:

(A) Upon the written request of a member of the public, hold a public hearing on the proposed notice of revocation;

(B) submit the notice of revocation to the attorney general for review and approval in accordance with K.S.A. 77-420(d), and amendments thereto; and

(C) submit the notice of revocation to the joint committee on administrative rules and regulations and, upon request by the chairperson of such committee, appear before such committee at a hearing on such notice.

(3) The revocation of a rule and regulation under this subsection shall be effective 15 days following the date that the notice of such revocation is published in the Kansas register.

Sec. 8. K.S.A. 77-436 is hereby amended to read as follows: 77-436. (a) There is hereby established a joint committee on administrative rules and regulations consisting of five senators and seven members of the house of representatives. The five senator members shall be appointed as follows: Three by the committee on organization, calendar and rules and two by the minority leader of the senate. The seven representative members shall be appointed as follows: Four by the speaker of the house of representatives and three by the minority leader of the house of representatives. The committee on organization, calendar and rules shall designate a senator member to be chairperson or vice-chairperson of the joint committee as provided in this section. The speaker of the house of representatives shall designate a representative member to be chairperson or vice-chairperson of the joint committee as provided in this section. The minority leader of the senate shall designate a senator member to be the ranking minority member of the joint committee as provided in this section. The minority leader of the house of representatives shall designate a representative member to be the ranking minority member of the joint committee as provided in this section.

(b) A quorum of the joint committee on administrative rules and regulations shall be seven. All actions of the committee may be taken by a majority of those present when there is a quorum. In odd-numbered years the chairperson and the ranking minority member of the joint committee shall be the designated members of the house of representatives from the convening of the regular session in that year until the convening of the regular session in the next ensuing year. In even-numbered years the chairperson and the ranking minority member of the joint committee shall be the designated members of the senate from the convening of the regular session of that year until the convening of the regular session of the next ensuing year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson.

(c) Except for rules and regulations revoked pursuant to K.S.A. 77-426(d), and amendments thereto, all proposed rules and regulations shall be reviewed by the joint committee on administrative rules and regulations during the public comment period required by K.S.A. 77-421, and amendments thereto. The committee may introduce such legislation as it deems necessary in performing its functions of reviewing administrative rules and regulations.

(d) The committee shall issue a report to the legislature following each meeting making comments and recommendations and indicating concerns about any proposed rule and regulation. Such report shall be made available to each agency that had proposed rules and regulations reviewed at such meeting during the agency's public comment period for such proposed rules and regulations required by K.S.A. 77-421, and amendments thereto. If having a final report completed by the public hearing required by K.S.A. 77-421, and amendments thereto, is impractical, a preliminary report shall be made available to the agency containing the committee's comments. The preliminary report shall be incorporated into the final report and made available to each agency.

(e) Except for rules and regulations revoked pursuant to K.S.A. 77-426(d), and amendments thereto, all rules and regulations filed each year in the office of secretary of state shall be subject to review by the joint committee. The committee may introduce such legislation as it deems necessary in performing its functions of reviewing administrative rules and regulations.

(f) The joint committee shall meet on call of the chairperson as authorized by the legislative coordinating council. All such meetings shall be held in Topeka, unless authorized to be held in a different place by the legislative coordinating council. Members of the joint committee shall receive compensation, travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto, when attending meetings of such committee authorized by the legislative coordinating council.

(g) Amounts paid under authority of this section shall be paid from appropriations for legislative expense and vouchers therefor shall be prepared by the director of legislative administrative services and approved by the chairperson or vice-chairperson of the legislative coordinating council.;

Also on page 11, in line 33, by striking "and" and inserting a comma; also in line 33, after "77-422" by inserting ", 77-426 and 77-436";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "requiring the review of rules and regulations by state agencies every five years;"; in line 2, after the semicolon by inserting "requirements for adoption of rules and regulations; providing an alternative procedure for revocation of certain rules and regulations;"; in line 3, by striking the first "and" and inserting a comma; also in line 3, after "77-422" by inserting ", 77-426 and 77-436";

And your committee on conference recommends the adoption of this report.

ROB OLSON

RICHARD HILDERBRAND

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

JOHN BARKER

TORY MARIE ARNBERGER

LOUIS RUIZ

Conferees on part of House

Senator Olson moved the Senate adopt the Conference Committee Report on **HB 2087**.

On roll call, the vote was: Yeas 34; Nays 4; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Hawk, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Holland, Holscher, Pittman, Ware.

Present and Passing: Francisco.

Absent or Not Voting: Baumgardner.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2559** 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, in line 7, before the first "Section" by inserting "New"; also in line 7, by striking the second "Section" and inserting "Sections"; also in line 7, by striking "et seq." and inserting "through 8"; in line 9, before "Sec." by inserting "New"; also in line 9, by striking "section" and inserting "sections"; also in line 9, by striking "et seq." and inserting "through 8"; in line 23, before "Sec." by inserting "New";

On page 2, in line 30, before "Sec." by inserting "New";

On page 3, in line 18, before "Sec." by inserting "New"; in line 23, before "Sec." by inserting "New";

On page 4, in line 23, before "Sec." by inserting "New"; in line 25, before "Sec." by inserting "New"; following line 41, by inserting:

"New Sec. 9. (a) The Kansas department of agriculture may provide industrial hemp testing services to non-licensed persons or governmental entities, including law enforcement agencies, when such capacity is available and not required for testing industrial hemp produced by licensees subject to this act.

(b) The secretary may establish a fee schedule for any testing services by rules and regulations and shall remit all moneys received from fees collected 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 laboratory testing services fee fund.

(c) The results of any tests performed under this section shall be made available to the Kansas bureau of investigation upon request. The Kansas department of agriculture shall coordinate any testing services provided under this section with the Kansas bureau of investigation in order to provide excess testing capacity without displacing any services that may also be provided by the Kansas bureau of investigation.

(d) Nothing in this section shall limit the secretary's authority to refuse to provide testing services to any non-licensee.

(e) This section shall be a part of and supplemental to the commercial industrial hemp act, K.S.A. 2021 Supp. 2-3901 et seq., and amendments thereto.

New Sec. 10. (a) Seed that has been treated with an irritating or poisonous substance that is harmful to humans or other vertebrate animals shall be colored or dyed a color that clearly identifies that the seed has been treated and shall be labeled with the following information:

(1) A warning statement that the seed has been treated;

(2) the common, coined, chemical or abbreviated chemical name of the substance applied to the seed; and

(3) a caution statement that reads "treated seed—do not use for food, feed or oil purposes" and for mercurial and similarly toxic substances also includes the word "poison" and a skull-and-crossbones.

(b) If seed has been treated with a substance that is not irritating, poisonous or harmful to humans or other vertebrate animals, the seed shall be labeled with a

statement describing the applied substance.

(c) If seed has been treated with an inoculant, the date beyond which the inoculant is not considered effective or the date of the inoculant's expiration shall be included on the label.

(d) A separate label may be used for the information required by this section, or such information may be a component of the main label.

(e) This section shall be a part of and supplemental to the Kansas seed law.

Sec. 11. K.S.A. 2-1415 is hereby amended to read as follows: 2-1415. As used in this act:

(a) "Agricultural seed" means the seed of grass, legume, forage, cereal ~~and~~, fiber crops, oil seed, food plot seed and any cannabis sativa crop authorized by state law, or mixtures thereof; ~~but shall. "Agricultural seed" does not include horticultural seeds those seeds generally classified as vegetable, fruit, flower, tree or shrub and grown for personal use or commercial sale, except that cover crop seed shall be considered agricultural seed.~~

(b) "Person" means any individual, member of a partnership, corporation, agents, brokers, company, association or society.

(c) "Conditioned" means cleaned, or cleaned and blended, to meet the requirements of agricultural seed for the purpose of being planted or seeded.

(d) "Kind" means one or more related species or subspecies ~~which that~~ singly or collectively is known by one common name, and includes, among others, wheat, oat, vetch, sweet clover and alfalfa.

(e) "Variety" means a subdivision of a kind, ~~which that~~ is characterized by growth, yield, plant, fruit, seed or other characteristics by which it can be differentiated from other plants of the same kind.

(f) "Hard seed" means ~~the seeds which that~~ because of hardness or impermeability do not absorb moisture or germinate under seed testing procedure.

(g) "Label" means the statements written, printed, stenciled or otherwise displayed upon, or attached to, ~~the a~~ container of agricultural seed, and includes other written, printed, stenciled or graphic representations, in any form whatsoever, pertaining to any agricultural seed, whether in bulk or in containers, and includes declarations and affidavits.

(h) "Secretary" means the secretary of the Kansas department of agriculture or the secretary's authorized representative.

(i) "Weed seed" means the seeds of plants considered weeds in this state and includes noxious weed seed, prohibited weed seed and restricted weed seed, as determined by the methods established by rule rules and regulation under this act regulations adopted by the secretary.

(j) (1) "Noxious weed seed" means the seed of Kudzu (Pueraria lobata), field bindweed (Convolvulus arvensis), Russian knapweed (Centaurea repens), hoary cress (Cardaria draba), Canada thistle (Cirsium arvense), leafy spurge (Euphorbia esula), quackgrass (Agropyron repens), bur ragweed (Ambrosia grayii), pignut (Indian rushpea) (Hoffmannseggia densiflora), Texas blueweed (Helianthus eiliaris), Johnson grass (Sorghum halepense), sorghum almum, and any plant the seed of which cannot be distinguished from Johnson grass, musk (nodding) thistle (Carduus nutans L.) and sericea lespedeza (Lespedeza cuneata) any species of plant declared to be a noxious weed by the secretary pursuant to K.S.A. 2-1314(a), and amendments thereto, and any

rules and regulations adopted thereunder.

(2) "Noxious weed seed" does not include the seed of any weed species:

(A) Listed as a noxious weed by a board of county commissioners pursuant to K.S.A. 2-1314(d), and amendments thereto, or designated as a noxious weed by an emergency declaration of the secretary pursuant to K.S.A. 2-1314c, and amendments thereto; and

(B) not subsequently declared a statewide noxious weed by the secretary pursuant to K.S.A. 2-1314(a), and amendments thereto, and rules and regulations adopted thereunder.

(k) "Prohibited weed seed" means the seeds or bulblets of plant species that are highly destructive and are difficult to control with cultural practices that are commonly accepted as effective and with the use of herbicides. "Prohibited weed seed" includes the seeds of any species of plant designated as prohibited weed seed in any rules and regulations adopted by the secretary in consultation with landowner organizations, seed industry organizations and programs within the college of agriculture at Kansas state university.

(l) "Restricted weed seed" means weed seeds or bulblets which shall not be present in agricultural seed at a rate per pound in excess of the number shown following the name of each weed seed: Silverleaf nightshade (*Solanum elaeagnifolium*) 45, horsenettle, bullnettle (*Solanum carolinense*) 45, dock (*Rumex* spp.) 45, oxeye daisy (*Chrysanthemum leucanthemum*) 45, perennial sowthistle (*Sonchum arvensis*) 45, giant foxtail (*Setaria faberi*) 45, cheat (*Bromus secalinus*) 45, hairy chess (*Bromus commutatus*) 45, buckthorn plantain (*Plantago lanceolata*) 45, wild onion or garlic (*Allium* spp.) 18, charlock (*Sinapsis arvensis*) 18, wild mustards (*Brassica* spp.) 18, treacle (*Erysimum* spp.) 18, wild carrot (*Daucus carota*) 18, morning glory and purple moonflower (*Ipomoea* spp.) 18, hedge bindweed (*Calystegia* spp., syn. *Convolvulus sepium*) 18, dodder (*Cuscuta* spp.) 18, except lespedeza seed, other than sericea lespedeza (*Lespedeza cuneata*), which may contain 45 dodder per pound, pennyress, fanweed (*Thlaspi arvense*) 18, wild oats (*Avena fatua*) 9, climbing milkweed, sandvine (*Cynanchum laeve*, syn. *Gonolobus laevis*) 9, jointed goatgrass (*Aegilops cylindrica*) 9, black nightshade complex (*Solanum ptycanthum*, *S. americanum*, *S. sarrachoides*, *S. nigrum*, and *S. interius*) 9, wild buckwheat, black bindweed (*Polygonum convolvulus*) 9, velvetleaf, butterprint (*Abutilon theophrasti*) 9, and cocklebur (*Xanthium* spp.) 9. The total number of the restricted weed seed shall not exceed 90 per pound except native grass, smooth bromegrass, tall fescue, wheatgrasses and lespedeza, other than sericea lespedeza (*Lespedeza cuneata*), shall not exceed 150 per pound. In smooth bromegrass, fescues, orchard grass, wheatgrasses, and chaffy range grasses, hairy chess or cheat shall not exceed 2,500 per pound. For the purposes of this section the following weedy *Bromus* spp. shall be considered as common weeds and collectively referred to as "chess": Japanese chess (*Bromus japonicus*), soft chess (*Bromus mollis*) and field chess (*Bromus arvensis*) that are:

(1) Objectionable in agricultural crops, lawns and gardens of this state and that can be controlled with cultural practices that are commonly accepted as effective or with the use of herbicides; and

(2) designated as restricted weed seeds pursuant to rules and regulations adopted by the secretary in consultation with landowner organizations, seed industry organizations and programs within the college of agriculture of Kansas state university.

~~(h)~~(m) "Advertisement" means all representations, other than those on the label, disseminated in any manner, or by any means, relating to agricultural seed.

~~(m)~~(n) "Record" means all information relating to any shipment of agricultural seed and includes a file sample of each lot of such seed.

~~(n)~~(o) "Stop sale order" means an administrative order, authorized by law, restraining the sale, use, disposition and movement of a definite amount of agricultural seed.

~~(o)~~(p) "Seizure" means a legal process, including an order issued by a court order, against of competent jurisdiction, that allows the secretary to take possession of a definite amount of agricultural seed and undertake or order the disposition of the seed as the court may direct pursuant to K.S.A. 2-1422a, and amendments thereto.

~~(p)~~(q) "Lot" means a definite quantity of agricultural seed, identified by a lot number or other mark, every portion or bag of which is uniform, within recognized tolerances for the factors which appear in the labeling.

~~(q)~~(r) "Germination rate" means the percentage of seeds capable of producing normal seedlings under ordinarily favorable conditions, in accordance with the methods established by ~~rule rules and regulation under regulations adopted pursuant to~~ this act.

~~(r)~~(s) "Pure seed" means the kind of seed declared on the label, exclusive of inert matter, ~~other agricultural or other crop seeds and weed seeds.~~

~~(s)~~(t) "Inert matter" means all matter that is not seeds, and as otherwise determined by rules and regulations under this act as determined by the secretary.

~~(t)~~(u) "Other agricultural seeds or other crop seeds" means seeds of agricultural seeds other than those included in the percentage or percentages of kind or variety and includes collectively all kinds and varieties not named on the label.

~~(u)~~(v) (1) "Hybrid" means the first generation seed of a cross produced by controlling the pollination a method of hybridization that will produce pure seed of which 75% or more contains the genetic material of each of the parent plants and by combining:

~~(1)~~(A) Two or more inbred lines;

~~(2)~~(B) one inbred or a single cross with an open pollinated variety;

~~(3)~~(C) two varieties or species, other than open pollinated varieties of corn (*Zea mays*).

(2) "Hybrid ~~shall~~" does not include the second generation or subsequent generations resulting from such crosses. Hybrid designations shall be treated as variety names. Controlling the pollination means to use a method of hybridization which will produce pure seed which is 75% or more hybrid.

~~(v)~~(w) "Type" means a group of varieties ~~so nearly~~ that are so similar that the individual varieties cannot be clearly differentiated except under special conditions.

~~(w)~~(x) "Treated" means that the seed has ~~received an application of a substance or process which had a substance applied to such seed that is designed to reduce, control or repel certain disease organisms, insects or other pests attacking such seeds or seedlings growing therefrom~~ and includes an application of a substance ~~or process~~ designed to increase seedling vigor.

~~(x)~~(y) "Tested seed" means that a representative sample of the lot of agricultural seed in question has been subjected to examination and ~~its character as to~~ such sample's purity and germination rate has been determined.

~~(y)~~(z) "Native grass seed" means the seeds of aboriginal or native prairie grasses.

~~(z)~~(aa) "Chaffy range grasses" ~~shall include~~ means Bluestems, Gramas, Yellow Indian grass, wild rye grasses, wildryes, buffalo grass, buffalograss and prairie cord any other grass that has seeds that tend to bind together because of attached husks, hulls, brans or other plant parts that do not readily separate from the seeds during conditioning and prevent the seeds from moving independently of each other.

~~(aa)~~(bb) "Certified seed" means any class of pedigreed seed or plant parts for which a certificate of inspection has been issued by an official seed certifying agency.

~~(bb)~~(cc) "Certifying agency" means:

(1) An agency ~~which that~~ is authorized under the laws of a state, territory or possession to officially certify seed and ~~which~~ has standards and procedures approved by the secretary of agriculture of the United States department of agriculture to assure the genetic purity and identity of the seed certified; or

(2) an agency of a foreign country ~~which that~~ is determined by the secretary of agriculture of the United States department of agriculture to be an agency ~~which that~~ adheres to procedures and standards for seed certification comparable to those adhered to generally by seed certifying agencies under clause paragraph (1) of this subsection.

~~(ee)~~(dd) "Blend" means a combination of two or more varieties of the same kind of agricultural seed in which each in excess of variety comprises more than 5% of the whole.

~~(dd)~~(ee) "Mixture" means a combination of two or more kinds of agricultural seed consisting of more than one kind each in excess of in which each kind comprises more than 5% of the whole.

~~(ee)~~(ff) "Brand" means a term or mark that is proprietary in nature, whether or not it is a registered or copyrighted term or mark.

~~(ff)~~(gg) "Commercial means" ~~shall include~~ includes all forms of advertising for which a person must pay another for the dissemination or distribution of the advertisement.

~~(gg)~~ "Horticultural seeds" means those seeds generally classified as vegetable, fruit, flowers, tree and shrub and grown in gardens or on truck farms.

~~(hh)~~ "Grower of agricultural seed" means an individual whose primary occupation is farming and who sells or offers, or exposes or sells for sale agricultural seed ~~of such individual's own growing that the individual has grown~~ without the use of a common carrier or a third party as an agent or broker. ~~Seed shall be in compliance with noxious and restricted weed seed requirements and may advertise if the advertisement specifically states variety, bin run and if tested.~~

(ii) "Wholesaler" means any person who is in the business of selling agricultural seed ~~at wholesale~~ to any person other than the end user.

(jj) "Retailer" means any person who sells agricultural seed to the end user.

(kk) "Seed conditioner" means any person who is in the business of cleaning seed for a fee or compensation.

(ll) "Wild mustard (*Brassica* spp.)" means Indian mustard (*Brassica juncea*), Sahara mustard (*B. tournefortii*), field mustard (*B. rapa*), black mustard (*B. nigra*), bird rape (*B. campestris*) and all other members of the wild mustard (*Brassica* spp.) genus when occurring incidentally in agricultural seeds.

(mm) "Cover crop seed" means the seed of any plant that is planted to provide seasonal soil cover for the purpose of protecting or enriching the soil, whether harvested or not. "Cover crop seed" does not include the seeds of any plant of the genus *cannabis*.

(nn) "Food plot" means a planted area set aside for the purpose of providing a supplementary source of nutrition to wildlife or other non-domesticated animals and that is not intended to be harvested for sale.

(oo) "Feminized seed" means seeds produced by a cannabis sativa plant that are specially bred, treated or genetically engineered to eliminate male chromosomes to produce only female plants.

(pp) "Oil seed" means the seeds of any species that is grown as a crop primarily for the oil contained within the grain.

(qq) "Seed" means a plant's dormant unit of sexual reproduction intended to be planted for germination.

(rr) "Act" or "Kansas seed law" means the statutes contained in article 14 of chapter 2 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 12. K.S.A. 2-1417 is hereby amended to read as follows: 2-1417. (a) Each bulk quantity, package or parcel of agricultural seed offered for sale, exposed for sale or exchanged for planting or seeding purposes shall have a label which that shall be affixed thereto or printed or stenciled thereon or in, for bulk quantity which agricultural seed, shall be furnished with the invoice;. Each agricultural seed label shall be printed in the English language giving and shall contain the following information, which shall be legible and shall not be modified or, defaced, falsified or misleading and shall not be denied on the label; or on another label attached to the container; and in bulk quantity shall be furnished with the invoice:

(a)(1) The commonly accepted name of the kind and variety or hybrid designation, or the kind and the words "variety not stated", of each agricultural seed component in excess of that comprises more than 5% of the whole and the percentage by weight of each in order of its predominance, except for the annual grain crops wheat, oats, barley; and soybeans, for which the label shall include the kind and variety. For blends of wheat, oats, barley or soybeans, the label shall include the kind followed by the word "blend." For brands of wheat, oats, barley, and soybeans, the brand mark or term must precede the word "brand." Components of blends and brands of wheat, oats, barley and soybeans shall be registered with the secretary unless all varieties and the percentage thereof are listed on the label. Blends and brands so registered may be labeled by kind and the words "variety (varieties) not stated." The composition of registered blends and brands shall remain consistent from year to year. Where more than one component is required to be named, the word "mixture" or the word "mixed" shall be shown conspicuously on the label;

(b)(2) the percentage by weight of pure seed;

(c)(3) the percentage by weight of all weed seeds;

(d)(4) the percentage by weight of inert matter;

(e) for each named agricultural seed: (1) The percentage of germination, exclusive of hard seed; (2) the percentage of hard seeds, if present; (3) total germination percentage including hard seed may be shown; (4) the calendar month and year the test was completed to determine such percentages;

(f)(5) the percentage by weight of agricultural seeds (, which may be designated as "crop seeds"), other than those required to be named on the label;

(g)(6) the lot number or other lot identification, which shall remain visible and legible and shall be placed so as not to obscure any lot number or other lot identification that was previously placed on the bulk quantity, package or parcel;

~~(h)(7)~~ the origin: i.e. of the seed, including the state or foreign country where the seed was grown, or a declaration that the origin of the seed is unknown to the seller, except in the case of grass seeds in quantities of less than 10 pounds intended for lawn seeding purposes; or a declaration that origin of seed is unknown to seller;

~~(i)(8)~~ the name and rate of occurrence per pound of each kind of restricted weed seed present, which shall not be more than the number per pound of restricted weed seed in agricultural seed, as provided in subsection (k) of K.S.A. 2-1415 exceed the applicable limitations prescribed in rules and regulations adopted by the secretary;

~~(j)(9)~~ the name and address of the person responsible for the label; and

~~(k)~~ agricultural seed which has been treated with chemicals for insect or disease control, shall be labeled to show the following:

(1) A word or statement indicating that the seed has been treated;

(2) the commonly accepted, coined, chemical or abbreviated chemical (generic) name of the applied substance;

(3) if the substance in the amount applied is harmful to human or other vertebrate animals, a caution statement, such as: "Do not use for food, feed or oil purposes." The caution for mercurials and similarly toxic substances must include in a contrasting color the word "poison" and skull and crossbones; and

(4) a separate label may be used to show this information, or it may be a component part of the main label

(10) for any label that makes claims that a bulk quantity, package or parcel of cannabis sativa contains feminized seeds, the percentage by weight of feminized seed.

(b) For each kind of agricultural seed identified on the label, the label shall also include:

(1) The germination rate, excluding the hard seed;

(2) the percentage of hard seed, if present;

(3) the month and year that the test to determine the germination rate was conducted; and

(4) for seed that is sold for lawn and turf purposes, a statement of the month and year by which the seed shall be sold that includes the phrase "sell by".

(c) Any label may also include the total germination rate, including hard seed.

(d) Any label may include a statement of the month and year by which the seed shall be sold that includes the phrase "sell by".

(e) The "sell by" month and year on each label shall be not more than nine months after the date that the test to determine the germination rate was conducted, excluding the calendar month in which the test was conducted.

(f) For blends of wheat, oats, barley or soybeans, the label shall include a statement of the seed kind followed by the word "blend". For brands of wheat, oats, barley and soybeans, the brand mark or term shall precede the word "brand". Components of blends and brands of wheat, oats, barley and soybeans shall be registered with the secretary unless all varieties and the percentage thereof are listed on the label. Blends and brands so registered may be labeled by kind and the words "variety (varieties) not stated". The composition of registered blends and brands shall remain consistent from year to year. When more than one component is required to be named, the word "mixture" or "mixed" shall be shown conspicuously on the label.

Sec. 13. K.S.A. 2-1421 is hereby amended to read as follows: 2-1421. (a) It is shall be unlawful for any person to sell, offer for sale, expose for sale or advertise by

commercial means any agricultural seed for seeding purposes:

~~(1) Unless a test has been made to determine the percentage of germination and it shall have been completed within a nine-month period (exclusive of the calendar month in which the test was completed) immediately prior to sale, exposure for sale or offering for sale. That was not tested to determine the germination rate within the nine-month period immediately prior to being sold or offered or exposed for sale, excluding the calendar month in which the test was completed;~~

~~(2) which~~that is not labeled in accordance with the provisions of this act;

~~(3) which~~that has a false, misleading or incomplete label;

~~(4) which~~that contains noxious weed seeds seed or prohibited weed seed;

~~(5) which~~that contains restricted weed seeds in excess of the quantity prescribed by subsection (k) of K.S.A. 2-1415, and amendments thereto pursuant to rules and regulations adopted by the secretary;

~~(6) which~~that contains more than 1% of weed seeds by weight, except:

~~(A) 2% of weed seed by weight if the agricultural seed is smooth bromegrass, fescues, orchard grass, wheatgrasses, and or lespedeza which contain more than 2% weed seed by weight and other than sericea lespedeza;~~

~~(B) 4% weed seed by weight if the agricultural seed is any chaffy range grasses which contain more than 4% by weight grass; or~~

~~(C) 1% of weed seed by weight for any other agricultural seed;~~

~~(7) if any label, advertisement or other media represents such agricultural seed to be certified or registered, unless: (A) Such certification or registration has been determined by an official seed certifying agency; and (B) such seed bears an official label issued for such seed by such agency stating that the seed is certified or registered;~~

~~(8) by variety name not certified by an official seed certifying agency when it is a variety for which a certificate of plant variety protection has been issued under the plant variety protection act, as amended, and as in effect on July 1, 1997; specifying sale only as a class of certified seed, except that seed from a certified lot may be labeled as to variety name when used in a mixture by, or with the approval of, the owner of the variety;~~

~~(9)(8) without having registered with the secretary as required by K.S.A. 2-1421a, and amendments thereto; and~~

~~(9) if any label, advertisement or other media represents such agricultural seed to be certified or registered, unless:~~

~~(A) Such certification or registration has been determined by an official seed-certifying agency; and~~

~~(B) such seed bears an official label issued for such seed by such agency stating that the seed is certified or registered.~~

~~(b) It is shall be unlawful for any person to:~~

~~(1) To~~Alter or deface any label so that the information is false or misleading or to mutilate any label;

~~(2) to~~disseminate any false or misleading advertisements concerning agricultural seed;

~~(3) to~~issue any statement, invoice or declaration as to the variety of any agricultural seed ~~which that~~ is false or misleading;

~~(4) to~~hinder or obstruct the secretary ~~or an authorized representative of the secretary~~ in the performance of official duties;

(5) ~~to~~ fail to comply with a stop sale order, or to move or otherwise handle or dispose of any quantity of seed that is held under a stop sale order; or that has a stop sale tag attached thereto, except with the express permission of the enforcing officer in writing and ~~except for the purpose specified therein subject to any conditions established by the enforcing officer;~~

(6) ~~to~~ use the word "trace" as a substitute for any statement ~~which~~ that is required; or

(7) ~~to~~ use the word "type" in any labeling in connection with the name of any agricultural seed variety.

(c) ~~(1)~~ Except as provided in subsection ~~(a)(8)~~ (a)(7), it shall not be a violation of this act for the grower of agricultural seed to sell; or offer or expose for sale for planting or seeding purposes agricultural seed ~~which~~ that has not been tested and labeled when the agricultural seed:

~~(1)(A)~~ Has been Was grown on the grower's premises;

~~(2)(B)~~ is free from noxious weed seed and prohibited weed seed; and

~~(3)(C)~~ does not contain ~~any~~ restricted weed seed in excess of the quantity ~~prescribed by subsection (k) of K.S.A. 2-1415, and amendments thereto established in~~ rules and regulations adopted by the secretary; and

~~(D)~~ is of a variety that is not prohibited from being sold or offered or exposed for sale by any legal, contractual or other protection.

(2) Agricultural seed sold pursuant to this exemption shall not be advertised by commercial means unless ~~such~~ the advertisement specifically states ~~such that the~~ agricultural seed is bin run or states whether ~~such~~ the agricultural seed has been tested.

Sec. 14. K.S.A. 2021 Supp. 2-1421a is hereby amended to read as follows: 2-1421a. (a) (1) Each wholesaler shall register with the secretary and shall pay a registration fee not to exceed \$300. ~~The current wholesale registration fee is hereby set at \$175 and shall remain at that amount until changed by rules and regulations of the secretary. A wholesaler shall not offer or expose the seed for sale to any person, business, wholesaler, retailer or facility when the wholesaler knows or has reason to know that the buyer or potential buyer is not actively registered with the secretary as provided by this section.~~

(2) Each retailer shall register with the secretary and shall pay a registration fee not to exceed \$30. ~~The current retailer registration fee is hereby set at \$10 and shall remain at that amount until changed by rules and regulations of the secretary.~~

(3) Registration shall be required for each place of business at which agricultural seed is sold, offered or exposed for sale by the wholesaler or retailer.

(4) An individual who conducts a wholesaler and retailer business at the same location shall be required to register as both a wholesaler and retailer.

(b) Application for registration as a wholesaler or retailer, or both, shall be made on a form provided by the secretary. Each registration for a wholesaler or retailer shall expire on August 31 following the date of issuance unless such registration is renewed annually.

~~(c) Each seed conditioner shall register with the secretary. Such seed conditioner registration shall require no registration fee and shall be a biennial registration. Any seed conditioner who is ceasing to do business as a seed conditioner shall notify the Kansas department of agriculture within 30 days of ceasing to do business.~~

~~(d)~~ As used in this section, "agricultural seed" ~~shall include~~ includes grain when

sold as such, or when sold according to grain standards and the seller knows, or has reason to know, that the grain is to be used for seeding or planting purposes.

~~(e)~~(d) The secretary 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 agricultural seed fee fund which is hereby created. 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 or a person or persons designated by the secretary.

~~(f)~~(e) All moneys credited to the agricultural seed fee fund shall be expended for any purpose consistent with the Kansas seed law.

~~(g)~~(f) The secretary may adopt rules and regulations necessary to administer the provisions of this act.

(g) The secretary, after providing notice and an opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act, may deny any application or revoke, suspend, modify or refuse to renew any registration issued pursuant to this act if such applicant or the holder of such registration has:

(1) Failed to comply with any provision or requirement of this act or any rule or regulation adopted hereunder;

(2) failed to comply with any laws, rules or regulations of any other state, or the United States, related to the registration of agricultural seed dealers, the testing of seed, the labeling of seed or seed certification; or

(3) had any license, certificate, registration or permit issued by Kansas or any other state, or the United States, related to the registration of agricultural seed dealers, the testing of seed, the labeling of seed or seed certification revoked, suspended or modified.

(h) This section shall be a part of and supplemental to the Kansas seed law, K.S.A. 2-1415 et seq., and amendments thereto.

Sec. 15. K.S.A. 2-1422 is hereby amended to read as follows: 2-1422. (a) Any person who ~~shall violate~~ violates any of the provisions of this act shall be deemed guilty of ~~a~~ an unclassified misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty five dollars (\$25) nor more than five hundred dollars (\$500) more than \$500.

(b) The secretary, after providing notice and an opportunity for a hearing, in accordance with the Kansas administrative procedure act, may suspend, revoke or deny any registration and assess a civil penalty against any person who violates or fails to comply with the requirements of this act, or any rules or regulations adopted hereunder, of not less than \$100 nor more than \$1,000 per violation. Such civil penalty may be assessed in addition to any other penalty provided by law.

(c) All moneys collected pursuant to this section shall be deposited in the state treasury in accordance with K.S.A. 75-4215, and amendments thereto, and shall be credited to the state general fund.

Sec. 16. K.S.A. 2-1422a is hereby amended to read as follows: 2-1422a. (a) Agricultural seed which that is mislabeled shall be considered a common nuisance and shall be subject to seizure and injunction in the manner as provided by law. ~~In the event the~~

(b) (1) ~~When a court of competent jurisdiction finds the any seed to be in violation of this act; and orders the condemnation of said such seed, it the seed may be denatured, reprocessed, destroyed, relabeled; or otherwise disposed of as the court may direct. Provided, That in no instance shall the court order a disposition of said seed without first having given directs.~~

(2) Before a court orders a disposition of any seed, the defendant shall have an opportunity to be heard and to apply to the court-(a) for:

(A) Permission to reprocess or relabel-~~it the seed in order to bring-it such seed~~ into compliance with ~~law this act~~ and any rules or regulations applicable thereto; and (b) for

(B) a release of ~~said such~~ seed.

(3) ~~When, in the performance of duties, the secretary or a duly authorized representative of the secretary, applies to any court for a temporary restraining order or a temporary or permanent injunction, restraining to prevent any person from violating or continuing to violate any of the provisions of this act; or any rule rules and regulation under this act, said regulations adopted pursuant thereto, an order granting or denying the secretary's request shall be issued without bond; and said order shall be issued without regard to whether any criminal proceeding has been instituted.~~

Sec. 17. K.S.A. 2021 Supp. 2-1423 is hereby amended to read as follows: 2-1423.

(a) *Inspection.* ~~The secretary or a duly authorized representative of the secretary shall inspect, sample and determine the purity and germination rate of agricultural seed at such time, and in such places; and to such extent as the secretary or representatives of the secretary consider considers advisable. The secretary or an authorized representative of the secretary may stop further sale or movement of any lot or lots of agricultural seed found to be in violation of any of the provisions of this act or any rules or regulations adopted pursuant thereto until compliance with the law this act has been satisfied or other another disposition has been made. It shall be the duty of the secretary or a duly authorized representative of the secretary to:~~

(1) ~~Enforce and administer this act;~~

(2) ~~sample, inspect, make analysis of and test agricultural seeds transported, sold, offered for sale or exposed for sale within the state for planting and seeding purposes at such time and place and to such extent as considered necessary to determine whether the agricultural seeds are in compliance with provisions of this act; and~~

(3) ~~cooperate and enter into agreements with the United States department of agriculture and other agencies in seed law enforcement.~~

(b) (1) *Access.* ~~The secretary or authorized representatives of the secretary shall have free access, during reasonable customary business hours, to all places of business, buildings, vehicles, cars and vessels, of whatsoever kind, used in the sale, transportation, processing, packaging, importation or storage of agricultural seed and shall have the authority to:~~

(1)-(A) ~~Inspect the records concerning the place of origin, or concerning the sale, of any agricultural seed;~~

(2)-(B) ~~open any package containing or suspected of containing any agricultural seed that is exposed or offered for sale; and~~

(3)-(C) ~~take therefrom samples of contents for examination.~~

(2) This section shall also apply to any seed that the secretary has reason to believe is or may be exposed for sale, except for lots of agricultural seed that are clearly and permanently marked as not for sale and stored separately from seed that is or may be

offered for sale.

(3) The owner of the seed shall be paid the retail price of the sample so procured if the owner so requests.

(c) *Stop sale orders.* The secretary or authorized representatives of the secretary shall have the authority to ~~to~~ (1) issue and enforce a written or printed "stop sale" order to the owner or custodian of any quantity of agricultural seed ~~which that~~ the secretary ~~or~~ duly authorized representatives of the secretary determine determines to be in violation of any of the provisions provision of this act or rules and regulations adopted hereunder; ~~which.~~ Such an order shall prohibit further sale, processing ~~and or~~ movement of such seed, except ~~on with~~ the approval of the enforcing officer, until such officer has evidence that ~~the law has~~ this act and all rules and regulations adopted hereunder have been complied with and issues a release from the "stop sale" order ~~of such seed.~~ Any stop sale order issued pursuant to this subsection is subject to review in accordance with the Kansas judicial review act. The provisions of this subsection shall not be construed as limiting the right of the enforcement officer to proceed as authorized by other sections of this act.

Sec. 18. K.S.A. 2-1424 is hereby amended to read as follows: 2-1424. When the ~~said secretary decides~~ determines that prosecution for a violation of this act or rules and regulations adopted pursuant hereunder is warranted, ~~he or she~~ the secretary shall:

(a) Report the facts supporting such determination to the prosecuting attorney of the county in which the violation was committed; and

(b) furnish that ~~officer prosecuting attorney~~ with a copy of the results of ~~the any~~ analysis or other examination of such agricultural seed. Such results shall be duly attested to by the analyst or other representative making of the secretary who performed the analysis or made the examination.

Sec. 19. K.S.A. 2021 Supp. 2-1427 is hereby amended to read as follows: 2-1427. The secretary of agriculture is hereby empowered to ~~make and publish adopt~~ such rules and regulations ~~after public hearing as it may deem~~ the secretary deems necessary to carry ~~into effect out~~ the full intent and meaning of ~~chapter 2, article 14; of chapter 2~~ of the Kansas Statutes Annotated, and amendments thereto, ~~and~~. The secretary is hereby empowered to enforce the provisions of this act and the rules and regulations promulgated by the secretary of agriculture adopted hereunder.

Sec. 20. K.S.A. 2021 Supp. 2-2113 is hereby amended to read as follows: 2-2113. As used in this act:

(a) "Plant pests" includes any stage of development of any insect, nematode, arachnid, or any other invertebrate animal, or any bacteria, fungus, virus, weed or any other parasitic plant or microorganism, or any toxicant, ~~which that~~ can:

- (1) Injure plants or plant products; ~~or which can~~
- (2) cause a threat to public health.

(b) "Secretary" means the secretary of the Kansas department of agriculture, or the authorized representative of the secretary.

(c) "Plants" means trees, shrubs, grasses, vines, forage and cereal plants and all other plants including growing crops; cuttings, grafts, scions, buds and all other parts of plants.

(d) "Plant products" means fruit, vegetables, roots, bulbs, seeds, wood, lumber, grains and all other plant products.

(e) "Location" means any grounds or premises on or in which live plants are

propagated, or grown, or from which live plants are removed for sale, or any grounds or premises on or in which live plants are being fumigated, treated, packed, stored or offered for sale.

(f) "Live plant dealer" means any person, unless excluded by rules and regulations adopted hereunder, who engages in business in the following manner:

(1) Grows live plants for sale or distribution;
 (2) buys or obtains live plants for the purpose of reselling or reshipping within this state; or

(3) plants, transplants or moves live plants from place to place within the state with the intent to plant such live plants for others and receives compensation for the live plants, for the planting of such live plants or for both live plants and plantings; ~~or~~

~~(4) gives live plants as a premium or for advertising purposes.~~

(g) "Person" means a corporation, company, society, association, partnership, governmental agency and any individual or combination of individuals.

(h) "Permit" means a document issued or authorized by the secretary to provide for the movement of regulated articles to restricted destinations for limited handling, utilization or processing.

(i) "Host" means any plant or plant product upon which a plant pest is dependent for completion of any portion of its life cycle.

(j) "Regulated article" means any host or any article of any character as described in a quarantine or regulation carrying or being capable of carrying the plant pest against which the quarantine or regulation is directed.

(k) "Live plant" means any living plant, cultivated or wild, or any part thereof that can be planted or propagated unless specifically exempted by the rules or regulations of the secretary.

(l) "Quarantine pest" means a pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially controlled.

(m) "Regulated nonquarantine pest" means a nonquarantine pest whose presence in plants for planting affects the intended use of those plants with an economically unacceptable impact and which is therefore regulated.

(n) "Official control" means the active enforcement of mandatory phytosanitary regulations and the application of mandatory phytosanitary procedures with the objective of eradication or containment of quarantine pests or for the management of regulated nonquarantine pest.

(o) "Regulated area" means an area into which, within which or from which plants, plant products and other regulated articles are subjected to phytosanitary regulations or procedures in order to prevent the introduction or spread of quarantine pests or to limit the economic impact of regulated nonquarantine pests.

(p) "Bee" means a honey-producing insect of the genus *Apis* including all life stages of the insect.

(q) "Beekeeping equipment" means all hives, supers, frames or other devices used in the rearing or manipulation of bees or their brood.

(r) "Toxicant" means any chemical, including an agricultural chemical as defined in K.S.A. 2-2202, and amendments thereto, or any biological substance ~~which that~~, if present in unsafe levels, can render a plant or plant product unsafe for human or animal consumption.

(s) "Temporary location" means an auxiliary or secondary location where live plants are offered for sale but without the infrastructure for the production or maintenance of live plants, such as a farmers market, garden show or festival.

(t) "Special event live plant dealer" means a person:

(1) Intending to sell, offer for sale or distribute live plants for five or fewer days in a calendar year as a nonprofit, charitable, educational or religious organization; or

(2) who gives live plants as a premium or for advertising purposes without selling live plants as part of such person's business.

Sec. 21. K.S.A. 2021 Supp. 2-2118 is hereby amended to read as follows: 2-2118. Upon request the secretary may provide inspection services for any person who owns or possesses plants or plant products or for certification purposes of regulated articles intended for shipment. Upon payment of the appropriate fee as established by rule and regulation and as inspection personnel are available, the inspection shall be conducted and a report or certificate setting forth the inspection results shall be issued if requested. Inspection fees shall not exceed ~~\$30~~ \$45 per hour. The secretary may assess reasonable diagnostic and identification fees as established by rules and regulations adopted by the secretary. Mileage incurred shall also be paid by the person requesting the inspection at the rate established by rules and regulations. If certificate is requested an additional fee not to exceed \$50, as established by rules and regulations, plus any fee amount charged by the United States government for the acquisition of federal certificates shall be assessed. The fees for such inspection and certificate in effect on the day preceding the effective date of this act shall continue in effect until the secretary adopts rules and regulations fixing a different fee therefor under this subsection. In any case where any intended receiving state or country requires or authorizes the certification of plants or plant products, bees or beekeeping equipment or other regulated articles to be based on origin, special handling, treatment or any other procedure in addition to or in lieu of actual visual inspection of such articles, the secretary may provide such certification. The secretary may refuse to perform any inspection if the regulated article to be inspected is found to be in such condition that it cannot be adequately inspected or the environs in which the regulated article is located present a danger to the health and safety of the inspection personnel.

Sec. 22. K.S.A. 2021 Supp. 2-2120 is hereby amended to read as follows: 2-2120. (a) Every live plant dealer, before advertising for sale, ~~selling or~~ offering for sale or delivering any live plants in this state, shall procure from the secretary a live plant dealer's license for each location from which such live plant dealer engages in business as a live plant dealer, except for temporary locations that are registered with the secretary.

(b) Application for such license shall be made on a form furnished by the secretary. The fee for each application shall be fixed by rules and regulations adopted by the secretary, except that such fee shall not exceed ~~\$80~~ \$100, excluding the plant pest emergency fee, authorized pursuant to K.S.A. 2021 Supp. 2-2129, and amendments thereto.

(c) A live plant dealer shall not be required to obtain a license if such live plant dealer does not import or export plants into or from the state and the annual gross receipts of such live plant dealer's business is less than \$10,000 who does not export live plants from the state, has annual gross receipts under \$10,000 and has only one location, other than temporary locations, may apply for a reduced license fee. The

reduced fee shall not exceed \$50, excluding the plant pest emergency fee. Application for the reduced license fee shall be made on the license application form provided by the secretary.

(d) ~~Such~~All live plant dealer's license dealer licenses shall expire on January 31, following the date of issue. Renewal of a license on or after such date of expiration shall result in a \$25 late fee, except that if a license is renewed after the March 1 immediately following such date of expiration, such late fee shall be \$50. A live plant dealer license shall not be issued until all fees are paid to the secretary.

(e) Any person who conducts business as a special event live plant dealer shall not be required to obtain a live plant dealer's license but shall register with the secretary in such form and manner as prescribed by the secretary.

(f) A live plant dealer may only engage in the live plant business with live plants ~~which that~~ are:

(1) In compliance with all quarantines and regulated nonquarantine pest freedom standards established by the secretary; or

(2) accompanied by a valid certificate of inspection of a federal inspector or inspector of another state stating that such live plants comply with all applicable quarantines and regulated nonquarantine pest freedom standards.

Sec. 23. K.S.A. 2021 Supp. 2-3901 is hereby amended to read as follows: 2-3901. (a) K.S.A. 2021 Supp. 2-3901 et seq., and amendments thereto, shall be known and may be cited as the commercial industrial hemp act.

(b) As used in the commercial industrial hemp act:

(1) "Commercial" means the cultivation or production of industrial hemp for ~~purposes other than research as any purpose~~ authorized under K.S.A. 2021 Supp. 2-3906, and amendments thereto.

(2) "Delta-9 tetrahydrocannabinol concentration" means the combined percentage of delta-9 tetrahydrocannabinol and its optical isomers, their salts and acids, and salts of their acids, reported as free THC:

(A) On a dry weight basis, of any part of the plant cannabis sativa L.; or

(B) on a percentage by weight basis in hemp products, waste or substances resulting from the production or processing of industrial hemp.

(3) "Effective disposal" includes, but is not limited to:

(A) Destruction; or

(B) any other method of disposing of industrial hemp or hemp products found to be in violation of this act that is permitted under the provisions of 7 U.S.C. § 1621 et seq. and any rules and regulations adopted thereunder.

(4) "Hemp products" means all products made from industrial hemp, including, but not limited to, cloth, cordage, fiber, food, fuel, paint, paper, particleboard, plastics, seed, seed meal and seed oil for consumption and any extract from industrial hemp intended for further processing. Final "hemp products" may contain a tetrahydrocannabinol concentration of not more than 0.3%. As used in this paragraph, "tetrahydrocannabinol concentration" means the same as in K.S.A. 65-6235(b)(3), and amendments thereto.

(5) "Hemp producer" means any individual, licensed or otherwise, engaging in the cultivation or production of industrial hemp for commercial purposes pursuant to K.S.A. 2021 Supp. 2-3906, and amendments thereto.

(6) "Hemp processor" means a person registered under K.S.A. 2021 Supp. 2-3907, and amendments thereto, to process and manufacture industrial hemp and hemp

products.

(7) "Industrial hemp" means all parts and varieties of the plant *cannabis sativa* L., whether growing or not, that contain a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis.

(8) "Person" means an individual, corporation, partnership, association, joint stock company, trust, unincorporated organization or any similar entity or any combination of the foregoing acting in concert.

~~(9) "Seed research" means research conducted to develop or recreate better strains of industrial hemp, particularly for the purpose of seed production.~~

~~(10) "State educational institution" means the university of Kansas, Kansas state university, Wichita state university, Emporia state university, Pittsburg state university and, Fort Hays state university, or any other accredited college, university, technical college or community college within Kansas.~~

~~(11)(10) "Authorized seed or clone plants" means a source of industrial hemp seeds or clone plants that:~~

(A) Has been certified by a certifying agency, as defined by K.S.A. 2-1415, and amendments thereto;

(B) has been produced from plants that were tested during the active growing season and were found to produce industrial hemp having a tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis and has been certified in writing by the grower or distributor of such seeds or clone plants to possess such qualities; or

(C) meets any other authorized standards approved by the Kansas department of agriculture through rules and regulations, except that no seed or clone plants shall be considered authorized seed or clone plants if they do not meet any standard adopted by the United States department of agriculture pursuant to 7 U.S.C. § 1621 et seq., and amendments thereto.

Sec. 24. K.S.A. 2021 Supp. 2-3902 is hereby amended to read as follows: 2-3902.

~~(a) The Kansas department of agriculture, alone or in coordination with a state educational institution, may cultivate industrial hemp grown from authorized seed or clone plants and promote the research and development of industrial hemp, in accordance with 7 U.S.C. § 5940. This research may include:~~

~~(1) Oversight and analysis of growth of industrial hemp to conduct agronomy research and analysis of required soils, growing conditions and harvest methods relating to the production of various varieties of industrial hemp that may be suitable for various commercial hemp products;~~

~~(2) seed research on various types of industrial hemp that are best suited to be grown in Kansas, including seed availability, creation of hybrid types, in-the-ground variety trials and seed production;~~

~~(3) analysis on the economic feasibility of developing an industrial hemp market in various types of industrial hemp that can be grown in Kansas;~~

~~(4) analysis on the estimated value-added benefits, including environmental benefits, that Kansas businesses would reap by having an industrial hemp market of Kansas-grown industrial hemp varieties;~~

~~(5) a study on the agronomy research conducted worldwide relating to industrial hemp varieties, production and utilization;~~

~~(6) a study on the feasibility of attracting federal and private funding for industrial~~

hemp research; and

~~(7) a pilot program in Russell county, and other counties as determined by the department, for the purpose of economic development, research, cultivation, market analysis, manufacturing and transportation of industrial hemp and industrial hemp products.~~

~~(b) In the event that the department acts alone to cultivate industrial hemp grown from authorized seed or clone plants and to promote the research and development of industrial hemp, the secretary of agriculture shall establish an advisory board within the department to review and recommend applications for pilot projects and research proposals to the secretary. The secretary shall not approve any such project or proposal without the recommendation of the advisory board.~~

~~(c) The department shall oversee and annually license all individuals participating in the cultivation, growth, research, oversight, study, analysis, transportation, processing or distribution of authorized seed or clone plants or industrial hemp pursuant to this section. The department shall establish fees for licenses, license renewals and other necessary expenses to defray the cost of implementing and operating the provisions of this section in this state on an ongoing basis. Any modification fee established by the department for any requested change to a license that was previously issued by the department under this section shall not exceed \$50 shall, by the adoption of rules and regulations, establish an advisory board within the department to provide input and information regarding the regulation and development of industrial hemp in the state of Kansas and any programs proposed or operated by the department. Such board shall include a minimum of six members, including members that represent the following:~~

- ~~(1) The Kansas legislature;~~
- ~~(2) crop research;~~
- ~~(3) industrial hemp production or processing;~~
- ~~(4) law enforcement;~~
- ~~(5) seed certification; and~~
- ~~(6) the state entity designated to regulate hemp processors.~~

~~(b) The state advisory board shall meet at least annually. Members shall receive no compensation but shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.~~

~~(d) (1)(c) The department shall secretary of agriculture may require, as a qualification for initial or continuing licensure employment with the Kansas department of agriculture, all individuals seeking a license or license renewal under the research program established under this section overseeing or regulating industrial hemp to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints shall be used to identify the individual and to determine whether the individual has a record of criminal history in this state or any other jurisdiction. The department is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The department may use the information obtained from fingerprinting and the criminal history record check for purposes of verifying the identification of the individual and for making an official determination of the qualifications for initial or continuing licensure employment pursuant to this section and rules and regulations promulgated hereunder. Disclosure or use of any information received by the department for any purpose other than the purposes provided for in this~~

section shall be a class A misdemeanor and shall constitute grounds for removal from office or termination of employment.

(2) An individual who has been convicted of a felony violation of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or a substantially similar offense in another jurisdiction, within the immediately preceding 10 years, shall be disqualified from initial or continuing ~~license~~ employment under this section.

(3) The Kansas bureau of investigation may charge a reasonable fee for conducting a criminal history record check.

(4) The individual seeking ~~a license or license renewal~~ initial or continuing employment under this section shall pay the costs of fingerprinting and the state and national criminal history record checks.

~~(e) The secretary of agriculture shall promulgate rules and regulations to carry out the provisions of this section on or before December 31, 2019, except that no such promulgated rule or regulation shall concern the recording of license plates. Such rules and regulations shall include, but not be limited to, a requirement that license holders shall have a current license in their possession at all times that they are engaged in the cultivation, growth, research, oversight, study, analysis, transportation, processing or distribution of authorized seed or clone plants or industrial hemp pursuant to this section.~~

~~(f) The department shall submit a report to the legislature outlining the steps and timeline to implement a process that would allow individuals and business entities to grow and process industrial hemp in Kansas and to sell industrial hemp in other states. Such report shall be submitted to the senate standing committee on agriculture and natural resources and the house standing committee on agriculture on or before January 14, 2019. The department shall send such committees an annual supplemental report on the continued progress of such process at the beginning of each regular legislative session for the following three years.~~

~~(g) Nothing in this section shall be construed to authorize any individual to violate any state or federal law.~~

~~(h) The legislature shall review the provisions of this section prior to July 1, 2022.~~

Sec. 25. K.S.A. 2021 Supp. 2-3903 is hereby amended to read as follows: 2-3903.

~~(a) The alternative crop research act licensing fee fund created in the state treasury shall be renamed the commercial industrial hemp act licensing fee fund and continue to~~ shall be administered by the secretary of agriculture. All expenditures from the commercial industrial hemp act licensing fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers signed by the secretary of agriculture or the secretary's designee.

(b) Except as provided in K.S.A. 2021 Supp. 2-3907, and amendments thereto, licensing and renewal fees shall be established pursuant to rules and regulations adopted by the secretary under the commercial industrial hemp act. The amounts received for such fees shall be deposited in the state treasury in accordance with K.S.A. 75-4215, and amendments thereto, and shall be credited to the commercial industrial hemp act licensing fee fund.

Sec. 26. K.S.A. 2021 Supp. 2-3906 is hereby amended to read as follows: 2-3906.

(a) The Kansas department of agriculture, in consultation with the governor and attorney general, shall submit a plan to the United States department of agriculture under which the Kansas department of agriculture will monitor and regulate the

commercial production of industrial hemp within the state in accordance with 7 U.S.C. § 1621 et seq. and any rules and regulations adopted thereunder.

(b) Such plan shall include the following:

(1) A procedure to maintain relevant information regarding land on which industrial hemp is produced, including a legal description of the land, for a period of not less than three calendar years;

(2) a procedure for testing, using post-decarboxylation or other similarly reliable methods, the delta-9 tetrahydrocannabinol concentration levels of industrial hemp produced;

(3) a procedure for the effective disposal of industrial hemp and hemp products that are found to be in violation of this act;

(4) any licensing requirements or other rules and regulations deemed necessary by the Kansas department of agriculture for the proper monitoring and regulation of industrial hemp cultivation and production for commercial purposes, including, but not limited to;

(A) Fees for licenses, license renewals and other necessary expenses to defray the cost of implementing and operating the plan on an ongoing basis; and

(B) standards for authorized seed or clone plants;

(5) a procedure for the creation of documentation that any person in possession of unprocessed industrial hemp may use to prove to any law enforcement officer that such industrial hemp was lawfully grown under this section;

(6) a procedure for conducting annual inspections of, at a minimum, a random sample of hemp producers to verify that industrial hemp is not produced in violation of this act; and

(7) any other procedures necessary to meet the requirements set forth in 7 U.S.C. § 1621 et seq. and any rules and regulations adopted thereunder.

(c) (1) A hemp producer who negligently violates this section or any rules and regulations adopted hereunder shall not be subject to any state or local criminal enforcement action, but shall comply with the following corrective actions as applicable:

(A) A reasonable date by which the hemp producer shall correct the negligent violation; and

(B) a requirement that the hemp producer shall periodically report to the Kansas department of agriculture on the hemp producer's compliance with this section and rules and regulations adopted hereunder, for a period of not less than the next two calendar years.

(2) A hemp producer who negligently violates this section or any rules and regulations adopted hereunder three times in a five-year period shall be ineligible to produce industrial hemp for a period of five years beginning on the date of the third violation.

(3) The Kansas department of agriculture shall immediately report any violation by a hemp producer with a greater culpable mental state than negligence to the attorney general and such hemp producer shall not be subject to the exemption in subsection (c) (1).

(d) Any individual otherwise eligible to become a licensed hemp producer shall not be eligible to produce industrial hemp if such individual has submitted any materially false information in any application to become a licensed hemp producer.

(e) (1) The department shall require, as a qualification for initial or continuing licensure, all individuals seeking a license or license renewal as a hemp producer under this section to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints shall be used to identify the individual and to determine whether the individual has a record of criminal history in this state or any other jurisdiction. The department is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The department may use the information obtained from fingerprinting and the criminal history record check for purposes of verifying the identification of the individual and for making an official determination of the qualifications for initial or continuing licensure as a hemp producer pursuant to this section and rules and regulations promulgated hereunder. Disclosure or use of any information received by the department for any purpose other than the purposes provided for in the commercial industrial hemp act shall be a class A misdemeanor and shall constitute grounds for removal from office or termination of employment.

(2) An individual who has been convicted of a felony violation of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or a substantially similar offense in another jurisdiction, within the immediately preceding 10 years, shall be disqualified from initial or continuing licensure as a hemp producer under this section.

(3) The Kansas bureau of investigation may charge a reasonable fee for conducting a criminal history record check.

(4) The individual seeking a license or license renewal as a hemp producer under this section shall pay the costs of fingerprinting and the state and national criminal history record checks.

(f) The secretary of agriculture shall promulgate rules and regulations to implement the plan submitted to the United States department of agriculture and to otherwise effectuate the provisions of this section.

(g) Upon the repeal of 7 U.S.C. § 5940 or either the adoption of a federal plan by the United States department of agriculture that allows for the cultivation and production of industrial hemp for commercial purposes within the state or upon the adoption of rules and regulations by the Kansas secretary of agriculture that establish the cultivation and production of industrial hemp for commercial purposes within the state, the Kansas department of agriculture may discontinue the industrial hemp research program established pursuant to K.S.A. 2021 Supp. 2-3902, and amendments thereto.

(h) Any modification fee established by the department for any requested change to a license that was previously issued by the department under this section shall not exceed \$50.

(i) Any licensing or other fees collected pursuant to this section and any rules and regulations adopted hereunder shall be deposited in the commercial industrial hemp act licensing fee fund established by K.S.A. 2021 Supp. 2-3903, and amendments thereto, for all costs of the administration of the commercial production of industrial hemp.

(j) This section shall be a part of and supplemental to the commercial industrial hemp act, K.S.A. 2021 Supp. 2-3901 et seq., and amendments thereto.

Sec. 27. K.S.A. 2-1415, 2-1417, 2-1421, 2-1422, 2-1422a and 2-1424 and K.S.A. 2021 Supp. 2-1421a, 2-1423, 2-1427, 2-2113, 2-2118, 2-2120, 2-2135, 2-2136, 2-2137,

2-2138, 2-2139, 2-2140, 2-2141, 2-3901, 2-3902, 2-3903 and 2-3906 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, before the period by inserting "; relating to plants and seeds; seeds treated with certain substances; definitions; labeling; unlawful actions; certain registrations; inspections; live plant dealers; relating to industrial hemp; testing services; creating an advisory board; amending K.S.A. 2-1415, 2-1417, 2-1421, 2-1422, 2-1422a and 2-1424 and K.S.A. 2021 Supp. 2-1421a, 2-1423, 2-1427, 2-2113, 2-2118, 2-2120, 2-3901, 2-3902, 2-3903 and 2-3906 and repealing the existing sections; also repealing K.S.A. 2021 Supp. 2-2135, 2-2136, 2-2137, 2-2138, 2-2139, 2-2140 and 2-2141";

And your committee on conference recommends the adoption of this report.

DAN KERSCHEN

RONALD RYCKMAN, SR.

MARY WARE

Conferees on part of Senate

KEN RAHJES

ERIC SMITH

SYDNEY CARLIN

Conferees on part of House

Senator Kerschen moved the Senate adopt the Conference Committee Report on **HB 2559**.

On roll call, the vote was: Yeas 32; Nays 7; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Ryckman, Suellentrop, Sykes, Ware, Warren, Wilborn.

Nays: Hilderbrand, Peck, Pyle, Steffen, Straub, Thompson, Tyson.

Absent or Not Voting: Baumgardner.

The Conference Committee Report was adopted.

ORIGINAL MOTION

On motion of Senator Olson, the Senate acceded to the request of the House for a conference on **HB 2644**.

The President appointed Senators Olson, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

On motion of Senator Alley, the Senate recessed until 7:00 p.m.

EVENING SESSION

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

MESSAGES FROM THE HOUSE

The House adopts the Conference Committee report on **HB 2087**.

The House adopts the Conference Committee report on **HB 2559**.

The House adopts the Conference Committee report on **SB 446**.

The House adopts the Conference Committee report on **SB 215**.

The House adopts the Conference Committee report on **HB 2005**.

The House adopts the Conference Committee report on **S Sub HB 2448**.

The House announced the appointment of Rep. Ousley to replace Rep. Winn as a conferee on **S Sub HB 2567**.

The House announced the appointment of Rep. Ousley to replace Rep. Winn as a conferee on **SB 58**.

The House announced the appointment of Reps. Bergquist and Miller to replace Reps. Arnberger and Ruiz, L as conferees on **S Sub HB 2138**.

The House announced the appointment of Rep. Bergquist to replace Rep. Arnberger as a conferee on **S Sub HB 2056**.

The House adopts the Conference Committee report on **SB 2**.

The House concurs in Senate amendments to **HB 2489**, and requests return of the bill.

CHANGE OF CONFERENCE

Senators Hilderbrand, Gossage and Pettey are appointed to replace Senators Thompson, Petersen and Francisco as members of the conference committee on **H Sub SB 19**.

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.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 2** 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 9, by inserting:

"Section 1. On and after January 1, 2023, K.S.A. 41-102 is hereby amended to read as follows: 41-102. As used in this act, unless the context clearly requires otherwise:

(a) "Alcohol" means the product of distillation of any fermented liquid, whether rectified or diluted, whatever its origin, and includes synthetic ethyl alcohol but does not include denatured alcohol or wood alcohol.

(b) "Alcoholic candy" means:

(1) For purposes of manufacturing, any candy or other confectionery product with an alcohol content greater than 0.5% alcohol by volume; and

(2) for purposes of sale at retail, any candy or other confectionery product with an alcohol content greater than 1% alcohol by volume.

(c) "Alcoholic liquor" means alcohol, spirits, wine, beer, alcoholic candy and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed by a human being, but shall not include any cereal malt beverage.

(d) "Beer" means a beverage, containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation of an infusion or concoction of barley, or other grain, malt and hops in water and includes beer, ale, stout, lager beer, porter and similar beverages having such alcoholic content.

(e) "Caterer" means the same as defined by K.S.A. 41-2601, and amendments thereto.

(f) "Cereal malt beverage" means the same as defined by K.S.A. 41-2701, and amendments thereto.

(g) "Club" means the same as defined by K.S.A. 41-2601, and amendments thereto.

(h) "Director" means the director of alcoholic beverage control of the department of revenue.

(i) "Distributor" means the person importing or causing to be imported into the state, or purchasing or causing to be purchased within the state, alcoholic liquor for sale or resale to retailers licensed under this act or cereal malt beverage for sale or resale to retailers licensed under K.S.A. 41-2702, and amendments thereto.

(j) "Domestic beer" means beer which contains not more than 15% alcohol by weight and which is manufactured in this state.

(k) "Domestic fortified wine" means wine which contains more than ~~14%~~ 16%, but not more than 20% alcohol by volume and which is manufactured in this state.

(l) "Domestic table wine" means wine which contains not more than ~~14%~~ 16% alcohol by volume and which is manufactured without rectification or fortification in this state.

(m) "Drinking establishment" means the same as defined by K.S.A. 41-2601, and amendments thereto.

(n) "Farm winery" means a winery licensed by the director to manufacture, store and sell domestic table wine and domestic fortified wine.

(o) "Fulfillment house" means any location or facility for any in-state or out-of-state entity that handles logistics, including warehousing, packaging, order fulfillment or shipping services on behalf of the holder of a special order shipping license issued pursuant to K.S.A. 41-350, and amendments thereto.

(p) "Hard cider" means any alcoholic beverage that:

(1) Contains less than 8.5% alcohol by volume;

(2) has a carbonation level that does not exceed 6.4 grams per liter; and

(3) is obtained by the normal alcoholic fermentation of the juice of sound, ripe apples or pears, including such beverages containing sugar added for the purpose of correcting natural deficiencies.

(q) "Manufacture" means to distill, rectify, ferment, brew, make, mix, concoct, process, blend, bottle or fill an original package with any alcoholic liquor, beer or cereal malt beverage.

(r) (1) "Manufacturer" means every brewer, fermenter, distiller, rectifier, wine maker, blender, processor, bottler or person who fills or refills an original package and others engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquor, beer or cereal malt beverage.

(2) "Manufacturer" does not include a microbrewery, microdistillery or a farm

winery.

(s) "Microbrewery" means a brewery licensed by the director to manufacture, store and sell domestic beer and hard cider.

(t) "Microdistillery" means a facility which produces spirits from any source or substance that is licensed by the director to manufacture, store and sell spirits.

(u) "Minor" means any person under 21 years of age.

(v) "Nonbeverage user" means any manufacturer of any of the products set forth and described in K.S.A. 41-501, and amendments thereto, when the products contain alcohol or wine, and all laboratories using alcohol for nonbeverage purposes.

(w) "Original package" means any bottle, flask, jug, can, cask, barrel, keg, hogshead or other receptacle or container whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor. Original container does not include a sleeve.

(x) "Person" means any natural person, corporation, partnership, trust or association.

(y) "Powdered alcohol" means alcohol that is prepared in a powdered or crystal form for either direct use or for reconstitution in a nonalcoholic liquid.

(z) "Primary American source of supply" means the manufacturer, the owner of alcoholic liquor at the time it becomes a marketable product or the manufacturer's or owner's exclusive agent who, if the alcoholic liquor cannot be secured directly from such manufacturer or owner by American wholesalers, is the source closest to such manufacturer or owner in the channel of commerce from which the product can be secured by American wholesalers.

(aa) (1) "Retailer" means a person who is licensed under the Kansas liquor control act and sells at retail, or offers for sale at retail, alcoholic liquors or cereal malt beverages.

(2) "Retailer" does not include a microbrewery, microdistillery or a farm winery.

(bb) "Sale" means any transfer, exchange or barter in any manner or by any means whatsoever for a consideration and includes all sales made by any person, whether principal, proprietor, agent, servant or employee.

(cc) "Salesperson" means any natural person who:

(1) Procures or seeks to procure an order, bargain, contract or agreement for the sale of alcoholic liquor or cereal malt beverage; or

(2) is engaged in promoting the sale of alcoholic liquor or cereal malt beverage, or in promoting the business of any person, firm or corporation engaged in the manufacturing and selling of alcoholic liquor or cereal malt beverage, whether the seller resides within the state of Kansas and sells to licensed buyers within the state of Kansas, or whether the seller resides without the state of Kansas and sells to licensed buyers within the state of Kansas.

(dd) "Sample" means a serving of alcoholic liquor that contains not more than: (1) One-half ounce of distilled spirits; (2) one ounce of wine; or (3) two ounces of beer or cereal malt beverage. A "sample" of a mixed alcoholic beverage shall contain not more than ½ ounce of distilled spirits.

(ee) "Secretary" means the secretary of revenue.

(ff) (1) "Sell at retail" and "sale at retail" refer to and mean sales for use or consumption and not for resale in any form and sales to clubs, licensed drinking establishments, licensed caterers or holders of temporary permits.

(2) "Sell at retail" and "sale at retail" do not refer to or mean sales by a distributor, a microbrewery, a farm winery, a licensed club, a licensed drinking establishment, a licensed caterer or a holder of a temporary permit.

(gg) "To sell" includes to solicit or receive an order for, to keep or expose for sale and to keep with intent to sell.

(hh) "Sleeve" means a package of two or more 50-milliliter or 3.2-fluid-ounce containers of spirits.

(ii) "Spirits" means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

(jj) "Supplier" means a manufacturer of alcoholic liquor or cereal malt beverage or an agent of such manufacturer, other than a salesperson.

(kk) "Temporary permit" means the same as defined by K.S.A. 41-2601, and amendments thereto.

(ll) "Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products, including such beverages containing added alcohol or spirits or containing sugar added for the purpose of correcting natural deficiencies. "Wine" includes hard cider and any other product that is commonly known as a subset of wine.

Sec. 2. K.S.A. 41-308 is hereby amended to read as follows: 41-308. (a) Except as provided in K.S.A. 41-308d, and amendments thereto, a retailer's license shall allow the licensee to sell and offer for sale at retail and deliver in the original package, as therein prescribed, alcoholic liquor and cereal malt beverage for use or consumption off and away from the premises specified in such license.

(b) A retailer's license shall permit sale and delivery of alcoholic liquor and cereal malt beverage only on the licensed premises and shall not permit sale of alcoholic liquor and cereal malt beverage for resale in any form, except that a licensed retailer may:

(1) Sell alcoholic liquor and cereal malt beverage to a temporary permit holder for resale by such permit holder;

(2) sell and deliver alcoholic liquor and cereal malt beverage to a caterer or to the licensed premises of a public venue, club or drinking establishment, if such premises are in the county where the retailer's premises are located or in an adjacent county or a county with a corner located within two miles measured along the adjacent county boundary, for resale by such public venue, club, establishment or caterer; and

(3) sell and deliver cereal malt beverage and beer containing not more than 6% alcohol by volume to the licensed premises of a cereal malt beverage retailer, as defined in K.S.A. 41-2701, and amendments thereto, who is licensed for on-premises consumption, if such cereal malt beverage premises are located in the same county, or an adjacent county to the county where the retailer's premises are located, for resale by such cereal malt beverage retailer.

(c) A retailer may:

(1) Charge a delivery fee for delivery of alcoholic liquor and cereal malt beverage to a public venue, club, drinking establishment or caterer pursuant to subsection (b)(2);

(2) charge a delivery fee for delivery of cereal malt beverage and beer containing not more than 6% alcohol by volume to a cereal malt beverage retailer pursuant to

subsection (b)(3);

(3) sell lottery tickets and shares to the public in accordance with the Kansas lottery act, if the retailer is selected as a lottery retailer;

(4) include in the sale of alcoholic liquor and cereal malt beverage any goods included by the manufacturer in packaging with the alcoholic liquor or cereal malt beverage, subject to the approval of the director;

(5) distribute to the public, without charge, consumer advertising specialties bearing advertising matter, subject to rules and regulations of the secretary limiting the form and distribution of such specialties so that they are not conditioned on or an inducement to the purchase of alcoholic liquor or cereal malt beverage;

(6) store alcoholic liquor and cereal malt beverage in refrigerators, cold storage units, ice boxes or other cooling devices, and the licensee may sell such alcoholic liquor and cereal malt beverage to consumers in a chilled condition;

(7) sell any other good or service on the licensed premises, except that the gross sales of other goods and services, excluding fees derived from the sale of lottery tickets and revenues from sales of cigarettes and tobacco products, shall not exceed 20% of the retailer's total gross sales; and

(8) sell containers of beer, domestic beer and cereal malt beverage that are sold on the licensed premises to consumers and served in refillable and sealable containers for consumption off the licensed premises if such containers:

(A) Contain between 32 and 64 fluid ounces; and

(B) have a label affixed that clearly indicates the licensee's name and the type of alcoholic beverage contained in such container.

(d) All alcoholic liquor, cereal malt beverage and nonalcoholic malt beverage sold by a holder of a retail license shall be subject to the liquor enforcement tax imposed by K.S.A. 79-4101, and amendments thereto.

Sec. 3. K.S.A. 41-311 is hereby amended to read as follows: 41-311. (a) No license of any kind shall be issued pursuant to the liquor control act to a person:

(1) Who is not a citizen of the United States;

(2) who has been convicted of a felony under the laws of this state, any other state or the United States;

(3) who has had a license revoked for cause under the provisions of the liquor control act, the beer and cereal malt beverage keg registration act or who has had any license issued under the cereal malt beverage laws of any state revoked for cause except that a license may be issued to a person whose license was revoked for the conviction of a misdemeanor at any time after the lapse of 10 years following the date of the revocation;

(4) who has been convicted of being the keeper or is keeping any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is 18 years of age or older or has forfeited bond to appear in court to answer charges of being a keeper of any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is 18 years of age or older;

(5) who has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes;

(6) who is not at least 21 years of age;

(7) who, other than as a member of the governing body of a city or county, appoints

or supervises any law enforcement officer, who is a law enforcement official or who is an employee of the director;

(8) who intends to carry on the business authorized by the license as agent of another;

(9) who at the time of application for renewal of any license issued under this act would not be eligible for the license upon a first application, except as provided by subsection (a)(12);

(10) who is the holder of a valid and existing license issued under article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto, unless the person agrees to and does surrender the license to the officer issuing the same upon the issuance to the person of a license under this act, except that such person may be issued a farm winery license pursuant to K.S.A. 41-316, and amendments thereto, or a producer license pursuant to K.S.A. 41-355, and amendments thereto, and a retailer licensed pursuant to K.S.A. 41-2702, and amendments thereto, shall be eligible to receive a retailer's license under the Kansas liquor control act;

(11) who does not own the premises for which a license is sought, or does not, at the time of application, have a written lease thereon;

(12) whose spouse would be ineligible to receive a license under this act for any reason other than citizenship requirements or age, except that this paragraph shall not apply in determining eligibility for a renewal license or to a person whose spouse is a law enforcement officer;

(13) whose spouse has been convicted of a felony or other crime that would disqualify a person from licensure under this section and such felony or other crime was committed during the time that the spouse held a license under this act;

(14) who does not provide any data or information required by K.S.A. 41-311b, and amendments thereto; or

(15) who, after a hearing before the director, has been found to have held an undisclosed beneficial interest in any license issued pursuant to the liquor control act that was obtained by means of fraud or any false statement made on the application for such license.

(b) No retailer's license shall be issued to:

(1) A person who has a beneficial interest in a manufacturer, distributor, farm winery or microbrewery licensed under this act, except that the spouse of an applicant for a retailer's license may own and hold a farm winery license, microbrewery license, or both, if the spouse does not hold a retailer's license issued under this act;

(2) a person who has a beneficial interest in any other retail establishment licensed under this act, except that the spouse of a licensee may own and hold a retailer's license for another retail establishment;

(3) a copartnership, unless all of the copartners are qualified to obtain a license;

(4) a corporation; or

(5) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(c) No manufacturer's license shall be issued to:

(1) A corporation, if any officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a manufacturer's license for any reason other than citizenship requirements;

(2) a copartnership, unless all of the copartners would be individually eligible to receive a manufacturer's license under this act;

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license; or

(4) a person who has a beneficial interest in a distributor, retailer, farm winery or microbrewery licensed under this act, except as provided in K.S.A. 41-305, and amendments thereto.

(d) No distributor's license shall be issued to:

(1) A corporation, if any officer, director or stockholder of the corporation would be ineligible to receive a distributor's license for any reason. It shall be unlawful for any stockholder of a corporation licensed as a distributor to transfer any stock in the corporation to any person who would be ineligible to receive a distributor's license for any reason, and any such transfer shall be null and void, except that: (A) If any stockholder owning stock in the corporation dies and an heir or devisee to whom stock of the corporation descends by descent and distribution or by will is ineligible to receive a distributor's license, the legal representatives of the deceased stockholder's estate and the ineligible heir or devisee shall have 14 months from the date of the death of the stockholder within which to sell the stock to a person eligible to receive a distributor's license, any such sale by a legal representative to be made in accordance with the provisions of the probate code; or (B) if the stock in any such corporation is the subject of any trust and any trustee or beneficiary of the trust who is 21 years of age or older is ineligible to receive a distributor's license, the trustee, within 14 months after the effective date of the trust, shall sell the stock to a person eligible to receive a distributor's license and hold and disburse the proceeds in accordance with the terms of the trust. If any legal representatives, heirs, devisees or trustees fail, refuse or neglect to sell any stock as required by this subsection, the stock shall revert to and become the property of the corporation, and the corporation shall pay to the legal representatives, heirs, devisees or trustees the book value of the stock. During the period of 14 months prescribed by this subsection, the corporation shall not be denied a distributor's license or have its distributor's license revoked if the corporation meets all of the other requirements necessary to have a distributor's license;

(2) a copartnership, unless all of the copartners are eligible to receive a distributor's license;

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license; or

(4) a person who has a beneficial interest in a manufacturer, retailer, farm winery or microbrewery licensed under this act.

(e) No nonbeverage user's license shall be issued to a corporation, if any officer, manager or director of the corporation or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a nonbeverage user's license for any reason other than citizenship and residence requirements.

(f) No microbrewery license, microdistillery license or farm winery license shall be issued to a:

(1) Person who has a beneficial interest in a manufacturer or distributor licensed under this act, except as provided in K.S.A. 41-305, and amendments thereto;

(2) person, copartnership or association that has a beneficial interest in any retailer licensed under this act or under K.S.A. 41-2702, and amendments thereto, except that the spouse of an applicant for a microbrewery or farm winery license may own and hold a retailer's license if the spouse does not hold a microbrewery or farm winery license issued under this act;

(3) copartnership, unless all of the copartners are qualified to obtain a license;

(4) corporation, unless stockholders owning in the aggregate 50% or more of the stock of the corporation would be eligible to receive such license and all other stockholders would be eligible to receive such license except for reason of citizenship or residency; or

(5) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(g) If the applicant is not a Kansas resident, no license shall be issued until the applicant has appointed a citizen of the United States who is a resident of Kansas as the applicant's agent and filed with the director a duly authenticated copy of a duly executed power of attorney, authorizing the agent to accept service of process from the director and the courts of this state and to exercise full authority, control and responsibility for the conduct of all business and transactions within the state relative to alcoholic liquor and the business licensed. The agent must be satisfactory to and approved by the director, except that the director shall not approve as an agent any person who:

(1) Has been convicted of a felony under the laws of this state, any other state or the United States;

(2) has had a license issued under the alcoholic liquor or cereal malt beverage laws of this or any other state revoked for cause, except that a person may be appointed as an agent if the person's license was revoked for the conviction of a misdemeanor and 10 years have lapsed since the date of the revocation;

(3) has been convicted of being the keeper or is keeping any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is 18 years of age or older or has forfeited bond to appear in court to answer charges of being a keeper of any property, whether real or personal, where sexual relations are being sold or offered for sale by a person who is 18 years of age or older;

(4) has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes; or

(5) is less than 21 years of age.

Sec. 4. On and after January 1, 2023, K.S.A. 41-501 is hereby amended to read as follows: 41-501. (a) As used in this section and K.S.A. 41-501a, and amendments thereto:

(1) "Gallon" means wine gallon.

(2) "Federal area" means any lands or premises which are located within the exterior boundaries of this state and which are held or acquired by or for the use of the United States or any department, establishment or agency of the United States.

(3) "Malt product" means malt syrup, malt extract, liquid malt or wort.

(b) (1) For the purpose of raising revenue a tax is imposed upon the manufacturing, using, selling, storing or purchasing of alcoholic liquor, cereal malt beverage or malt

products in this state or a federal area at a rate of \$.18 per gallon on beer and cereal malt beverage; \$.20 per gallon on all wort or liquid malt; \$.10 per pound on all malt syrup or malt extract; \$.30 per gallon on wine containing ~~14%~~ 16% or less alcohol by volume; \$.75 per gallon on wine containing more than ~~14%~~ 16% alcohol by volume; and \$2.50 per gallon on alcohol and spirits.

(2) The tax imposed by this section shall be paid only once and shall be paid by the person in this state or federal area who first manufactures, uses, sells, stores, purchases or receives the alcoholic liquor or cereal malt beverage. The tax shall be collected and paid to the director as provided in this act. If the alcoholic liquor or cereal malt beverage is manufactured and sold in this state or a federal area, the tax shall be paid by the manufacturer, microbrewery, microdistillery or farm winery producing it. If the alcoholic liquor or cereal malt beverage is imported into this state by a distributor for the purpose of sale at wholesale in this state or a federal area, the tax shall be paid by the distributor, and in no event shall such tax be paid by the manufacturer unless the alcoholic liquor or cereal malt beverage is manufactured in this state. If not to exceed one gallon, or metric equivalent, per person of alcoholic liquor has been purchased by a private citizen outside the borders of the United States and is brought into this state by the private citizen in such person's personal possession for such person's own personal use and not for sale or resale, such import is lawful and no tax payment shall be due thereon.

(c) Manufacturers, microbreweries, microdistilleries, farm wineries or distributors at wholesale of alcoholic liquor or cereal malt beverage shall be exempt from the payment of the gallonage tax imposed on alcoholic liquor and cereal malt beverage, upon satisfactory proof, including bills of lading furnished to the director by affidavit or otherwise as the director requires, that the liquor or cereal malt beverage was manufactured in this state but was shipped out of the state for sale and consumption outside the state.

(d) Wines manufactured or imported solely and exclusively for sacramental purposes and uses shall not be subject to the tax provided for by this section.

(e) The tax provided for by this section is not imposed upon:

(1) Any alcohol or wine, whether manufactured in or imported into this state, when sold to a nonbeverage user licensed by the state, for use in the manufacture of any of the following when they are unfit for beverage purposes: Patent and proprietary medicines and medicinal, antiseptic and toilet preparations; flavoring extracts and syrups and food products; scientific, industrial and chemical products; or scientific, chemical, experimental or mechanical purposes; or

(2) the privilege of engaging in any business of interstate commerce or otherwise, which business may not be made the subject of taxation by this state under the constitution and statutes of the United States.

(f) The tax imposed by this section shall be in addition to all other taxes imposed by the state of Kansas or by any municipal corporation or political subdivision thereof.

(g) Retail sales of alcoholic liquor, sales of beer to consumers by microbreweries and sales of wine to consumers by farm wineries shall not be subject to the tax imposed by the Kansas retailers' sales tax act but shall be subject to the enforcement tax provided for in this act.

(h) Notwithstanding any ordinance to the contrary, no city shall impose an occupation or privilege tax on the business of any person, firm or corporation licensed

as a manufacturer, distributor, microbrewery, microdistillery, farm winery, retailer or nonbeverage user under this act and doing business within the boundaries of the city except as specifically authorized by K.S.A. 41-310, and amendments thereto.

(i) The director shall collect the taxes imposed by this section and shall account for and remit all moneys collected from the tax 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 and the state treasurer shall credit $\frac{1}{10}$ of the moneys collected from taxes imposed upon alcohol and spirits under subsection (b)(1) to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, and shall credit the balance of the moneys collected to the state general fund.

(j) If any alcoholic liquor manufactured in or imported into this state is sold to a licensed manufacturer or distributor of this state to be used solely as an ingredient in the manufacture of any beverage for human consumption, the tax imposed upon the manufacturer or distributor shall be reduced by the amount of the taxes which have been paid under this section as to the alcoholic liquor so used.

(k) The tax provided for by this section is not imposed upon alcohol or wine used by any school or college for scientific, chemical, experimental or mechanical purposes or by hospitals, sanatoria or other institutions caring for the sick. Any school, college, hospital, sanatorium or other institution caring for the sick may import alcohol or wine for scientific, chemical, experimental, mechanical or medicinal purposes by making application to the director for a permit to import it and receiving such a permit. Application for the permit shall be on a form prescribed and furnished by the director, and a separate permit shall be required for each purchase of alcohol or wine. A fee of \$2 shall accompany each application. All permits shall be issued in triplicate to the applicant and shall be under the seal of the office of the director. Two copies of the permit shall be forwarded by the applicant to the microbrewery, microdistillery, farm winery, manufacturer or distributor from which the alcohol or wine is purchased, and the microbrewery, microdistillery, farm winery, manufacturer or distributor shall return to the office of the director one copy of the permit with its shipping affidavit and invoice. Within 10 days after receipt of any alcohol or wine, the school, college, hospital or sanatorium ordering it shall file a report in the office of the director upon forms furnished by the director, showing the amount of alcohol or wine received, the place where it is to be stored, from whom it was received, the purpose for which it is to be used and such other information as required by the director. Any school, college, hospital, sanatorium or institution caring for the sick, which complies with the provisions of this subsection, shall not be required to have any other license to purchase alcohol or wine from a microbrewery, microdistillery, farm winery, manufacturer or distributor.";

On page 9, following line 16, by inserting:

"Sec. 7. K.S.A. 41-2608 is hereby amended to read as follows: 41-2608. (a) Any public venue, club or drinking establishment license issued pursuant to this act shall be for one particular premises that shall be stated in the application and in the license. Not more than one premises licensed under the club and drinking establishment act shall exist at a single legal address.

(b) No license shall be issued for a public venue, club or drinking establishment unless the city, township or county zoning code allows a club or drinking establishment

at that location.

(c) The licensed premises of a license may be extend into a city, county or township street, alley, road, sidewalk or highway if:

(1) Such street, alley, road, sidewalk or highway is closed to motor vehicle traffic by the governing body of such city, county or township at any time during which alcoholic liquor or cereal malt beverage is to be sold or consumed; and

(2) such extension has been approved by the city, county or township by ordinance or resolution that specifies the exact times during which alcoholic liquor or cereal malt beverage may be sold or consumed on the street, alley, road, sidewalk or highway.

(d) Notwithstanding the provisions of this section, a license under this act shall be issued to a farm winery or producer licensee who meets the requirements for a license under this act and who is a registered agritourism operator as defined in K.S.A. 32-1432, and amendments thereto. Such license shall not be denied on the basis of any zoning regulation or other regulation, ordinance or resolution of any city or county.

Sec. 8. K.S.A. 41-2703 is hereby amended to read as follows: 41-2703. (a) After examination of an application for a retailer's license, the board of county commissioners or the director shall, if they approve the same, issue a license to the applicant. The governing body of the city shall, if the applicant is qualified as provided by law, issue a license to such applicant.

(b) No retailer's license shall be issued to:

~~(1) A person who is not of good character and reputation in the community in which the person resides.~~

~~(2) A person who is not a citizen of the United States;~~

~~(3) a person who, within two years immediately preceding the date of application approval, has been convicted of, released from incarceration for or released from probation or parole for a felony or any crime involving moral turpitude, drunkenness, driving a motor vehicle while under the influence of intoxicating liquor or violation of any other intoxicating liquor law of any state or of the United States;~~

~~(4) a partnership, unless all the members of the partnership are otherwise qualified to obtain a license;~~

~~(5) a corporation, if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of such corporation, would be ineligible to receive a license hereunder for any reason other than the citizenship requirements;~~

~~(6) a person whose place of business is conducted by a manager or agent unless the manager or agent possesses all the qualifications of a licensee;~~

~~(7) a person whose spouse would be ineligible to receive a retailer's license for any reason other than citizenship requirements or age, except that this paragraph shall not apply in determining eligibility for a renewal license; and~~

~~(8) a person whose spouse has been convicted of a felony or other crime that would disqualify a person from licensure under this section and such felony or other crime was committed during the time that the spouse held a license under this act.~~

(c) After examination of an application for a retailer's license, the board of county commissioners or the governing body of a city may deny a license to a person, partnership or corporation if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of such corporation, has been an officer, manager, director or a stockholder owning in the aggregate more than 25% of

the stock, of a corporation that has:

(1) Had a retailer's license revoked under K.S.A. 41-2708, and amendments thereto; or

(2) been convicted of a violation of the club and drinking establishment act or the cereal malt beverage laws of this state.

(d) Notwithstanding any generally applicable grant of discretion that may be provided pursuant to subsection (a), if an applicant has been issued a farm winery license pursuant to K.S.A. 41-316, and amendments thereto, or a producer's license pursuant to K.S.A. 41-355, and amendments thereto, an application for a retailers' license shall be approved by the board of county commissioners, the governing body of the city or the director, subject to the requirements of subsections (b) and (c).

(e) Retailers' licenses shall be issued either on an annual basis or for the calendar year. If such licenses are issued on an annual basis, the board of county commissioners or the governing body of the city shall notify the distributors supplying the county or city on or before April 1 of the year if a retailer's license is not renewed.

(f) In addition to, and consistent with the requirements of K.S.A. 41-2701 et seq., and amendments thereto, the board of county commissioners of any county or the governing body of any city may provide by resolution or ordinance for the issuance of a special event retailers' permit that shall allow the permit holder to offer for sale, sell and serve cereal malt beverage for consumption on unpermitted premises, that may be open to the public, subject to the following:

(1) A special event retailers' permit shall specify the premises for which the permit is issued;

(2) a special event retailers' permit shall be issued for the duration of the special event, the dates and hours of which shall be specified in the permit;

(3) not more than four special event retailers' permits may be issued to any one applicant in a calendar year; and

(4) a special event retailers' permit shall not be transferable or assignable.

(g) A special event retailers' permit holder shall not be subject to the provisions of the beer and cereal malt beverage keg registration act, K.S.A. 41-2901 et seq., and amendments thereto.

Sec. 9. K.S.A. 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 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 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 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 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.";

On page 11, in line 34, after "K.S.A." by inserting "41-308, 41-311,"; also in line 34, after the second comma by inserting "41-2608, 41-2703, 41-2704,"; following line 35, by inserting:

"Sec. 13. On and after January 1, 2023, K.S.A. 41-102 and 41-501 are hereby repealed.";

Also on page 11, in line 37, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after the semicolon by inserting "relating to the sale and delivery by retail liquor stores of alcohol and cereal malt beverages; increasing the percentage of alcohol by volume in domestic table wine and domestic fortified wine; relating to cereal malt beverage retailer licenses; requiring issuance thereof to a licensed farm winery that satisfies the statutory requirements for such retailer license; permitting farm wineries and producers to hold cereal malt beverage licenses; allowing farm wineries and producers to have alcoholic liquor such as wine on their premises while holding a cereal malt beverage license; removing the good character and reputation requirement for a cereal malt beverage license; providing that applicants for a farm winery or a producer license who are registered as agritourism operators shall be issued the license notwithstanding any zoning or other regulations of any city or county; providing that registered agritourism operators shall be issued a license as a drinking establishment notwithstanding any city or county zoning or other regulations;" ; also in line 5, after "K.S.A." by inserting "41-102, 41-308, 41-311, 41-501,"; also in line 5, after the second comma by inserting "41-2608, 41-2703, 41-2704,";

And your committee on conference recommends the adoption of this report.

JOHN BARKER

TORY MARIE ARNBERGER

LOUIS RUIZ

Conferees on part of House

ROB OLSON

RICHARD HILDERBRAND

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

Senator Olson moved the Senate adopt the Conference Committee Report on **SB 2**.

On roll call, the vote was: Yeas 31; Nays 6; Present and Passing 2; Absent or Not Voting 1.

Yeas: Alley, Billinger, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Petersen, Pettey, Pittman, Straub, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Peck, Pyle, Ryckman, Steffen, Tyson.

Present and Passing: Holland, McGinn.

Absent or Not Voting: Clays.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 215** 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 9, by inserting:

"New Section 1. (a) The board of education of a school district may contract with a transportation network company to transport eight persons or fewer to and from school or school-related activities, where appropriate, as the contract with the transportation network company may establish.

(b) In addition to the requirements of this act for transportation network companies and transportation network company drivers, the board of education of a school district may establish additional requirements in the contract with the transportation network company. The department of education, in consultation with a transportation network company that will provide services pursuant to this section, may issue guidance to school districts contracting with a transportation network company to provide transportation services.

(c) Transportation network companies shall:

(1) Require transportation network company drivers providing services pursuant to this section to undergo a criminal history record check pursuant to K.S.A. 75-712i, and amendments thereto; and

(2) Obtain and review a driving history research report for each transportation network company driver providing services pursuant to this section.

(d) A transportation network company that provides transportation services pursuant to this section shall provide an annual safety report to the state board of education for any safety incidents that occurred in the previous calendar year.

(e) A transportation network company shall name as an additional insured on such transportation network company's insurance policy any school district that contracts with such transportation network company to provide transportation services pursuant to this section.

(f) The Kansas transportation network company services act and the contract between the board of education of a school district and the transportation network company shall exclusively govern the services provided pursuant to this section, and all rules and regulations of the state board of education concerning the transportation of students shall not apply.

(g) The board of education of a school district that contracts for school transportation services pursuant to this section shall:

(1) Provide notice to the parent or guardian of a student that such student will be riding with a transportation network company;

(2) provide an annual disclaimer to the parent or guardian of a student that may be transported by a transportation network company that the school district uses transportation network company services for school transportation purposes and that the relationship between the school district and the transportation network company is governed by a contract and not the rules and regulations of the state board of education;

(3) permit the parent or guardian of a student to not allow such student to ride with a transportation network company; and

(4) maintain insurance coverage or endorsement for students transported by a transportation network company that covers the students as though the students were in the care, custody and control of the school district even when being transported by a transportation network company.

(h) This section shall be a part of and supplemental to the Kansas transportation network company services act.";

On page 9, following line 13, by inserting:

"Sec. 12. K.S.A. 2021 Supp. 8-2708 is hereby amended to read as follows: 8-2708. ~~On January 1, 2016, and thereafter, (a)~~ A transportation network company driver or vehicle owner or transportation network company on the driver's behalf shall maintain primary automobile insurance that:

~~(a)~~ recognizes that the driver is a transportation network company driver and covers the driver while the driver is logged on to the transportation network company's digital network, while the driver is engaged in a prearranged ride or while the driver otherwise uses a vehicle to transport passengers for compensation.

(b) (1) The following automobile insurance requirements shall apply while a participating transportation network company driver is logged on to the transportation network company's digital network and is available to receive transportation requests but is not engaged in a prearranged ride:

(A) Primary automobile liability insurance in the amount of at least \$50,000 for death and bodily injury per person, \$100,000 for death and bodily injury per incident, and \$25,000 for property damage; and

(B) primary automobile liability insurance that meets the minimum coverage requirements where required by K.S.A. 40-284 and 40-3107(f), and amendments thereto.

(2) The coverage requirements of this subsection (b) may be satisfied by any of the following:

(A) Automobile insurance maintained by the transportation network company driver or vehicle owner;

(B) automobile insurance maintained by the transportation network company; or

(C) any combination of subparagraphs (A) and (B).

(c) (1) The following automobile insurance requirements shall apply while a transportation network company driver is engaged in a prearranged ride:

(A) Primary automobile liability insurance that provides at least \$1,000,000 for death, bodily injury and property damage; and

(B) primary automobile liability insurance that meets the minimum coverage requirements where required by K.S.A. 40-284 and 40-3107(f), and amendments thereto.

(2) The coverage requirements of this subsection (c) may be satisfied by any of the following:

(A) Automobile insurance maintained by the transportation network company driver or vehicle owner;

(B) automobile insurance maintained by the transportation network company; or

(C) any combination of subparagraphs (A) and (B).

(d) If insurance maintained by the driver or vehicle owner in subsection (b) or (c) has lapsed or does not provide the required coverage, insurance maintained by a transportation network company shall provide the coverage required by this section

beginning with the first dollar of a claim and shall have the duty to defend such claim.

(e) Coverage under an automobile insurance policy maintained by the transportation network company shall not be dependent on a personal automobile insurer first denying a claim nor shall a personal automobile insurance policy be required to first deny a claim.

(f) A transportation network company that contracts with the board of education of a school district to provide transportation services pursuant to section 1, and amendments thereto, shall name such school district as an additional insured party on such transportation networks company's automobile insurance policy.

~~(f)~~(g) Insurance required by this section may be placed with an insurer licensed under K.S.A. 40-208 or 40-209, and amendments thereto, or with a surplus lines insurer eligible under K.S.A. 40-246b, and amendments thereto.

~~(g)~~(h) Insurance satisfying the requirements of this section shall be deemed to satisfy the financial responsibility requirement for a personal vehicle under the Kansas automobile injury reparations act, K.S.A. 40-3101 et seq., and amendments thereto.

~~(h)~~(i) A transportation network company driver shall carry proof of coverage satisfying subsections (b) and (c) with such driver at all times during such driver's use of a vehicle in connection with a transportation network company's digital network. In the event of an accident, a transportation network company driver shall provide this insurance coverage information to the directly interested parties, automobile insurers and investigating police officers, upon request pursuant to K.S.A. 8-173, and amendments thereto. Upon such request, a transportation network company driver shall also disclose to directly interested parties, automobile insurers and investigating police officers, whether such driver was logged on to the transportation network company's digital network or on a prearranged ride at the time of an accident.";

Also on page 9, in line 15, by striking the third "and" and inserting a comma; also in line 15, after "8-272" by inserting "and 8-2708";

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 the first "education" and inserting "authorizing the board of education of a school district to contract with transportation network companies to provide certain transportation services; specifying requirements therefor"; in line 7, by striking the first "and" and inserting a comma; also in line 7, after "8-272" by inserting "and 8-2708";

And your committee on conference recommends the adoption of this report.

STEVE HUEBERT
ADAM THOMAS
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 215**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Claeys.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 446** 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 5 through 11; following line 11, by inserting:

"Section 1. K.S.A. 2021 Supp. 8-2,101 is hereby amended to read as follows: 8-2,101. (a) (1) The division of vehicles may issue a restricted class C or M driver's license in accordance with the provisions of this section. A restricted class C license issued under this section shall entitle the licensee, while possessing the license, to operate any motor vehicle in class C, as designated in K.S.A. 8-234b, and amendments thereto. A restricted class M license shall entitle the licensee, while possessing such license, to operate a motorcycle.

(a)(2) The division may issue a restricted class C or M driver's license to any person who:

(1)(A) Is at least 15 years of age;

(2)(B) has successfully completed an approved course in driver training;

(3)(C) has held an instructional permit issued under the provisions of K.S.A. 2021 Supp. 8-2,100, and amendments thereto, for a period of at least one year and has completed at least 25 hours of adult supervised driving or has obtained an instructional permit from another state or the District of Columbia ~~which~~ that has equivalent or greater requirements; and

(4)(D) upon the written application of the person's parent or guardian, which shall be submitted to the division.

(3) Any licensee issued a restricted license under this subsection; shall provide, prior to reaching 16 years of age, a signed affidavit of either a parent or guardian, stating that the applicant has completed the required 25 hours prior to being issued a restricted license and 25 hours of additional adult supervised driving. Of the 50 hours required by this subsection, at least 10 of those hours shall be at night. The adult supervised driving shall be conducted by an adult who is at least 21 years of age and is the holder of a valid commercial driver's license, class A, B or C driver's license.

(b) (1) A restricted license issued under subsection (a) shall entitle a licensee who is at least 15 years of age but less than 16 years of age, to operate the appropriate motor vehicles at any time:

(A) While going to or from or in connection with any job, employment or farm-related work;

(B) on days while school is in session, over the most direct and accessible route between the licensee's residence and school of enrollment for the purposes of school

attendance;

(C) from 6 a.m. to 9 p.m. while going directly to or from any religious activity held by a religious organization;

~~(E)(D)~~ when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

~~(D)(E)~~ when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

(2)(A) For a period of six months, a restricted license issued under subsection (a) shall entitle a licensee who is at least 16 years of age to operate the appropriate motor vehicles at any time:

~~(A)(i)~~ From 5 a.m. to 9 p.m.;

~~(B)(ii)~~ while going to or from or in connection with any job, employment or farm-related work;

~~(C)(iii)~~ while going to or from authorized school activities;

~~(D)(iv)~~ while going directly to or from any religious ~~worship service~~ activity held by a religious organization;

~~(E)(v)~~ when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

~~(F)(vi)~~ when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

(B) After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

(c) (1) The division may issue a restricted class C or M driver's license to any person who is under 17 years of age but at least 16 years of age, who:

(A) Has held an instructional permit issued under the provisions of K.S.A. 2021 Supp. 8-2,100, and amendments thereto, for a period of at least one year; and

(B) has submitted a signed affidavit of either a parent or guardian, stating that the applicant has completed at least 50 hours of adult supervised driving with at least 10 of those hours being at night. The required adult supervised driving shall be conducted by an adult who is at least 21 years of age and is the holder of a valid commercial driver's license, class A, B or C driver's license.

(2)(A) For a period of six months, a restricted license issued under subsection (c) (1) shall entitle a licensee to operate the appropriate motor vehicles at any time:

~~(A)(i)~~ From 5 a.m. to 9 p.m.;

~~(B)(ii)~~ while going to or from or in connection with any job, employment or farm-related work;

~~(C)(iii)~~ while going to or from authorized school activities;

~~(D)(iv)~~ while going directly to or from any religious ~~worship service~~ activity held by a religious organization;

~~(E)(v)~~ when the licensee is operating a passenger car, at any time when

accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(F)(vi) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

(B) After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

(d) (1) Any licensee issued a restricted license under subsection (a) who is:

(A) ~~who is~~ Less than 16 years of age shall not operate any motor vehicle with nonsibling minor passengers; or

(B) ~~who is~~ at least 16 years of age, for a period of six months after reaching 16 years of age, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.

(2) Any licensee issued a restricted license under subsection (c), for a period of six months after such restricted license is issued, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.

(3) Any conviction for violating this subsection shall be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto.

(e) Any licensee issued a restricted license under this section shall not operate a wireless communication device while driving a motor vehicle, except that a licensee may operate a wireless communication device while driving a motor vehicle to report illegal activity or to summons medical or other emergency help.

(f) (1) A restricted driver's license issued under this section is subject to suspension or revocation in the same manner as any other driver's license.

(2) A restricted driver's license shall be suspended in accordance with K.S.A. 8-291, and amendments thereto, for any violation of restrictions under this section.

(3) The division shall suspend the restricted driver's license upon receiving satisfactory evidence that the licensee has been involved in two or more accidents chargeable to the licensee and such suspended license shall not be reinstated for one year.

(g) Evidence of failure of any licensee who was required to complete the 50 hours of adult supervised driving under this section shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

(h) Any licensee issued a restricted license under:

(1) Subsection (a) who:

(A) Is under the age of 16 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license ~~which that~~ is not restricted in accordance with the provisions of subsection (b) (1) until the person reaches 17 years of age;

(B) is under 17 years of age but at least 16 years of age and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license ~~which that~~ is not restricted in accordance with the provisions of subsection (b)(2) until the person reaches 18 years of age; or

(C) fails to provide the affidavit required under subsection (a) shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(1) until the person provides such affidavit to the division or the person reaches 17 years of age, whichever occurs first.

(2) Subsection (c) who is under the age of 17 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (c) until the person reaches 18 years of age.

(i) This section shall be a part of and supplemental to the motor vehicle driver's license act.

Sec. 2. K.S.A. 2021 Supp. 8-1324 is hereby amended to read as follows: 8-1324.

(a) Any resident who does not hold a current valid Kansas driver's license may make application to the division of vehicles and be issued one identification card.

(b) (1) Each application for an identification card shall include a question asking if the applicant is willing to give such applicant's authorization to be listed as an organ, eye and tissue donor in the Kansas donor registry in accordance with the revised uniform anatomical gift act, K.S.A. 65-3220 through 65-3244, and amendments thereto. The gift would become effective upon the death of the donor.

(2) For the purpose of obtaining an identification card, an applicant shall submit, with the application, proof of age, proof of identity and proof of lawful presence. An applicant shall submit with the application a photo identity document, except that a non-photo identity document is acceptable if it includes both the applicant's full legal name and date of birth, and documentation showing the applicant's name, the applicant's address of principal residence and the applicant's social security account number. The applicant's social security number shall remain confidential and shall not be disclosed, except as provided pursuant to K.S.A. 74-2014, and amendments thereto. If the applicant does not have a social security number, the applicant shall provide proof of lawful presence and Kansas residency. The division shall assign a distinguishing number to the identification card. Before issuing an identification card to a person, the division shall make reasonable efforts to verify with the issuing agency the issuance, validity and completeness of each document required to be presented by the applicant to prove age, identity and lawful presence.

(c) The division shall not issue an identification card to any person who fails to provide proof that the person is lawfully present in the United States. If an applicant provides evidence of lawful presence as set out in K.S.A. 8-240(b)(2)(E) through (2)(I), and amendments thereto, or is an alien lawfully admitted for temporary residence under K.S.A. 8-240(b)(2)(B), and amendments thereto, the division may only issue a temporary identification card to the person under the following conditions: (A) A temporary identification card issued pursuant to this subparagraph shall be valid only during the period of time of the applicant's authorized stay in the United States or, if there is no definite end to the period of authorized stay, a period of one year; (B) a temporary identification card issued pursuant to this subparagraph shall clearly indicate that it is temporary and shall state the date upon which it expires; (C) no temporary identification card issued pursuant to this subparagraph shall be for a longer period of time than the time period permitted by K.S.A. 8-1325, and amendments thereto; and (D) a temporary identification card issued pursuant to this subparagraph may be renewed, subject at the time of renewal, to the same requirements and conditions set forth in this

subsection-(e) for the issuance of the original temporary identification card.

(d) The division shall not issue an identification card to any person who holds a current valid Kansas driver's license unless such driver's license has been physically surrendered pursuant to the provisions of K.S.A. 8-1002(e), and amendments thereto.

(e) The division shall refuse to issue an identification card to a person holding a driver's license or identification card issued by another state without confirmation that the person is terminating or has terminated the license or identification card.

(f) The parent or guardian of an applicant under 16 years of age shall sign the application for an identification card submitted by such applicant.

(g) (1) The division shall require payment of a fee of \$14 at the time application for an identification card is made, except that persons who are 65 or more years of age or who are handicapped, as defined in K.S.A. 8-1,124, and amendments thereto, shall be required to pay a fee of only \$10. In addition to the fees prescribed by this subsection, the division shall require payment of the photo fee established pursuant to K.S.A. 8-243, and amendments thereto, for the cost of the photograph to be placed on the identification card.

(2) The division shall not require or accept payment of application or photo fees under this subsection for any person 17 years of age or older for purposes of meeting the voter identification requirements of K.S.A. 25-2908, and amendments thereto. Such person shall:

(A) Swear under oath that such person desires an identification card in order to vote in an election in Kansas and that such person does not possess any of the forms of identification acceptable under K.S.A. 25-2908, and amendments thereto. The affidavit shall specifically list the acceptable forms of identification under K.S.A. 25-2908, and amendments thereto; and

(B) produce evidence that such person is registered to vote in Kansas.

(3) The secretary of revenue shall adopt rules and regulations in order to implement the provisions of paragraph (2).

(h) All Kansas identification cards shall have physical security features designed to prevent tampering, counterfeiting or duplication for fraudulent purposes.

(i) For the purposes of K.S.A. 8-1324 through 8-1328, and amendments thereto, a person shall be deemed to be a resident of the state if:

(1) The person owns, leases or rents a place of domicile in this state;

(2) the person engages in a trade, business or profession in this state;

(3) the person is registered to vote in this state;

(4) the person enrolls the person's child in a school in this state; or

(5) the person registers the person's motor vehicle in this state.

(j) The division shall require that any person applying for an identification card submit to a mandatory facial image capture. The captured facial image shall be displayed on the front of the applicant's identification card by either:

(1) A digital color image or photograph; or

(2) a laser-engraved photograph of the licensee.

(k) (1) Any person who is a veteran may request that the division issue to such person a nondriver identification card which shall include the designation "VETERAN" displayed on the front of the nondriver identification card at a location to be determined by the secretary of revenue. In order to receive a nondriver identification card described in this subsection, the veteran must provide proof of the veteran's military service and

honorable discharge or general discharge under honorable conditions, including a copy of the veteran's DD214 form or equivalent.

(2) As used in this subsection, "veteran" means a person who:

(A) Has served in: The army, navy, marine corps, air force, coast guard, air or army national guard or any branch of the military reserves of the United States; and

(B) has been separated from the branch of service in which the person was honorably discharged or received a general discharge under honorable conditions.

(3) The director of vehicles may adopt any rules and regulations necessary to carry out the provisions of this subsection.

(l) The director of vehicles may issue a temporary identification card to an applicant who cannot provide valid documentary evidence as defined by subsection (c), if the applicant provides compelling evidence proving current lawful presence. Any temporary identification card issued pursuant to this subparagraph shall be valid for one year.

(m) Upon payment of the required fee, the division shall issue to every applicant qualifying under the provisions of this act an identification card. Such identification card shall bear a distinguishing number assigned to the cardholder, the full legal name, date of birth, address of principal residence, a brief description of the cardholder, either: (1) A digital color image or photograph; or (2) a laser engraved photograph of the cardholder, and a facsimile of the signature of the cardholder. An identification card which does not contain the address of principal residence of the cardholder as required may be issued to persons who are program participants pursuant to K.S.A. 75-455, and amendments thereto.

(n) An identification card issued to any person who indicated on the application that the person wished to make an anatomical gift in accordance with the revised uniform anatomical gift act, K.S.A. 65-3220 through 65-3244, and amendments thereto, shall have the word "Donor" placed on the front of the applicant's identification card.

(o) (1) Any person who submits satisfactory proof to the director of vehicles, on a form provided by the director, that such person needs assistance with cognition, including, but not limited to, persons with autism spectrum disorder, may request that the division issue to such person a nondriver identification card, that shall note such impairment on the nondriver identification card at a location to be determined by the secretary of revenue.

(2) Satisfactory proof that a person needs assistance with cognition shall include a statement from a person licensed to practice the healing arts in any state, an advanced practice registered nurse licensed under K.S.A. 65-1131, and amendments thereto, a licensed physician assistant or a person clinically licensed by the Kansas behavioral sciences regulatory board certifying that such person needs assistance with cognition.

(p) (1) The secretary of revenue shall permit an electronic online renewal of an identification card if the electronic online renewal applicant previously provided documentation of identity, lawful presence and residence to the division for electronic scanning. For purposes of this subsection, the division may rely on the division's most recent, existing color digital image and signature image of the applicant for the nondriver's identification card if the division has such images on file. The determination on whether an electronic online renewal application or equivalent of a nondriver's identification card is permitted shall be made by the director of vehicles or the director's designee. The division shall not renew a nondriver's identification card through an

electronic online or equivalent process if the identification card has been previously renewed through an electronic online application in the immediately preceding card's expiration period. No renewal under this subsection shall be granted to any person who is a registered offender pursuant to K.S.A. 22-4901 et seq., and amendments thereto.

(2) Prior to February 1, 2023, the division shall report to the house of representatives and the senate committees on transportation regarding the online renewal process of this subsection and the effects of implementing such process.

Sec. 3. K.S.A. 2021 Supp. 8-2,101 and 8-1324 are hereby repealed.";

Also on page 1, in line 13, 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 all after "concerning"; in line 2, by striking all before the period and inserting "driver's licenses and nondriver's identification cards; allowing restricted driver's license holders beginning at age 15 to drive to and from religious activities held by any religious organization; providing for the electronic renewal of nondriver's identification cards; amending K.S.A. 2021 Supp. 8-2,101 and 8-1324 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

RICHARD PROEHL
LEO DELPERDANG
HENRY HELGERSON

Conferees on part of House

MIKE PETERSEN
ELAINE BOWERS
TOM HAWK

Conferees on part of Senate

Senator Petersen moved the Senate adopt the Conference Committee Report on **SB 446**.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 1; Absent or Not Voting 1.

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

Present and Passing: Francisco.

Absent or Not Voting: Claeys.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2456** 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, in line 7, by striking "On and after January 1, 2023,,"; in line 8, by striking

"is authorized to" and inserting "shall"; also in line 8, after "issue" by inserting "and make available"; in line 14, by striking "at least"; also in line 14, after "six" by inserting "or seven"; also in line 14, by striking "but not more than 12 years of age"; in line 15, by striking "\$400" and inserting "\$500"; by striking all in lines 17 through 19; in line 22, after the first "committee" by inserting "and the senate committee on agriculture and natural resources"; also in line 22, by striking the second "committee" and inserting "committees"; in line 25, by striking all after "(c)"; by striking all in lines 26 and 27; in line 28, by striking "(d)";

On page 2, in line 1, by striking "Kansas register" and inserting "statute book";

And your committee on conference recommends the adoption of this report.

DAN KERSCHEN

RONALD RYCKMAN, SR.

MARY WARE

Conferees on part of Senate

KEN CORBET

RON RYCKMAN

SYDNEY CARLIN

Conferees on part of House

Senator Kerschen moved the Senate adopt the Conference Committee Report on **HB 2456**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Clays.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2703** 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 15, by inserting:

"New Section 1. The provisions of sections 1 through 6, and amendments thereto, shall be known and may be cited as the Kansas targeted employment act. The purpose of this act shall be to incentivize employers to employ persons with developmental disabilities in Kansas and decrease the reliance and associated costs to taxpayers to fund governmental programs.

New Sec. 2. As used in this act:

(a) "Competitive integrated employment" has the meaning as provided in the workforce innovation and opportunity act, 29 U.S.C. § 3101 et seq., as defined in 29

U.S.C. § 3102, 34 C.F.R. § 361.5 and 29 U.S.C. § 705.

(b) "Community service provider" means an association or organization licensed by the Kansas department for aging and disability services whose purpose is to provide support and services, relating to the ability to live and to work in the community, to persons who, without such support and services, would be unable or would have significant difficulty maintaining employment or living in the community. "Community service provider" also includes other governmental agencies that support or that elect to support eligible individuals with job placement and job preservation supports including, but not limited to, school districts, community mental health centers and vocational rehabilitation contractors.

(c) "Earned income" means compensation paid to a Kansas employee for competitive integrated employment that is equal or greater than the minimum wage and is performed in a competitive integrated setting.

(d) "Eligible individual" means an individual, including a high school student, who is a Kansas resident, is employed by an employer in a competitive integrated setting, has a developmental disability that has been documented as required by the secretary for aging and disability services and who has agreed to provide the secretary for aging and disability services, or the secretary's designee, information required by the secretary pursuant to the Kansas targeted employment act, or to permit the secretary of revenue to provide such information to the secretary for aging and disability services.

(e) "Developmental disability" means the same as defined in K.S.A. 39-1803, and amendments thereto.

(f) "Targeted employment business" means those employers employing eligible individuals in competitive integrated employment in a competitive integrated setting and who are authorized to do business in Kansas. In order to qualify as a "targeted employment business," the employer must pay earned income to an eligible individual in a calendar year. "Targeted employment business" does not include a community service provider.

New Sec. 3. For tax years 2022 through 2027, a credit shall be allowed against the income, privilege or premium tax liability imposed upon a taxpayer qualifying as a targeted employment business or a taxpayer outsourcing work to a targeted employment business 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, for every hour that an eligible individual is employed in a calendar year in a targeted employment business and receives earned income as compensation. The credit shall only apply to wages for hours worked and not for any compensation for leave paid to the eligible individual. The credit shall be 50% of the wages paid to the eligible individual on an hourly basis, up to a maximum credit of \$7.50 per hour. For the purpose of calculating the tax credit, the wage rate used shall not be more than a reasonable or usual and customary market wage rate for a similar job. The credit shall not be refundable, shall not be carried forward and shall only be used once each taxable year against tax liability imposed by only one of the income, privilege or premium taxes. For any employed eligible individual who receives support or services from a community service provider, such eligible individual may choose to have support or services provided as needed at the individual's worksite

to help the individual maintain employment. The maximum amount of all tax credits allowed in each tax year under the Kansas targeted employment act shall be \$5,000,000.

New Sec. 4. (a) Any targeted employment business seeking to qualify for a tax credit pursuant to section 3, and amendments thereto, shall provide to the secretary of revenue the names of each eligible individual employed and the wage rate per hour, hours worked and gross wages paid, minus any compensation for leave, for each eligible individual and such other information as the secretary of revenue may require.

(b) The secretary of revenue and the secretary for aging and disability services are hereby authorized to adopt such rules and regulations as may be necessary for the administration of the provisions of the Kansas targeted employment act.

New Sec. 5. (a) The secretary for aging and disability services shall develop and implement a program to measure the results of the tax credits allowed by sections 1 through 4, and amendments thereto, including an analysis of: (1) Decreases in reliance upon state government-funded subsidies for employed eligible individuals and any associated net savings to Kansas taxpayers resulting from any such decreases in reliance; (2) effects of reallocation of tax dollars that employers would have paid to the state government of Kansas to employers who employed eligible individuals pursuant to the tax credit program; and (3) any benefits or detriments to the quality of life and the standard of living for employed eligible individuals, including access to health insurance, healthcare or other services and increases or decreases in income, discretionary income and expenses. The secretary for aging and disability services may require employed eligible individuals or targeted employment businesses to provide or to permit the secretary of revenue to provide, as a condition of participation in the tax credit program, information necessary to assess the tax credit program pursuant to this section, including information otherwise confidential under state or federal law. All confidential information provided shall be received, stored and used in a manner that shall maintain the confidentiality of the information provided and not permit the identification of eligible individuals or targeted employment businesses.

(b) Notwithstanding any other provision of state law, the secretary of revenue shall provide the secretary for aging and disability services with tax information, including tax information for individuals and targeted employment businesses that have waived the confidentiality of such information, as necessary to enable the secretary for aging and disability services to fulfill the requirements of this section. All information pertaining to an eligible individual or targeted employment business shall be provided in a manner that shall maintain the confidentiality of such eligible individuals and businesses. Nothing in this section shall be construed to violate or conflict with any federal law.

(c) The secretary for aging and disability services shall submit a written report of the findings of the secretary's review pursuant to subsection (a) to the standing committee on commerce of the senate and the standing committee on commerce, labor and economic development of the house on the first day of the 2023 through 2027 regular sessions of the legislature.

New Sec. 6. The provisions of sections 1 through 5, and amendments thereto, shall expire on January 1, 2028, except that tax credits earned in tax year 2027 may be awarded by the secretary of revenue as provided by this act.";

On page 26, in line 4, after "year" by inserting ", unless it is determined by actual calculation pursuant to fund control table B that credit rate schedules (8-13) would

apply based on the health of the unemployment insurance trust fund";

On page 34, in line 15, after "date" by inserting "but such claimants shall only be excepted during any first 8 consecutive weeks of benefits"; in line 16, by striking "or that no longer reside in Kansas"; in line 18, after the first "are" by inserting "active"; also in line 18, after "members" by inserting "in good standing";

On page 35, in line 32, after the stricken material by inserting "The secretary of commerce shall monitor those my reemployment plan claimants participating in training managed by the workforce centers to ensure compliance."; in line 36, by striking all before "to" and inserting "secretary of commerce"; in line 37, by striking "educational"; in line 38, by striking all before the first "secretary"; also in line 38, by striking "and" and inserting "to";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "security law"; also in line 1, after "the" by inserting "employment security law"; in line 5, after "mandatory" by inserting "with specified exceptions"; by striking all in lines 10 and 11; in line 12, by striking all before the semicolon and inserting "enacting the Kansas targeted employment act to facilitate employment of persons with developmental disabilities through a tax credit incentive for employers";

And your committee on conference recommends the adoption of this report.

RENEE ERICKSON
BRENDA DIETRICH
TOM HOLLAND
Conferees on part of Senate

SEAN TARWATER
MARTY LONG
STEPHANIE CLAYTON
Conferees on part of House

Senator Erickson moved the Senate adopt the Conference Committee Report on **HB 2703**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Claeys.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2387** 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
 DAVID HALEY
Conferees on part of Senate

FRED PATTON
 BRAD RALPH
 JOHN CARMICHAEL
Conferees on part of House

On motion of Senator Warren the Senate adopted the conference committee report on **HB 2387**, and requested a new conference be appointed.

The President appointed Senators Warren, Wilborn and Sykes as a second Conference Committee on the part of the Senate on **HB 2387**.

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.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **H Sub SB 91**.

The House adopts the Conference Committee report on **SB 421**.

The House adopts the Conference Committee report on **SB 408**.

The House adopts the Conference Committee report on **SB 366**.

The House adopts the Conference Committee report to agree to disagree on **HB 2387**, and has appointed Representatives Patton, Ralph and Carmichael as second conferees on the part of the House.

The House adopts the Conference Committee report to agree to disagree on **H Sub Sub SB 286**, and has appointed Representatives Patton, Ralph and Carmichael as second conferees on the part of the House.

The House announces the appointment of Reps. Bergquist and Miller to replace Reps. Arnberger and L. Ruiz as conferees on **H Sub HB 2252**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 286** 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.

FRED PATTON
 BRAD RALPH
 JOHN CARMICHAEL
Conferees on part of House

KELLIE WARREN
 RICK WILBORN
 ETHAN CORSON
Conferees on part of House

On motion of Senator Warren the Senate adopted the conference committee report on **H Sub Sub SB 286**, 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 **H Sub Sub SB 286**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2567** 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

KRISTEY WILLIAMS

KYLE HOFFMAN

Conferees on part of House

On motion of Senator Baumgardner the Senate adopted the conference committee report on **S Sub HB 2567**, 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 2567**.

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.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Friday, April 1, 2022.

Journal of the Senate

FIFTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, April 1, 2022, 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:

The April Fool We Don't Have To Be
Proverbs 15:21, 17:28; Psalm 14:1, 53:1

Heavenly Father, today, April 1st, is called April Fool's Day. But irrespective of the day, we find that foolishness is always possible. And we need to be careful, because April 1st is not the only day for fools.

My Godly grandmother was familiar with Your Word in Proverbs 17:28. If I was talking too much, she would say "When you keep your mouth shut, people won't know how foolish you are." Proverbs 17:28 says, "Even a fool who keeps silent is considered wise; when he closes his lips he is considered intelligent." Regardless of the day, You're the only one who can really define foolishness.

In Psalm 14:1 and 53:1, the fool hath said in his heart there is no God. You said in Proverbs 15:21 that folly and foolishness is pleasure to one who lacks sense but a person of wisdom walks straight. Lord, when all is said and done let it be said that in this house on April 1st, and everyday thereafter, we have days of wisdom.

Thank You Lord for hearing this prayer. In Jesus' Name. Amen.

The Pledge of Allegiance was led by President Masterson.

POINT OF PERSONAL PRIVILEGE

Senator Faust-Goudeau rose on a Point of Personal Privilege to welcome Khavayi Tsimonjela, Princess of America Miss Kansas Teen. She was escorted to the Senate by her mother, Erica Simon Tsimonjela. She aspires to be a lawyer and her platform is Girls, Inc., which inspires young girls to be strong, smart and bold.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **HB 2456**.

The House adopts the Conference Committee report on **HB 2703**.

The House adopts the Conference Committee report to agree to disagree on **S Sub HB 2567**, and has appointed Representatives K. Williams, Hoffman and Ousley as Second conferees on the part of the House.

CHANGE OF CONFERENCE

Senators Tyson, Peck and Holland are appointed to replace Senators Olson, Hilderbrand and Faust-Goudeau as members of the conference committee on **HB 2136**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2106** 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.

CARYN TYSON

VIRGIL PECK

TOM HOLLAND

Conferees on part of Senate

ADAM SMITH

LES MASON

JIM GARTNER

Conferees on part of House

On motion of Senator Tyson the Senate adopted the conference committee report on **HB 2106**, 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 **HB 2106**.

On motion of Senator Alley, the Senate recessed until 1:30 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 **SB 200**.

The House adopts the Conference Committee report on **SB 343**.

The House adopts the Conference Committee report on **SB 453**.

The House adopts the Conference Committee report on **H Sub Sub SB 286**.

The House adopts the Conference Committee report to agree to disagree on **SB 160**, and has appointed Representatives Williams, Hoffman and Ousley as Second conferees on the part of the House.

The House adopts the Conference Committee report to agree to disagree on **SB 58**, and has appointed Representatives Williams, Hoffman and Ousley as Second conferees on the part of the House.

The House adopts the Conference Committee report to agree to disagree on **HB 2106**, and has appointed Representatives Smith, A., Mason and Gartner as Second conferees on the part of the House.

CHANGE OF CONFERENCE

Senator Petersen is appointed to replace Senator Hilderbrand as a member of the conference committee on **H Sub Sub SB 84**.

Senators Olson, Hilderbrand and Faust-Goudeau are appointed to replace Senators Longbine, Fagg and Holscher as members of the conference committee on **HB 2136**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 58** 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
 KYLE HOFFMAN
Conferees on part of House

MOLLY BAUMGARDNER
 RENEE ERICKSON
Conferees on part of Senate

On motion of Senator Baumgardner the Senate adopted the conference committee report on **SB 58**, 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 **SB 58**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 160** 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
 KYLE HOFFMAN
Conferees on part of House

MOLLY BAUMGARDNER
 RENEE ERICKSON
Conferees on part of Senate

On motion of Senator Baumgardner the Senate adopted the conference committee report on **SB 160**, 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 **SB 160**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2466** 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

STEVEN HUEBERT
 ADAM THOMAS
 JERRY STOGSDILL
Conferees on part of House

On motion of Senator Baumgardner the Senate adopted the conference committee report on **Sub HB 2466**, 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 **Sub HB 2466**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Warren moved the Senate concur in House amendments to **SB 150**.

SB 150, AN ACT concerning legal services; relating to advertising; defining and prohibiting certain legal advertisement practices as unlawful and deceptive trade practices; restricting the use or disclosure of protected health information for legal solicitation; prescribing civil and criminal penalties.

On roll call, the vote was: Yeas 27; Nays 13; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Steffen, Straub, Sykes, Ware.

The Senate concurred.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 91** 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. 91, as follows:

On page 1, in line 9, by striking "New"; also in line 9, by striking all after "(1)"; by striking all in line 10; in line 11, by striking all before the first "a"; in line 16, by striking all after "(2)"; by striking all in line 17; in line 35, by striking "apprenticeships,";

On page 2, by striking all in lines 20 through 43;

On page 3, by striking all in line 1;

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking the semicolon; by striking all in line 5; in line 6, by striking "sections";

And your committee on conference recommends the adoption of this report.

SEAN TARWATER
 MARTY LONG
 STEPHANIE CLAYTON
Conferees on part of House

RENEE ERICKSON
 BRENDA DIETRICH
 TOM HOLLAND
Conferees on part of Senate

Senator Erickson moved the Senate adopt the Conference Committee Report on **H Sub SB 91**.

A substitute motion to Not Adopt and appoint a new conference failed.

On roll call, the vote was: Yeas 37; Nays 2; Present and Passing 1; Absent or Not Voting 0.

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

Nays: Francisco, Holland.

Present and Passing: Hawk.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 408** submits the following report:

The House 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 2, following line 26, by inserting:

"Sec. 2. K.S.A. 2021 Supp. 21-5807 is hereby amended to read as follows: 21-5807. (a) Burglary is, without authority, entering into or remaining within any:

(1) (A) Dwelling, with intent to commit a felony, theft or sexually motivated crime therein; or

(B) locked or secured portion of any dwelling, with intent to commit a felony, theft or sexually motivated crime therein;

(2) (A) building, manufactured home, mobile home, tent or other structure which is not a dwelling, with intent to commit a felony, theft or sexually motivated crime therein; or

(B) locked or secured portion of any building, manufactured home, mobile home, tent or other structure which is not a dwelling, with intent to commit a felony, theft or sexually motivated crime therein; or

(3) vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property, with intent to commit a felony, theft or sexually motivated crime therein.

(b) Aggravated burglary is, without authority, entering into or remaining within any:

(1)(A) Dwelling in which there is a human being, with intent to commit a felony, theft or sexually motivated crime therein; or

(B) locked or secured portion of any dwelling in which there is a human being, with intent to commit a felony, theft or sexually motivated crime therein;

(2)(A) building, manufactured home, mobile home, tent or other structure which is not a dwelling in which there is a human being, with intent to commit a felony, theft or sexually motivated crime therein; or

(B) locked or secured portion of any building, manufactured home, mobile home, tent or other structure which is not a dwelling in which there is a human being, with intent to commit a felony, theft or sexually motivated crime therein; or

(3) vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property in which there is a human being, with intent to commit a felony, theft or sexually motivated crime therein.

(c) (1) Burglary as defined in:

(A) (i) Subsection (a)(1) is a severity level 7, person felony, except as provided in subsection (c)(1)(B);

(ii) subsection (a)(2) is a severity level 7, nonperson felony, except as provided in subsection (c)(1)(B); and

(iii) subsection (a)(3) is a severity level 9, nonperson felony, except as provided in subsection (c)(1)(B); and

(B) (i) subsection (a)(1), with intent to commit the theft of a firearm, is a severity level 5, person felony; and

(ii) subsection (a)(2) or (a)(3), with intent to commit the theft of a firearm, is a severity level 5, nonperson felony.

(2) Aggravated burglary as defined in:

(A) Subsection (b)(1) is a severity level 4, person felony; and

(B) subsection (b)(2) or (b)(3) is a severity level 5, person felony.

(d) As used in this section, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) This section shall not apply to any person entering into or remaining in a retail or commercial premises at any time that it is open to the public after having received a personal communication from the owner or manager of such premises not to enter such premises pursuant to K.S.A. 2021 Supp. 21-5808, and amendments thereto, except when such person is entering into or remaining in such premises with the intent to commit a person felony or sexually motivated crime therein.

Sec. 3. K.S.A. 2021 Supp. 21-6610 is hereby amended to read as follows: 21-6610.

(a) When a defendant is placed on parole by the district court, on probation, assigned to a community correctional services program by a district court or under suspended sentence and such defendant is permitted to go from the judicial district of that court, supervision over the defendant may be transferred from that judicial district to another with the concurrence of the receiving chief court services officer, or if in a community corrections services program, by the concurrence of the director of the receiving program.

~~(b) The district court from which the defendant is on parole, probation, community correctional services program or suspended sentence may retain jurisdiction of the defendant.~~

(e) When a defendant described in subsection (a) is sentenced pursuant to K.S.A. 2021 Supp. 21-6824, and amendments thereto, the district court from which the defendant is on parole, on probation, assigned to a community correctional services program or under suspended sentence may transfer jurisdiction of the defendant with the concurrence of the receiving district court and all parties.

(c) (1) When a defendant described in subsection (a) is being sentenced and is already being supervised on parole, probation, assignment to a community correctional services program or under suspended sentence, the district court by which the defendant is currently being supervised may use the guidelines provided in this subsection to determine whether it is appropriate to transfer jurisdiction of the defendant to a different district court.

(2) If the new sentence would place the defendant under the supervision of two supervision entities or agencies, the court may consider:

(A) Granting jurisdiction to the court with jurisdiction over the offense that has the longest underlying sentence of imprisonment; and

(B) whether the severity of the new offense requires a higher level of supervision. If a higher level of supervision is not required, there may be a preference for maintaining supervision of the defendant by the current supervising entity or agency for the duration of supervision. If a higher level of supervision is required, there may be a preference for transferring supervision responsibility of the defendant to the appropriate supervision entity or agency for the duration of supervision.

(3) If two or more supervision entities or agencies are supervising the defendant for sentences that are equal, the court may consider:

(A) The residency of the defendant;

(B) the ability of the defendant to travel to the supervision office from the defendant's residence, place of employment and school;

(C) resources for residential and nonresidential sanctions or rehabilitative treatment available from each supervision entity or agency; and

(D) the level of supervision available to the defendant by each supervision entity or agency.

(d) The district court from which the defendant is on parole, probation, assignment to a community correctional services program or suspended sentence may retain jurisdiction of the defendant. If the court retains jurisdiction, the defendant shall be supervised by one supervision entity or agency. The department of corrections and the office of judicial administration shall enter into a memorandum of understanding providing that a defendant on parole, probation, assignment to a community correctional services program or suspended sentence shall be supervised by one supervision entity or agency. Such memorandum of understanding shall include, but not be limited to, provisions related to:

(1) The criteria for determining the most appropriate supervision entity or agency;

(2) how the financial obligations of supervision will be managed;

(3) conditions of supervision;

(4) sanctions for violation of supervision;

(5) standards for seeking revocation of parole, probation, assignment to a community correctional services program or suspended sentence;

(6) termination of supervision; and

(7) information sharing between supervision entities or agencies.

Sec. 4. K.S.A. 2021 Supp. 21-6814 is hereby amended to read as follows: 21-6814. (a) The offender's criminal history shall be admitted in open court by the offender or determined by a preponderance of the evidence at the sentencing hearing by the sentencing judge.

(b) Except to the extent disputed in accordance with subsection (c), the summary of the offender's criminal history prepared for the court by the state shall satisfy the state's burden of proof regarding an offender's criminal history.

(c) Upon receipt of the criminal history worksheet prepared for the court, the offender shall immediately notify the district attorney and the court with written notice of any error in the proposed criminal history worksheet. Such notice shall specify the exact nature of the alleged error. The state shall have the burden of proving the disputed portion of the offender's criminal history. The sentencing judge shall allow the state reasonable time to produce evidence to establish its burden of proof. If the offender later challenges such offender's criminal history, which has been previously established, the burden of proof shall shift to the offender to prove such offender's criminal history by a preponderance of the evidence.

(d) If an offender raises a challenge to the offender's criminal history for the first time on appeal, the offender shall have the burden of designating a record that shows prejudicial error. If the offender fails to provide such record, the appellate court shall dismiss the claim. In designating a record that shows prejudicial error, the offender may provide the appellate court with journal entries of the challenged criminal history that were not originally attached to the criminal history worksheet, and the state may provide the appellate court with journal entries establishing a lack of prejudicial error. The court may take judicial notice of such journal entries, complaints, plea agreements, jury instructions and verdict forms for Kansas convictions when determining whether prejudicial error exists. The court may remand the case if there is a reasonable question as to whether prejudicial error exists.

Sec. 5. K.S.A. 2021 Supp. 21-6820 is hereby amended to read as follows: 21-6820. (a) A departure sentence or a ruling on a motion filed pursuant to K.S.A. 22-3504, and amendments thereto, is subject to appeal by the defendant or the state. The appeal shall be to the appellate courts in accordance with rules adopted by the supreme court.

(b) Pending review of the sentence, the sentencing court or the appellate court may order the defendant confined or placed on conditional release, including bond.

(c) On appeal from a judgment of conviction entered for a felony committed on or after July 1, 1993, the appellate court shall not review:

(1) Any sentence that is within the presumptive sentence for the crime; or
 (2) any sentence resulting from an agreement between the state and the defendant which the sentencing court approves on the record.

(d) In any appeal from a judgment of conviction imposing a sentence that departs from the presumptive sentence prescribed by the sentencing grid for a crime, sentence review shall be limited to whether the sentencing court's findings of fact and reasons justifying a departure:

(1) Are supported by the evidence in the record; and
 (2) constitute substantial and compelling reasons for departure.
 (e) In any appeal from a judgment of conviction, the appellate court may review a claim that:

(1) A sentence that departs from the presumptive sentence resulted from partiality,

prejudice, oppression or corrupt motive;

(2) the sentencing court erred in either including or excluding recognition of a prior conviction or juvenile adjudication for criminal history scoring purposes; or

(3) the sentencing court erred in ranking the crime severity level of the current crime or in determining the appropriate classification of a prior conviction or juvenile adjudication for criminal history purposes.

(f) The appellate court may reverse or affirm the sentence. If the appellate court concludes that the trial court's factual findings are not supported by evidence in the record or do not establish substantial and compelling reasons for a departure, it shall remand the case to the trial court for resentencing.

(g) The appellate court shall issue a written opinion whenever the judgment of the sentencing court is reversed. The court may issue a written opinion in any other case when it is believed that a written opinion will provide guidance to sentencing judges and others in implementing the sentencing guidelines adopted by the Kansas sentencing commission. The appellate courts may provide by rule for summary disposition of cases arising under this section when no substantial question is presented by the appeal.

(h) A review under summary disposition shall be made solely upon the record that was before the sentencing court. Written briefs shall not be required unless ordered by the appellate court and the review and decision shall be made in an expedited manner according to rules adopted by the supreme court.

(i) The sentencing court shall retain authority irrespective of any ~~notice of appeal for 90 days after entry of judgment of conviction to modify its judgment and sentence to correct any arithmetic or clerical errors to correct an illegal sentence or clerical error pursuant to K.S.A. 22-3504, and amendments thereto. Notwithstanding the provisions of K.S.A. 22-3504, and amendments thereto, if a motion to correct an illegal sentence is filed while a direct appeal is pending, any change in the law that occurs during the pending direct appeal shall apply.~~

(j) The amendments made to this section by ~~this act~~ section 14 of chapter 59 of the 2019 Session Laws of Kansas are procedural in nature and shall be construed and applied retroactively.

Sec. 6. K.S.A. 2021 Supp. 21-6824 is hereby amended to read as follows: 21-6824.

(a) There is hereby established a nonprison sanction of certified drug abuse treatment programs for certain offenders who are sentenced on or after November 1, 2003. Placement of offenders in certified drug abuse treatment programs by the court shall be limited to placement of adult offenders, convicted of a felony violation of K.S.A. 2021 Supp. 21-5705 or 21-5706, and amendments thereto, whose offense is classified in grid blocks:

(1) 5-C, 5-D, 5-E, 5-F, 5-G, 5-H or 5-I of the sentencing guidelines grid for drug crimes and such offender has no felony conviction of K.S.A. 65-4142, 65-4159, 65-4161, 65-4163 or 65-4164, prior to their repeal, K.S.A. 2010 Supp. 21-36a03, 21-36a05 or 21-36a16, prior to their transfer, or K.S.A. 2021 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction; or

(2) 5-A, 5-B, 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes, such offender has no felony conviction of K.S.A. 65-4142, 65-4159, 65-4161, 65-4163 or 65-4164, prior to their repeal, K.S.A. 2010 Supp. 21-36a03, 21-36a05 or 21-36a16, prior to their transfer, or K.S.A. 2021 Supp. 21-5703, 21-5705 or 21-5716, and

amendments thereto, or any substantially similar offense from another jurisdiction, if the person felonies in the offender's criminal history were severity level 8, 9 or 10 or nongrid offenses of the sentencing guidelines grid for nondrug crimes, and the court finds and sets forth with particularity the reasons for finding that the safety of the members of the public will not be jeopardized by such placement in a drug abuse treatment program.

(b) As a part of the presentence investigation pursuant to K.S.A. 2021 Supp. 21-6813, and amendments thereto, offenders who meet the requirements of subsection (a), unless otherwise specifically ordered by the court, shall be subject to:

(1) A drug abuse assessment which shall include a clinical interview with a mental health professional and a recommendation concerning drug abuse treatment for the offender; and

(2) a criminal risk-need assessment. The criminal risk-need assessment shall assign a risk status to the offender.

(c) If the offender is assigned a risk status as determined by the drug abuse assessment performed pursuant to subsection (b)(1) and a risk status as determined by the criminal risk-need assessment performed pursuant to subsection (b)(2) that meets the criteria for participation in a drug abuse treatment program as determined by the Kansas sentencing commission, the sentencing court shall commit the offender to treatment in a drug abuse treatment program until the court determines the offender is suitable for discharge by the court. The term of treatment shall not exceed 18 months. The court may extend the term of probation, pursuant to K.S.A. 2021 Supp. 21-6608(c) (3), and amendments thereto. The term of treatment may not exceed the term of probation.

(d) (1) Offenders who are committed to a drug abuse treatment program pursuant to subsection (c) shall be supervised by community correctional services.

(2) Offenders who are not committed to a drug abuse treatment program pursuant to subsection (c) shall be supervised by community correctional services or court services based on the result of the criminal risk assessment.

(3) If the offender is permitted to go from the judicial district of the sentencing court, the court may, pursuant to K.S.A. 2021 Supp. 21-6610, and amendments thereto:

(A) Transfer supervision of the offender from that judicial district to another; and

(B) either transfer or retain jurisdiction of the offender.

(e) Placement of offenders under subsection (a)(2) shall be subject to the departure sentencing statutes of the revised Kansas sentencing guidelines act.

(f) (1) Offenders in drug abuse treatment programs shall be discharged from such program if the offender:

(A) Is convicted of a new felony; or

(B) has a pattern of intentional conduct that demonstrates the offender's refusal to comply with or participate in the treatment program, as established by judicial finding.

(2) Offenders who are discharged from such program shall be subject to the revocation provisions of K.S.A. 2021 Supp. 21-6604(n), and amendments thereto.

(g) As used in this section, "mental health professional" includes licensed social workers, persons licensed to practice medicine and surgery, licensed psychologists, licensed professional counselors or registered alcohol and other drug abuse counselors licensed or certified as addiction counselors who have been certified by the ~~secretary of corrections~~ Kansas sentencing commission to treat offenders pursuant to K.S.A. 75-

52,144, and amendments thereto.

(h) (1) Offenders who meet the requirements of subsection (a) shall not be subject to the provisions of this section and shall be sentenced as otherwise provided by law, if such offenders:

(A) Are residents of another state and are returning to such state pursuant to the interstate corrections compact or the interstate compact for adult offender supervision; ~~or~~

(B) are not lawfully present in the United States and being detained for deportation; or

(C) do not meet the risk assessment levels provided in subsection (c).

(2) Such sentence shall not be considered a departure and shall not be subject to appeal.

(i) The court may order an offender who otherwise does not meet the requirements of subsection (c) to undergo one additional drug abuse assessment while such offender is on probation. Such offender may be ordered to undergo drug abuse treatment pursuant to subsection (a) if such offender is determined to meet the requirements of subsection (c). The cost of such assessment shall be paid by such offender.

Sec. 7. K.S.A. 2021 Supp. 21-6825 is hereby amended to read as follows: 21-6825.

(a) There is hereby established a certified drug abuse treatment program for certain persons who enter into a diversion agreement in lieu of further criminal proceedings on and after July 1, 2021. Placement of divertees in a certified drug abuse treatment program pursuant to a diversion agreement shall be limited to placement of adults, on a complaint alleging a felony violation of K.S.A. 2021 Supp. 21-5706, and amendments thereto, whose offense is classified in grid blocks 5-C, 5-D, 5-E, 5-F, 5-G, 5-H or 5-I of the sentencing guidelines grid for drug crimes who have no felony conviction of K.S.A. 65-4142, 65-4159, 65-4161, 65-4163 or 65-4164, prior to their repeal, K.S.A. 2010 Supp. 21-36a03, 21-36a05 or 21-36a16, prior to their transfer, or K.S.A. 2021 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction.

(b) As part of the consideration of whether or not to allow diversion to the defendant, a divertree who meets the requirements of subsection (a) shall be subject to:

(1) A drug abuse assessment that shall include a clinical interview with a mental health professional and a recommendation concerning drug abuse treatment for the divertree; and

(2) a standardized criminal risk-need assessment specified by the Kansas sentencing commission.

(c) The diversion agreement shall require the divertree to comply with and participate in a certified drug abuse treatment program if the divertree meets the assessment criteria set by the Kansas sentencing commission. The term of treatment shall not exceed 18 months.

(d) Divertees who are committed to a certified drug abuse treatment program pursuant to subsection (c) may be supervised by community correctional services or court services pursuant to a memorandum of understanding entered into pursuant to K.S.A. 22-2907, and amendments thereto.

(e) (1) Divertees in a certified drug abuse treatment program shall be discharged from the program if the divertree:

(A) Is convicted of a new felony; or

(B) has a pattern of intentional conduct that demonstrates the divertee's refusal to comply with or participate in the treatment program in the opinion of the county or district attorney.

(2) Divertees who are discharged from such program pursuant to paragraph (1) shall be subject to the revocation provisions of the divertee's diversion agreement.

(f) For the purposes of this section:

(1) "Mental health professional" includes licensed social workers, persons licensed to practice medicine and surgery, licensed psychologists, licensed professional counselors or registered alcohol and other drug abuse counselors licensed or certified as addiction counselors who have been certified by the ~~secretary of corrections~~ Kansas sentencing commission to treat persons pursuant to K.S.A. 2021 Supp. 75-52,144, and amendments thereto.

(2) "Divertee" means a person who has entered into a diversion agreement pursuant to K.S.A. 22-2909, and amendments thereto.

Sec. 8. K.S.A. 2021 Supp. 75-52,144 is hereby amended to read as follows: 75-52,144. (a) Drug abuse treatment programs certified in accordance with subsection (b) shall provide:

(1) Drug abuse assessments of any person who is convicted of or being considered for a diversion agreement in lieu of further criminal proceedings for a felony violation of K.S.A. 65-4160 or 65-4162, prior to such section's repeal, K.S.A. 2010 Supp. 21-36a06, prior to its transfer, or K.S.A. 2021 Supp. 21-5706, and amendments thereto, and meets the requirements of K.S.A. 21-4729, prior to its repeal, K.S.A. 2021 Supp. 21-6824(a) or 21-6825, and amendments thereto;

(2) treatment of all persons who are convicted of or entered into a diversion agreement in lieu of further criminal proceedings for a felony violation of K.S.A. 65-4160 or 65-4162, prior to such section's repeal, K.S.A. 2010 Supp. 21-36a06, prior to its transfer, or K.S.A. 2021 Supp. 21-5706, and amendments thereto, meet the requirements of K.S.A. 21-4729, prior to its repeal, K.S.A. 2021 Supp. 21-6824 or 21-6825, and amendments thereto, and whose sentence requires completion of a certified drug abuse treatment program, as provided in this section;

(3) one or more treatment options in the continuum of services needed to reach recovery: Detoxification, rehabilitation, continuing care and aftercare, and relapse prevention;

(4) treatment options to incorporate family and auxiliary support services; and

(5) treatment options for alcohol abuse when indicated by the assessment of the offender or required by the court.

(b) The criminal risk-need assessment shall be conducted by a court services officer ~~or a community corrections officer~~. The drug abuse treatment program placement assessment shall be conducted by a drug abuse treatment program certified in accordance with the provisions of this subsection to provide assessment and treatment services. A drug abuse treatment program shall be certified by the ~~secretary of corrections~~ Kansas sentencing commission. ~~The secretary commission~~ may establish qualifications for the certification of programs, which may include requirements for supervision and monitoring of clients, fee reimbursement procedures, handling of conflicts of interest, delivery of services to clients unable to pay and other matters relating to quality and delivery of services by the program. Drug abuse treatment may include community based and faith based programs. The certification shall be for a

four-year period. The commission may establish a process for revoking certification of programs that do not meet the commission's qualifications for certification. Recertification of a program shall be by the ~~secretary~~ commission. To be eligible for certification or recertification under this subsection, the ~~secretary~~ commission shall determine that a drug abuse treatment program:

(1) Meets the qualifications established by the ~~secretary~~ commission;

(2) is capable of providing the assessments, supervision and monitoring required under subsection (a);

(3) has employed or contracted with certified treatment providers; and

(4) meets any other functions and duties specified by law.

(c) Any treatment provider who is employed or has contracted with a certified drug abuse treatment program who provides services to offenders shall be certified by the ~~secretary of corrections~~ Kansas sentencing commission. The ~~secretary~~ commission shall require education and training that shall include, but not be limited to, case management and cognitive behavior training. The duties of providers who prepare the presentence drug abuse assessment may also include appearing at sentencing and probation hearings in accordance with the orders of the court, monitoring offenders in the treatment programs, notifying the probation department and the court of any offender failing to meet the conditions of probation or referrals to treatment, appearing at revocation hearings as may be required and providing assistance and data reporting and program evaluation.

(d) (1) The cost for all drug abuse assessments performed pursuant to subsection (a)(1), and the cost for all certified drug abuse treatment programs for any person who meets the requirements of K.S.A. 2021 Supp. 21-6824 or 21-6825, and amendments thereto, shall be paid by the Kansas sentencing commission from funds appropriated for such purpose. The Kansas sentencing commission shall contract for payment for such services with the supervising agency.

(2) The sentencing court shall determine the extent, if any, that such person is able to pay for such assessment and treatment. Such payments shall be used by the supervising agency to offset costs to the state. If such financial obligations are not met or cannot be met, the sentencing court shall be notified for the purpose of collection or review and further action on the offender's sentence.

(3) If the person has entered into a diversion agreement in lieu of further criminal proceedings, the county or district attorney shall determine the extent, if any, that such person is able to pay for such assessment and treatment. Such payments shall be used by the supervising agency to offset costs to the state or county. If such financial obligations are not met or cannot be met, the county or district attorney shall be notified for the purpose of collection or review and further action on the person's diversion agreement.

(e) The community corrections staff shall work with the substance abuse treatment staff to ensure effective supervision and monitoring of the offender.

(f) The ~~secretary of corrections~~ Kansas sentencing commission is hereby authorized to adopt rules and regulations to carry out the provisions of this section.";

Also on page 2, in line 27, by striking "is" and inserting ", 21-5807, 21-6610, 21-6814, 21-6820, 21-6824, 21-6825 and 75-52,144 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the second semicolon by inserting "relating to

burglary; including locked or secured portions of dwellings, buildings or other structures; relating to supervision of criminal offenders under supervision of both court services officers and the department of corrections; providing guidance for consolidation of supervision into one supervision entity or agency; requiring the department of corrections and the office of judicial administration to enter into a memorandum of understanding related to the supervision of such offenders; relating to sentencing guidelines; criminal history calculation; requiring an offender who raises error in calculation for the first time on appeal to show prejudicial error; authorizing jurisdiction of the court to correct an illegal sentence while a direct appeal is pending; relating to the certified drug abuse treatment program; program qualifications; transferring certification duties from the department of corrections to the Kansas sentencing commission;"; in line 3, after "21-5801" by inserting ", 21-5807, 21-6610, 21-6814, 21-6820, 21-6824, 21-6825 and 75-52,144"; in line 4, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

STEPHEN OWENS

ERIC SMITH

DENNIS HIGHBERGER

Conferees on part of House

KELLIE WARREN

RICK WILBORN

DAVID HALEY

Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 408**.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, 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 2109** 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;

On page 2, by striking all in lines 1 through 8; following line 8, by inserting:

"New Section 1. (a) A public agency shall not:

(1) Require an individual to provide the public agency with personal information or compel the release of personal information;

(2) require a nonprofit organization to provide the public agency with personal information or compel the release of personal information;

(3) release or publicly disclose personal information in the possession of such public agency; or

(4) request or require a current or prospective contractor or grant recipient to provide the public agency with a list of nonprofit organizations to which the contractor or grantee has provided financial or nonfinancial support.

(b) Personal information shall be confidential and shall not be subject 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, 2027, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto.

(c) The provisions of this section shall not apply to:

(1) A report or disclosure required by article 41 of chapter 25 or article 2 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto;

(2) a valid warrant issued for personal information by a court of competent jurisdiction;

(3) a lawful request for discovery of personal information in litigation if the person making such request:

(A) Demonstrates a compelling need for the personal information by clear and convincing evidence; and

(B) obtains a protective order barring disclosure of the personal information to any person not named in the litigation;

(4) admission of personal information as relevant evidence before a court of competent jurisdiction, except that no court shall disclose personal information unless such court makes a finding of good cause;

(5) a national securities association as defined in section 15A of the securities exchange act of 1934, as in effect on July 1, 2022, or any regulations adopted thereunder;

(6) any adult care home as defined in K.S.A. 39-923, and amendments thereto;

(7) information provided to the attorney general as part of the registration process, or collected as part of the enforcement of, the charitable organizations and solicitations act, K.S.A. 17-1759 et seq., and amendments thereto, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed without the consent of the donor;

(8) information provided to the attorney general by any person, including, but not limited to, a consumer, supplier or related witness, collected as part of the enforcement of the Kansas consumer protection act, K.S.A. 50-623 et seq., and amendments thereto, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed without the consent of the donor;

(9) information concerning the staff, officers and the individuals designated to control funding needed to process and verify a request for a grant of funds from or a contract for goods or services with any public agency, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed;

(10) a request by the department of revenue, the Kansas bureau of investigation or the Kansas legislature for information required for an audit, background check,

examination or investigation, except that such information shall only be used in connection with the specific audit, background check, examination or investigation and for any related proceedings; and

(11) the collection of information related to boards of directors, officers, resident agents, incorporators and large capital holders of an organization in any report or disclosure required by any statute to be made with the secretary of state with the intent that it becomes a public record, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed.

(d) (1) A person alleging a violation of this section may bring a civil action for injunctive relief or damages. Damages awarded pursuant to this section shall be not less than \$7,500 for each violation of this section.

(2) The court may award reasonable attorney fees and costs to the complainant when the court determines such award is appropriate.

(3) A person who knowingly violates the provisions of this section is guilty of a class C nonperson misdemeanor.

(e) For the purposes of this section:

(1) "Nonprofit organization" means an organization that is exempt from federal income taxation pursuant to section 501(c) of the federal internal revenue code, has submitted an application with the internal revenue service for recognition of an exemption under section 501(c) of the federal internal revenue code or is a not-for-profit business entity organized under the Kansas general corporation code;

(2) "personal information" means any list, record, register, registry, roll, roster or other compilation of data of any kind that directly or indirectly identifies a person as a member, supporter or volunteer of or donor of financial or nonfinancial support to a nonprofit organization; and

(3) "public agency" means the state or any political or taxing subdivision of the state or any office, agency or instrumentality thereof.

(f) This section shall be known and may be cited as the charitable privacy act.

Sec. 2. K.S.A. 2021 Supp. 9-2216a is hereby amended to read as follows: 9-2216a.

(a) Each licensee shall annually, on or before April 1, file a written report with the commissioner containing the information that the commissioner may reasonably require concerning the licensee's business and operations during the preceding calendar year. The report shall be made in the form prescribed by the commissioner, which may include reports filed with the nationwide mortgage licensing system and registry. Any licensee who fails to file the report required by this section with the commissioner by April 1 shall be subject to a late penalty of \$100 for each day after April 1 the report is delinquent, but in no event shall the aggregate of late penalties exceed \$5,000. The commissioner may relieve any licensee from the payment of any penalty, in whole or in part, for good cause. The filing of the annual written report required under this section shall satisfy any other reports required of a licensee under this act.

(b) Information contained in the annual report shall be confidential and may be published only in composite form. ~~The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

Sec. 3. K.S.A. 2021 Supp. 22-4620 is hereby amended to read as follows: 22-4620.

(a) All law enforcement agencies in this state shall adopt a detailed, written policy requiring electronic recording of any custodial interrogation conducted at a place of

detention.

(b) All local law enforcement agencies in this state shall collaborate with the county or district attorney in the appropriate jurisdiction regarding the contents of written policies required by this section.

(c) Policies adopted pursuant to this section shall be made available to all officers of such agency and shall be available for public inspection during normal business hours.

~~(d) Policies adopted pursuant to this section shall be implemented by all Kansas law enforcement agencies on or before July 1, 2018.~~

~~(e)~~ Policies adopted pursuant to this section shall include the following:

(1) A requirement that an electronic recording shall be made of an entire custodial interrogation at a place of detention when the interrogation concerns a homicide or a felony sex offense;

(2) a requirement that if the defendant elects to make or sign a written statement during the course of a custodial interrogation concerning a homicide or a felony sex offense, the making and signing of the statement shall be electronically recorded;

(3) a statement of exceptions to the requirement to electronically record custodial interrogations, including, but not limited to:

(A) An equipment malfunction preventing electronic recording of the interrogation in its entirety, and replacement equipment is not immediately available;

(B) the officer, in good faith, fails to record the interrogation because the officer inadvertently fails to operate the recording equipment properly, or without the officer's knowledge the recording equipment malfunctions or stops recording;

(C) the suspect affirmatively asserts the desire to speak with officers without being recorded;

(D) multiple interrogations are taking place, exceeding the available electronic recording capacity;

(E) the statement is made spontaneously and not in response to an interrogation question;

(F) the statement is made during questioning that is routinely asked during the processing of an arrest of a suspect;

(G) the statement is made at a time when the officer is unaware of the suspect's involvement in an offense covered by the policy;

(H) exigent circumstances make recording impractical;

(I) at the time of the interrogation, the officer, in good faith, is unaware of the type of offense involved; and

(J) the recording is damaged or destroyed, without bad faith on the part of any person or entity in control of the recording; and

(4) requirements pertaining to the retention and storage requirements of the electronic recording.

~~(f)(e)~~ (1) During trial, the officer may be questioned pursuant to the rules of evidence regarding any violation of the policies adopted pursuant to this section.

(2) Lack of an electronic recording shall not be the sole basis for suppression of the interrogation or confession.

~~(g)(f)~~ Every electronic recording of any statement as required by this section shall be confidential and exempt from the Kansas open records act in accordance with K.S.A. 45-229, and amendments thereto. ~~The provisions of this subsection shall expire on July~~

~~1, 2022, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.~~

~~(h) The following words and phrases, (g) As used in this section, are defined as follows:~~

(1) "Custodial interrogation" means questioning of a person to whom warnings given pursuant to *Miranda v. Arizona*, 384 U.S. 436 (1966), are required to be given;

(2) "place of detention" means a fixed location under the control of a Kansas law enforcement agency where individuals are questioned about alleged crimes; and

(3) "electronic recording" means audio or audiovisual recording. An audiovisual recording is preferred.

~~(i) This section shall take effect on and after July 1, 2017.~~

Sec. 4. K.S.A. 40-2,203 is hereby amended to read as follows: 40-2,203. (a) (1) Nothing in this section shall be construed to prescribe or impose corporate governance standards and internal procedures beyond those required by state corporate law. However, nothing in this section shall be construed to limit the commissioner's authority, or the rights and obligations of third parties under K.S.A. 40-222, and amendments thereto.

(2) The requirements of this section shall apply to all insurers domiciled in this state.

(b) As used in this section:

(1) "Commissioner" means the commissioner of insurance of the state of Kansas.

(2) "Corporate governance annual disclosure" or "CGAD" means a confidential report filed by the insurer or insurance group made in accordance with the requirements of this section.

(3) "Insurance group" means those insurers and affiliates included within an insurance holding company system as defined in K.S.A. 40-3302, and amendments thereto.

(4) "Insurer" ~~shall have the same meaning as set forth~~ means the same as defined in K.S.A. 40-3302, and amendments thereto, except that it ~~shall~~ "insurer" does not include agencies, authorities or instrumentalities of the United States, its possessions and territories, the Commonwealth of Puerto Rico, the District of Columbia or a state or political subdivision of a state.

(5) "NAIC" means the national association of insurance commissioners.

(6) "ORSA summary report" means the report filed in accordance with risk management and own risk and solvency assessment act.

(c) (1) An insurer or the insurance group of which the insurer is a member shall, ~~no~~ not later than June 1 of each calendar year, submit to the commissioner a CGAD that contains the information described in subsection (e). Notwithstanding any request from the commissioner made pursuant to subsection (c)(3), if an insurer is a member of an insurance group, the insurer shall submit the report required by this section to the commissioner of the lead state for the insurance group, in accordance with the laws of the lead state, as determined by the procedures outlined in the most recent financial analysis handbook adopted by the national association of insurance commissioners.

(2) The CGAD must include a signature of the insurer or insurance group's chief executive officer or corporate secretary attesting to the best of that individual's belief and knowledge that the insurer has implemented the corporate governance practices and that a copy of the disclosure has been provided to the insurer's board of directors or the

appropriate committee of the insurer thereof.

(3) An insurer not required to submit a CGAD under this section shall do so upon the commissioner's request.

(4) For purposes of completing the CGAD, the insurer or insurance group may provide information regarding corporate governance at the ultimate controlling parent level, an intermediate holding company level or the individual legal entity level or both, depending upon how the insurer or insurance group has structured its system of corporate governance. The insurer or insurance group is encouraged to make the CGAD disclosures at the level at which the insurer's or insurance group's risk appetite is determined, or at which the earnings, capital, liquidity, operations and reputation of the insurer are overseen collectively and at which the supervision of those factors are coordinated and exercised, or the level at which legal liability for failure of general corporate governance duties would be placed. If the insurer or insurance group determines the level of reporting based on these criteria, it shall indicate which of the three criteria was used to determine the level of reporting and explain any subsequent changes in level of reporting.

(5) The review of the CGAD and any additional requests for information shall be made through the lead state as determined by the procedures within the most recent financial analysis handbook referenced in subsection (c)(1).

(6) Insurers providing information substantially similar to the information required by this section in other documents provided to the commissioner, including proxy statements filed in conjunction with other state or federal filings or other requirements provided to the commissioner, shall not be required to duplicate that information in the CGAD, but shall only be required to cross reference the document in which the information is included.

(d) The commissioner is hereby authorized to adopt any rules and regulations as are necessary to carry out the provisions of this section. ~~Such rules and regulations shall be adopted no later than January 1, 2019.~~

(e) (1) The insurer or insurance group shall have discretion over the responses to the CGAD inquiries, provided the CGAD shall contain the material information necessary to permit the commissioner to gain an understanding of the insurer's or group's corporate governance structure, policies and practices. The commissioner may request additional information deemed material and necessary to provide the commissioner with a clear understanding of the corporate governance policies, the reporting or information system or controls implementing those policies.

(2) The CGAD shall be prepared consistent with all department of insurance rules and regulations and documentation. Documentation supporting information shall be maintained and made available upon the commissioner's request.

(f) (1) Documents, materials or other information, including the CGAD, in the possession or control of the department of insurance that are obtained, created by or disclosed to the commissioner or any other person under this section, are recognized by this state as being proprietary and containing trade secrets. All such documents, materials or other information shall be confidential by law and privileged, and shall not be subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto, shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action. However, the commissioner is authorized to use the documents, materials or other information in the furtherance of any regulatory or legal

action brought as part of the commissioner's official duties. The commissioner shall not otherwise make the documents, materials or other information public without the prior written consent of the insurer. Nothing in this section shall be construed to require the written consent of the insurer before the commissioner may share or receive confidential documents, materials or other CGAD-related information pursuant to subsection (f)(3) to assist in the performance of the commissioner's regular duties. ~~The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.~~

(2) Neither the commissioner nor any person who received documents, materials or other CGAD-related information, through examination or otherwise, while acting under the authority of the commissioner, or with whom such documents, materials or other information are shared pursuant to this section, shall be permitted or required to testify in any private civil action concerning any confidential documents, materials or information subject to subsection (f)(1).

(3) In order to assist in the performance of the commissioner's regulatory duties, the commissioner:

(A) May, upon request, share documents, materials or other CGAD-related information, including the confidential and privileged documents, materials or information subject to subsection (c)(1), including proprietary and trade secret documents and materials with other state, federal and international financial regulatory agencies, including members of any supervisory college as defined in K.S.A. 40-3308, and amendments thereto, with the NAIC and with third-party consultants pursuant to subsection (g), provided that the recipient agrees in writing to maintain the confidentiality and privileged status of the CGAD-related documents, material or other information and has verified in writing the legal authority to maintain confidentiality; and

(B) may receive documents, materials or other CGAD-related information, including otherwise confidential and privileged documents, materials or information, including proprietary and trade secret information or documents, from regulatory officials of other state, federal and international financial regulatory agencies, including members of any supervisory college as defined in the insurance holding company act and from the NAIC, and shall maintain as confidential or privileged any documents, materials or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material or information.

(4) The sharing of information and documents by the commissioner pursuant to this section shall not constitute a delegation of regulatory authority or rulemaking, and the commissioner is solely responsible for the administration, execution and enforcement of the provisions of this section.

(5) No waiver of any applicable privilege or claim of confidentiality in the documents, proprietary and trade secret materials or other CGAD-related information shall occur as a result of disclosure of such CGAD-related information or documents to the commissioner under this section or as a result of sharing as authorized in this section.

(g) (1) The commissioner may retain, at the insurer's expense, third-party consultants, including attorneys, actuaries, accountants and other experts not otherwise

a part of the commissioner's staff as may be reasonably necessary to assist the commissioner in reviewing the CGAD and related information or the insurer's compliance with this section.

(2) Any person retained under subsection (g)(1) shall be under the direction and control of the commissioner and shall act in a purely advisory capacity.

(3) The NAIC and third-party consultants shall be subject to the same confidentiality standards and requirements as the commissioner.

(4) As part of the retention process, a third-party consultant shall verify to the commissioner, with notice to the insurer, that it is free from a conflict of interest and that it has internal procedures in place to monitor compliance with a conflict and to comply with the confidentiality standards and requirements of this section.

(5) A written agreement with NAIC consultants or third-party consultants, or a combination of the same, governing sharing and use of information provided pursuant to this section shall contain the following provisions and expressly require the written consent of the insurer prior to making the information public as provided under this section:

(A) Specific procedures and protocols for maintaining the confidentiality and security of CGAD-related information shared with the NAIC or a third-party consultant pursuant to this section;

(B) procedures and protocols for sharing by the NAIC only with other state regulators from states in which the insurance group has domiciled insurers. The agreement shall provide that the recipient agrees in writing to maintain the confidentiality and privileged status of the CGAD-related documents, materials or other information and has verified in writing the legal authority to maintain confidentiality;

(C) a provision specifying that ownership of the CGAD-related information shared with the NAIC or a third-party consultant remains with the department of insurance and the NAIC or third-party consultant's use of the information is subject to the direction of the commissioner;

(D) a provision that prohibits the NAIC or a third-party consultant from storing the information shared pursuant to this act in a permanent database after the underlying analysis is completed;

(E) a provision requiring the NAIC or third-party consultant to provide prompt notice to the commissioner and to the insurer or insurance group regarding any subpoena, request for disclosure or request for production of the insurer's CGAD-related information; and

(F) a requirement that the NAIC or a third-party consultant consent to intervention by an insurer in any judicial or administrative action in which the NAIC or a third-party consultant may be required to disclose confidential information about the insurer shared with the NAIC or a third-party consultant pursuant to this section.

(h) Any insurer failing, without just cause, to timely file the CGAD as required in this section may be required, after notice and hearing, to pay a penalty for each day's delay, to be recovered by the commissioner, in accordance with any rules and regulations adopted by the commissioner. The commissioner shall remit all moneys received 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 fees and penalties fund.

(i) If any provision of this section other than subsection (f), or the application thereof to any person or circumstance, is held invalid, such determination shall not affect the provisions or applications of this section, which can be given effect without the invalid provision or application, and to that end the provisions of this section, with the exception of subsection (f), are severable.

(j) The first filing of the CGAD shall be in 2018.

~~(k) The provisions of this section shall be effective on and after January 1, 2018.~~

Sec. 5. K.S.A. 40-3805 is hereby amended to read as follows: 40-3805. (a) Every administrator shall maintain and make available to the payor complete books and records of all transactions performed on behalf of the payor. Such books and records shall be maintained in accordance with prudent standards of insurance record keeping and shall be maintained for a period of not less than five years from the date of their creation.

(b) The commissioner of insurance shall have access to such books and records for the purposes of examination, audit and inspection. Any documents, materials or other information in the possession or control of the commissioner that are furnished by a TPA, payor, insurance producer or an employee or agent thereof acting on behalf of the TPA, payor or insurance producer or obtained in an investigation, shall be confidential by law and privileged, shall not be subject to the open records act, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action. The commissioner is authorized to use such documents, materials or other information in the furtherance of any regulatory or legal action brought as a part of the commissioner's official duties. ~~The provisions of this paragraph shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

(c) Neither the commissioner nor any person who receives documents, materials or other information while acting under the authority of the commissioner shall be permitted or required to testify in any private civil action concerning confidential documents, materials or information subject to subsection (b).

(d) In order to assist in the performance of the commissioner's duties, the commissioner may:

(1) Share documents, materials or other information, including the confidential and privileged documents, materials or other information subject to this section, with other state, federal and international regulatory agencies, the NAIC, its affiliates or subsidiaries and with state, federal and international law enforcement authorities, provided the recipient agrees to maintain the confidentiality and privileged status of the document, material or other information; and

(2) may receive documents, materials or information, including otherwise confidential and privileged documents, materials or information, from the NAIC, its affiliates or subsidiaries and from regulatory and law enforcement officials of other foreign or domestic jurisdictions, and shall maintain as confidential or privileged any document, material or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material or information.

(e) No waiver of any applicable privilege or claim of confidentiality in the documents, materials or information shall occur as a result of disclosure to the commissioner under this section.

(f) Nothing in this section shall prohibit the commissioner from releasing final, adjudicated actions, including for cause terminations that are open to public inspection pursuant to the open records act, to a database or other clearinghouse service maintained by the NAIC, its affiliates or subsidiaries.

(g) The payor shall own the records generated by the administrator pertaining to the payor, however, the administrator shall retain the right to continuing access to books and records to permit the administrator to fulfill all of its contractual obligations to insured parties, claimants and the payor, and its obligations to maintain records available to the commissioner.

(h) In the event the payor and the administrator cancel their agreement, notwithstanding the provisions of subsection (a), the administrator may, by written agreement with the payor, transfer all records to a new administrator rather than retain them for five years. In such cases, the new administrator shall acknowledge, in writing, that it is responsible for retaining the records of the prior administrator as required in subsection (a).

Sec. 6. K.S.A. 2021 Supp. 50-1124 is hereby amended to read as follows: 50-1124.

(a) (1) On or before April 1, of each year, each licensee shall file with the commissioner an annual report relating to credit services organization business conducted by the licensee during the preceding calendar year. The annual report shall be on a form prescribed by the commissioner.

(2) The information contained in the annual report shall be confidential and may be published only in composite form. ~~The provisions of this paragraph shall expire on July 1, 2022, unless the legislature reviews and reenacts the provision prior to July 1, 2022.~~

(b) Within 15 calendar days of any of the following events, a licensee shall file a written report with the commissioner describing the event and its expected impact on the licensee's business:

(1) The filing for bankruptcy or reorganization by the licensee;

(2) the institution of a revocation, suspension or other proceeding against the licensee by a governmental authority that is related to the licensee's credit services organization business in any state;

(3) a felony conviction of the licensee or any of its owners, officers, principals, directors, partners, members or debt management counselors;

(4) a change in the licensee's name or legal entity status; and

(5) the addition or loss of any owner, officer, partner or director.

(c) If a licensee fails to make any report required by this section to the commissioner, the commissioner may require the licensee to pay a late penalty of \$100 for each day the report is overdue.

Sec. 7. K.S.A. 2021 Supp. 50-1128 is hereby amended to read as follows: 50-1128.

This act shall be administered by the commissioner. In addition to other powers granted by this act, the commissioner, within the limitations provided by law, may exercise the following powers:

(a) Adopt, amend and revoke rules and regulations as necessary to carry out the intent and purpose of this act.

(b) Make any investigation and examination of the operations, books and records of a credit services organization, as the commissioner deems necessary to aid in the enforcement of this act.

(1) The commissioner, or the commissioner's designee, shall have free and

reasonable access to the offices, places of business and all records of the licensee that relate to the debt management or credit services organization business. The commissioner may designate persons, including comparable officials of the state in which the records are located, to inspect the records on the commissioner's behalf.

(2) The commissioner may charge reasonable costs of investigation, examination and administration of this act, to be paid by the applicant or licensee, in such amounts as the commissioner may determine to be sufficient to meet the budget requirements of the commissioner for each fiscal year. The commissioner may maintain an action in any court to recover such costs.

(c) To order any licensee or person to cease any activity or practice which the commissioner deems to be deceptive, dishonest, or a violation of this act, or of other state or federal law, or unduly harmful to the interests of the public.

(d) (1) Exchange any information regarding the administration of this act with any agency of the United States or any state which regulates the applicant or licensee or administers statutes, rules and regulations or programs related to debt management or credit services organization laws.

(2) Examination reports and correspondence regarding such reports made by the commissioner or the commissioner's designees shall be confidential. The commissioner may release examination reports and correspondence regarding the reports in connection with a disciplinary proceeding conducted by the commissioner, a liquidation proceeding or a criminal investigation or proceeding. Additionally, the commissioner may furnish to federal or other state regulatory agencies or any officer or examiner thereof, a copy of any or all examination reports and correspondence regarding the reports made by the commissioner or the commissioner's designees. ~~The provisions of this paragraph shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

(e) Disclose to any person or entity that an applicant's or licensee's application or license has been denied, suspended, revoked or refused renewal.

(f) Require or permit any person to file a written statement, under oath or otherwise as the commissioner may direct, setting forth all the facts and circumstances concerning any apparent violation of this act, any rule and regulation promulgated hereunder, or any order issued pursuant to this act.

(g) Receive, as a condition in settlement of any investigation or examination, a payment designated for consumer education to be expended for such purpose as directed by the commissioner.

(h) Delegate the authority to sign any orders, official documents or papers issued under or related to this act to the deputy of consumer and mortgage lending in the office of the state bank commissioner.

(i) Require fingerprinting of any licensee, agent acting on behalf of a licensee or other person as deemed appropriate by the commissioner, or the commissioner's designee. The commissioner, or commissioner's designee, may submit such fingerprints to the Kansas bureau of investigation, federal bureau of investigation or other law enforcement agency for the purposes of verifying the identity of such persons and obtaining records of their criminal arrests and convictions. For purposes of this section and in order to reduce the points of contact that the federal bureau of investigation may have to maintain with the individual states, the commissioner may use the nationwide mortgage licensing system and registry as a channeling agent for requesting information

from and distributing information to the department of justice or any governmental agency.

(j) Use the nationwide mortgage licensing system and registry as a channeling agent for requesting and distributing information regarding credit services organization licensing to and from any source so directed by the commissioner.

(k) Establish relationships or contracts with the nationwide mortgage licensing system and registry or other entities to collect and maintain records and process transaction fees or other fees related to applicants, licensees or other persons subject to this act, and to take other such actions as may be reasonably necessary to participate in the nationwide mortgage licensing system and registry.

(l) Charge, establish and collect from licensees such fees as are necessary and in such amounts as the commissioner may determine to be sufficient to meet the expense requirements of the commissioner in administering this act.

(m) Seize and distribute a licensee's trust account funds to protect consumers and the public interest.

(n) For the purpose of any examination, investigation or proceeding under this act, the commissioner or the commissioner's designee may administer oaths and affirmations, subpoena witnesses, compel such witnesses' attendance, adduce evidence and require the production of any matter which is relevant to the examination or investigation, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and location of persons having knowledge of relevant facts, or any other matter reasonably calculated to lead to the discovery of relevant information or items.

(o) To enter into any informal agreement with any person for a plan of action to address violations of this act. The adoption of an informal agreement authorized by this subsection shall not be subject to the provisions of the Kansas administrative procedure act or the Kansas judicial review act. Any informal agreement authorized by this subsection shall not be considered an order or other agency action, and shall be considered confidential examination material pursuant to K.S.A. 50-1128(d), and amendments thereto. All such examination material shall be confidential by law and privileged, shall not be subject to the open records act, shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action. ~~The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

(p) Issue, amend and revoke written administrative guidance documents in accordance with the applicable provisions of the Kansas administrative procedure act.

Sec. 8 K.S.A. 40-2,203, 40-3805 and 40-6011 and K.S.A. 2021 Supp. 9-2216a, 22-4620, 50-1124 and 50-1128 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 and 3; in line 4, by striking all before the second semicolon and inserting "records; relating to personal information about affiliation with certain nonprofit organizations; prohibiting a public agency from disclosing information related to such affiliation and providing exemptions; relating to disclosure of records under the open records act; continuing in existence certain exceptions to disclosure; amending K.S.A. 40-2,203 and 40-3805 and K.S.A. 2021 Supp. 9-2216a, 22-4620, 50-1124 and 50-1128 and repealing the existing sections; also repealing K.S.A. 40-6011";

And your committee on conference recommends the adoption of this report.

KELLIE WARREN

RICK WILBORN

DAVID HALEY

Conferees on part of Senate

FRED PATTON

BRAD RALPH

JOHN CARMICHAEL

Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on **HB 2109**.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, 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 2299** 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 6, by inserting:

"New Section 1. (a) (1) An applicant, employee or volunteer who is subject to a criminal history record check shall provide to the requesting authorized entity written consent to obtain the applicant's, employee's or volunteer's fingerprints to conduct a criminal history record check and participate in the rap back program for the purpose of determining suitability or fitness for a permit, license, employment or volunteer service.

(2) An authorized entity shall notify each applicant, employee or volunteer subject to a criminal history record check:

(A) That fingerprints shall be retained by the Kansas bureau of investigation and the federal bureau of investigation for all current and future purposes and uses authorized for fingerprint submission; and

(B) when fingerprints will be enrolled in the rap back program.

(b) Fingerprints and records relating to fingerprints obtained by the Kansas bureau of investigation for a fingerprint-based criminal history record check shall be searched against:

(1) Known criminal fingerprints to determine if a criminal history record exists; and

(2) latent fingerprints entered into the unsolved latent fingerprint file.

(c) (1) A criminal history record check shall only be completed for the purpose for which such check was requested. Any additional record checks shall require the

submission of a new set of fingerprints.

(2) An authorized entity enrolled in rap back shall immediately notify the Kansas bureau of investigation when such entity is no longer entitled to receive criminal history record information relating to a particular person enrolled in rap back. The Kansas bureau of investigation shall cancel the enrollment, and updates to criminal history record information shall no longer be provided to such entity.

(d) (1) Fingerprints and records relating to fingerprints acquired by the Kansas bureau of investigation shall be available only to authorized entities entitled to obtain the information. No employee of the Kansas bureau of investigation shall disclose any records of fingerprints or records relating to the fingerprints acquired in the performance of any of the employee's duties under this section to any person not authorized to receive the information pursuant to state or federal law. No person acquiring the records of fingerprints, records relating to fingerprints or any information concerning any individual shall disclose such information to any person who is not authorized to receive such information.

(2) Any intentional disclosure of such information in violation of this section is a class A nonperson misdemeanor.

(e) As used in this section:

(1) "Authorized entity" means an agency or entity with authorization under state or federal law to conduct a fingerprint-based criminal history record check;

(2) "criminal history record check" means the submission of fingerprints and demographic information by an authorized entity to the Kansas bureau of investigation for the purpose of receiving criminal history record results; and

(3) "rap back" means the state or federal system that enables an authorized entity to receive ongoing notifications of criminal history record updates for individuals whose fingerprints are enrolled.

New Sec. 2. (a) Except as provided in subsection (b), no employee of the Kansas department of wildlife and parks authorized to enforce the laws of the state of Kansas pursuant to K.S.A. 32-808, and amendments thereto, shall conduct surveillance on private property unless authorized pursuant to a lawfully issued warrant, court order or subpoena, the constitution of the United States or one of the following exceptions to the search warrant requirement:

(1) Exigent circumstances;

(2) consent searches; or

(3) the plain view doctrine.

(b) The provisions of subsection (a) shall not apply to any activities of an employee of the Kansas department of wildlife and parks when the purpose of the surveillance is to locate and retrieve a missing person.

(c) As used in this section:

(1) "Surveillance" means the installation and use of electronic equipment or devices on private property, including, but not limited to, the installation and use of a tracking device, video camera or audio recording device, to monitor activity or collect information related to the enforcement of the laws of the state of Kansas; and

(2) "tracking device" means the same as defined in K.S.A. 22-2502, and amendments thereto.

Sec. 3. K.S.A. 2021 Supp. 22-2401a is hereby amended to read as follows: 22-2401a. (a) (1) Law enforcement officers employed by consolidated county law

enforcement agencies or departments and sheriffs and their deputies may exercise ~~their powers as the powers and authority of~~ law enforcement officers:

(a) ~~anywhere within their county; and~~

(b) ~~in any other place when a request for assistance has been made by law enforcement officers from that place or when in fresh pursuit of a person.~~

(2) Law enforcement officers employed by any city may exercise ~~their powers as the powers and authority of~~ law enforcement officers:

(a) ~~anywhere within the city limits of the city employing them and outside of such city when on property owned or under the control of such city; and~~

(b) ~~in any other place when a request for assistance has been made by law enforcement officers from that place or when in fresh pursuit of a person.~~

~~(3)(a)(b)(1)~~ Law enforcement officers employed by a Native American Indian Tribe may exercise the powers and authority of law enforcement officers anywhere within the exterior limits of the reservation of the tribe employing such tribal law enforcement officer, subject to the following:

~~(i)(A)~~ The provisions of ~~subsection (3)(a)~~ this paragraph shall be applicable only as long as such Native American Indian Tribe maintains in force a valid and binding agreement with an insurance carrier to provide liability insurance coverage for damages arising from the acts, errors or omissions of such tribal law enforcement agency or officer while acting pursuant to this section and waives its tribal immunity, as provided in ~~subsection (3)(b) paragraph (2)~~, for any liability for damages arising from the acts, errors or omissions of such tribal law enforcement agency or officer while acting pursuant to this section. Such insurance policy shall: ~~(A)(1)~~ (i)(a) Be in an amount not less than \$500,000 for any one person and \$2,000,000 for any one occurrence for personal injury and \$1,000,000 for any one occurrence for property damage; ~~(2)(b)~~ be in an amount not less than \$2,000,000 aggregate loss limit; and ~~(3)(c)~~ carry an endorsement to provide coverage for mutual aid assistance; and ~~(B)(ii)~~ include an endorsement providing that the insurer may not invoke tribal sovereign immunity up to the limits of the policy set forth herein. Any insurance carrier providing to a tribe the liability insurance coverage described in this subsection shall certify to the attorney general that the tribe has in effect coverage which complies with the requirements of this subsection. Such carrier shall notify the attorney general immediately by first class mail if for any reason such coverage terminates or no longer complies with the requirements of this subsection.

~~(ii)(B)~~ The provisions of ~~subsection (3)(a)~~ this paragraph shall be applicable only if such Native American Indian Tribe has filed with the county clerk a map clearly showing the boundaries of the tribe's reservation as defined in this section.

~~(b)(2)~~ If a claim is brought against any tribal law enforcement agency or officer for acts committed by such agency or officer while acting pursuant to this section, such claim shall be subject to disposition as if the tribe was the state pursuant to the Kansas tort claims act, provided that such act shall not govern the tribe's purchase of insurance. The tribe shall waive its sovereign immunity solely to the extent necessary to permit recovery under the liability insurance, but not to exceed the policy limits.

~~(e)(3)~~ Nothing in this subsection ~~(3)~~ shall be construed to prohibit any agreement between any state, county or city law enforcement agency and any Native American Indian Tribe.

~~(d)(4)~~ Nothing in this subsection ~~(3)~~ shall be construed to affect the provision of

law enforcement services outside the exterior boundaries of reservations so as to affect in any way the criteria by which the United States department of the interior makes a determination regarding placement of land into trust.

~~(5)~~ Neither the state nor any political subdivision of the state shall be liable for any act or failure to act by any tribal law enforcement officer.

~~(4)(c)~~ University police officers employed by the chief executive officer of any state educational institution or municipal university may exercise their powers as the powers and authority of university police officers:

~~(a)(1)~~ On property owned, occupied or operated by the state educational institution or municipal university, by a board of trustees of the state educational institution, an endowment association, an affiliated corporation, an athletic association, a fraternity, sorority or other student group associated with the state educational institution or municipal university or at the site of a function or academic program sponsored by the state educational institution or municipal university;

~~(b)(2)~~ on the streets, property and highways immediately adjacent to and coterminous with the property described in ~~subsection (4)(a) paragraph (1)~~;

~~(c)(3)~~ within the city or county where ~~such property as described in this subsection~~ property described in paragraph (1) or (2) is located, as necessary to protect the health, safety and welfare of students and faculty of the state educational institution or municipal university, with appropriate agreement by the local law enforcement agencies. Such agreements shall include provisions defining the geographical scope of the jurisdiction conferred, circumstances requiring the extended jurisdiction, scope of law enforcement powers and duration of the agreement. Any agreement entered into pursuant to this provision shall be approved by the governing body of the city or county, or both, having jurisdiction where such property is located, and the chief executive officer of the state educational institution or municipal university involved before such agreement may take effect;

~~(4)(4)~~ additionally, when there is reason to believe that a violation of a state law, a county resolution, or a city ordinance has occurred on property described in ~~subsection (4)(a) or (b) paragraph (1) or (2)~~, such officers with appropriate notification of, and coordination with, local law enforcement agencies or departments, may investigate and arrest persons for such a violation anywhere within the city where such property, streets and highways are located. Such officers also may exercise such powers in any other place when in fresh pursuit of a person. University police officers shall also have authority to transport persons in custody to an appropriate facility, wherever it may be located. University police officers at the university of Kansas medical center may provide emergency transportation of medical supplies and transplant organs; and

~~(5)~~ additionally, pursuant to a written agreement between the university of Kansas hospital authority and the university of Kansas medical center, university police officers employed by the university of Kansas medical center may exercise their powers as law enforcement officers on property owned, occupied or operated by the university of Kansas healthcare system or university of Kansas hospital authority as authorized by this section and K.S.A. 76-726 and 76-3314, and amendments thereto.

~~(5)(d)(1)~~ In addition to the areas where law enforcement officers may exercise ~~their powers~~ the powers and authority of law enforcement officers pursuant to ~~subsection (2)(a)(2)~~, law enforcement officers of any jurisdiction within Johnson or Sedgwick county may exercise ~~their powers as the powers and authority of law~~

enforcement officers in any area within the respective county when executing a valid arrest warrant or search warrant, to the extent necessary to execute such warrants.

~~(6) In addition to the areas where university police officers may exercise their powers pursuant to subsection (4), university police officers may exercise the powers of law enforcement officers in any area outside their normal jurisdiction when a request for assistance has been made by law enforcement officers from the area for which assistance is requested.~~

~~(7)(2)~~ In addition to the areas where law enforcement officers may exercise ~~their powers~~ the powers and authority of law enforcement officers pursuant to subsection ~~(2)~~ (a)(2), law enforcement officers of any jurisdiction within Johnson county may exercise ~~their powers as~~ the powers and authority of law enforcement officers in any adjoining city within Johnson county when any crime, including a traffic infraction, has been or is being committed by a person in view of the law enforcement officer. A law enforcement officer shall be considered to be exercising such officer's powers pursuant to subsection ~~(2)~~ (a)(2), when such officer is responding to the scene of a crime, even if such officer exits the city limits of the city employing the officer and further reenters the city limits of the city employing the officer to respond to such scene.

~~(8)(c)~~ Campus police officers employed by a community college or school district may exercise ~~the power~~ powers and authority of law enforcement officers anywhere:

~~(a)(1)~~ On property owned, occupied or operated by the school district or community college or at the site of a function sponsored by the school district or community college;

~~(b)(2)~~ on the streets, property and highways immediately adjacent to and coterminous with property described in ~~subsection (8)(a) paragraph (1);~~

~~(c)(3)~~ within the city or county where property described in ~~subsection (8)(a) paragraph (1) or (2)~~ paragraph (1) or (2) is located, as necessary to protect the health, safety and welfare of students and faculty of the school district or community college, with appropriate agreement by local law enforcement agencies. Such agreements shall include provisions, defining the geographical scope of the jurisdiction conferred, circumstances requiring the extended jurisdiction, scope of law enforcement powers and duration of the agreement. Before any agreement entered into pursuant to this section shall take effect, it shall be approved by the governing body of the city or county, or both, having jurisdiction where such property is located, and the board of education or board of trustees involved; and

~~(d)(4)~~ with appropriate notification of and coordination with local law enforcement agencies, within the city or county where property described in ~~subsection (8)(a) or (8)(b) paragraph (1) or (2)~~ paragraph (1) or (2) is located, when there is reason to believe that a violation of a state law, county resolution or city ordinance has occurred on such property, as necessary to investigate and arrest persons for such a violation;

~~(e)~~ when in fresh pursuit of a person; and

~~(f)~~ when transporting persons in custody to an appropriate facility, wherever it may be located.

~~(9)(f)~~ TAG law enforcement officers employed by the adjutant general may exercise ~~their powers as police~~ the powers and authority of law enforcement officers anywhere:

~~(a)(1)~~ On property owned or under the control of the Kansas national guard or any component under the command of the adjutant general;

~~(b)(2)~~ on the streets, property and highways immediately adjacent to property owned or under the control of the Kansas national guard;

~~(3)~~ within the city or county where ~~such property as described in subsection (9)(a) or (b) property described in paragraph (1) or (2)~~ is located, as necessary to protect such property; or to protect the health, safety and welfare of members of the national guard, reserve or employees of the United States department of defense, the United States department of homeland security or any branch of the United States military, with appropriate agreement by the local law enforcement agencies. Such agreements shall include provisions defining the geographical scope of the jurisdiction conferred, circumstances requiring the extended jurisdiction, scope of law enforcement powers and duration of the agreement. Any agreement entered into pursuant to this provision shall be approved by the governing body of the city or county, or both, having jurisdiction where such property is located, and the adjutant general before such agreement may take effect. ~~In addition; and~~

~~(4)~~ additionally, when there is reason to believe that a violation of a state law, a county resolution or a city ordinance has occurred on property described in ~~subsection (9)(a) or (b) paragraph (1) or (2)~~, after providing appropriate notification to, and coordination with, local law enforcement agencies or departments, such officers may investigate and arrest persons for such a violation anywhere within the city or county where such property, streets and highways are located. ~~Such officers also may exercise such powers in any other place when in fresh pursuit of a person. TAG law enforcement officers shall also have authority to transport persons in custody to an appropriate facility, wherever it may be located.~~

~~(10)(g)~~ Horsethief reservoir benefit district law enforcement officers may exercise ~~the power powers~~ and authority of law enforcement officers anywhere:

~~(a)(1)~~ On property owned, occupied or operated by the benefit district or at the site of a function sponsored by the benefit district;

~~(b)(2)~~ on the streets, property and highways immediately adjacent to and coterminous with property described in ~~subsection (10)(a) paragraph (1)~~;

~~(e)(3)~~ within the city or county where property described in ~~subsection (10)(a) paragraph (1) or (2)~~ is located, as necessary to protect the health, safety and welfare of benefit district employees, board members, volunteers and visitors, with appropriate agreement by local law enforcement agencies. Such agreements shall include provisions defining the geographical scope of the jurisdiction conferred, circumstances requiring the extended jurisdiction, scope of law enforcement powers and duration of the agreement. Before any agreement entered into pursuant to this section shall take effect, it shall be approved by the governing body of the city or county, or both, having jurisdiction where such property is located, and the governing board of the horsethief reservoir benefit district; and

~~(d)(4)~~ with appropriate notification of and coordination with local law enforcement agencies, within the city or county where property described in ~~subsection (10)(a) or (10)(b) paragraph (1) or (2)~~ is located, when there is reason to believe that a violation of a state law, county resolution or city ordinance has occurred on such property, as necessary to investigate and arrest persons for such a violation;

~~(e)~~ when in fresh pursuit of a person; and

~~(f)~~ when transporting persons in custody to an appropriate facility, wherever it may be located.

(H)(h) All law enforcement officers not otherwise provided statewide jurisdiction may exercise the powers and authority of law enforcement officers anywhere when:

(1) A request for assistance has been made by law enforcement officers from the area for which assistance is requested;

(2) in fresh pursuit of a person;

(3) transporting persons in custody to an appropriate facility, wherever such facility may be located; and

(4) investigating a crime that occurred within the law enforcement officer's jurisdiction, with appropriate notification to and coordination with a local law enforcement agency with jurisdiction where the investigation is to be conducted.

(i) In addition to the jurisdictional authority provided in this section and any other provision of law, all law enforcement officers may exercise the powers and authority of law enforcement officers when outside their described jurisdiction and when an activity is observed leading the officer to reasonably suspect a person is committing, has committed or is about to commit a crime and reasonably believe that a person is in imminent danger of death or bodily injury without immediate action, subject to the following:

(1) The officer is in an on-duty status, traveling in a law enforcement vehicle to or from work or traveling to a training or law enforcement function outside their jurisdiction;

(2) the officer reports the activity and their actions to a law enforcement agency with jurisdiction;

(3) the officer remains at the location of the activity and cooperates with officers responding from the jurisdiction of occurrence;

(4) the officer is in uniform or otherwise properly identified as a law enforcement officer; and

(5) the agency employing the officer may impose additional restrictions through written policies.

(j) As used in this section:

(1) "Law enforcement officer" means:-(i) (A) Any law enforcement officer as defined in K.S.A. 22-2202 74-5602, and amendments thereto, who is employed by a law enforcement agency described in this section; or-(ii) (B) any tribal law enforcement officer who is employed by a Native American Indian Tribe and has completed successfully the initial and any subsequent law enforcement training required under the Kansas law enforcement training act.

(2) "University police officer" means a police officer employed by the chief executive officer of:-(i) (A) Any state educational institution under the control and supervision of the state board of regents; or-(ii) (B) a municipal university.

(3) "Campus police officer" means a school security officer designated as a campus police officer pursuant to K.S.A. 72-6146, and amendments thereto.

(4) "Fresh pursuit" means pursuit, without unnecessary delay, of a person who has committed a crime, or who is reasonably suspected of having committed a crime.

(5) "Native American Indian Tribe" means the Prairie Band Potawatomi Nation, Kickapoo Tribe in Kansas, Sac and Fox Nation of Missouri and the Iowa Tribe of Kansas and Nebraska.

(6) "Reservation" means:

(A) With respect to the Iowa Tribe of Kansas and Nebraska, the reservation

established by treaties with the United States concluded May 17, 1854, and March 6, 1861;

~~(ii)~~(B) with respect to the Kickapoo Nation, the reservation established by treaty with the United States concluded June 28, 1862;

~~(iii)~~(C) with respect to the Prairie Band Potawatomi Nation in Kansas, the reservation established by treaties with the United States concluded June 5, 1846, November 15, 1861, and February 27, 1867; and

~~(iv)~~(D) with respect to the Sac and Fox Nation of Missouri in Kansas and Nebraska: ~~(A)~~ (i) The reservation established by treaties with the United States concluded May 18, 1854, and March 6, 1861, and by acts of Congress of June 10, 1872 (17 Stat. 391), and August 15, 1876 (19 Stat. 208); and ~~(B)~~ (ii) the premises of the gaming facility established pursuant to the gaming compact entered into between such nation and the state of Kansas, and the surrounding parcel of land held in trust which lies adjacent to and east of U.S. Highway 75 and adjacent to and north of Kansas Highway 20, as identified in such compact.

~~(g)~~(7) "TAG law enforcement officer" means a police officer employed by the adjutant general pursuant to K.S.A. 48-204, and amendments thereto.

~~(h)~~(8) "Horsethief reservoir benefit district law enforcement officer" means a police officer employed by the horsethief reservoir benefit district pursuant to K.S.A. 82A-2212, and amendments thereto.";

On page 2, following line 5, by inserting:

"Sec. 5. K.S.A. 38-2210 is hereby amended to read as follows: 38-2210. To facilitate investigation and ensure the provision of necessary services to children who may be in need of care and such children's families, the following persons and entities with responsibilities concerning a child who is alleged or adjudicated to be in need of care shall freely exchange information:

- (a) The secretary.
- (b) The secretary of corrections.
- (c) ~~The~~A law enforcement agency investigating or receiving such report. Such information shall include information and records disclosed pursuant to K.S.A. 38-2212(e), and amendments thereto.
- (d) Members of a court appointed multidisciplinary team.
- (e) An entity mandated by federal law or an agency of any state authorized to receive and investigate reports of a child known or suspected to be in need of care.
- (f) A military enclave or Indian tribal organization authorized to receive and investigate reports of a child known or suspected to be in need of care.
- (g) A county or district attorney with responsibility for filing a petition pursuant to K.S.A. 38-2214, and amendments thereto.
- (h) A court services officer who has taken a child into custody pursuant to K.S.A. 38-2231, and amendments thereto.
- (i) An intake and assessment worker.
- (j) Any community corrections program which has the child under court ordered supervision.
- (k) The department of health and environment or persons authorized by the department of health and environment pursuant to K.S.A. 65-512, and amendments thereto, for the purpose of carrying out responsibilities relating to licensure or registration of child care providers as required by article 5 of chapter 65 of the Kansas

Statutes Annotated, and amendments thereto.

(1) The interstate compact for juveniles compact administrator for the purpose of carrying out the responsibilities related to the interstate compact for juveniles.

Sec. 6. K.S.A. 38-2211 is hereby amended to read as follows: 38-2211. (a) *Access to the official file.* The following persons or entities shall have access to the official file of a child in need of care proceeding pursuant to this code:

(1) The court having jurisdiction over the proceedings, including the presiding judge and any court personnel designated by the judge.

(2) The parties to the proceedings and their attorneys.

(3) The guardian ad litem for a child who is the subject of the proceeding.

(4) A court appointed special advocate for a child who is the subject of the proceeding or a paid staff member of a court appointed special advocate program.

(5) Any individual, or any public or private agency or institution, having custody of the child under court order or providing educational, medical or mental health services to the child or any placement provider or potential placement provider as determined by the secretary or court services officer.

(6) A citizen review board.

(7) The secretary of corrections or any agents designated by the secretary of corrections.

(8) Any county or district attorney from another jurisdiction with a pending child in need of care matter regarding any of the same parties.

(9) Any other person when authorized by a court order, subject to any conditions imposed by the order.

(10) The commission on judicial performance in the discharge of the commission's duties pursuant to article 32 of chapter 20 of the Kansas Statutes Annotated, and amendments thereto.

(11) An investigating law enforcement agency.

(b) *Access to the social file.* The following persons or entities shall have access to the social file of a child in need of care proceeding pursuant to this code:

(1) The court having jurisdiction over the proceeding, including the presiding judge and any court personnel designated by the judge.

(2) The attorney for a party to the proceeding or the person or persons designated by an Indian tribe that is a party.

(3) The guardian ad litem for a child who is the subject of the proceeding.

(4) A court appointed special advocate for a child who is the subject of the proceeding or a paid staff member of a court appointed special advocate program.

(5) A citizen review board.

(6) The secretary.

(7) The secretary of corrections or any agents designated by the secretary of corrections.

(8) Any county or district attorney from another jurisdiction with a pending child in need of care matter regarding any of the same parties or interested parties.

(9) Any other person when authorized by a court order, subject to any conditions imposed by the order.

(10) An investigating law enforcement agency.

(c) *Preservation of records.* The Kansas state historical society shall be allowed to take possession for preservation in the state archives of any court records related to

proceedings under the Kansas code for care of children whenever such records otherwise would be destroyed. No such records in the custody of the Kansas state historical society shall be disclosed directly or indirectly to anyone for 70 years after creation of the records, except as provided in subsections (a) and (b). Pursuant to subsections (a)(9) and (b)(9), a judge of the district court may allow inspection for research purposes of any court records in the custody of the Kansas state historical society related to proceedings under the Kansas code for care of children.

Sec. 7. K.S.A. 38-2212 is hereby amended to read as follows: 38-2212. (a) *Principle of appropriate access.* Information contained in confidential agency records concerning a child alleged or adjudicated to be in need of care may be disclosed as provided in this section and shall be disclosed as provided in subsection (e). Disclosure shall in all cases be guided by the principle of providing access only to persons or entities with a need for information that is directly related to achieving the purposes of this code.

(b) *Free exchange of information.* Pursuant to K.S.A. 38-2210, and amendments thereto, the secretary and juvenile intake and assessment agencies shall participate in the free exchange of information concerning a child who is alleged or adjudicated to be in need of care.

(c) *Necessary access.* The following persons or entities shall have access to information from agency records. Access shall be limited to information reasonably necessary to carry out their lawful responsibilities, to maintain their personal safety and the personal safety of individuals in their care, or to educate, diagnose, treat, care for or protect a child alleged to be in need of care. Information authorized to be disclosed pursuant to this subsection shall not contain information that identifies a reporter of a child who is alleged or adjudicated to be a child in need of care.

(1) A child named in the report or records, a guardian ad litem appointed for the child and the child's attorney.

(2) A parent or other person responsible for the welfare of a child, or such person's legal representative.

(3) A court-appointed special advocate for a child, a citizen review board or other advocate that reports to the court.

(4) A person licensed to practice the healing arts or mental health profession in order to diagnose, care for, treat or supervise:

(A) A child whom such service provider reasonably suspects may be in need of care;

(B) a member of the child's family; or

(C) a person who allegedly abused or neglected the child.

(5) A person or entity licensed or registered by the secretary of health and environment or approved by the secretary for children and families to care for, treat or supervise a child in need of care.

(6) A coroner or medical examiner when such person is determining the cause of death of a child.

(7) The state child death review board established under K.S.A. 22a-243, and amendments thereto.

(8) An attorney for a private party who files a petition pursuant to K.S.A. 38-2233(b), and amendments thereto.

(9) A foster parent, prospective foster parent, permanent custodian, prospective

permanent custodian, adoptive parent or prospective adoptive parent. In order to assist such persons in making an informed decision regarding acceptance of a particular child, to help the family anticipate problems that may occur during the child's placement, and to help the family meet the needs of the child in a constructive manner, the secretary shall seek and shall provide the following information to such persons as the information becomes available to the secretary:

- (A) Strengths, needs and general behavior of the child;
- (B) circumstances that necessitated placement;
- (C) information about the child's family and the child's relationship to the family that may affect the placement;
- (D) important life experiences and relationships that may affect the child's feelings, behavior, attitudes or adjustment;
- (E) medical history of the child, including third-party coverage that may be available to the child; and
- (F) education history, to include present grade placement, special strengths and weaknesses.

(10) The state protection and advocacy agency as provided by K.S.A. 65-5603(a)(10) or K.S.A. 74-5515(a)(2)(A) and (B), and amendments thereto.

(11) Any educational institution to the extent necessary to enable the educational institution to provide the safest possible environment for its pupils and employees.

(12) Any educator to the extent necessary to enable the educator to protect the personal safety of the educator and the educator's pupils.

(13) Any other federal, state or local government executive branch entity or any agent of such entity, having a need for such information in order to carry out such entity's responsibilities under the law to protect children from abuse and neglect.

(d) *Specified access.* The following persons or entities shall have access to information contained in agency records as specified. Information authorized to be disclosed pursuant to this subsection shall not contain information that identifies a reporter of a child who is alleged or adjudicated to be a child in need of care.

(1) Information from confidential agency records of the Kansas department for children and families, a law enforcement agency or any juvenile intake and assessment worker of a child alleged or adjudicated to be in need of care shall be available to members of the standing house or senate committee on judiciary, house committee on corrections and juvenile justice, house committee on appropriations, senate committee on ways and means, legislative post audit committee and any joint committee with authority to consider children's and families' issues, when carrying out such member's or committee's official functions in accordance with K.S.A. 75-4319, and amendments thereto, in a closed or executive meeting. Except in limited conditions established by $\frac{2}{3}$ of the members of such committee, records and reports received by the committee shall not be further disclosed. Unauthorized disclosure may subject such member to discipline or censure from the house of representatives or senate. The secretary for children and families shall not summarize the outcome of department actions regarding a child alleged to be a child in need of care in information available to members of such committees.

(2) The secretary for children and families may summarize the outcome of department actions regarding a child alleged to be a child in need of care to a person having made such report.

(3) Information from confidential reports or records of a child alleged or adjudicated to be a child in need of care may be disclosed to the public when:

(A) The individuals involved or their representatives have given express written consent; or

(B) the investigation of the abuse or neglect of the child or the filing of a petition alleging a child to be in need of care has become public knowledge, provided, however, that the agency shall limit disclosure to confirmation of procedural details relating to the handling of the case by professionals.

(e) Law enforcement access. The secretary shall disclose confidential agency records of a child alleged or adjudicated to be a child in need of care, as described in K.S.A. 38-2209, and amendments thereto, to the law enforcement agency investigating the alleged or substantiated report or investigation of abuse or neglect, regardless of the disposition of such report or investigation. Such records shall include, but not be limited to, any information regarding such report or investigation, records of past reports or investigations concerning such child and such child's siblings and the perpetrator or alleged perpetrator and the name and contact information of the reporter or persons alleging abuse or neglect and case managers, investigators or contracting agency employees assigned to or investigating such report. Such records shall only be used for the purposes of investigating the alleged or substantiated report or investigation of abuse or neglect.

~~(e)~~(f) *Court order.* Notwithstanding the provisions of this section, a court of competent jurisdiction, after in camera inspection, may order disclosure of confidential agency records pursuant to a determination that the disclosure is in the best interests of the child who is the subject of the reports or that the records are necessary for the proceedings of the court. The court shall specify the terms of disclosure and impose appropriate limitations.

~~(f)~~(g) (1) Notwithstanding any other provision of law to the contrary, except as provided in paragraph (6), in the event that child abuse or neglect results in a child fatality or near fatality, reports or records of a child alleged or adjudicated to be in need of care received by the secretary, a law enforcement agency or any juvenile intake and assessment worker shall become a public record and subject to disclosure pursuant to K.S.A. 45-215, and amendments thereto.

(2) Within seven days of receipt of a request in accordance with the procedures adopted under K.S.A. 45-220, and amendments thereto, the secretary shall notify any affected individual that an open records request has been made concerning such records. The secretary or any affected individual may file a motion requesting the court to prevent disclosure of such record or report, or any select portion thereof. Notice of the filing of such motion shall be provided to all parties requesting the records or reports, and such party or parties shall have a right to hearing, upon request, prior to the entry of any order on such motion. If the affected individual does not file such motion within seven days of notification, and the secretary has not filed a motion, the secretary shall release the reports or records. If such motion is filed, the court shall consider the effect such disclosure may have upon an ongoing criminal investigation, a pending prosecution, or the privacy of the child, if living, or the child's siblings, parents or guardians, and the public's interest in the disclosure of such records or reports. The court shall make written findings on the record justifying the closing of the records and shall provide a copy of the journal entry to the affected parties and the individual

requesting disclosure pursuant to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto.

(3) Notwithstanding the provisions of paragraph (2), in the event that child abuse or neglect results in a child fatality, the secretary shall release the following information in response to an open records request made pursuant to the Kansas open records act, within seven business days of receipt of such request, as allowed by applicable law:

- (A) Age and sex of the child;
- (B) date of the fatality;
- (C) a summary of any previous reports of abuse or neglect received by the secretary involving the child, along with the findings of such reports; and
- (D) any department recommended services provided to the child.

(4) Notwithstanding the provisions of paragraph (2), in the event that a child fatality occurs while such child was in the custody of the secretary for children and families, the secretary shall release the following information in response to an open records request made pursuant to the Kansas open records act, within seven business days of receipt of such request, as allowed by applicable law:

- (A) Age and sex of the child;
- (B) date of the fatality; and
- (C) a summary of the facts surrounding the death of the child.

(5) For reports or records requested pursuant to this subsection, the time limitations specified in this subsection shall control to the extent of any inconsistency between this subsection and K.S.A. 45-218, and amendments thereto. As used in this section, "near fatality" means an act that, as certified by a person licensed to practice medicine and surgery, places the child in serious or critical condition.

(6) Nothing in this subsection shall allow the disclosure of reports, records or documents concerning the child and such child's biological parents that were created prior to such child's adoption. Nothing herein is intended to require that an otherwise privileged communication lose its privileged character.

Sec. 8. K.S.A. 72-6146 is hereby amended to read as follows: 72-6146. (a) The board of education of any school district or the board of trustees of any community college may employ school security officers, and may designate any one or more of such school security officers as a campus police officer, to aid and supplement law enforcement agencies of the state and of the city and county in which the school district or community college is located.

(b) The protective function of school security officers shall extend to all property of the school district or community college and the protection of students, teachers and other employees together with the property of such persons on or in any school or community college property or areas adjacent thereto, or while attending or located at the site of any school or community college-sponsored function. While engaged in the protective functions specified in this section, each school security officer shall possess and exercise all general law enforcement powers, rights, privileges, protections and immunities in every county in which there is located any part of the territory of the school district or community college.

(c) The protective function of campus police officers shall extend to all property of the school district or community college and the protection of students, teachers and other employees together with the property of such persons on or in any school or community college property or areas adjacent thereto, or while attending or located at

the site of any school or community college-sponsored function. While engaged in the protective functions specified in this section, each campus police officer shall possess and exercise all general law enforcement powers, rights, privileges, protections and immunities in every county in which there is located any part of the territory of the school district or community college, provided that such officer does not violate the memorandum of understanding approved by the superintendent of the school district pursuant to K.S.A. 72-6143(i), and amendments thereto.

(d) ~~Campus police officers shall have the power and authority of law enforcement officers:~~

~~(1) On property owned, occupied or operated by the school district or community college or at the site of a function sponsored by the school district or community college;~~

~~(2) on the streets, property and highways immediately adjacent to and coterminous with property described in subsection (d)(1);~~

~~(3) within the city or county where property described in subsection (d)(1) is located, as necessary to protect the health, safety and welfare of students and faculty of the school district or community college, with appropriate agreement by local law enforcement agencies. Such agreements shall include provisions, defining the geographical scope of the jurisdiction conferred, circumstances requiring the extended jurisdiction, scope of law enforcement powers and duration of the agreement. Before any agreement entered into pursuant to this section shall take effect, it shall be approved by the governing body of the city or county, or both, having jurisdiction where such property is located, and the board of education or board of trustees involved;~~

~~(4) with appropriate notification of and coordination with local law enforcement agencies, within the city or county where property described in subsection (d)(1) or (d)(2) is located, when there is reason to believe that a violation of a state law, county resolution or city ordinance has occurred on such property, as necessary to investigate and arrest persons for such a violation;~~

~~(5) when in fresh pursuit of a person; and~~

~~(6) when transporting persons in custody to an appropriate facility, wherever it may be located.~~

(e) In addition to enforcement of state law, county resolutions and city ordinances, campus police officers shall enforce rules and regulations and rules and policies of the board of trustees or school board, whether or not violation thereof constitutes a criminal offense. While on duty, campus police officers shall wear and display publicly a badge of office. No such badge shall be required to be worn by any plain clothes investigator or departmental administrator, but any such officer shall present proper credentials and identification when required in the performance of such officer's duties. In performance of any of the powers, duties and functions authorized by this section, K.S.A. 22-2401a, and amendments thereto, or any other law, campus police officers shall have the same rights, protections and immunities afforded other law enforcement officers.

~~(f)(c)~~ The board of education of each school district shall adopt a policy providing for notification of a student's parents or guardians whenever the student is taken into custody by a campus police officer.;

Also on page 2, in line 6, before "K.S.A" by inserting "K.S.A. 38-2210, 38-2211, 38-2212 and 72-6146 and"; also in line 6, after "Supp." by inserting "22-2401a and"; also in line 6, by striking "is" and inserting "are"; in line 8, by striking "Kansas register" and

inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "crimes, punishment and criminal procedure" and inserting "law enforcement"; in line 2, after "to" by inserting "criminal history record information; requiring the retention of fingerprint information; participation in the rap back program; limiting access to fingerprints and records relating to fingerprints; relating to privacy rights on real property; imposing restrictions on surveillance by employees of the Kansas department of wildlife and parks; expanding the jurisdiction and powers of law enforcement officers; relating to"; in line 3, after the semicolon by inserting "clarifying information exchange in investigations of child abuse between the Kansas department for children and families and law enforcement agencies; directing the department to release certain information to law enforcement agencies"; also in line 3, after "amending" by inserting "K.S.A. 38-2210, 38-2211, 38-2212 and 72-6146 and"; also in line 3, after "Supp." by inserting "22-2401a and"; in line 4, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

KELLIE WARREN

RICK WILBORN

DAVID HALEY

Conferees on part of Senate

FRED PATTON

BRAD RALPH

JOHN CARMICHAEL

Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on **HB 2299**.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, 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 2361** 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. 2361, as follows:

On page 3, following line 20, by inserting:

"Sec. 2. K.S.A. 2021 Supp. 20-3127 is hereby amended to read as follows: 20-3127. (a) Except as provided further, all fees collected pursuant to K.S.A. 20-3126, and amendments thereto, shall be used to establish and maintain the county law library. A board of trustees, appointed as provided in this section, shall have the management and

control of such library and shall use the fees paid for registration, and all other sums, books, or library materials or equipment donated or provided by law, for the purpose of establishing and maintaining such library in the county courthouse or other suitable place to be provided and maintained by the county commissioners of such county, including acquiring and maintaining materials and technology that may, at the discretion of the board of trustees, be loaned to library users for use outside the premises of the library. The district judge or district judges of the district court, members of the bar who have registered and paid the fee provided for in K.S.A. 20-3126, and amendments thereto, judges of all other courts in the county and county officials shall have the right to use the library in accordance with the rules and regulations established by the board of trustees. The board of trustees shall develop guidelines to provide members of the public reasonable access to the law library.

(b) ~~(1)~~ The board of trustees of any law library established or governed under this act, ~~and amendments thereto, in Johnson and Sedgwick and Douglas counties~~ shall consist of the following five members:;

~~(A) Two of which shall be judges of the district court, appointed by a consensus of all judges of the district court in those counties, such county; and~~

~~(B) three of which shall be members of the Johnson or Sedgwick county such county's bar association, appointed by selection of the county bar association pursuant to the Johnson or Sedgwick county bar association's bylaws for two-year terms.~~

~~(2)~~ The board of trustees of the law library in all other counties shall consist of the district judge or judges of the district court presiding in such county and not less than two attorneys who shall be elected for two-year terms by a majority of the attorneys residing in the county.

(c) The clerk of the district court of the county shall be treasurer of the library and shall safely keep the funds of such library and disburse them as the trustees shall direct. The clerk shall be liable on an official bond for any failure, refusal or neglect in performing such duties.

(d) The board of county commissioners of any county designated an urban area pursuant to K.S.A. 19-2654, and amendments thereto, wherein an election has been held to come under the provisions of this act is hereby authorized to appoint, by and with the advice and consent of the board of trustees of the law library of such county, a librarian, who shall act as custodian of the law library of such county and shall assist in the performance of the clerk's duties as treasurer thereof, and such assistants as are necessary to perform the duties of administering the law library. The librarian and any assistants so appointed shall be employees of the county under the supervision of the board of county commissioners, or the board's designated official, with the advice and recommendations of the board of trustees of the law library, and shall be subject to the personnel policies and procedures established by the board of county commissioners for all employees of the county. The librarian and any assistants shall receive as compensation such salaries and benefits as established by the law library board of trustees, subject to the approval of the board of county commissioners, which shall be payable from the general fund of the county, through the county payroll process, from funds budgeted and made available by the law library board of trustees for that purpose through the collection of fees or other funds authorized by this act.

(e) All attorneys registered under this act shall not be liable to pay any occupational tax or city license fees levied under the laws of this state by any municipality.

(f) (1) Except as provided by subsection (f)(2), the board of trustees of a county law library established pursuant to this section may authorize the chief judge of the judicial district to use fees collected pursuant to K.S.A. 20-3126, and amendments thereto, for the purpose of facilitating and enhancing functions of the district court of the county. No judge shall participate in any decision made by the board of trustees of a county law library pursuant to this paragraph to authorize the chief judge of the judicial district to use fees collected pursuant to K.S.A. 20-3126, and amendments thereto.

(2) The provisions of subsection (f)(1) shall not apply to the board of trustees of any law library established in Johnson and Sedgwick counties.;

On page 22, in line 14, after "Supp." by inserting "20-3127,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "relating to law libraries; removing the requirement that all district court judges serve on the board of trustees of the Douglas county law library;"; in line 7, after "Supp." by inserting "20-3127,";

And your committee on conference recommends the adoption of this report.

KELLIE WARREN

RICK WILBORN

DAVID HALEY

Conferees on part of Senate

STEPHEN OWENS

ERIC SMITH

DENNIS HIGHBERGER

Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on **S Sub HB 2361**.

On roll call, the vote was: Yeas 36; Nays 4; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Ware, Warren, Wilborn.

Nays: Peck, Steffen, 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 2377** 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 Further Amended by Senate Committee, as follows:

On page 2, following line 1, by inserting:

"New Section 1. (a) Operating an aircraft under the influence is operating or attempting to operate any aircraft within this state while:

(1) The alcohol concentration in the person's blood or breath as shown by any competent evidence, including other competent evidence, is 0.04 or more;

(2) the alcohol concentration in the person's blood or breath, as measured within four hours of the time of operating or attempting to operate an aircraft, is 0.04 or more;

(3) under the influence of alcohol to a degree that renders the person incapable of safely operating an aircraft;

(4) under the influence of any drug or combination of drugs to a degree that renders the person incapable of safely operating an aircraft; or

(5) under the influence of a combination of alcohol and any drug or drugs to a degree that renders the person incapable of safely operating an aircraft.

(b) (1) Operating an aircraft under the influence is a class A nonperson misdemeanor, except as provided in subsection (b)(2).

(A) On a first conviction, the person convicted shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment, or in the court's discretion 100 hours of public service, and fined not less than \$750.

(B) On second or subsequent conviction, the person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250. The following conditions shall apply to such sentence:

(i) As a condition of any probation granted under this subsection, the person shall serve at least 120 hours of confinement. The hours of confinement shall include at least 48 hours of imprisonment and otherwise may be served by a combination of: Imprisonment; a work release program, if such work release program requires such person to return to the confinement at the end of each day in the work release program; or a house arrest program pursuant to K.S.A. 2021 Supp. 21-6609, and amendments thereto; and

(ii) (a) if the person is placed into a work release program or placed under a house arrest program for any portion of the minimum of 120 hours of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program until the minimum sentence is met. If the person is placed into a work release program or placed under a house arrest program for more than the minimum of 120 hours of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program until the minimum of 120 hours of confinement is completed, and thereafter, the person shall receive day-for-day credit for time served in such program unless otherwise ordered by the court; and

(b) when in a work release program, the person shall only be given credit for the time served in confinement at the end of and continuing to the beginning of the person's work day. When under a house arrest program, the person shall be monitored by an electronic monitoring device that verifies the person's location and shall only be given credit for the time served within the boundaries of the person's residence.

(2) (A) Operating an aircraft under the influence is a severity level 6, nonperson felony if the offense occurred while the person convicted is prohibited from operating an aircraft:

(i) By a court order pursuant to this section; or

(ii) because such person's pilot license is revoked or suspended by an order of the federal aviation administration for a prior alcohol or drug-related conviction.

(B) The following conditions shall apply to such sentence:

(i) As a condition of any probation granted under this subsection, the person shall serve at least 30 days of confinement. After at least 48 consecutive hours of imprisonment, the remainder of the period of confinement may be served by a

combination of: Imprisonment; a work release program, if such work release program requires such person to return to the confinement at the end of each day in the work release program; or a house arrest program pursuant to K.S.A. 2021 Supp. 21-6609, and amendments thereto; and

(ii) (a) if the person is placed into a work release program or placed under a house arrest program for any portion of the minimum of 30 days of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program for the first 240 hours of confinement, and thereafter, the person shall receive day-for-day credit for time served in such program unless otherwise ordered by the court; and

(b) when in a work release program, the person shall only be given credit for the time served in confinement at the end of and continuing to the beginning of the person's work day. When under a house arrest program, the person shall be monitored by an electronic monitoring device that verifies the person's location and shall only be given credit for the time served within the boundaries of the person's residence.

(3) As part of the judgment of conviction, the court shall order the person convicted not to operate an aircraft for any purpose for a period of six months from the date of final discharge from the county jail, or the date of payment or satisfaction of such fine, whichever is later or one year from such date on a second conviction. If the court suspends the sentence and places the person on probation as provided by law, the court shall order as one of the conditions of probation that such person not operate an aircraft for any purpose for a period of 30 days from the date of the order on a first conviction or 60 days from the date of the order on a second conviction.

(4) For the purpose of determining whether an occurrence is a first, second or subsequent occurrence:

(A) "Conviction" includes entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging commission of a crime described in subsection (a); and

(B) it is irrelevant whether an offense occurred before or after conviction or diversion for a previous offense.

(c) If a person is charged with a violation of subsection (a)(4) or (a)(5), the fact that the person is or has been entitled to use the drug under the laws of this state shall not constitute a defense against the charge.

New Sec. 2. (a) Any person who operates or attempts to operate an aircraft within this state may be requested, subject to the provisions of sections 1 through 4, and amendments thereto, to submit to one or more tests of the person's blood, breath, urine or other bodily substance to determine the presence of alcohol or drugs. The testing shall include all quantitative and qualitative tests for alcohol and drugs. The test shall be administered at the direction of a law enforcement officer, and the law enforcement officer shall determine which type of test is to be conducted or requested.

(b) (1) One or more tests may be required of a person when, at the time of the request, a law enforcement officer has probable cause to believe the person has committed a violation of section (1)(a), and amendments thereto, while having alcohol or drugs in such person's system, and one of the following conditions exists:

(A) The person has been arrested or otherwise taken into custody for any offense violation of any state statute, county resolution or city ordinance; or

(B) the person has been involved in an aircraft accident or crash resulting in

property damage, personal injury or death.

(2) The law enforcement officer directing administration of the test or tests may act on personal knowledge or on the basis of the collective information available to law enforcement officers involved in the investigation or arrest.

(c) Nothing in this section shall be construed to limit the right of a law enforcement officer to conduct any search of a person's breath or other bodily substance, other than blood or urine, incident to a lawful arrest pursuant to the constitution of the United States, nor limit the admissibility at any trial or hearing of alcohol or drug concentration testing results obtained pursuant to such a search.

(d) Nothing in this section shall be construed to limit the right of a law enforcement officer to conduct or obtain a blood or urine test of a person pursuant to a warrant under K.S.A. 22-2502, and amendments thereto, the constitution of the United States or a judicially recognized exception to the search warrant requirement, nor limit the admissibility at any trial or hearing of alcohol or drug concentration testing results obtained pursuant to such a search.

(e) A law enforcement officer may direct a medical professional, as described in subsection (f), to draw one or more samples of blood from a person to determine the blood's alcohol or drug concentration if:

(1) The person has given consent and meets the requirements of subsection (b);

(2) law enforcement has obtained a search warrant authorizing the collection of blood from the person; or

(3) the person refuses or is unable to consent to, submit to and complete a test, and another judicially recognized exception to the warrant requirement applies.

(f) If a law enforcement officer is authorized to collect one or more tests of blood under this section, the withdrawal of blood at the direction of the officer may be performed only by:

(1) A person licensed to practice medicine and surgery, licensed as a physician assistant or a person acting under the direction of any such licensed person;

(2) a registered nurse or a licensed practical nurse;

(3) any qualified medical technician, including, but not limited to, an advanced emergency medical technician or a paramedic, as those terms are defined in K.S.A. 65-6112, and amendments thereto, authorized by medical protocol; or

(4) a phlebotomist.

(g) When so directed by a law enforcement officer through a written statement, the medical professional shall withdraw the sample of blood as soon as practical and shall deliver the sample to the law enforcement officer or another law enforcement officer as directed by the requesting law enforcement officer as soon as practical, provided the collection of the sample does not jeopardize the person's life, cause serious injury to the person or seriously impede the person's medical assessment, care or treatment. The medical professional authorized in this section to withdraw the blood and the medical care facility where the blood is drawn may act on good faith that the requirements have been met for directing the withdrawal of blood once presented with the written statement provided for under this subsection. The medical professional shall not require the person that is the subject of the test or tests to provide any additional consent or sign any waiver form. In such a case, the person authorized to withdraw blood and the medical care facility shall not be liable in any action alleging lack of consent or lack of informed consent. Such sample or samples shall be an independent sample and not be a

portion of a sample collected for medical purposes. The person collecting the blood sample shall complete the collection portion of a document if provided by law enforcement.

(h) If a person must be restrained to collect the sample pursuant to this section, law enforcement shall be responsible for applying any such restraint utilizing acceptable law enforcement restraint practices. The restraint shall be effective in controlling the person in a manner not to jeopardize the person's safety or that of the medical professional or attending medical or healthcare staff during the drawing of the sample and without interfering with medical treatment.

(i) (1) If a law enforcement officer is authorized to collect one or more tests of urine, the collection of the urine sample shall be supervised by:

(A) A person licensed to practice medicine and surgery, licensed as a physician assistant or a person acting under the direction of any such licensed person;

(B) a registered nurse or a licensed practical nurse; or

(C) a law enforcement officer of the same sex as the person being tested.

(2) The collection of the urine sample shall be conducted out of the view of any person other than the person supervising the collection of the sample and the person being tested, unless the right to privacy is waived by the person being tested. When possible, the supervising person shall be a law enforcement officer.

(3) The results of qualitative testing for drug presence shall be admissible in evidence and questions of accuracy or reliability shall go to the weight rather than the admissibility of the evidence.

(4) If the person is medically unable to provide a urine sample in such manner due to the injuries or treatment of the injuries, the same authorization and procedure as used for the collection of blood in subsections (g) and (i) shall apply to the collection of a urine sample.

(j) No law enforcement officer who is acting in accordance with this section shall be liable in any civil or criminal proceeding involving the action.

(k) The person's refusal shall be admissible in evidence against the person at any trial on a charge arising out of the alleged operation or attempted operation of an aircraft while under the influence of alcohol or drugs, or a combination of alcohol and any drug or drugs.

(l) No test shall be suppressed because of irregularities not affecting the substantial rights of the accused in the consent or notice authorized pursuant to this section.

(m) Nothing in this section shall be construed to limit the admissibility at any trial of alcohol or drug concentration testing results obtained pursuant to a search warrant or other judicially recognized exception to the warrant requirement.

(n) Upon the request of any person submitting to testing under this section, a report of the results of the testing shall be made available to such person when available.

(o) The person tested shall have a reasonable opportunity to have an additional chemical test by a physician of such person's own choosing. If the law enforcement officer refuses to permit such additional chemical test to be taken, the original test shall not be competent evidence.

(p) (1) The testing and method of testing consented to under this section shall not be considered to have been conducted for any medical care or treatment purpose. The results of such test, the person's name whose bodily substance is drawn or tested, the location of the test or procedure, the names of all health care providers and personnel

who participated in the procedure or test and the date and time of the test or procedure are required by law to be provided to the requesting law enforcement officer or the law enforcement officer's designee after the requesting law enforcement officer has complied with this section.

(2) All costs of conducting any procedure or test requested by a law enforcement agency and authorized by this section, including the costs of the evidence collection kits, shall be charged to and paid by the county where the alleged offense was committed. Such county may be reimbursed such costs upon the costs being paid by the defendant as court costs assessed pursuant to K.S.A. 28-172a, and amendments thereto.

(3) The cost assessed under this section shall be the then-current medicaid rate for any such procedure or test, or both.

(4) Notwithstanding any other law to the contrary, the collection and delivery of the sample and required information to the law enforcement officer pursuant to this section shall not be subject to the physician-patient privilege or any other law that prohibits the transfer, release or disclosure of the sample or of the required information.

(q) No medical care facility, clinical laboratory, medical clinic, other medical institution, person licensed to practice medicine or surgery, person acting under the direction of any such licensed person, licensed physician assistant, registered nurse, licensed practical nurse, medical technician, paramedic, advanced emergency medical technician, phlebotomist, healthcare provider or person who participates in good faith in the obtaining, withdrawal, collection or testing of blood, breath, urine or other bodily substance at the direction of a law enforcement officer pursuant to this section, or as otherwise authorized by law, shall incur any civil, administrative or criminal liability as a result of such participation, regardless of whether or not the patient resisted or objected to the administration of the procedure or test.

(r) Sections 1 through 4, and amendments thereto, are remedial law and shall be liberally construed to promote public health, safety and welfare.

New Sec. 3. (a) A law enforcement officer may request a person who is operating or attempting to operate an aircraft within this state to submit to a preliminary screening test of the person's breath or oral fluid, or both, if the officer has reasonable suspicion to believe the person has been operating or attempting to operate an aircraft while under the influence of alcohol or drugs, or a combination of alcohol and any drug or drugs.

(b) If the person submits to the test, the results shall be used for the purpose of assisting law enforcement officers in determining whether an arrest should be made and whether to request the tests authorized by section 2, and amendments thereto. A law enforcement officer may arrest a person based in whole or in part upon the results of a preliminary screening test. Such results shall not be admissible in any civil or criminal action concerning the operation of or attempted operation of an aircraft except to aid the court in determining a challenge to the validity of the arrest or the validity of the request to submit to a test pursuant to section 2, and amendments thereto. Following the preliminary screening test, additional tests may be requested pursuant to section 2, and amendments thereto.

(c) Any preliminary screening of a person's breath shall be conducted with a device approved pursuant to K.S.A. 65-1,107, and amendments thereto. Any preliminary screening of a person's oral fluid shall be conducted in accordance with rules and regulations, if any, approved pursuant to K.S.A. 75-712h, and amendments thereto.

New Sec. 4. As used in sections 1 through 4, and amendments thereto:

(a) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath.

(b) "Drug" includes toxic vapors as such term is defined in K.S.A. 2021 Supp. 21-5712, and amendments thereto.

(c) "Imprisonment" includes any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city.

(d) "Law enforcement officer" means the same as in K.S.A. 2021 Supp. 21-5111, and amendments thereto, and includes any person authorized by law to make an arrest on a military reservation for an act which would constitute a violation of section 1, and amendments thereto, if committed off a military reservation in this state.

(e) "Other competent evidence" includes:

(1) Alcohol concentration tests obtained from samples taken four hours or more after the operation or attempted operation of an aircraft; and

(2) readings obtained from a partial alcohol concentration test on a breath testing machine.

(f) "Test refusal" refers to a person's failure to submit to or complete any test of the person's blood, breath, urine or other bodily substance, other than a preliminary screening test, in accordance with section 2, and amendments thereto, and includes refusal of any such test on a military reservation.";

On page 25, in line 24, by striking "one" and inserting "two"; in line 25, by striking the first "violation" and inserting "violations";

On page 76, following line 10, by inserting:

"Sec. 20. K.S.A. 2021 Supp. 22-3437 is hereby amended to read as follows: 22-3437. (a) (1) In any hearing or trial, a report concerning forensic examinations and certificate of forensic examination executed pursuant to this section shall be admissible in evidence if the report and certificate are prepared and attested by a criminalist or other employee of the Kansas bureau of investigation, Kansas highway patrol, Johnson County sheriff's laboratory, Sedgwick County regional forensic science center, or any laboratory of the federal bureau of investigation, federal postal inspection service, federal bureau of alcohol, tobacco and firearms or federal drug enforcement administration. If the examination involves a breath test for alcohol content, the report must also be admissible pursuant to K.S.A. 8-1001, and amendments thereto, or section 2, and amendments thereto, and be conducted by a law enforcement officer or other person who is certified by the department of health and environment as a breath test operator as provided by K.S.A. 65-1,107 et seq., and amendments thereto.

(2) Upon the request of any law enforcement agency, such person as provided in paragraph (1) performing the analysis shall prepare a certificate. Such person shall sign the certificate under oath and shall include in the certificate an attestation as to the result of the analysis. The presentation of this certificate to a court by any party to a proceeding shall be evidence that all of the requirements and provisions of this section have been complied with. This certificate shall be supported by a written declaration pursuant to K.S.A. 53-601, and amendments thereto, or shall be sworn to before a notary public or other person empowered by law to take oaths and shall contain a statement establishing the following: The type of analysis performed; the result achieved; any conclusions reached based upon that result; that the subscriber is the

person who performed the analysis and made the conclusions; the subscriber's training or experience to perform the analysis; the nature and condition of the equipment used; and the certification and foundation requirements for admissibility of breath test results, when appropriate. When properly executed, the certificate shall, subject to the provisions of paragraph (3) and notwithstanding any other provision of law, be admissible evidence of the results of the forensic examination of the samples or evidence submitted for analysis and the court shall take judicial notice of the signature of the person performing the analysis and of the fact that such person is that person who performed the analysis.

(3) Whenever a party intends to proffer in a criminal or civil proceeding, a certificate executed pursuant to this section, notice of an intent to proffer that certificate and the reports relating to the analysis in question, including a copy of the certificate, shall be conveyed to the opposing party or parties at least 21 days before the beginning of a hearing where the proffer will be used. An opposing party who intends to object to the admission into evidence of a certificate shall give notice of objection and the grounds for the objection within 14 days upon receiving the adversary's notice of intent to proffer the certificate. Whenever a notice of objection is filed, admissibility of the certificate shall be determined not later than two days before the beginning of the trial. A proffered certificate shall be admitted in evidence unless it appears from the notice of objection and grounds for that objection that the conclusions of the certificate, including the composition, quality or quantity of the substance submitted to the laboratory for analysis or the alcohol content of a blood or breath sample will be contested at trial. A failure to comply with the time limitations regarding the notice of objection required by this section shall constitute a waiver of any objections to the admission of the certificate. The time limitations set forth in this section may be extended upon a showing of good cause.

(b) (1) In any hearing or trial where there is a report concerning forensic examinations from a person as provided in ~~paragraph (1)~~ of subsection (a)(1), district and municipal courts may, upon request of either party, use two-way interactive video technology, including internet-based videoconferencing, to take testimony from that person if the testimony is in relation to the report.

(2) The use of any two-way interactive video technology must be in accordance with any requirements and guidelines established by the office of judicial administration, and all proceedings at which such technology is used in a district court must be recorded verbatim by the court.

Sec. 21. K.S.A. 2021 Supp. 60-427 is hereby amended to read as follows: 60-427.
(a) As used in this section:

(1) "Patient" means a person who, for the sole purpose of securing preventive, palliative, or curative treatment, or a diagnosis preliminary to such treatment, of such person's physical or mental condition, consults a physician, or submits to an examination by a physician.

(2) "Physician" means a person licensed or reasonably believed by the patient to be licensed to practice medicine or one of the healing arts as defined in K.S.A. 65-2802, and amendments thereto, in the state or jurisdiction in which the consultation or examination takes place.

(3) "Holder of the privilege" means the patient while alive and not under guardianship or conservatorship or the guardian or conservator of the patient, or the

personal representative of a deceased patient.

(4) "Confidential communication between physician and patient" means such information transmitted between physician and patient, including information obtained by an examination of the patient, as is transmitted in confidence and by a means which, so far as the patient is aware, discloses the information to no third persons other than those reasonably necessary for the transmission of the information or the accomplishment of the purpose for which it is transmitted.

(b) Except as provided by subsections (c), (d), (e) and (f), a person, whether or not a party, has a privilege in a civil action or in a prosecution for a misdemeanor, other than a prosecution for a violation of K.S.A. 8-2,144 or 8-1567, and amendments thereto, or a city ordinance or county resolution which prohibits the acts prohibited by those statutes, to refuse to disclose, and to prevent a witness from disclosing, a communication, if the person claims the privilege and the judge finds that: (1) The communication was a confidential communication between patient and physician; (2) the patient or the physician reasonably believed the communication necessary or helpful to enable the physician to make a diagnosis of the condition of the patient or to prescribe or render treatment therefor; (3) the witness (i) is the holder of the privilege, (ii) at the time of the communication was the physician or a person to whom disclosure was made because reasonably necessary for the transmission of the communication or for the accomplishment of the purpose for which it was transmitted or (iii) is any other person who obtained knowledge or possession of the communication as the result of an intentional breach of the physician's duty of nondisclosure by the physician or the physician's agent or servant; and (4) the claimant is the holder of the privilege or a person authorized to claim the privilege for the holder of the privilege.

(c) There is no privilege under this section as to any relevant communication between the patient and the patient's physician: (1) Upon an issue of the patient's condition in an action to commit the patient or otherwise place the patient under the control of another or others because of alleged incapacity or mental illness, in an action in which the patient seeks to establish the patient's competence or in an action to recover damages on account of conduct of the patient which constitutes a criminal offense other than a misdemeanor; (2) upon an issue as to the validity of a document as a will of the patient; or (3) upon an issue between parties claiming by testate or intestate succession from a deceased patient.

(d) There is no privilege under this section in an action in which the condition of the patient is an element or factor of the claim or defense of the patient or of any party claiming through or under the patient or claiming as a beneficiary of the patient through a contract to which the patient is or was a party.

(e) There is no privilege under this section: (1) As to blood drawn at the request of a law enforcement officer pursuant to K.S.A. 8-1001, and amendments thereto, or section 2, and amendments thereto; and (2) as to information which the physician or the patient is required to report to a public official or as to information required to be recorded in a public office, unless the statute requiring the report or record specifically provides that the information shall not be disclosed.

(f) No person has a privilege under this section if the judge finds that sufficient evidence, aside from the communication has been introduced to warrant a finding that the services of the physician were sought or obtained to enable or aid anyone to commit or to plan to commit a crime or a tort, or to escape detection or apprehension after the

commission of a crime or a tort.

(g) A privilege under this section as to a communication is terminated if the judge finds that any person while a holder of the privilege has caused the physician or any agent or servant of the physician to testify in any action to any matter of which the physician or the physician's agent or servant gained knowledge through the communication.

(h) Providing false information to a physician for the purpose of obtaining a prescription-only drug shall not be a confidential communication between physician and patient and no person shall have a privilege in any prosecution for unlawfully obtaining or distributing a prescription-only drug under K.S.A. 2021 Supp. 21-5708, and amendments thereto.

Sec. 22. K.S.A. 65-1,107 is hereby amended to read as follows: 65-1,107. The secretary of health and environment may adopt rules and regulations establishing:

(a) The procedures, testing protocols and qualifications of authorized personnel, instruments and methods used in laboratories performing tests for the presence of controlled substances included in schedule I or II of the uniform controlled substances act or metabolites thereof;

(b) the procedures, testing protocols, qualifications of personnel and standards of performance in the testing of human breath for law enforcement purposes, including procedures for the periodic inspection of apparatus, equipment and devices, other than preliminary screening devices, approved by the secretary of health and environment for the testing of human breath for law enforcement purposes;

(c) the requirements for the training, certification and periodic testing of persons who operate apparatus, equipment or devices, other than preliminary screening devices, for the testing of human breath for law enforcement purposes;

(d) criteria for preliminary screening devices for testing of breath for law enforcement purposes, based on health and performance considerations; and

(e) a list of preliminary screening devices which are approved for testing of breath for law enforcement purposes and which law enforcement agencies may purchase and train officers to use as aids in determining:

(1) Probable cause to arrest and grounds for requiring testing pursuant to K.S.A. 8-1001, and amendments thereto, or section 3, and amendments thereto; and

(2) violations of K.S.A. 41-727, and amendments thereto.

Sec. 23. K.S.A. 75-712h is hereby amended to read as follows: 75-712h. The director of the Kansas bureau of investigation is authorized to adopt rules and regulations establishing:

(a) Criteria for preliminary screening devices for testing of oral fluid for law enforcement purposes, based on health and performance considerations; and

(b) a list of preliminary screening devices that are approved for testing of oral fluid for law enforcement purposes and that law enforcement agencies may purchase and train officers to use as aids in determining probable cause to arrest and grounds for requiring testing pursuant to K.S.A. 8-1001, and amendments thereto, or section 3, and amendments thereto.";

Also on page 76, in line 11, after the first "K.S.A." by inserting "3-1001, 3-1002, 3-1003, 3-1004, 3-1005,"; also in line 11, after "8-1016" by inserting ", 65-1,107 and 75-712h"; in line 13, by striking "and" and inserting a comma; also in line 13, after "22-2908" by inserting ", 22-3437 and 60-427";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking the first "driving" and inserting "conveyances; relating to aircraft; operating an aircraft under the influence; prescribing criminal and administrative penalties; providing for testing of blood, breath, urine or other bodily substances and preliminary screening tests of breath or oral fluid"; in line 28, after "8-1016" by inserting ", 65-1,107 and 75-712h"; in line 30, by striking the first "and" and inserting a comma; also in line 30, after "22-2908" by inserting ", 22-3437 and 60-427"; in line 31, after "sections" by inserting "; also repealing K.S.A. 3-1001, 3-1002, 3-1003, 3-1004 and 3-1005";

And your committee on conference recommends the adoption of this report.

KELLIE WARREN

RICK WILBORN

DAVID HALEY

Conferees on part of Senate

FRED PATTON

BRAD RALPH

JOHN CARMICHAEL

Conferees on part of House

Senator Wilborn moved the Senate adopt the Conference Committee Report on **HB 2377**.

On roll call, the vote was: Yeas 39; Nays 1; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2508** 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 7 through 36;

On page 2, by striking all in lines 1 through 21; following line 21, by inserting:

"Section 1. K.S.A. 2021 Supp. 21-5111 is hereby amended to read as follows: 21-5111. The following definitions shall apply when the words and phrases defined are used in this code, except when a particular context clearly requires a different meaning.

(a) "Act" includes a failure or omission to take action.

(b) "Another" means a person or persons as defined in this code other than the person whose act is claimed to be criminal.

(c) "Conduct" means an act or a series of acts; and the accompanying mental state.

(d) "Conviction" includes a judgment of guilt entered upon a plea of guilty.

(e) "Deception" means knowingly creating or reinforcing a false impression, including false impressions as to law, value, intention or other state of mind. "Deception" as to a person's intention to perform a promise shall not be inferred from the fact alone that such person did not subsequently perform the promise. Falsity as to matters having no pecuniary significance, or puffing by statements unlikely to deceive reasonable persons, is not "deception".

(f) "Deprive permanently" means to:

(1) Take from the owner the possession, use or benefit of property, without an intent to restore the same;

(2) retain property without intent to restore the same or with intent to restore it to the owner only if the owner purchases or leases it back, or pays a reward or other compensation for its return; or

(3) sell, give, pledge or otherwise dispose of any interest in property or subject it to the claim of a person other than the owner.

(g) "Distribute" means the actual or constructive transfer from one person to another of some item whether or not there is an agency relationship. "Distribute" includes, but is not limited to, sale, offer for sale, furnishing, buying for, delivering, giving, or any act that causes or is intended to cause some item to be transferred from one person to another. "Distribute" does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act, or otherwise authorized by law.

(h) "DNA" means deoxyribonucleic acid.

(i) "Domestic violence" means an act or threatened act of violence against a person with whom the offender is involved or has been involved in a dating relationship, or an act or threatened act of violence against a family or household member by a family or household member. "Domestic violence" also includes any other crime committed against a person or against property, or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member. For the purposes of this definition:

(1) "Dating relationship" means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since termination of the relationship, if applicable.

(2) "Family or household member" means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. "Family or household member" also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.

(j) "Domestic violence offense" means any crime committed whereby the underlying factual basis includes an act of domestic violence.

(k) "Dwelling" means a building or portion thereof, a tent, a vehicle or other enclosed space ~~which that~~ is used or intended for use as a human habitation, home or residence.

(l) "Expungement" means the sealing of records such that the records are unavailable except to the petitioner and criminal justice agencies as provided by K.S.A. 22-4701 et seq., and amendments thereto, and except as provided in this act.

(m) "Firearm" means any weapon designed or having the capacity to propel a projectile by force of an explosion or combustion.

(n) "Forcible felony" includes any treason, murder, voluntary manslaughter, rape, robbery, burglary, arson, kidnapping, aggravated battery, aggravated sodomy and any other felony ~~which that~~ involves the use or threat of physical force or violence against any person.

(o) "Intent to defraud" means an intention to deceive another person, and to induce such other person, in reliance upon such deception, to assume, create, transfer, alter or terminate a right, obligation or power with reference to property.

(p) "Law enforcement officer" means:

(1) Any person who by virtue of such 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;

(2) any officer of the Kansas department of corrections or, for the purposes of K.S.A. 2021 Supp. 21-5412 and ~~subsection (d) of K.S.A. 2021 Supp. 21-5413(d)~~, and amendments thereto, any employee of the Kansas department of corrections; or

(3) any university police officer or campus police officer, as defined in K.S.A. 22-2401a, and amendments thereto.

(q) "Obtain" means to bring about a transfer of interest in or possession of property, whether to the offender or to another.

(r) "Obtains or exerts control" over property includes, but is not limited to, the taking, carrying away, sale, conveyance, transfer of title to, interest in, or possession of property.

(s) "Owner" means a person who has any interest in property.

(t) "Person" means an individual, public or private corporation, government, partnership, or unincorporated association.

(u) "Personal property" means goods, chattels, effects, evidences of rights in action and all written instruments by which any pecuniary obligation, or any right or title to property real or personal, shall be created, acknowledged, assigned, transferred, increased, defeated, discharged, or dismissed.

(v) "Possession" means knowingly having joint or exclusive control over an item ~~with knowledge of or intent to have such control~~ or knowingly keeping some item in a place where the person has some measure of access and right of control.

(w) "Property" means anything of value, tangible or intangible, real or personal.

(x) "Prosecution" means all legal proceedings by which a person's liability for a crime is determined.

(y) "Prosecutor" means the same as prosecuting attorney in K.S.A. 22-2202, and amendments thereto.

(z) "Public employee" is a person employed by or acting for the state or by or for a county, municipality or other subdivision or governmental instrumentality of the state for the purpose of exercising their respective powers and performing their respective

duties, and who is not a "public officer."

(aa) "Public officer" includes the following, whether elected or appointed:

(1) An executive or administrative officer of the state, or a county, municipality or other subdivision or governmental instrumentality of or within the state;

(2) a member of the legislature or of a governing board of a county, municipality, or other subdivision of or within the state;

(3) a judicial officer, which shall include a judge of the district court, juror, master or any other person appointed by a judge or court to hear or determine a cause or controversy;

(4) a hearing officer, which shall include any person authorized by law or private agreement, to hear or determine a cause or controversy and who is not a judicial officer;

(5) a law enforcement officer; and

(6) any other person exercising the functions of a public officer under color of right.

(bb) "Real property" or "real estate" means every estate, interest, and right in lands, tenements and hereditaments.

(cc) "Solicit" or "solicitation" means to command, authorize, urge, incite, request or advise another to commit a crime.

(dd) "State" or "this state" means the state of Kansas and all land and water in respect to which the state of Kansas has either exclusive or concurrent jurisdiction, and the air space above such land and water. "Other state" means any state or territory of the United States, the District of Columbia and the Commonwealth of Puerto Rico.

(ee) "Stolen property" means property over which control has been obtained by theft.

(ff) "Threat" means a communicated intent to inflict physical or other harm on any person or on property.

(gg) "Written instrument" means any paper, document or other instrument containing written or printed matter or the equivalent thereof, used for purposes of reciting, embodying, conveying or recording information, and any money, token, stamp, seal, badge, trademark, or other evidence or symbol of value, right, privilege or identification, ~~which that~~ is capable of being used to the advantage or disadvantage of some person.

Sec. 2. K.S.A. 2021 Supp. 21-5602 is hereby amended to read as follows: 21-5602.

(a) Abuse of a child is ~~knowingly committing any of the following acts against a child under 18 years of age:~~

~~(1) Torturing or cruelly beating any child under the age of 18 years;~~

~~(2) shaking any child under the age of 18 years which results in great bodily harm to the child; or~~

~~(3) inflicting cruel and inhuman corporal punishment upon any child under the age of 18 years.~~

~~(b)(A) Knowingly torturing, cruelly beating, cruelly striking or cruelly kicking;~~

~~(B) knowingly inflicting cruel and inhuman corporal punishment; or~~

~~(C) knowingly using cruel and inhuman physical restraint, including caging or confining the child in a space not designated for human habitation or binding the child in a way that is not medically necessary;~~

~~(2) recklessly causing great bodily harm, abusive head trauma, permanent disability or disfigurement; or~~

(3) (A) knowingly causing great bodily harm, abusive head trauma, permanent disability or disfigurement;

(B) knowingly inflicting cruel and inhuman corporal punishment with a deadly weapon; or

(C) knowingly impeding the normal breathing or circulation of the blood by applying pressure on the throat, neck or chest of the child or by blocking the nose or mouth of the child in a manner whereby death or great bodily harm could be inflicted.

(b) Abuse of a child is a as defined in:

(1) Severity level 5, person felony, except as provided in subsection (b)(2); and

(2) severity level 4, person felony, if the victim is under the age of six years;

(e) A person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for any form of battery or homicide Subsection (a)(1) is a:

(A) Severity level 5, person felony if the child is at least six years of age but less than 18 years of age; and

(B) severity level 3, person felony if the child is under six years of age;

(2) subsection (a)(2) is a severity level 4, person felony; and

(3) subsection (a)(3) is a severity level 3, person felony.

Sec. 3. K.S.A. 2021 Supp. 21-5701 is hereby amended to read as follows: 21-5701. As used in K.S.A. 2021 Supp. 21-5701 through 21-5717, and amendments thereto:

(a) "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.

(b) (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.

(c) "Cultivate" means the planting or promotion of growth of five or more plants that contain or can produce controlled substances.

(d) "Distribute" means the actual, constructive or attempted transfer from one person to another of some item whether or not there is an agency relationship.

"Distribute" includes, but is not limited to, sale, offer for sale or any act that causes some item to be transferred from one person to another. "Distribute" does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act or otherwise authorized by law.

(e) "Drug" means:

(1) 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;

(2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

(3) substances, other than food, intended to affect the structure or any function of the body of humans or animals; and

(4) substances intended for use as a component of any article specified in paragraph (1), (2) or (3). It does not include devices or their components, parts or accessories.

(f) "Drug paraphernalia" means all equipment and materials of any kind that are used, or primarily intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance and in violation of this act. "Drug paraphernalia" shall include, but is not limited to:

(1) Kits used or intended for use in planting, propagating, cultivating, growing or harvesting any species of plant that is a controlled substance or from which a controlled substance can be derived;

(2) kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;

(3) isomerization devices used or intended for use in increasing the potency of any species of plant that is a controlled substance;

(4) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances;

(5) scales and balances used or intended for use in weighing or measuring controlled substances;

(6) diluents and adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose and lactose that are used or intended for use in cutting controlled substances;

(7) separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;

(8) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;

(9) capsules, balloons, envelopes, bags and other containers used or intended for use in packaging small quantities of controlled substances;

(10) containers and other objects used or intended for use in storing or concealing controlled substances;

(11) hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body; and

(12) objects used or primarily intended or designed for use in ingesting, inhaling or

otherwise introducing marijuana, cocaine, hashish, hashish oil, phencyclidine (PCP), methamphetamine or amphetamine into the human body, such as:

- (A) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;
- (B) water pipes, bongs or smoking pipes designed to draw smoke through water or another cooling device;
- (C) carburetion pipes, glass or other ~~heat-resistant~~ heat-resistant tubes or any other device used, intended to be used or designed to be used to cause vaporization of a controlled substance for inhalation;
- (D) smoking and carburetion masks;
- (E) roach clips, objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
- (F) miniature cocaine spoons and cocaine vials;
- (G) chamber smoking pipes;
- (H) carburetor smoking pipes;
- (I) electric smoking pipes;
- (J) air-driven smoking pipes;
- (K) chillums;
- (L) bongs;
- (M) ice pipes or chillers;
- (N) any smoking pipe manufactured to disguise its intended purpose;
- (O) wired cigarette papers; or
- (P) cocaine freebase kits.

"Drug paraphernalia" shall not include any products, chemicals or materials described in K.S.A. 2021 Supp. 21-5709(a), and amendments thereto.

(g) "Immediate precursor" means a substance that the state board of pharmacy has found to be and by rules and regulations 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.

(h) "Isomer" means all enantiomers and diastereomers.

(i) "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. "Manufacture" does not include:

(1) 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:

(A) 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

(B) 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; or

(2) the addition of diluents or adulterants, including, but not limited to, quinine

hydrochloride, mannitol, mannite, dextrose or lactose that are intended for use in cutting a controlled substance.

(j) "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. "Marijuana" 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) cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol); or

(4) industrial hemp as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

(k) "Minor" means a person under 18 years of age.

(l) "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; and

(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.

(m) "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. "Opiate" 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). "Opiate" does include its racemic and levorotatory forms.

(n) "Opium poppy" means the plant of the species Papaver somniferum L. except its seeds.

(o) "Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, association or any other legal entity.

(p) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

~~(q) "Possession" means having joint or exclusive control over an item with knowledge of and intent to have such control or knowingly keeping some item in a place where the person has some measure of access and right of control.~~

(†) "School property" means property upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12. This definition shall not be construed as requiring that school be in session or that classes are actually being held at the time of the offense or that children must be present within the structure or on the property during the time of any alleged criminal act. If the structure or property meets the above definition, the actual use of that structure or property at the time alleged shall not be a defense to the crime charged or the sentence imposed.

(s)(r) "Simulated controlled substance" means any product that identifies itself by a common name or slang term associated with a controlled substance and that indicates on its label or accompanying promotional material that the product simulates the effect of a controlled substance.

Sec. 4. K.S.A. 2021 Supp. 22-2807 is hereby amended to read as follows: 22-2807. (†)(a) If a defendant fails to appear as directed by the court and guaranteed by an appearance bond, the court in which the bond is deposited shall declare a forfeiture of the bail and issue a warrant for the defendant's arrest. If the defendant is charged with a felony offense, the sheriff shall enter such warrant into the national crime information center's index within 14 days of issuance of the warrant. If such warrant is not entered into such index, the sheriff shall notify the court thereof.

(2)(b) An appearance bond may only be forfeited by the court upon a failure to appear. If a defendant violates any other condition of bond, the bond may be revoked and the defendant remanded to custody. An appearance bond is revoked by the execution of a warrant for a defendant's arrest for a violation of a bond condition. The magistrate shall ~~forthwith promptly~~ set a new bond pursuant to requirements of K.S.A. 22-2802, and amendments thereto.

(2)(c) (1) The court may direct that a forfeiture be set aside, upon such conditions as the court may impose, if it appears that justice does not require the enforcement of the forfeiture. ~~If the surety can prove that the defendant is incarcerated somewhere within the United States prior to judgment of default by providing to the court a written statement, signed by the surety under penalty of perjury, setting forth details of such incarceration, then the court shall set aside the forfeiture. Upon the defendant's return, the surety may be ordered to pay the costs of that return.~~

(2) The court shall direct that a forfeiture be set aside, upon such conditions as the court may impose, if:

(A) The surety can prove that the defendant is incarcerated somewhere within the United States prior to judgment of default by providing to the court a written statement, signed by the surety under penalty of perjury, setting forth details of such incarceration;

(B) the warrant required to be issued by subsection (a) was not issued within 14 days of the forfeiture;

(C) a warrant that is required to be entered into the national crime information center's index pursuant to subsection (a) was not entered within 14 days of issuance, unless there is good cause shown for the failure to enter such warrant into the index; or

(D) the defendant has been arrested outside of this state and the prosecuting attorney has declined to proceed with extradition.

(3) Upon the defendant's return, the surety may be ordered to pay the costs of such return.

~~(4)~~(d) When a forfeiture has not been set aside, the court shall on motion enter a judgment of default and execution may issue thereon. If the forfeiture has been decreed by a district magistrate judge and the amount of the bond exceeds the limits of the civil jurisdiction prescribed by law for a district magistrate judge, the judge shall notify the chief judge in writing of the forfeiture and the matter shall be assigned to a district judge who, on motion, shall enter a judgment of default. By entering into a bond the obligors submit to the jurisdiction of any court having power to enter judgment upon default and irrevocably appoint the clerk of that court as their agent upon whom any papers affecting their liability may be served. Their liability may be enforced on motion without the necessity of an independent action. The motion and notice thereof may be served on the clerk of the court, who shall forthwith mail copies to the obligors to their last known addresses. No judgment may be entered against the obligor in an appearance bond until more than 60 days after notice is served as provided herein. No judgment may be entered against the obligor in an appearance bond more than two years after a defendant's failure to appear.

~~(5)~~(e) After entry of ~~such~~ judgment pursuant to subsection (d), the court may remit ~~it~~ such judgment in whole or in part under the conditions applying to the setting aside of forfeiture in subsection ~~(3)~~(c).

Sec. 5. K.S.A. 2021 Supp. 22-2902 is hereby amended to read as follows: 22-2902. ~~(1)~~(a) The state and every person charged with a felony shall have a right to a preliminary examination before a magistrate, unless such charge has been issued as a result of an indictment by a grand jury.

~~(2)~~(b) The preliminary examination shall be held before a magistrate of a county in which venue for the prosecution lies within 14 days after the arrest or personal appearance of the defendant. Continuances may be granted only for good cause shown.

~~(3)~~(c) The defendant shall not enter a plea at the preliminary examination. The defendant shall be personally present and except for witnesses who are children less than 13 years of age, the witnesses shall be examined in the defendant's presence. The defendant's voluntary absence after the preliminary examination has been begun in the defendant's presence shall not prevent the continuation of the examination. Except for witnesses who are children less than 13 years of age, the defendant shall have the right to cross-examine witnesses against the defendant and introduce evidence in the defendant's own behalf. If from the evidence it appears that a felony has been committed and there is probable cause to believe that a felony has been committed by the defendant, the magistrate shall order the defendant bound over to the district judge having jurisdiction to try the case; otherwise, the magistrate shall discharge the defendant. When the victim of the felony is a child less than 13 years of age, the finding of probable cause as provided in this subsection may be based upon hearsay evidence in whole or in part presented at the preliminary examination by means of statements made by a child less than 13 years of age on a videotape recording or by other means.

~~(d)~~ The defendant and the state shall be permitted to present the testimony of a witness through a two-way electronic audio-video communication device.

~~(4)~~(e) If the defendant and the state waive preliminary examination, the magistrate shall order the defendant bound over to the district judge having jurisdiction to try the case.

~~(5)~~(f) Any judge of the district court may conduct a preliminary examination, and a district judge may preside at the trial of any defendant even though such judge presided

at the preliminary examination of such defendant.

~~(6)~~(g) The complaint or information, as filed by the prosecuting attorney pursuant to K.S.A. 22-2905, and amendments thereto, shall serve as the formal charging document at trial. When a defendant and prosecuting attorney reach agreement on a plea of guilty or nolo contendere, the defendant and the prosecuting attorney shall notify the district court of such agreement and arrange for a time to plead, pursuant to K.S.A. 22-3210, and amendments thereto.

~~(7)~~(h) The judge of the district court, when conducting the preliminary examination, shall have the discretion to conduct arraignment, subject to assignment pursuant to K.S.A. 20-329, and amendments thereto, at the conclusion of the preliminary examination.

Sec. 6. K.S.A. 22-3301 is hereby amended to read as follows: 22-3301. ~~(1)~~ For the purpose of this article:

~~(a)~~ A person is "incompetent to stand trial" when he such person is charged with a crime and, because of mental illness or defect is unable:

~~(a)~~(1) To understand the nature and purpose of the proceedings against ~~him~~ such person; or

~~(b)~~(2) to make or assist in making ~~his~~ such person's defense.

~~(2)~~(b) Whenever the words "competent," "competency," "incompetent" and "incompetency" are used without qualification in this article, they shall refer to the defendant's competency or incompetency to stand trial, as defined in subsection ~~(1)~~ of this section (a).

~~(c)~~ "Appropriate state, county or private institution or facility" means a facility with sufficient resources, staffing and space to conduct the evaluation or restoration treatment of the defendant. "Appropriate state, county or private institution or facility" does not include a jail or correctional facility as a location where evaluation and restoration treatment services are provided unless the administrative head or law enforcement official in charge of the jail or correctional facility agrees that the facility has the appropriate physical and care capabilities that such services may be provided by:

(1) The state security hospital or its agent or a state hospital or its agent;

(2) a qualified mental health professional as defined in K.S.A. 59-2946, and amendments thereto, who is qualified by training and expertise to conduct competency restoration treatment;

(3) an individual who is qualified by training and experience to conduct competency evaluations and restoration treatment and is licensed by the behavioral sciences regulatory board; or

(4) a physician who is qualified by training and experience to conduct competency evaluations and restoration treatment and is licensed by the state board of healing arts.

Sec. 7. K.S.A. 2021 Supp. 22-3302 is hereby amended to read as follows: 22-3302.

~~(1)~~(a) At any time after the defendant has been charged with a crime and before pronouncement of sentence, the defendant, the defendant's counsel or the prosecuting attorney may request a determination of the defendant's competency to stand trial. If, upon the request of either party or upon the judge's own knowledge and observation, the judge before whom the case is pending finds that there is reason to believe that the defendant is incompetent to stand trial, the proceedings shall be suspended and a hearing conducted to determine the competency of the defendant.

~~(2)(b)~~ If the defendant is charged with a felony, the hearing to determine the competency of the defendant shall be conducted by a district judge.

~~(3)(A)(c)(1)~~ The court shall determine the issue of competency and may impanel a jury of six persons to assist in making the determination. The court may order a psychiatric or psychological examination of the defendant. To facilitate the examination, the court may:

~~(a)(A)~~ Commit the defendant to the state security hospital or any ~~Order that an evaluation be completed by an appropriate state, county, or private institution or facility for examination and report to the court, except that the court shall not commit the defendant to the state security hospital or any other state institution unless, prior to such commitment, the director of a local county or private institution recommends to the court and to the secretary for aging and disability services that examination of the defendant should be performed at a state institution to be conducted in person or by use of available electronic means while the defendant is in jail, at any secure location or on pretrial release;~~

~~(b)(B)~~ designate any an appropriate psychiatric or psychological clinic, mental health center or other psychiatric or psychological state, county or private institution or facility to conduct the examination while the defendant is in jail, at any secure location or on pretrial release; or

~~(c)(C)~~ appoint two a qualified licensed physicians physician who is qualified through training or experience or a licensed psychologists, or one of each, psychologist to examine the defendant and report to the court.

~~(B)(2)~~ If the court ~~commits orders~~ the defendant committed to an institution or facility for the examination, the commitment shall be for a period not to exceed 60 days from the date of admission or until the examination is completed, whichever is the shorter period of time. No statement made by the defendant in the course of any examination provided for by this section, whether or not the defendant consents to the examination, shall be admitted in evidence against the defendant in any criminal proceeding.

~~(C)(3)~~ Before the expiration of the 60-day evaluation period, the professional approved by the court to examine the defendant or, if the defendant is committed for inpatient examination, the chief medical officer or head of the appropriate institution or facility shall certify to the court whether the defendant is competent to stand trial.

(4) Upon notification of the court that a defendant committed for psychiatric or psychological examination under this subsection has been found competent to stand trial, the court shall order that the defendant be returned no later than seven days after receipt of the notice for proceedings under this section. If the defendant is not returned within that time, the county ~~in which~~ where the proceedings will be held shall pay the costs of maintaining the defendant at the institution or facility for the period of time the defendant remains at the institution or facility in excess of the seven-day period.

~~(4)(d)~~ If the defendant is found to be competent, the proceedings ~~which that~~ have been suspended shall be resumed. If the proceedings were suspended before or during the preliminary examination, the judge who conducted the competency hearing may conduct a preliminary examination or, if a district magistrate judge was conducting the proceedings prior to the competency hearing, the judge who conducted the competency hearing may order the preliminary examination to be heard by a district magistrate judge.

~~(5)(e)~~ If the defendant is found to be incompetent to stand trial, the court shall proceed in accordance with K.S.A. 22-3303, and amendments thereto.

~~(6)(f)~~ If proceedings are suspended and a hearing to determine the defendant's competency is ordered after the defendant is in jeopardy, the court may either order a recess or declare a mistrial.

~~(7)(g)~~ The defendant shall be present personally at all proceedings under this section.

Sec. 8. K.S.A. 2021 Supp. 22-3303 is hereby amended to read as follows: 22-3303.

~~(a)(1)~~ A defendant who is charged with a crime and is found to be incompetent to stand trial shall be ~~committed~~ ordered for evaluation and treatment ~~to any, conducted on an outpatient or inpatient basis, by an appropriate state, county, or private institution or facility. At the time of such commitment the institution of commitment shall notify the county or district attorney of the county in which the criminal proceedings are pending for the purpose of providing victim notification. Any such commitment shall be for a period not to exceed 90 days. Within 90 days after the defendant's commitment to such institution, the chief medical officer of such institution shall~~ Evaluation or restorative treatment of a defendant shall not be conducted in a jail unless the administrative head or law enforcement official in charge of the jail agrees to such evaluation or restorative treatment being conducted in such jail.

~~(2)~~ An evaluation and treatment may be ordered to be conducted on an outpatient basis in person or by use of available electronic means while the defendant is in jail, at any secure location, on pretrial release or in any other appropriate setting.

~~(3)~~ For a defendant charged with a misdemeanor offense, outpatient evaluation and treatment may be ordered to be conducted by an appropriate state, county or private institution or facility.

~~(4)~~ For a defendant charged with a felony offense, outpatient evaluation and treatment may be ordered to be conducted by an appropriate state, county or private institution or facility.

~~(5)~~ For a defendant charged with a felony offense, a commitment to the state security hospital or its agent or a state hospital or its agent may be conducted on a inpatient basis or, if the defendant meets the screening criteria established by the state security hospital, on an outpatient basis.

~~(6)~~ At the commencement of outpatient treatment, the institution or facility conducting the treatment shall notify the prosecuting attorney in the county where the criminal proceeding is pending for the purpose of providing victim notification.

~~(b)(1)~~ Except as provided in subsection (d), if the defendant is ordered to receive an evaluation and treatment on an outpatient basis conducted by an appropriate state, county or private institution or facility, the chief medical officer of such institution or head of such facility shall certify to the court, within 90 days after the commencement of outpatient treatment, whether the defendant has a substantial probability of attaining competency to stand trial in the foreseeable future. The court shall set a hearing within 21 days after certification unless exceptional circumstances warrant delay, for the purpose of determining competency.

~~(2)~~ If such probability does exist, the court shall order the defendant to remain in jail or at a secure location, on pretrial release pursuant to K.S.A. 22-2802, and amendments thereto, or at an appropriate state, county, private institution or facility setting until the defendant attains competency to stand trial or for a period of six months

from the date of ~~the original commitment~~ the commencement of outpatient treatment, whichever occurs first. If such probability does not exist, the court shall order the secretary for aging and disability services prosecuting attorney where the charges are filed to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or head of the facility unless exceptional circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1 through 3 felony, or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-3719, prior to their repeal, or K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self ~~and~~ or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

~~(2)~~(3) If a defendant who was found to have had a substantial probability of attaining competency to stand trial, as provided in ~~subsection (1) paragraph (2)~~, has not attained competency to stand trial within six months from the date of the original commitment, the court shall order the prosecuting attorney where the charges are filed or the secretary for aging and disability services to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or the head of the facility unless exceptional circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1 through 3 felony, or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-3719, prior to their repeal, K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self ~~and~~ or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

~~(3)~~(4) When reasonable grounds exist to believe that a defendant who has been adjudged incompetent to stand trial is competent, the court in which the criminal case is pending shall conduct a hearing in accordance with K.S.A. 22-3302, and amendments thereto, to determine the person's present mental condition. Such court shall give reasonable notice of such hearings to the prosecuting attorney, the defendant and the defendant's attorney of record, if any. The prosecuting attorney shall provide victim notification. If the court, following such hearing, finds the defendant to be competent, the proceedings pending against the defendant shall be resumed.

~~(4)~~(5) A defendant committed to a public institution or facility under the provisions of this section who is thereafter sentenced for the crime charged at the time of commitment ~~may~~ shall be credited with all ~~or any part~~ of the time during which the defendant was committed and confined in such public institution or facility.

(c) (1) Except as provided in subsection (d), if a defendant is ordered or met criteria to receive an evaluation and treatment on an outpatient basis conducted by the state

security hospital or its agent or a state hospital or its agent, the chief medical officer shall certify to the court, within 90 days after commencement of treatment, whether the defendant has a substantial probability of attaining competency to stand trial in the foreseeable future.

(2) If such probability does exist, the court shall order the defendant to remain in jail or at a secure location, on pretrial release pursuant to K.S.A. 22-2802, and amendments thereto, or at an appropriate setting until the defendant attains competency to stand trial or for a period of six months from the date of the commencement of outpatient treatment, whichever occurs first. If such probability does not exist, the court shall order the prosecuting attorney where the charges are filed or the secretary for aging and disability services to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or the head of the facility unless exceptional circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1 through 3 felony or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-3719, prior to their repeal, or K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

(3) If a defendant who was found to have had a substantial probability of attaining competency to stand trial, as provided in paragraph (2), has not attained competency to stand trial within six months from the date of the original commitment, the court shall order the prosecuting attorney where the charges are filed or the secretary for aging and disability services to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or the head of the facility unless exceptional circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1 through 3 felony or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-3719, prior to their repeal, or K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

(4) When reasonable grounds exist to believe that a defendant who has been adjudged incompetent to stand trial is competent, the court in which the criminal case is pending shall conduct a hearing in accordance with K.S.A. 22-3302, and amendments thereto, to determine the person's present mental condition. Such court shall give reasonable notice of such hearings to the prosecuting attorney, the defendant and the defendant's attorney of record, if any. The prosecuting attorney shall provide victim notification. If the court, following such hearing, finds the defendant to be competent,

the proceedings pending against the defendant shall be resumed.

(5) A defendant committed to a public institution or facility under the provisions of this section who is thereafter sentenced for the crime charged at the time of commitment shall be credited with all of the time during which the defendant was committed and confined in such public institution or facility.

(d) (1) If the defendant is ordered or met criteria to receive an evaluation and treatment on an outpatient basis and the chief medical officer of the appropriate state, county or private institution or facility determines that the defendant's mental health condition or behaviors warrant terminating outpatient treatment services and commencing evaluation and treatment on an inpatient basis, the chief medical officer of the institution or the head of the facility shall provide a report to the court within 10 days after outpatient treatment services are terminated. Such report shall certify the date that outpatient treatment was terminated and the reason inpatient evaluation and treatment services are recommended. A copy of such report shall be provided to the chief medical officer of the state security hospital. Upon receipt of such report, the court shall issue any orders or warrants required to facilitate the sheriff of the county where the charges are filed to take the defendant into custody and transport such defendant to the state security hospital or its agent or a state hospital or its agent for admission for inpatient services. The chief medical officer shall submit a report pursuant to subsection (e) as to whether the defendant has attained competency within 90 days of the defendant's admission to such hospital for inpatient evaluation and treatment.

(2) The court, prosecuting attorney where criminal charges are pending, the defense counsel for a defendant charged with a felony offense who is receiving outpatient evaluation and treatment services and the chief medical officer of any institution or the head of any facility where the defendant is receiving outpatient services shall provide requested documentation to the state security hospital or its agent or the state hospital or its agent for the purpose of managing inpatient admission.

(e) (1) If the defendant is charged with a felony offense, the court may order a defendant to receive inpatient evaluation and treatment at an appropriate state, county or private institution or facility after considering the defendant's mental condition, behaviors and the availability of outpatient evaluation and treatment options. The chief medical officer of the institution or the head of the facility shall certify to the court, within 90 days after the commencement of inpatient treatment, whether the defendant has a substantial probability of attaining competency to stand trial in the foreseeable future.

(2) If such probability does exist, the court shall order the defendant to remain in jail or at a secure location, on pretrial release pursuant to K.S.A. 22-2802, and amendments thereto, or at an appropriate setting until the defendant attains competency to stand trial or for a period of six months from the date of the commencement of inpatient treatment, whichever occurs first. If such probability does not exist, the court shall order the prosecuting attorney where the charges are filed or the secretary for aging and disability services to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or the head of the facility unless exceptional circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1 through 3 felony or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-

3719, prior to their repeal, or K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

(3) If a defendant who was found to have had a substantial probability of attaining competency to stand trial, as provided in paragraph (2), has not attained competency to stand trial within six months from the date of the original commitment, the court shall order the prosecuting attorney where the charges are filed or the secretary for aging and disability services to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or the head of the facility unless exceptional circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1 through 3 felony or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-3719, prior to their repeal, or K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

(4) When reasonable grounds exist to believe that a defendant who has been adjudged incompetent to stand trial is competent, the court in which the criminal case is pending shall conduct a hearing in accordance with K.S.A. 22-3302, and amendments thereto, to determine the person's present mental condition. Such court shall give reasonable notice of such hearings to the prosecuting attorney, the defendant and the defendant's attorney of record, if any. The prosecuting attorney shall provide victim notification. If the court, following such hearing, finds the defendant to be competent, the proceedings pending against the defendant shall be resumed.

(5) A defendant committed to a public institution or facility under the provisions of this section who is thereafter sentenced for the crime charged at the time of commitment shall be credited with all of the time during which the defendant was committed and confined in such public institution or facility.

(f) (1) Notwithstanding the provisions of K.S.A. 59-29a22, and amendments thereto, psychotropic medications may be prescribed for any defendant who is ordered or has met the criteria to receive evaluation and treatment on an inpatient or outpatient basis at an appropriate state, county or private institution or facility.

(2) Psychotropic medications shall be prescribed, ordered and administered in conformity with accepted clinical practice. Psychotropic medication shall be administered only upon the written order of a physician or upon a verbal order noted in the defendant's medical records and subsequently signed by the physician. The attending physician shall regularly review the drug regimen of each defendant under such physician's care and shall monitor any symptoms of harmful side effects.

(3) Whenever any defendant is receiving psychotropic medications that alter the

defendant's mental state in such a way as to adversely affect the defendant's judgment or hamper the defendant in preparing for or participating in any hearing provided for by this section, for two days prior to and during any such hearing, the treatment institution or facility shall not administer such medication or treatment unless such medication or treatment is necessary to sustain the defendant's life or to protect the defendant or others. Prior to the hearing, a report of all psychotropic medications or other treatment that has been administered to the defendant and a copy of any written consent signed by the defendant shall be submitted to the court. Counsel for the defendant may preliminarily examine the attending physician regarding the administration of any medication to the defendant within two days of the hearing and the effect that medication may have had on the defendant's judgment or ability to prepare for or participate in the hearing. If the court determines that medication or other treatment has been administered that adversely affects the defendant's judgment or ability to prepare for or participate in the hearing, the court may grant the defendant a reasonable continuance to allow for the defendant to be better able to prepare for or participate in the hearing. The court shall order that such medication or other treatment be discontinued until the conclusion of the hearing unless the court finds that such medication or other treatment is necessary to sustain the defendant's life or to protect the defendant or others. If the court makes such a finding, the court shall order the hearing to proceed.

(4) If a defendant who is charged with a felony is receiving treatment pursuant to this section and is not deemed a present danger to self or others objects to taking any medication prescribed for the purpose of restoring the defendant to competency, the defendant's objection shall be recorded in the defendant's medical record and written notice of such objection shall be forwarded to the medical director of the treatment institution or facility or the director's designee and to the court where the criminal charges are pending. The medication may be administered over the defendant's objection only if the court finds that:

(A) The medication is substantially unlikely to have side effects that may undermine the fairness of the trial;

(B) the medication is medically appropriate;

(C) less intrusive alternatives have been considered;

(D) the medication is necessary to advance significantly important governmental trial interests; and

(E) the administrative head or law enforcement official in charge of the jail has agreed to having the medication administered over the defendant's objection in the jail.

(5) No experimental medication shall be administered without the consent of the defendant or such defendant's legal guardian.

Sec. 9. K.S.A. 2021 Supp. 22-3305 is hereby amended to read as follows: 22-3305. ~~(4)(a)~~ Whenever involuntary commitment proceedings have been commenced by the secretary for aging and disability services or the prosecuting attorney as required by K.S.A. 22-3303, and amendments thereto, and the defendant is not committed to a treatment institution or facility as a patient, the defendant shall remain in the institution or facility where committed pursuant to K.S.A. 22-3303, and amendments thereto. The secretary for aging and disability services or the prosecuting attorney shall promptly notify the court and the ~~county or district~~ prosecuting attorney of the county ~~in which~~ where the criminal proceedings are pending for the purpose of providing victim

notification, of the result of the involuntary commitment proceeding.

~~(2)~~(b) Whenever involuntary commitment proceedings have been commenced by the secretary for aging and disability services or the prosecuting attorney as required by K.S.A. 22-3303, and amendments thereto, and the defendant is committed to a treatment institution or facility as a patient but thereafter is to be discharged pursuant to the care and treatment act for mentally ill persons, the defendant shall remain in the institution or facility where committed pursuant to K.S.A. 22-3303, and amendments thereto, and the head of the treatment institution or facility shall promptly notify the court and the ~~county or district~~ prosecuting attorney of the ~~county in which~~ where the criminal proceedings are pending for the purpose of providing victim notification, that the defendant is to be discharged.

(c) ~~When giving notification to the court and the county or district prosecuting attorney pursuant to subsection (1) (a) or (2) (b), the treatment institution or facility shall include in such notification an opinion from the head of the treatment institution or facility as to whether or not the defendant is now competent to stand trial. Upon request of the county or district prosecuting attorney, the court may set a hearing on the issue of whether or not the defendant has been restored to competency. If such hearing request is granted, the county or district prosecuting attorney shall provide victim notification regarding the hearing date. Such hearing request shall be filed within 14 days of completion of the notification from the head of the treatment institution or facility pursuant to subsection (a) or (b). The hearing shall take place within 21 days after receipt of the hearing request unless the court finds that exceptional circumstances warrant delay of the hearing. If no such hearing request is made within 14 days after receipt of notice pursuant to subsection (1) (a) or (2) (b), the court shall order the defendant to be discharged from commitment and shall dismiss without prejudice the charges against the defendant, and the period of limitation for the prosecution for the crime charged shall not continue to run until the defendant has been determined to have attained competency in accordance with K.S.A. 22-3302, and amendments thereto. The county or district prosecuting attorney shall provide victim notification regarding the discharge order.~~

Sec. 10. K.S.A. 2021 Supp. 22-3428 is hereby amended to read as follows: 22-3428. ~~(1)~~(a) (1) When a defendant is acquitted and the jury answers in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto, the defendant shall be committed to the state security hospital or an appropriate secure facility for safekeeping and treatment and the ~~county or district prosecuting attorney~~ shall provide victim notification. A finding of not guilty and the jury answering in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto, shall be prima facie evidence that the acquitted defendant is presently likely to cause harm to self or others.

~~(b)~~(2) Within 90 days of the defendant's admission, the chief medical officer of the state security hospital or licensed psychologist at the appropriate secure facility shall send to the court a written evaluation report. Upon receipt of the report, the court shall set a hearing to determine whether or not the defendant is currently a mentally ill person. The hearing shall be held within 30 days after the receipt by the court of the chief medical officer's report unless the court finds that exceptional circumstances warrant delay of the hearing.

~~(c)~~(3) The court shall give notice of the hearing to the chief medical officer of the

state security hospital or licensed psychologist at the appropriate secure facility, the ~~district or county prosecuting~~ attorney, the defendant and the defendant's attorney. The ~~county or district prosecuting~~ attorney shall provide victim notification. The court shall inform the defendant that such defendant is entitled to counsel and that counsel will be appointed to represent the defendant if the defendant is not financially able to employ an attorney as provided in K.S.A. 22-4503 et seq., and amendments thereto. The defendant shall remain at the state security hospital pending the hearing.

~~(4)~~(4) At the hearing, the defendant shall have the right to present evidence and cross-examine witnesses. At the conclusion of the hearing, if the court finds by clear and convincing evidence that the defendant is not currently a mentally ill person, the court shall dismiss the criminal proceeding and discharge the defendant, otherwise the court may commit the defendant to the state security hospital or an appropriate secure facility for treatment or may place the defendant on conditional release pursuant to subsection ~~(4)~~ (d). The ~~county or district prosecuting~~ attorney shall provide victim notification regarding the outcome of the hearing.

~~(2)~~(b) Subject to the provisions of subsection ~~(3)~~ (c):

~~(a)~~(1) Whenever it appears to the chief medical officer of the state security hospital or a licensed psychologist at the appropriate secure facility that a person committed under subsection ~~(1)~~ ~~(d)~~ (a) (4) is not likely to cause harm to other persons in a less restrictive hospital environment, the officer may transfer the person to any state hospital, subject to the provisions of subsection ~~(3)~~ (c). At any time subsequent thereto during which such person is still committed to a state hospital, if the chief medical officer of that hospital or the licensed psychologist at the appropriate secure facility finds that the person may be likely to cause harm or has caused harm, to others, such officer may transfer the person back to the state security hospital.

~~(b)~~(2) Any person committed under subsection ~~(1)~~ ~~(d)~~ (a) (4) may be granted conditional release or discharge as an involuntary patient.

~~(3)~~(c) Before transfer of a person from the state security hospital or appropriate secure facility pursuant to subsection ~~(2)~~ ~~(a)~~ (b) (1) or conditional release or discharge of a person pursuant to subsection ~~(2)~~ ~~(b)~~ (b) (2), the chief medical officer of the state security hospital or the state hospital where the patient is under commitment or the licensed psychologist at the appropriate secure facility shall give notice to the district court of the county from which the person was committed that transfer of the patient is proposed or that the patient is ready for proposed conditional release or discharge. Such notice shall include, but not be limited to: ~~(a)~~ (1) Identification of the patient; ~~(b)~~ (2) the course of treatment; ~~(e)~~ (3) a current assessment of the defendant's mental illness; ~~(d)~~ (4) recommendations for future treatment, if any; and ~~(e)~~ (5) recommendations regarding conditional release or discharge, if any. Upon receiving notice, the district court shall order that a hearing be held on the proposed transfer, conditional release or discharge. The court shall give notice of the hearing to the appropriate secure facility, state hospital or state security hospital where the patient is under commitment, to the ~~district or county prosecuting~~ attorney of the county from which the person was originally ordered committed. The ~~county or district prosecuting~~ attorney shall provide victim notification regarding the hearing. The court shall order the involuntary patient to undergo a mental evaluation by a person designated by the court. A copy of all orders of the court shall be sent to the involuntary patient and the patient's attorney. The report of the court ordered mental evaluation shall be given to the ~~district or county~~

prosecuting attorney, the involuntary patient and the patient's attorney at least seven days prior to the hearing. The hearing shall be held within 30 days after the receipt by the court of the chief medical officer's notice unless the court finds that exceptional circumstances warrant delay of the hearing. The involuntary patient shall remain in the appropriate secure facility, state hospital or state security hospital where the patient is under commitment until the hearing on the proposed transfer, conditional release or discharge is to be held. At the hearing, the court shall receive all relevant evidence, including the written findings and recommendations of the chief medical officer of the state security hospital or the state hospital or the licensed psychologist of the appropriate secure facility where the patient is under commitment, and shall determine whether the patient shall be transferred to a less restrictive hospital environment or whether the patient shall be conditionally released or discharged. The patient shall have the right to present evidence at such hearing and to cross-examine any witnesses called by the ~~district or county~~ prosecuting attorney. At the conclusion of the hearing, if the court finds by clear and convincing evidence that the patient will not be likely to cause harm to self or others if transferred to a less restrictive hospital environment, the court shall order the patient transferred. If the court finds by clear and convincing evidence that the patient is not currently a mentally ill person, the court shall order the patient discharged or conditionally released; otherwise, the court shall order the patient to remain in the state security hospital or state hospital where the patient is under commitment. If the court orders the conditional release of the patient in accordance with subsection ~~(4)~~ (d), the court may order as an additional condition to the release that the patient continue to take prescribed medication and report as directed to a person licensed to practice medicine and surgery to determine whether or not the patient is taking the medication or that the patient continue to receive periodic psychiatric or psychological treatment. The ~~county or district~~ prosecuting attorney shall notify any victims of the outcome of the hearing.

~~(4)~~(d) In order to ensure the safety and welfare of a patient who is to be conditionally released and the citizenry of the state, the court may allow the patient to remain in custody at a facility under the supervision of the secretary for aging and disability services or the head of the appropriate secure facility for a period of time not to exceed 45 days in order to permit sufficient time for the secretary to prepare recommendations to the court for a suitable reentry program for the patient and allow adequate time for the ~~county or district~~ prosecuting attorney to provide victim notification. The reentry program shall be specifically designed to facilitate the return of the patient to the community as a functioning, self-supporting citizen, and may include appropriate supportive provisions for assistance in establishing residency, securing gainful employment, undergoing needed vocational rehabilitation, receiving marital and family counseling, and such other outpatient services that appear beneficial. If a patient who is to be conditionally released will be residing in a county other than the county where the district court that ordered the conditional release is located, the court shall transfer venue of the case to the district court of the other county and send a copy of all of the court's records of the proceedings to the other court. In all cases of conditional release the court shall:

~~(a)~~(1) Order that the patient be placed under the temporary supervision of district court probation and parole services, community treatment facility or any appropriate private agency; and

~~(b)~~(2) require as a condition precedent to the release that the patient agree in writing to waive extradition in the event a warrant is issued pursuant to K.S.A. 22-3428b, and amendments thereto.

~~(5)~~(c) At any time during the conditional release period, a conditionally released patient, through the patient's attorney, or the ~~county or district~~ prosecuting attorney of the county ~~in which where~~ the district court having venue is located may file a motion for modification of the conditions of release, and the court shall hold an evidentiary hearing on the motion within 14 days of its filing. The court shall give notice of the time for the hearing to the patient and the ~~county or district~~ prosecuting attorney. If the court finds from the evidence at the hearing that the conditional provisions of release should be modified or vacated, it shall so order. If at any time during the transitional period the designated medical officer or supervisory personnel or the treatment facility informs the court that the patient is not satisfactorily complying with the provisions of the conditional release, the court, after a hearing for which notice has been given to the ~~county or district~~ prosecuting attorney and the patient, may make orders: ~~(a)~~ (1) For additional conditions of release designed to effect the ends of the reentry program; ~~(b)~~ (2) requiring the ~~county or district~~ prosecuting attorney to file a petition to determine whether the patient is a mentally ill person as provided in K.S.A. 59-2957, and amendments thereto; or ~~(c)~~ (3) requiring that the patient be committed to the appropriate secure facility, state security hospital or any state hospital. In cases where a petition is ordered to be filed, the court shall proceed to hear and determine the petition pursuant to the care and treatment act for mentally ill persons and that act shall apply to all subsequent proceedings. If a patient is committed to any state hospital pursuant to this act the ~~county or district~~ prosecuting attorney shall provide victim notification. The costs of all proceedings, the mental evaluation and the reentry program authorized by this section shall be paid by the county from which the person was committed.

~~(6)~~(f) In any case in which the defense that the defendant lacked the required mental state pursuant to K.S.A. 22-3220, and amendments thereto, is relied on, the court shall instruct the jury on the substance of this section.

~~(7)~~(g) As used in this section and K.S.A. 22-3428a, and amendments thereto:

~~(a)~~(1) "Likely to cause harm to self or others" means that the person 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, or evidenced by behavior causing, attempting or threatening such injury, abuse or neglect.

~~(b)~~(2) "Mentally ill person" means any person who:

(A) Is suffering from a severe mental disorder to the extent that such person is in need of treatment; and

(B) is likely to cause harm to self or others.

~~(c)~~(3) "Treatment facility" means any mental health center or clinic, psychiatric unit of a medical care facility, psychologist, physician or other institution or individual authorized or licensed by law to provide either inpatient or outpatient treatment to any patient.

Sec. 11. K.S.A. 2021 Supp. 22-3429 is hereby amended to read as follows: 22-3429. After conviction and prior to sentence and as part of the presentence investigation authorized by K.S.A. 2021 Supp. 21-6703, and amendments thereto, or for crimes committed on or after July 1, 1993, a presentence investigation report as provided in K.S.A. 2021 Supp. 21-6813, and amendments thereto, the trial judge may order the

defendant committed to the state security hospital for mental examination, evaluation and report. ~~If the defendant is convicted of a felony, the commitment shall be to the state security hospital or any suitable local mental health facility. If the defendant is convicted of a misdemeanor, the commitment shall be to a state hospital or any suitable local mental health facility. If adequate private facilities are available and if the defendant is willing to assume the expense thereof, commitment may be to a private hospital.~~ A report of the examination and evaluation shall be furnished by the chief medical officer to the judge and shall be made available to the prosecuting attorney and counsel for the defendant. A defendant may not be detained for more than 120 days under a commitment made under this section.

Sec. 12. K.S.A. 22-3301 and K.S.A. 2021 Supp. 21-5111, 21-5602, 21-5701, 22-2807, 22-2902, 22-3302, 22-3303, 22-3305, 22-3428 and 22-3429 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 and 3; in line 4, by striking "fingerprints" and inserting "crimes, punishment and criminal procedure; relating to definitions in the Kansas criminal code; modifying the definition of possession; relating to abuse of a child; modifying the elements of the offense; increasing criminal penalties thereof; relating to conditions of release prior to trial; requiring a forfeiture of an appearance bond to be set aside in certain circumstances; relating to preliminary hearings; permitting witness testimony through two-way electronic audio-video communication devices; relating to competency to stand trial; mobile competency evaluations; amending K.S.A. 22-3301 and K.S.A. 2021 Supp. 21-5111, 21-5602, 21-5701, 22-2807, 22-2902, 22-3302, 22-3303, 22-3305, 22-3428 and 22-3429 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

KELLIE WARREN

RICK WILBORN

DAVID HALEY

Conferees on part of Senate

FRED PATTON

BRAD RALPH

JOHN CARMICHAEL

Conferees on part of House

Senator Wilborn moved the Senate adopt the Conference Committee Report on **HB 2508**.

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, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Thompson, Warren, Wilborn.

Nays: Steffen, Tyson.

Present and Passing: Ware.

The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate recessed until 3:30 p.m.

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

MESSAGE FROM THE HOUSE

The House announced the appointment of Representatives Smith, A., Mason and Gartner as conferees on **HB 2136**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 200** 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, following line 19, by inserting:

"(d) This section shall take effect and be in force on and after July 1, 2022.";

Also on page 2, in line 20, before "K.S.A" by inserting "On and after July 1, 2022,";

On page 4, following line 22, by inserting:

"Sec. 3. K.S.A. 65-1682 is hereby amended to read as follows: 65-1682. As used in this act, unless the context otherwise requires:

(a) "Audit trail information" means information produced regarding requests for prescription monitoring program data that the board and advisory committee use to monitor compliance with this act.

(b) "Board" means the state board of pharmacy.

(c) "Delegate" means:

(1) A registered nurse, licensed practical nurse, respiratory therapist, emergency medical responder, paramedic, dental hygienist, pharmacy technician or pharmacy intern who has registered for access to the program database as an agent of a practitioner or pharmacist to request program data on behalf of the practitioner or pharmacist;

(2) a death investigator who has registered for limited access to the program database as an agent of a medical examiner, coroner or another person authorized under law to investigate or determine causes of death; or

(3) an individual authorized to access the program database by the board in rules and regulations.

~~(b)~~(d) "Dispenser" means a practitioner, pharmacy or pharmacist who delivers a scheduled substance or drug of concern to an ultimate user, but does not include:

(1) A licensed hospital pharmacy that distributes such substances for the purpose of inpatient hospital care;

(2) a medical care facility as defined in K.S.A. 65-425, and amendments thereto, practitioner or other authorized person who administers such a substance;

(3) a registered wholesale distributor of such substances;

(4) a veterinarian licensed by the Kansas board of veterinary examiners who dispenses or prescribes a scheduled substance or drug of concern; or

(5) a practitioner who has been exempted from the reporting requirements of this act in rules and regulations promulgated by the board.

~~(e)~~(c) "Drug of concern" means any drug that demonstrates a potential for abuse and is designated as a drug of concern in rules and regulations promulgated by the board.

~~(f)~~(f) "Patient" means the person individual who is the ultimate user of a drug for whom a prescription is issued or for whom a drug is dispensed, ~~or both~~.

~~(g)~~(g) "Pharmacist" means an individual currently licensed by the board to practice the profession of pharmacy in this state.

(h) "Pharmacy" means a premises, laboratory, area or other place currently registered with the board where scheduled substances or drugs of concern are offered for sale or dispensed in this state.

~~(i)~~(i) "Practitioner" means ~~a person~~ an individual licensed to practice medicine and surgery, dentist, podiatrist, optometrist or other ~~person individual~~ authorized by law to prescribe or dispense scheduled substances and drugs of concern.

~~(j)~~(j) "Program" means the prescription monitoring program.

(k) "Scheduled substance" means controlled substances included in schedules II, III or IV of the schedules designated in K.S.A. 65-4107, 65-4109 and 65-4111, and amendments thereto, respectively, or the federal controlled substances act ~~(21 U.S.C. § 812).~~

Sec. 4. K.S.A. 65-1683 is hereby amended to read as follows: 65-1683. (a) The board shall establish and maintain a prescription monitoring program for the monitoring of scheduled substances and drugs of concern dispensed in this state or dispensed to an address in this state.

(b) Each dispenser shall submit to the board by electronic means information required by the board regarding each prescription dispensed for a substance included under subsection (a). The board shall promulgate rules and regulations specifying the nationally recognized telecommunications format to be used for submission of information that each dispenser shall submit to the board. Such information may include, but not be limited to:

- (1) The dispenser identification number;
- (2) the date the prescription is filled;
- (3) the prescription number;
- (4) whether the prescription is new or is a refill;
- (5) the national drug code for the drug dispensed;
- (6) the quantity dispensed;
- (7) the number of days' supply of the drug;
- (8) the patient identification number;
- (9) the patient's name;
- (10) the patient's address;
- (11) the patient's date of birth;
- (12) the prescriber identification number;
- (13) the date the prescription was issued by the prescriber; ~~and~~
- (14) the source of payment for the prescription;
- (15) the diagnosis code;
- (16) the patient's species code; and
- (17) the date the prescription was sold.

(c) The board shall promulgate rules and regulations specifying the transmission methods and frequency of the dispenser submissions required under subsection (b).

~~(d) The board may issue a waiver to a dispenser that is unable to submit prescription information by electronic means. Such waiver may permit the dispenser to submit prescription information by paper form or other means, provided that all information required by rules and regulations is submitted in this alternative format. The board may, in consultation with the advisory committee, enable features and include additional information to enhance the program database. Such information may include, but not be limited to:~~

~~(1) The date or fact of death;~~

~~(2) the dispensation or administration of emergency opioid antagonists, as defined by K.S.A. 65-16,127, and amendments thereto; and~~

~~(3) the data related to an overdose event.~~

(e) The board is hereby authorized to apply for and to accept grants and may accept any donation, gift or bequest made to the board for furthering any phase of the prescription monitoring program.

(f) The board shall remit all moneys received by it under subsection (e) to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of 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. 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 president of the board or a person designated by the president.

Sec. 5. K.S.A. 65-1685 is hereby amended to read as follows: 65-1685. (a) ~~The prescription monitoring~~ program database, all information contained therein and any records maintained by the board, or by any entity contracting with the board, submitted to, maintained or stored as a part of the database, including audit trail information, shall be privileged and confidential, shall not be subject to subpoena or discovery in civil proceedings and may only be used for investigatory or evidentiary purposes related to violations of state or federal law and regulatory activities of entities charged with administrative oversight of those ~~persons individuals~~ engaged in the prescribing or dispensing of scheduled substances and drugs of concern, shall not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto, except as provided in subsections (c) and (d).

(b) The board shall maintain procedures to ensure that the privacy and confidentiality of patients and patient information collected, recorded, transmitted and maintained is not disclosed to ~~persons individuals~~ except as provided in subsections (c) and (d).

(c) The board is hereby authorized to provide data in the ~~prescription monitoring~~ program to the following ~~persons individuals~~:

(1) ~~Persons Individuals~~ authorized to prescribe or dispense scheduled substances and drugs of concern, for the purpose of providing medical or pharmaceutical care for their patients;

(2) an individual who requests the individual's own prescription monitoring information in accordance with procedures established by the board;

(3) designated representatives from the professional licensing, certification or regulatory agencies charged with administrative oversight of those ~~persons individuals~~

engaged in the prescribing or dispensing of scheduled substances and drugs of concern;

(4) local, state and federal law enforcement or prosecutorial officials engaged in the administration, investigation or enforcement of the laws governing scheduled substances and drugs of concern subject to the requirements in K.S.A. 22-2502, and amendments thereto;

(5) designated representatives from the department of health and environment regarding authorized medicaid program recipients or practitioners;

(6) ~~persons~~individuals authorized by a grand jury subpoena, inquisition subpoena or court order in a criminal action;

(7) personnel of the prescription monitoring program advisory committee for the purpose of operation of the program;

(8) personnel of the board for purposes of operation of the program and administration and enforcement of this act or the uniform controlled substances act, K.S.A. 65-4101 et seq., and amendments thereto;

(9) ~~persons~~individuals authorized to prescribe or dispense scheduled substances and drugs of concern, when an individual is obtaining prescriptions in a manner that appears to be misuse, abuse or diversion of scheduled substances or drugs of concern; ~~and~~

(10) medical examiners, coroners or other ~~persons~~ individuals authorized under law to investigate or determine causes of death;

(11) persons operating a practitioner or pharmacist impaired provider program in accordance with K.S.A. 65-4924, and amendments thereto, for the purpose of reviewing drugs dispensed to a practitioner or pharmacist enrolled in the program;

(12) delegates of individuals authorized by paragraphs (1), (9) and (10);

(13) individuals or organizations notified by the advisory committee as provided in subsection (g);

(14) practitioners or pharmacists conducting research approved by an institutional review board who have obtained patient consent for the release of program data; and

(15) an overdose fatality review board established by the state of Kansas.

(d) An individual registered for access to the program database shall notify the board in writing within 30 calendar days of any action that would disqualify the individual from being authorized to receive program data as provided in subsection (c).

(e) The state board of healing arts, board of nursing, Kansas dental board and board of examiners in optometry shall notify the board in writing within 30 calendar days of any denial, suspension, revocation or other administrative limitation of a practitioner's license or registration that would disqualify the practitioner from being authorized to receive program data as provided in subsection (c).

(f) A practitioner or pharmacist shall notify the board in writing within 30 calendar days of any action that would disqualify a delegate from being authorized to receive program data on behalf of the practitioner or pharmacist.

~~(d)~~(g) The prescription monitoring program advisory committee established pursuant to K.S.A. 65-1689, and amendments thereto, is authorized to review and analyze ~~the program~~ data for purposes of identifying patterns and activity of concern.

(1) If a review of information appears to indicate ~~a person~~ an individual may be obtaining prescriptions in a manner that may represent misuse or abuse of ~~controlled~~ scheduled substances and drugs of concern, the advisory committee is authorized to notify the prescribers and dispensers who prescribed or dispensed the prescriptions. If

the review does not identify a recent prescriber as a point of contact for potential clinical intervention, the advisory committee is authorized to notify the disability and behavioral health services section of the Kansas department for aging and disability services for the purpose of offering confidential treatment services. Further disclosure of information is prohibited. If the review identifies patterns or other evidence sufficient to create a reasonable suspicion of criminal activity, the advisory committee is authorized to notify the appropriate law enforcement agency.

(2) If a review of information appears to indicate that a violation of state or federal law relating to prescribing ~~controlled~~ scheduled substances and drugs of concern may have occurred, or that a prescriber or dispenser has knowingly prescribed, dispensed or obtained ~~controlled~~ scheduled substances and drugs of concern in a manner that is inconsistent with recognized standards of care for the profession, the advisory committee shall determine whether a report to the professional licensing, certification or regulatory agencies charged with administrative oversight of those ~~persons~~ individuals engaged in prescribing or dispensing of ~~controlled~~ scheduled substances and drugs of concern or to the appropriate law enforcement agency is warranted.

(A) For purposes of such determination the advisory committee may, in consultation with the appropriate regulatory agencies and professional organizations, establish criteria regarding appropriate standards and utilize volunteer peer review committees of professionals with expertise in the particular practice to create such standards and review individual cases.

(B) The peer review committee or committees appointed herein shall have authority to request and receive information in the ~~prescription monitoring~~ program database from the director of the ~~prescription monitoring~~ program.

(C) If the determination is made that a referral to a regulatory or law enforcement agency is not warranted but educational or professional advising might be appropriate, the advisory committee may refer the prescribers or dispensers to other such resources.

(3) If a review of information appears to indicate that program data has been accessed or used in violation of state or federal law, the advisory committee shall determine whether a report to the professional licensing, certification or regulatory agencies charged with administrative oversight of those individuals engaged in prescribing or dispensing of scheduled substances and drugs of concern is warranted and may make such report.

(e) The board is hereby authorized to provide ~~data in the prescription monitoring program~~ data to public or private entities for statistical, research or educational purposes after removing information that could be used to identify individual practitioners, dispensers, patients or ~~persons~~ individuals who received prescriptions from dispensers.

(f) The board is hereby authorized to provide a medical care facility with its program data for statistical, research or education purposes after removing information that could be used to identify individual practitioners or individuals who received prescriptions from dispensers.

(g) The board may, in its discretion, block any user's access to the program database if the board has reason to believe that access to the data is or may be used by such user in violation of state or federal law.

Sec. 6. K.S.A. 65-1687 is hereby amended to read as follows: 65-1687. (a) All information collected for the prescription monitoring program database and any records maintained by the board, or by any entity contracting with the board, submitted to,

maintained or stored as a part of the database, shall be retained for five years. ~~Such information and records shall then be destroyed unless a law enforcement entity or an entity charged with administrative oversight of those persons engaged in the prescribing or dispensing of scheduled substances and drugs of concern has submitted a written request to the board for retention of specific information or records in accordance with procedures adopted by the board~~

(b) Program data shall not be stored outside of the program database, with the following exceptions:

(1) Temporary storage necessary to deliver program data to electronic health records or pharmacy management systems approved by the board;

(2) retention of specific information or records related to an investigation or proceeding under administrative or criminal law;

(3) program data provided under K.S.A. 65-1685(e), and amendments thereto; or

(4) board retention of information for purposes of operation of the program and administration and enforcement of this act or the uniform controlled substances act, K.S.A. 65-4101 et seq., and amendments thereto.

Sec. 7. K.S.A. 65-1689 is hereby amended to read as follows: 65-1689. (a) There is hereby created the ~~prescription monitoring~~ program advisory committee which, subject to the oversight of the board, shall be responsible for the operation of the ~~prescription monitoring~~ program. The advisory committee shall consist of at least ~~nine~~ 10 members appointed by the board as follows:

(1) Two licensed physicians, one nominated by the Kansas medical society and one nominated by the Kansas association of osteopathic medicine;

(2) two licensed pharmacists nominated by the Kansas pharmacists association;

(3) one person representing the Kansas bureau of investigation nominated by the attorney general;

(4) one person representing the university of Kansas school of medicine nominated by the dean of such school;

(5) one person representing the university of Kansas school of pharmacy nominated by the dean of such school;

(6) one licensed dentist nominated by the Kansas dental association; ~~and~~

(7) one person representing the Kansas hospital association nominated by such association;

(8) one licensed advanced practice provider nominated by either the board of nursing or the state board of healing arts; and

(9) the board may also appoint other persons authorized to prescribe or dispense scheduled substances and drugs of concern, recognized experts and representatives from law enforcement.

(b) The appointments to the advisory committee shall be for terms of three years.

(c) The advisory committee shall elect a chairperson from among its members who shall serve a one-year term. The chairperson may serve consecutive terms.

(d) The advisory committee, in accordance with K.S.A. 75-4319, and amendments thereto, may recess for a closed or executive meeting when it is considering matters relating to identifiable patients or providers.

(e) Upon the expiration of the term of office of any member of the advisory committee on or after the effective date of this act, and in any case of a vacancy existing on or after the effective date of this act, a successor shall be appointed by the board

pursuant to this section.

(f) All members of the advisory committee shall serve without compensation.

Sec. 8. K.S.A. 65-1682, 65-1683, 65-1685, 65-1687 and 65-1689 are hereby repealed.";

Also on page 4, in line 23, before "K.S.A." by inserting "On and after July 1, 2022,"; in line 25, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "pharmacists and pharmacy; relating to"; in line 6, after the semicolon by inserting "adding to the list of persons who may receive prescription monitoring program data; providing requirements for data security and user and delegate access; increasing the number of members of the prescription monitoring program advisory committee;"; also in line 6, after "65-1626a" by inserting ", 65-1682, 65-1683, 65-1685, 65-1687 and 65-1689"; in line 7, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

Conferees on part of Senate

Senator Hilderbrand moved the Senate adopt the Conference Committee Report on **SB 200**.

On roll call, the vote was: Yeas 37; Nays 3; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Suellentrop, Sykes, Tyson, Ware, Warren, Wilborn.

Nays: Steffen, Straub, Thompson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 286** 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, in line 22, after the second "of" by inserting ":

(A)";

Also on page 1, in line 23, by striking the first comma and inserting "with the intent to prevent such employee from freely moving to a different location or to provide care

for another person;

(B)";

Also on page 1, also in line 23, after "intimidation" by inserting a semicolon; also in line 23, by striking "by" and inserting:

"(C)";

On page 8, in line 21, after "(g)" by inserting "Notwithstanding the prior expiration of this section on March 31, 2022, the provisions of this section shall be in force and effect on and after the effective date of this act.";

On page 9, in line 8, after "(e)" by inserting "Notwithstanding the prior expiration of this section on March 31, 2022, the provisions of this section shall be in force and effect on and after the effective date of this act."; in line 11, by striking the comma and inserting ":

(1) (A)";

Also on page 9, in line 11, after "provider" by inserting "that is employed by or providing healthcare services at a medical care facility as defined in K.S.A. 65-425, and amendments thereto,"; following line 16, by inserting:

"(B) The provisions of subparagraph (A) shall not apply to a healthcare provider that is employed by or providing healthcare services at a medical care facility as defined in K.S.A. 65-425, and amendments thereto, that denies healthcare services to a person at such medical care facility based solely on such person's COVID-19 vaccination status.

(2) A healthcare provider that is not employed by or providing healthcare services at a medical care facility as defined in K.S.A. 65-425, and amendments thereto, is immune from civil liability for damages, administrative fines or penalties for acts, omissions, healthcare decisions or the rendering of or the failure to render healthcare services, including services that are altered, delayed or withheld, as a direct response to the COVID-19 public health emergency.";

Also on page 9, in line 17, after "(b)" by inserting "(1) Except as provided in paragraph (2)."; in line 20, after the period by inserting "The provisions of this section shall apply to such claims accruing on or after March 30, 2022, and prior to the effective date of this act.

(2) The provisions of subsection (a)(1), as amended by this act, shall apply to any claims for damages or liability that arise out of or relate to acts, omissions or healthcare decisions occurring between the effective date of this act and January 20, 2023, related to the COVID-19 public health emergency.";

Also on page 9, in line 34, after "(b)" by inserting "Notwithstanding the prior expiration of this section on March 31, 2022, the provisions of this section shall be in force and effect on and after the effective date of this act."; in line 40, after "(b)" by inserting "(1) Except as provided in paragraph (2).";

On page 10, following line 6, by inserting:

"(2) The provisions of K.S.A. 2021 Supp. 60-5503(a)(1), as amended by this act, shall apply to any cause of action accruing on or after the effective date of this act and prior to January 20, 2023.";

On page 11, in line 22, after the period by inserting "Notwithstanding the prior expiration of this paragraph on March 31, 2022, the provisions of this paragraph shall be in force and effect on and after the effective date of this act.";

On page 1, in the title, in line 1, by striking "liability for certain actions" and inserting

"public health";

And your committee on conference recommends the adoption of this report.

FRED PATTON

BRAD RALPH

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 **H Sub Sub SB 286**.

On roll call, the vote was: Yeas 24; Nays 16; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Ryckman, Suellentrop, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Hilderbrand, Holland, Peck, Pittman, Pyle, Steffen, Straub, Sykes, Thompson, Tyson, Ware.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

Mr. President: I reluctantly vote YES on the CCR for **H Sub for Sub for SB 286**. I have great admiration for the efforts of our health care providers and health care workers during the COVID 19 pandemic and support the enhanced penalties for battery against them included in this legislation. However, the immunity for health care providers in this legislation, while temporary, limited and only applying in cases where treatment is related to COVID19 raises serious concerns.—CINDY HOLSCHER

Mr. President: "I vote "NO" on the CCR for **H Sub Sub SB 286**. I have great admiration for the efforts of our healthcare providers and healthcare workers during the COVID-19 emergency and support the enhanced penalties for battery against them included in this legislation. However, the immunity for healthcare providers in this legislation – while temporary, limited, and only applying in cases where treatment is related to COVID-19, whether the patient is vaccinated or not – raises very serious concerns. Therefore, unfortunately, I cannot support this legislation."—DINAH SYKES

Mr. President: I appreciate the hard work of leadership in trying to make this bill work, but over the course of the COVID pandemic, I have been contacted by people from all across Kansas who were denied access to care, or access to loved ones in healthcare facilities due to COVID restrictions even though these facilities were held harmless. Thanks to the immunity provided to these healthcare facilities, it made it very easy for these entities to fall into line, and accept without question, the tyrannical healthcare mandates imposed upon anyone who needed access to healthcare. The immunity has allowed those unconstitutional practices to continue long after the necessity for these restrictions came to an end. The continuation of immunity, in my opinion, perpetuates the false perception that there is an urgent need to keep restrictions in place...and makes it much easier to reimpose new restrictions. The big problem with conference committee week is that bad policy gets packed in with the good. That makes

voting against the bad stuff much harder. But in my opinion, the bad in this bill outweighs the good and so I vote "no."—MIKE THOMPSON

Senators Peck, Steffen and Straub request the record to show they concur with the "Explanation of Vote" offered by Senator Thompson on **H Sub Sub SB 286**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 343** 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, following line 8, by inserting:

"New Section 1. (a) The purpose of sections 1 through 3, and amendments thereto, is to protect the best interests of children parented by blind individuals or children who could be parented by blind individuals through the establishment of procedural safeguards that require adherence to the federal Americans with disabilities act of 1990, and respect for the due process and equal protection rights of parents and prospective parents who are blind in the context of child welfare, foster care, family law and adoption.

(b) The legislature hereby finds and declares that:

(1) Blind individuals continue to face unfair, preconceived and unnecessary societal biases as well as antiquated attitudes regarding such individuals' ability to successfully parent their children;

(2) blind individuals face these biases and preconceived attitudes in family and dependency law proceedings where legal custody, residency and parenting time are at stake and in public and private adoption, guardianship and foster care proceedings;

(3) because of these societal biases and antiquated attitudes, children of blind parents are unnecessarily being removed from their parents' care or being restricted from enjoying meaningful time with their parents; and

(4) children are being denied the opportunity to enjoy the experience of living in loving homes with blind parents or other blind caretakers.

New Sec. 2. As used in sections 1 through 3, and amendments thereto:

(a) "Blind" or "blindness" means a central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye that has a limitation in the field of vision so that the widest diameter of the visual field subtends an angle no greater than 20 degrees is considered to have a central visual acuity of 20/200 or less. The term "blind" or "blindness" includes any degenerative condition that reasonably can be expected to result in blindness.

(b) "Family foster home" means a child care facility that is a private residence, including any adjacent grounds, where a person provides care for 24 hours per day for one or more children in foster care and for which a license is required under K.S.A. 65-501 et seq., and amendments thereto.

(c) "Supportive parenting services" means services, including, but not limited to, services, aids and supports that may assist a parent or prospective parent who is blind in the effective use of non-visual techniques and other alternative methods to enable the parent or prospective parent to discharge parental responsibilities as successfully as a parent who is not blind.

New Sec. 3. (a) In any action brought under article 22 or article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto:

(1) A parent's blindness shall not serve as a basis for denial or restriction of legal custody, residency or parenting time when such legal custody, residency or parenting time is determined to be otherwise in the best interests of the child;

(2) (A) if a parent's blindness is alleged to not be in the best interests of a child, the party asserting such allegation shall have the burden of proving by clear and convincing evidence that the parent's blindness is not in the best interests of the child;

(B) if a party asserting an allegation described in subparagraph (A) has satisfied such party's burden of proof, the blind parent shall have the opportunity to present evidence that, with the implementation of supportive parenting services, placement with such parent is in the best interests of the child; and

(C) the court may issue an order requiring that supportive parenting services be implemented, and the parties may request that the court review the need for continuing such supportive parenting services after a reasonable period of time; and

(3) if a court denies or otherwise restricts a blind parent's request for legal custody, residency or parenting time, the court shall make specific findings of fact stating the basis for its decision, including reasons why the provision of supportive parenting services is not a reasonable accommodation that is required to prevent such denial or restriction.

(b) In any action brought under article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, a prospective parent's blindness shall not serve as a basis for the denial of such prospective parent's participation in any adoption when such adoption is determined to be otherwise in the best interests of the child.

(c) In any action brought under article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, an individual's blindness shall not serve as a basis for the denial of such individual's appointment as a guardian when such appointment is determined to be otherwise in the best interests of the child.

(d) An individual's blindness shall not serve as a basis for the denial or restriction of such individual's licensure as a family foster home.

(e) (1) In any action brought under article 22 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, an individual's blindness shall not serve as a basis for an order of temporary custody, adjudication, disposition, finding of unfitness or termination of parental rights.

(2) If a court issues an order of temporary custody, adjudication, disposition, finding of unfitness or termination of parental rights that is adverse to an individual who is a party to the proceeding and who is blind, the court shall make specific findings of fact stating the basis for its decision, including reasons why the provision of supportive parenting services is not a reasonable accommodation that is required to prevent such adverse order.";

On page 19, in line 5, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "hearing loss" and inserting "disabilities; preserving families that include a parent who is blind; providing for certain considerations relating to cases involving legal custody, residency, parenting time, children in need of care, adoption, foster care and guardianship";

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

Conferees on part of Senate

Senator O'Shea moved the Senate adopt the Conference Committee Report on **SB 343**.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 453** 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 13 through 25;

On page 7, following line 12, by inserting:

"Sec. 3. K.S.A. 2021 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.

(b) 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.

(c) 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.

(d) (1) The board shall issue a license as a specialist clinical social worker to an applicant who:

(A) Has met the requirements of subsection (c);

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (c) 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, integrating diagnosis 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 (c) 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 (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) The board shall adopt rules and regulations establishing the criteria ~~which~~ 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) (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.

Sec. 4. K.S.A. 2021 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; ~~or~~

(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.

(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 under 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 under K.S.A. 65-6618, and amendments thereto.";

Also on page 7, in line 13, after "65-5115" by inserting "and K.S.A. 2021 Supp. 65-6306 and 65-6610"; in line 15, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 7 and 8; in line 9, by striking all before "amending" and inserting "licensees of the behavioral sciences regulatory board; allowing board-approved postgraduate experience to count toward graduate level supervised clinical practicum of supervised professional experience; permitting current master's and clinical level licensees to take the addiction counselor's test;"; in line 10, after "and" by inserting "K.S.A. 2021 Supp. 65-6306 and 65-6610 and";

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

Conferees on part of Senate

Senator Hilderbrand moved the Senate adopt the Conference Committee Report on **SB 453**.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, 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 2239** 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 22 through 34;

By striking all on pages 2 through 7;

On page 8, by striking all in lines 1 through 19;

On page 9, in line 41, by striking the second "19" and inserting "1"; also in line 41, by striking "24" and inserting "6";

On page 10, in line 5, by striking "19" and inserting "1"; also in line 5, by striking "24" and inserting "6"; in line 7, by striking "19" and inserting "1"; also in line 7, by striking "24" and inserting "6"; in line 13, by striking "21" and inserting "3"; in line 40, by striking "21" and inserting "3";

On page 11, in line 15, by striking "12" and inserting "3"; in line 21, by striking "21" and inserting "3"; in line 26, by striking the first "21" and inserting "3"; also in line 26, by striking the second "21" and inserting "3"; in line 32, by striking "21" and inserting "3";

On page 12, in line 7, by striking "21" and inserting "3"; in line 17, by striking "21" and inserting "3";

On page 13, following line 15, by inserting:

"New Sec. 8. (a) (1) The following described property, to the extent herein specified, is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas: Any antique utility trailer registered pursuant to K.S.A. 8-1,119, and amendments thereto, used exclusively for personal use and not for the production of income.

(2) The term "antique utility trailer" includes only those trailers:

(A) 35 years or older as determined by the date of manufacture; and

(B) having an empty weight of 2,000 pounds or less and a gross weight of not more than 8,000 pounds.

(b) The provisions of this section shall apply to all taxable years commencing after December 31, 2022.

New Sec. 9. (a) The value for property tax purposes of any tangible personal property classified for property tax purposes within subclass (6) of class 2 of section 1 of article 11 of the constitution of the state of Kansas that is acquired or sold after January 1 and prior to September 1 of any taxable year shall be equal to the value determined therefor pursuant to K.S.A. 79-1456, and amendments thereto, multiplied by: (1) In the case of a sale, a fraction, the numerator of which is the number of months, or major portion thereof, such property was owned by the record owner thereof during the taxable year in which such property was sold and the denominator of which is 12; and (2) in the case of an acquisition, a fraction, the numerator of which is the number of months, or major portion thereof, remaining in the taxable year after the date of acquisition by the record owner thereof and the denominator of which is 12.

(b) Notice of the acquisition or sale of any such property shall be provided by the record owner thereof to the appropriate county appraiser on or before December 20 of the year of such acquisition or sale. Upon receipt of such notice, and after computation

of the value of any such property in accordance with the provision of subsection (a), a notification or revised notification of value shall be mailed to the taxpayer.

(c) Except as provided in subsection (a), tangible personal property classified for property tax purposes within subclass (6) of class 2 of section 1 of article 11 of the constitution of the state of Kansas acquired on or after September 1 of a taxable year shall not be subject to assessment and taxation for such year.

(d) The provisions of this section shall apply to all taxable years commencing after December 31, 2022.

New Sec. 10. As used in sections 10 through 13, and amendments thereto:

(a) "Aerospace" means relating to vehicles or objects for the purpose of suborbital, orbital or space flight, whether for private or public, or civil or defense-related purposes.

(b) "Aviation" means relating to vehicles or objects, except parachutes, for the purpose of controlled flight through the air, regardless of how propelled or controlled, or whether manned or unmanned, whether for private or public, or civil or defense-related purposes.

(c) "Aviation sector" means a private or public organization engaged in the manufacture of aviation or aerospace hardware or software, aviation or aerospace maintenance, aviation or aerospace repair and overhaul, supply of parts to the aviation or aerospace industry, provision of services and support relating to the aviation or aerospace industry, research and development of aviation or aerospace technology and systems, and the education and training of aviation or aerospace personnel.

(d) "Compensation" means payments in the form of contract labor for which the payor is required to provide a federal tax form 1099 to the person paid, wages subject to withholding tax paid to a part-time employee or full-time employee, or salary or other remuneration. "Compensation" does not include employer-provided retirement, medical or healthcare benefits, reimbursement for travel, meals, lodging or any other expense.

(e) "Institution" means a state educational institution, municipal university, institute of technology, community college or technical college, as those terms are defined in K.S.A. 74-3201b, and amendments thereto, or an educational institution, municipal university, institute of technology, community college or technical college within the meaning of those terms as defined in K.S.A. 74-3201b, and amendments thereto, but located in or established under the laws of another state or any other public or private college or university that is accredited by a regional accrediting body, the engineering accreditation commission of the accreditation board for engineering and technology (ABET) or the federal aviation administration.

(f) "Qualified employee" means any person newly employed on a full-time basis by or first contracting with a qualified employer on a full-time basis on or after January 1, 2022, who has been awarded an undergraduate or graduate degree, or a technical degree or certificate from a qualified program by an institution.

(g) "Qualified employer" means a sole proprietorship, general partnership, limited partnership, limited liability company, corporation, other legally recognized business entity or public entity whose principal business activity involves the aviation sector.

(h) "Qualified program" means: (1) A program that has been accredited by the engineering accreditation commission of the accreditation board for engineering and technology (ABET), the federal aviation administration or a regional accrediting body and that awards an undergraduate or graduate degree; or (2) a program within the

meaning of an associate of applied science degree program or career technical education program, within the meaning of those programs as defined in K.S.A. 74-32,407, and amendments thereto, whether a state or out-of-state program that results in the awarding of a degree or certificate that prepares the graduate for gainful employment with a qualified employer.

(i) "Tuition" means the amount paid for enrollment, program specific course fees and instruction in a qualified program that includes both amounts paid during participation in a qualified program or tuition debt upon completion of a qualified program. "Tuition" does not include the cost of books, fees, other than program specific course fees, or room and board.

New Sec. 11. (a) For taxable years beginning after December 31, 2021, a taxpayer who is a qualified employer subject to the tax imposed under the provisions of the Kansas income tax act shall be allowed a credit against the tax for tuition reimbursed to a qualified employee.

(b) The credit may be claimed only if the qualified employee has been awarded an undergraduate or graduate degree, or technical degree or certificate from a qualified program within one year prior to or following the commencement of employment with a qualified employer and may be claimed each year thereafter that the qualified employee remains employed up to the fourth year of employment.

(c) The credit shall be in an amount equal to 50% of the tuition reimbursed during the taxable year for which the credit is claimed to a qualified employee, except that in no event shall the credit exceed 50% of the average annual amount paid by a qualified employee for enrollment and instruction in a qualified program, as determined by the secretary of revenue.

(d) The credit shall be applied against the taxpayer's income tax liability after all other credits allowed under the income tax act. The credit shall not be refundable and may not be carried forward.

New Sec. 12. (a) For taxable years beginning after December 31, 2021, a taxpayer who is a qualified employer subject to the tax imposed under the provisions of the Kansas income tax act shall be allowed a credit against the tax for compensation paid during the taxable year to a qualified employee in the first through fifth consecutive years of employment. Except as otherwise provided, the credit shall be in an amount equal to 10% of the compensation paid.

(b) The credit shall not exceed \$15,000 annually for each qualified employee.

(c) The credit shall be applied against the taxpayer's income tax liability after all other credits allowed under the income tax act. The credit shall not be refundable and may not be carried forward.

(d) No credit shall be claimed for compensation paid to a qualified employee after the fifth year of employment of the qualified employee.

New Sec. 13. (a) For taxable years beginning after December 31, 2021, a taxpayer who becomes a qualified employee during the taxable year shall be allowed a credit against the tax imposed under the provisions of the Kansas income tax act in an amount equal to \$5,000. The credit shall be deducted from the taxpayer's income tax liability for the taxable year in which the taxpayer is or has been a qualified employee and may be claimed each year the taxpayer achieves the status of a qualified employee for the four taxable years succeeding the taxable year in which the credit was first allowed.

(b) If the amount of the credit allowed a qualified employee is greater than the

qualified employee's income tax liability for the taxable year in which the credit is allowed, the amount of the credit which exceeds the tax liability may be carried over for deduction from the qualified employee's income tax liability in the next succeeding taxable year or years, except that the tax credit may not be carried over for deduction after the fourth taxable year succeeding the taxable year in which the credit was first allowed.

New Sec. 14. (a) The secretary of revenue may adopt rules and regulations necessary or convenient for the implementation and administration of sections 10 through 13, and amendments thereto.

(b) The secretary of revenue shall annually submit a written report to the house committee on appropriations and to the senate committee on ways and means beginning with the 2023 legislative session. The report shall contain information regarding the cost and effectiveness of the tax credit program described in sections 10 through 13, and amendments thereto. The secretary also may include in the report any recommendations for changes to law necessary to implement sections 10 through 13, and amendments thereto.

New Sec. 15. No new credits shall be issued or may be earned under the provisions of sections 10 through 13, and amendments thereto, after December 31, 2026.

New Sec. 16. For tax year 2022, and all tax years thereafter, there shall be allowed a credit against the tax liability of a qualified taxpayer imposed under the Kansas income tax act in an amount equal to the expenditures made by the taxpayer for school and classroom supplies during the taxable year. The amount of the credit allowed each taxable year under this section shall not exceed \$250. As used in this section, a "qualified taxpayer" means an individual who is a Kansas resident and is employed as a public or private school teacher.

New Sec. 17. (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.

(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 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.

(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 provisions of this section shall be a part of and supplemental to the homestead property tax refund act.

New Sec. 18. (a) For taxable years 2022 through 2031, there shall be allowed a credit against the tax liability imposed under the Kansas income tax act in an amount equal to 50% of an eligible taxpayer's qualified railroad track maintenance expenditures paid or incurred during the taxable year.

(b) The amount of the credit allowed each taxable year under this section shall not exceed the product of \$5,000 and the number of miles of railroad track owned or leased within the state of Kansas by the eligible taxpayer as of the close of the taxable year. For rail siding located on or adjacent to a class II or class III railroad in the state of Kansas, the amount of the credit allowed for each taxable year under this section shall not exceed \$5,000 per rail siding owned or leased within the state of Kansas by the eligible taxpayer as of the close of the taxable year. A mile of railroad track may be taken into account only once in each taxable year. The total amount of credits allowed under this section for each taxable year shall not exceed \$8,720,000.

(c) The credits allowed pursuant to this section that are not used by the eligible taxpayer are transferable by written agreement from the eligible taxpayer to any eligible customer or eligible vendor at any time during the five years immediately following the taxable year for which the credits were allowed. The eligible taxpayer originally allowed the credit and the subsequent transferee must jointly file a copy of the written transfer agreement with the Kansas department of revenue within 30 days of the transfer. The written agreement must contain the name, address and taxpayer identification number of the parties to the transfer, the amount of unused credit being transferred, the taxable year the credit was originally allowed to the eligible taxpayer and the taxable year or years for which the credit may be claimed. The eligible taxpayer and subsequent transferee shall also provide any information pertaining to the transfer as may be required by the secretary of revenue to administer and carry out the provisions of this section.

(d) Any unused credit amounts may be carried forward for up to five taxable years immediately following the taxable year for which the credits were allowed. The credit shall not be refundable.

(e) As used in this section:

(1) (A) "Eligible customer" means a business that:

(i) Uses class II or class III short line railroads or railroad-related property, facilities or structures located wholly or partly within the state of Kansas to directly or indirectly

transport property, commodities or goods;

- (ii) is served by a class II or class III short line railroad; or
- (iii) stores railcars on the class II or class III short line railroad.

(B) "Eligible customer" does not include a class I railroad, as defined in 49 C.F.R. § 1201.1-1(a), as in effect on January 1, 2022.

(2) "Eligible taxpayer" means:

(A) Any railroad subject to the Kansas income tax act that is classified by the United States surface transportation board as a class II or class III railroad, as defined in 49 C.F.R. § 1201.1-1(a), as in effect on January 1, 2022; or

(B) any owner or lessee of rail siding located on or adjacent to a class II or class III railroad in the state of Kansas.

(3) (A) "Eligible vendor" means a person who provides railroad-related services directly to an eligible taxpayer. "Railroad-related services" includes, but is not limited to: Transport of freight by rail; loading and unloading of freight transported by rail; railroad bridge services; railroad track construction; provision of railroad track material or equipment; locomotive or freight train car leasing or rental; maintenance of a railroad's right-of-way, including vegetation control; and freight train car repair, rehabilitation or remanufacturing repair services.

(B) "Eligible vendor" does not include a class I railroad, as defined in 49 C.F.R. § 1201.1-1(a), as in effect on January 1, 2022.

(4) (A) "Qualified railroad track maintenance expenditures" means gross expenditures for maintenance, reconstruction or replacement of railroad track, including roadbed, bridges, industrial leads and side track, and related track structures to the extent the expenditures are on track located in the state of Kansas and the track was owned or leased by an eligible taxpayer as of January 1, 2022.

(B) "Qualified railroad track maintenance expenditures" does not include expenditures used to generate a federal tax credit or expenditures funded by a state or federal grant.

(f) The secretary of revenue shall annually certify the tax credit amount allowed for each eligible taxpayer. The secretary of revenue may adopt rules and regulations necessary to administer the provisions of this section.

(g) The secretary of transportation may adopt rules and regulations to permit verification of the eligibility of an eligible taxpayer's expenditures for purposes of the credit.

New Sec. 19. The result of an election that was held on November 2, 2021, for the approval of levying a city retailers' sales tax of 0.5% for the purpose of providing an adequate level of public services to be levied by the city of Latham, in Butler county, in accordance with K.S.A. 12-187, and amendments thereto, and notice of which was first published 20 days prior to the election, instead of 21 days prior to the election, is hereby validated. The city of Latham may levy the tax in the amount and for the purpose approved by the voters at the election, and the department of revenue shall administer and collect such tax as provided in K.S.A. 12-189, and amendments thereto.

New Sec. 20. (a) Sections 20 through 27, and amendments thereto, shall be known and may be cited as the Gage park improvement authority act.

(b) The powers conferred by this act are for public uses, public recreation and economic development purposes or purposes for which public moneys may be expended.

(c) The powers granted pursuant to this act shall be in addition to any other powers provided by law.

New Sec. 21. As used in sections 20 through 27, and amendments thereto:

(a) "Act" means the Gage park improvement authority act, sections 20 through 27, and amendments thereto.

(b) "Authority" means the Gage park improvement authority established by this act.

(c) "Board," "county clerk" and "county treasurer" mean, respectively, the board of county commissioners, the county clerk and the county treasurer of Shawnee county.

(d) "County" means Shawnee county.

(e) "Eligible recreational facilities" means:

(1) Gage park and all existing and future Gage park facilities, including, but not limited to, the mini train, carousel and Blaisdell aquatic center;

(2) the Topeka zoo and conservation center and all existing and future Topeka zoo facilities; and

(3) the Kansas children's discovery center and all existing and future Kansas children's discovery center facilities.

(f) "Gage park" means Gage park in the city of Topeka in Shawnee county.

(g) "Gage park improvement authority sales tax" means the sales tax authorized by this act.

New Sec. 22. (a) (1) Upon the approval of the electors as provided by this act, the board of county commissioners of Shawnee county may authorize the imposition of a sales tax on all retail sales made within Shawnee county for the sole purpose of funding the acquisition, construction, improvement, equipping, operation, support, maintenance and development of the eligible recreational facilities within the county and the creation of the Gage park improvement authority to administer the proceeds of the sales tax for such purposes. The sales tax may be imposed in increments of 0.05%, except that such sales tax imposed shall not be less than 0.2% and shall not exceed 0.5%.

(2) The board of county commissioners shall determine a time for a hearing upon the question of whether there shall be the creation of a Gage park improvement authority and the imposition of a sales tax. The county clerk shall give notice of the hearing for three consecutive weeks on the county website and in a newspaper of general circulation within the county. The last publication of such notice shall be at least five days before the day of the hearing. The notice shall include a statement that the hearing is to consider the creation of a Gage park improvement authority and the imposition of a sales tax as authorized by this act. Such notice shall also provide the rate of the sales tax proposed and information that a hearing will be held by the board, including the day and the hour of the hearing and that all persons interested may appear and be heard at the hearing before the board.

(3) If, after the hearing, the board of county commissioners determines that the interests of the people of the county will be advanced by the creation of the Gage park improvement authority and the imposition of the sales tax, the board shall adopt a resolution proposing the creation of the authority and the imposition of the sales tax at the rate determined by the board for submission to the electors of the county as provided by subsection (c). The resolution shall become effective upon adoption by a majority of the electors of the county.

(b) A petition requesting the creation of the Gage park improvement authority and the imposition of the sales tax described by subsection (a)(1) within the county may be

presented to the board of county commissioners. The petition shall be signed by not less than the number of qualified electors of Shawnee county equal to 5% of the electors of the county who voted at the last preceding regular county election. The petition shall be filed with the Shawnee county election office at least 60 days prior to the date of an election in an even-numbered year. Upon receipt of the petition with the required number of signatures of qualified electors, the board shall cause an election to be held as provided by subsection (c). The petition shall become effective upon submission to and adoption by a majority of the electors of the county.

(c) (1) If, at the conclusion of a public hearing, the board of county commissioners adopts a resolution as provided by subsection (a), or the board is presented with a petition as provided by subsection (b), the board shall direct the county clerk to submit a proposition to create the Gage park improvement authority and impose the sales tax as described by subsection (a)(1) to the qualified electors within the county. Such election shall be held in an even-numbered year. Notice of such election shall be published on the county website and at least once per week for two consecutive weeks in the official county newspaper. The second notice shall be published at least seven days prior to the date of the election. Any such election shall be called and held at any general election, as defined in K.S.A. 25-2502, and amendments thereto, or at a special election called for such purpose. In lieu thereof, such election may be called and held in the manner provided by K.S.A. 25-431 et seq., and amendments thereto.

(2) The proposition presented to the electors shall be in substantially the following form:

"Shall a Gage Park Improvement Authority be created and supported through the levy of a _____ (insert rate, not to be less than 0.2% or more than 0.5%) countywide sales tax to benefit Gage Park, the Topeka Zoo and Kansas Children's Discovery Center?"

The county board of commissioners may place additional language on the ballot to describe the use or allocation of the funds in a manner consistent with this act.

(d) If the proposition is approved by a majority of the voters of the county voting at such election, the Gage park improvement authority shall be created and the sales tax as described in subsection (a)(1) shall be imposed by the board of county commissioners at the rate approved by the electors. The sales tax shall be collected and distributed as provided by section 23, and amendments thereto. The sales tax shall be in effect as of the first day of the year following the election. The board shall proceed with the performance of all things necessary and incidental to the establishment of the authority. The members shall be appointed and the authority shall hold the first meeting before the first day of the year following the election, as provided in section 25, and amendments thereto.

(e) If the majority of the electors of the county reject the proposition, any subsequent resolution by the board of county commissioners adopted pursuant to subsection (a) or a petition presented to the board pursuant to subsection (b) may be resubmitted to the electors after one year from the date of the last election on any such proposition.

(f) The sales tax, or portion thereof, levied pursuant to the Gage park improvement authority act shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.

New Sec. 23. (a) If an election is held and the proposition is approved by a majority

of the voters of the county voting at such election as provided in section 22 or 24, and amendments thereto, the board of county commissioners, by resolution, shall impose a Gage park improvement authority sales tax on the selling of tangible personal property at retail or the rendering or furnishing of services that are taxable pursuant to the provisions of the Kansas retailers' sales tax act within the county for the sole purpose of financing the acquisition, construction, improvement, equipment, operation, support, maintenance and development of eligible recreational facilities within the county by the authority. The board shall provide a certified copy of the resolution to the director of taxation authorizing the levy of the sales tax approved by the voters.

(b) The Gage park improvement authority sales tax shall be in addition to and notwithstanding any limitations on the aggregate amount of the retailers' sales tax contained in K.S.A. 12-187 through 12-197, and amendments thereto. Except as otherwise provided in this act, the sales tax authorized by this section shall be administered and collected pursuant to and subject to the provisions of K.S.A. 12-187 through 12-197, and amendments thereto.

(c) Upon receipt of a certified copy of a resolution authorizing the levy of a sales tax pursuant to this section, the director of taxation shall cause such tax to be collected in the county at the same time and in the same manner provided for the collection of the state retailers' sales tax. All taxes collected under the provisions of this act shall be remitted by the secretary of revenue 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 of all taxes collected under the provisions of this act in the state treasury to the credit of the Gage park improvement authority sales tax fund, which is hereby established in the state treasury. All moneys in the Gage park improvement authority sales tax fund shall be remitted at least quarterly by the state treasurer, as directed by the secretary of revenue, to the Gage park improvement authority. The Gage park improvement authority shall administer such moneys as provided by section 26, and amendments thereto.

New Sec. 24. (a) (1) If the initial Gage park improvement authority sales tax is imposed at a rate lower than 0.5%, then the board of county commissioners may adopt a resolution stating the board's intention to increase the Gage park improvement authority sales tax imposed pursuant to section 23, and amendments thereto, by one or more increments of 0.05%. Such tax shall be imposed for the sole purpose of financing the acquisition, construction, improvement, equipment, operation, support, maintenance and development of eligible recreational facilities within the county and shall be administered by the authority as provided by section 26, and amendments thereto. The sales tax may be increased as provided by this section one or more times, but the total aggregate sales tax authorized by this act shall not exceed 0.5%.

(2) The board of county commissioners shall determine a time for a hearing upon the question of whether the Gage park improvement authority sales tax shall be increased and direct the county clerk to give notice thereof for three consecutive weeks on the county website and in a newspaper of general circulation within the county. The last publication of such notice shall be at least five days before the day of the hearing. The notice shall include a statement that the hearing is for the purpose of considering the incremental increase of the sales tax, the increase in the sales tax rate, the resulting aggregate rate of the sales tax, and information that a hearing will be held by the board of county commissioners, including the day and the hour of the hearing, and that all

persons interested may appear and be heard at the hearing before the board.

(3) If, after such hearing, the board of county commissioners determines that the interests of the people of the county will be advanced by such an increase of the Gage park improvement authority sales tax, the board shall adopt a resolution proposing the increase of the sales tax for submission to the electors of the county as provided by subsection (c). Such resolution shall become effective upon adoption by a majority of the electors of the county.

(b) A petition requesting an incremental increase of the Gage park improvement authority sales tax by one or more increments of 0.05%, for the sole purpose of funding the acquisition, construction, improvement, equipment, operation, support, maintenance and development of eligible recreational facilities within the county may be presented to the board of county commissioners. The petition shall be signed by not less than the number of qualified electors of Shawnee county that is equal to 5% of the electors of such county who voted at the last preceding regular county election. The petition shall be filed with the Shawnee county election office at least 60 days prior to the date of an election in an even-numbered year. Upon receipt of such petition, the board of county commissioners shall cause an election to be held as provided by subsection (c). Such petition shall become effective upon submission to and adoption by a majority of the electors of the county.

(c) If, at the conclusion of a public hearing, the board of county commissioners adopts a resolution as provided in subsection (a), or the board is presented with a petition with the required number of signatures of qualified electors as provided in subsection (b), the board shall direct the county clerk to submit a proposition to adopt the increase in the sales tax to the qualified electors within the county. Such election shall be held in an even-numbered year. Notice of such election shall be published on the county website and at least once per week for two consecutive weeks in the official county newspaper. The second notice shall be published at least seven days prior to the date of such election. Any such election shall be called and held at any general election, as defined in K.S.A. 25-2502, and amendments thereto, or at a special election called for such purpose. In lieu thereof, such election may be called and held in the manner provided by K.S.A. 25-431 et seq., and amendments thereto.

(d) The proposition presented to the electors shall be in substantially the following form:

"Shall the countywide sales tax for the Gage Park Improvement Authority be increased from _____ to _____ (insert rate, not to be more than 0.5%) to benefit Gage Park, the Topeka Zoo and Kansas Children's Discovery Center?"

The board of county commissioners may place additional language on the ballot to describe the use or allocation of the funds in a manner consistent with this act.

(e) If the proposition is approved by a majority of the voters of the county voting at such election, the Gage park improvement authority sales tax shall be increased to the rate set forth in the proposition and shall be collected and distributed to the Gage park improvement authority as provided by section 23, and amendments thereto. Such increase shall be in effect as of the first day of the year following the election. The board of county commissioners may proceed with the performance of all things necessary and incidental to the increase of the sales tax.

(f) If the majority of the electors of the county reject the proposition, any subsequent resolution by the county board adopted pursuant to subsection (a), or a

petition presented to the board pursuant to subsection (b), may be resubmitted to the electors after one year from the date of the last election on any such proposition.

New Sec. 25. (a) The Gage park improvement authority shall be governed by a board composed of seven resident electors of Shawnee county as follows:

- (1) The director of Shawnee county parks or the director's designee;
- (2) the director of the Topeka zoo, who may be the president, chief executive officer or head of a nonprofit operator of the Topeka zoo, or such person's designee;
- (3) the director of the Kansas children's discovery center, who may be the president, chief executive officer or head of a nonprofit operator of the Kansas children's discovery center, or such person's designee;
- (4) two members appointed by the Topeka city council; and
- (5) two members appointed by the board of county commissioners of Shawnee county.

(b) Appointments of the initial members of the authority shall be made in such time that the authority may hold its first meeting prior to the end of the year in which the authority was first established. Appointed members shall serve terms of three years. The terms of the director of Shawnee county parks, the director of the Topeka zoo and the director of the Kansas children's discovery center shall not expire but shall transfer automatically to the successor officers of the respective organizations. The appointed members of the authority shall continue in such position until and unless removed by the appointing authority or a successor is appointed and qualified. Appointed members shall be eligible for reappointment. Whenever a vacancy occurs in the appointed members of the authority, a successor shall be selected to fill such vacancy in the same manner that the vacated member was appointed and for the remainder of such vacated member's unexpired term. A vacancy of a member who is not an appointed member may be filled by a representative of the member's respective organization. Any member of the authority may be removed at any time by the member's respective appointing authority or organization, and a new member may then be selected by the member's respective appointing authority or organization.

(c) The authority shall select annually from its membership a chairperson, vice chairperson and secretary.

(d) The authority shall determine the time and place for its meetings. Meetings shall be held at least quarterly within Shawnee county for the purposes of reviewing, discussing and voting on the allocation of sales tax revenue. The county shall provide a suitable meeting place upon request of the authority. The authority shall be subject to the provisions of the Kansas open meetings act and the Kansas open records act.

(e) A majority of the authority shall constitute a quorum. No action of the authority shall be binding unless taken at a meeting in which at least a quorum is present and unless a majority of the members present at such meeting vote in favor of such action.

New Sec. 26. (a) The Gage park improvement authority shall have the following powers and duties:

(1) (A) To receive, hold, administer, distribute and expend the proceeds from the countywide sales tax imposed pursuant to this act and any other moneys obtained by the authority; to acquire, construct, improve, operate, equip, support, maintain and develop eligible recreational facilities within Gage park; and to distribute sales tax revenues to such eligible recreational facilities for such purposes, as provided by subparagraph (B);

(B) sales tax revenue received by the Gage park improvement authority from the

first 0.2% of the rate levied shall be allocated and distributed by the authority as follows:

(i) 22% shall be distributed to Shawnee county to be used for the benefit of Gage Park as provided by this act;

(ii) 58% shall be distributed to the Topeka zoo and shall be directed to any nonprofit operator of the Topeka zoo;

(iii) 15% shall be distributed to the Kansas children's discovery center and shall be directed to any nonprofit operator of the Kansas children's discovery center; and

(iv) 5% shall be allocated and distributed in the discretion of the Gage park improvement authority for any of the following purposes:

(a) The acquisition, construction, improvement, equipment, operation, support, maintenance and development of the eligible recreational facilities;

(b) community enrichment and outreach for the benefit of the eligible recreational facilities;

(c) children's educational programming for the eligible recreational facilities;

(d) other items of public benefit and interest connected to Gage park; and

(e) actual and necessary expenses of the members of the authority in carrying out their official duties and reasonable administrative expenses; and

(C) the sales tax revenue received by the Gage park improvement authority from the portion of a rate that exceeds the rate of 0.2% shall be allocated as determined by the Gage park improvement authority for any of the following purposes:

(i) The acquisition, construction, improvement, equipment, operation, support, maintenance and development of the eligible recreational facilities;

(ii) community enrichment and outreach for the benefit of the eligible recreational facilities;

(iii) children's educational programming for the eligible recreational facilities;

(iv) other items of public benefit and interest connected to Gage park; and

(v) actual and necessary expenses of the members of the authority in carrying out their official duties and reasonable administrative expenses;

(2) to sue and be sued and to prosecute and defend any action in any court of competent jurisdiction;

(3) to enter into contracts to carry out the purposes of the authority and contracts or other instruments as necessary or convenient in the exercise of any of the powers of the authority;

(4) to receive for any authorized purposes and functions any contributions or moneys appropriated by Shawnee county or the city of Topeka and solicit and receive any donations or grants of money, equipment, supplies, materials and services from any state, the United States or any agency thereof or from any institution, foundation, organization, person, firm or corporation and utilize and dispose of such moneys, donations and grants in the discretion of the authority for the same purposes as provided by this act for the Gage park authority sales tax; and

(5) to adopt, amend and repeal bylaws and rules consistent with this act governing the manner that the powers and purposes of the authority shall be carried out and effected.

(b) The authority shall have the power to perform all other necessary and incidental functions and duties and to exercise all other necessary and appropriate powers consistent with the constitution or laws of this state to effectuate its purposes and duties

as provided by this act.

(c) The authority shall be subject to dissolution in the same manner as the dissolution of a special district in accordance with K.S.A. 2021 Supp. 12-3921 through K.S.A. 12-3923, and amendments thereto.

New Sec. 27. (a) Expenses necessary to finance administrative operations of the authority for the first six months after the authority's creation shall be appropriated to the authority by the county. Thereafter, the moneys necessary to finance the operation of the authority shall be drawn from the Gage park improvement authority sales tax fund, as provided by section 26, and amendments thereto.

(b) The authority shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the authority shall be audited periodically as directed by the county. Such audit shall be performed by a certified or licensed public accountant selected by the county. The report of the audit shall be included in and become a part of the annual report of the authority in any year in which an audit is conducted. The cost of such audit shall be paid by the county.

(c) The authority shall annually prepare a report on the operations and the transactions, receipts and disbursements of the authority during the preceding year. The report shall be submitted to the board of county commissioners and the Topeka city council. The county shall publish the authority's annual report on the county's website.

Sec. 28. K.S.A. 2021 Supp. 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, 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.

(I) 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 Wabaunsee 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 Wabaunsee 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).

(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. 29. K.S.A. 2021 Supp. 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 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%; ~~and~~

(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%; and

(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%.

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. 30. K.S.A. 2021 Supp. 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) ~~and~~, (32) ~~and~~ (33), 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. 31. K.S.A. 2021 Supp. 74-50,223 is hereby amended to read as follows: 74-50,223. (a) Any county that has been designated a rural opportunity zone pursuant to K.S.A. 74-50,222, and amendments thereto, may participate in the program provided in this section by authorizing such participation by the county commission of such county through a duly enacted written resolution. Such county shall provide a certified copy of such resolution to the secretary of commerce on or before January 1, 2012, for calendar year 2012, or on or before January 1 for each calendar year thereafter, in which a county chooses to participate. Such resolution shall obligate the county to participate in the program provided by this section for a period of five years, and shall be irrevocable. Such resolution shall specify the maximum amount of outstanding student loan balance for each resident individual to be repaid as provided in subsection (b), except the maximum amount of such balance shall be \$15,000.

(b) If a county submits a resolution as provided in subsection (a), under the program provided in this section, subject to subsection (d), the state of Kansas and such county which chooses to participate as provided in subsection (a), shall agree to pay in equal shares the outstanding student loan balance of any resident individual who qualifies to have such individual's student loans repaid under the provisions of subsection (c) over a five-year period, except that the maximum amount of such balance shall be \$15,000. The amount of such repayment shall be equal to 20% of the outstanding student loan balance of the individual in a year over the five-year repayment period. The state of Kansas is not obligated to pay the student loan balance of any resident individual who qualifies pursuant to subsection (c) prior to the county submitting a resolution to the secretary pursuant to subsection (a). Each such county shall certify to the secretary that such county has made the payment required by this subsection.

(c) A resident individual shall be entitled to have such individual's outstanding student loan balance paid for attendance at an institution of higher education where such resident individual earned an associate, bachelor or post-graduate degree under the provisions of this section when such resident individual establishes domicile in a county designated as a rural opportunity zone which participates in the program as provided in subsection (a), on and after the date in which such county commenced such participation, and prior to July 1, ~~2023~~ 2026. Such resident individual may enroll in this program in a form and manner prescribed by the secretary. Subject to subsection (d), once enrolled such resident individual shall be entitled to full participation in the program for five years, except that if the resident individual relocates outside the rural opportunity zone for which the resident individual first qualified, such resident individual forfeits such individual's eligibility to participate, and obligations under this section of the state and the county terminate. No resident individual shall enroll and be eligible to participate in this program after June 30, ~~2023~~ 2026.

(d) The provisions of this act shall be subject to appropriation acts. Nothing in this act guarantees a resident individual a right to the benefits provided in this section. The county may continue to participate even if the state does not participate.

(e) The secretary shall adopt rules and regulations necessary to administer the provisions of this section.

(f) On January 1, 2012, and annually thereafter until January 1, ~~2024~~ 2027, the

secretary of commerce shall report to the senate committee on assessment and taxation and the house of representatives committee on taxation as to how many residents applied for the rural opportunity zone tax credit.

Sec. 32. K.S.A. 2021 Supp. 79-201x is hereby amended to read as follows: 79-201x. (a) ~~For taxable years 2021 and year 2022, 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 ~~\$20,000~~ \$40,000 of its appraised valuation.

(b) For taxable year 2023, 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.

Sec. 33. K.S.A. 79-224 is hereby amended to read as follows: 79-224. (a) It is the purpose of this section to promote, stimulate, foster and encourage new investments in telecommunications machinery and equipment and railroad machinery and equipment in the state of Kansas, to recognize the dramatic changes within the telecommunications industry, to contribute to the economic recovery of the state, to enhance business opportunities in the state, to encourage the location of new businesses and industries in the state as well as the retention and expansion of existing businesses and industries and to promote the economic stability of the state by maintaining and providing employment opportunities, thereby contributing to the general welfare of the citizens of the state, by exempting from property taxation certain newly purchased or leased telecommunications machinery and equipment and railroad machinery and equipment, including all such machinery and equipment transferred into this state for the purpose of expanding an existing business or for the creation of a new business.

(b) The following described property, to the extent specified by this section, shall be and is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

First. Telecommunications machinery and equipment and railroad machinery and equipment acquired by qualified purchase or lease made or entered into after June 30, 2006, as the result of a bona fide transaction not consummated for the purpose of avoiding taxation.

Second. Telecommunications machinery and equipment and railroad machinery and equipment transported into this state after June 30, 2006, for the purpose of expanding an existing business or creation of a new business.

(c) As used in this section:

(1) "Acquired" shall not include the transfer of property pursuant to an exchange for stock securities, or the transfer of assets from one going concern to another due to a merger, reorganization or other consolidation;

(2) "qualified lease" means a lease of telecommunications machinery and equipment or railroad machinery and equipment for not less than 30 days for fair and valuable consideration where such machinery and equipment is physically transferred to

the lessee to be used in the lessee's business or trade;

(3) "qualified purchase" means a purchase of telecommunications machinery and equipment or railroad machinery and equipment for fair and valuable consideration where such machinery and equipment is physically transferred to the purchaser to be used in the purchaser's business or trade;

(4) "railroad machinery and equipment" means railroad machinery and equipment classified for property tax purposes within subclass (3) of class 2 of section 1 of article 11 of the constitution of the state of Kansas; and

(5) "telecommunications machinery and equipment" means network administrative assets; central office equipment; information, station and customer equipment; and outside plant equipment of a telecommunication company. "Telecommunications machinery and equipment" includes machinery and equipment placed in inventory or work-in-progress.

(d) The secretary of revenue is hereby authorized to adopt rules and regulations to administer the provisions of this section.

Sec. 34. K.S.A. 79-1476 is hereby amended to read as follows: 79-1476. 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.

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, 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 ~~soil~~ natural resources conservation service. For all taxable years commencing after December 31, 1989, all land devoted to agricultural use ~~which 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. For all taxable years commencing after December 31, 1999, all land devoted to agricultural use ~~which 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. 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 ~~which 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 soil natural resources~~ conservation service, and any other sources of data that the director considers appropriate.

The share of net income from land in the various land classes within each county or homogeneous region ~~which 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 ~~which 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 ~~which 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 ~~which 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%.

Based on the foregoing procedures, 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.

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 this section, the phrase "land devoted

to agricultural use" shall mean and include land, regardless of whether it is located in the unincorporated area of the county or within the corporate limits of a city, ~~which 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. "Land devoted to agricultural use" shall include land 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 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 otherwise devoted to the production of plants, animals or horticultural products that is incidentally used for agritourism activity. For purposes of this section, "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 "agritourism activity" whether or not the participant pays to participate in the activity. An activity is not an "agritourism activity" if the participant is paid to participate in the activity. 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.

The term "expenses" shall mean 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 not include those expenses incurred in providing temporary or permanent buildings used in the production of such plants, animals and horticultural products.

The provisions of this act 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. 35. K.S.A. 79-1613 is hereby amended to read as follows: 79-1613. (a) As used in this section:

(1) "Destroyed or substantially destroyed" means damage of any origin sustained by a homestead or building or improvement as the direct result of: (A) An earthquake, flood, tornado, fire or storm; or (B) an event or occurrence ~~which that~~ the governor of the state of Kansas has declared a disaster, whereby the cost of restoring the structure damaged as a result of subparagraph (A) or (B) to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

(2) "Homestead" means the dwelling, or any part thereof, whether owned or rented, ~~which that~~ is occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is

situated. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

~~(3) "Public or private buyout" means any buyout from a local, state or federal governmental entity or any non-governmental entity, including, but not limited to, an individual, foundation, trust, association, corporation, limited liability company or partnership.~~

(b) The owner of any building or improvement listed and assessed for property taxation purposes as real property or any homestead listed and assessed for property taxation purposes which that was destroyed or substantially destroyed ~~due to an earthquake, flood, tornado, fire, storm, or other event or occurrence which the governor of the state of Kansas has declared a disaster~~ may make application to the board of county commissioners of the county in which such property is located for the abatement of property taxes levied upon such homestead or building or improvement or for a credit against property taxes payable by such owner, as permitted by this section.

(1) If such homestead or building or improvement has been so destroyed or substantially destroyed after January 1 of a particular year but prior to August 15 of such year, the owner of such homestead or building or improvement may make application to such board of county commissioners for the abatement of property taxes levied upon such homestead or building or improvement, or if such property taxes have been paid or partially paid, may make application for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years.

(2) If such homestead or building or improvement has been so destroyed or substantially destroyed on or after August 15 of a particular year but prior to January 1 of the next succeeding year, the owner of such homestead or building or improvement may make application to such board of county commissioners for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years.

(c) An application for relief as permitted by subsection (b) may be made for abatement of property taxes assessed but not yet paid, or for a grant of a credit for assessed property taxes paid or for both, as the case may be, and may be made on or before December 20 of the year next succeeding the year for which such taxes have been assessed.

(d) Upon receipt of any such application, subject to budgetary restraints of the county or taxing subdivision ~~arising from the event or occurrence declared a disaster by the governor~~, the board of county commissioners shall inquire into and make findings regarding, among other things, whether the property is a homestead, as defined in subsection (a), whether the property is a building or improvement, whether the homestead or the building or improvement was destroyed or substantially destroyed, as defined in subsection (a) and the assessed valuation thereof. If it is determined that an owner of such homestead or building or improvement is entitled to an abatement of all or any portion of the property taxes levied against such homestead or building or improvement or is entitled to a credit against property taxes payable by such owner in any or all of the next succeeding three years, the board may issue an order so providing.

(e) The county clerk and county treasurer shall in each case of abatement or credit correct their records in accordance therewith and the county clerk shall notify the governing body of any taxing district affected thereby.

(f) The provisions of this section shall be applicable to all taxable years commencing after December 31, ~~2014 2018~~, and all taxable years thereafter.

(g) Notwithstanding any provision of subsection (c) to the contrary, an application for relief as permitted by subsection (b) may be made for abatement of property taxes assessed but not yet paid, or for a grant of a credit for assessed property taxes paid, or for both, as the case may be, and may be made on or before December 20, 2022, for taxable years 2019 and 2020.

Sec. 36. K.S.A. 79-2930 is hereby amended to read as follows: 79-2930. (a) Two copies of the budget certificate giving the amount of ad valorem tax to be levied and the total amount of the adopted budget of expenditures by fund, along with itemized budget forms for each and every fund and proof of publication of the notice of budget hearing containing the budget summary shall be presented to the county clerk within the time prescribed by K.S.A. 79-1801, and amendments thereto. ~~Beginning in 2009~~, All such budget information shall be filed electronically with the county clerk. Where action has been taken under any statute to increase the amount of tax to be levied authorized by law, a statement showing the increased amount or tax levy rate voted, or a copy of the charter resolution or ordinance making the change, shall be attached to the budget each year the change is in effect.

(b) The county clerk shall make any reductions to the ad valorem tax to be levied, compute the tax levy rates based on the final equalized assessed valuation, and enter such on the budget certificate before attesting the budget, except that with regard to levies made under K.S.A. 75-2551, and amendments thereto, such levies shall be based upon the certified preliminary abstract of property values submitted to the director of property valuation pursuant to K.S.A. 79-1604, and amendments thereto. Beginning in 2022, on or before December 31 each year, a copy of all budgets for taxing subdivisions of the county, properly attested, shall be filed with the director of accounts and reports, along with a copy of the tax levy rate summary ~~required of the county treasurer by K.S.A. 79-2002, and amendments thereto.~~ ~~Beginning in 2009~~, All such budget information shall be filed electronically with the director of accounts and reports.

(c) Each fund of the adopted budget certified to the county clerk in no event shall exceed the amount of ad valorem tax to be levied and the proposed expenditures of such fund in the proposed budget as originally published. The governing body of each taxing subdivision shall not certify an amount of ad valorem taxes to be levied that is in excess of any tax levy rate or amount limitations or any aggregate tax levy limitations. The governing bodies, in fixing the amount may take into consideration and make allowance for the taxes which may not be paid, such allowance, however, shall not exceed by more than 5% the percentage of delinquency for the preceding tax year.

Sec. 37. K.S.A. 2021 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)~~(F) the appraised value and assessed value of the taxpayer's property for the current year;

~~(F)~~(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;

~~(G)~~(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 ~~(F)~~ (G) for any taxing subdivision that has a proposed tax rate that exceeds its revenue neutral rate; and

~~(H)~~(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.

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 and the estimate of the tax for the current year on the taxpayer's property based on such 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 subsection 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.

~~(e)~~(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.

~~(f)~~(g) In the event that a county clerk incurred costs of printing and postage that were not reimbursed pursuant to K.S.A. 2021 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.

~~(g) The provisions of this section shall take effect and be in force from and after January 1, 2021.~~

(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.";

On page 15, by striking all in lines 23 through 43;

By striking all on pages 16 through 29;

On page 30, by striking all in lines 1 through 16; following line 16, by inserting:

"Sec. 40. K.S.A. 79-32,121 is hereby amended to read as follows: 79-32,121. (a) An individual shall be allowed a Kansas exemption of \$2,250 ~~for tax year 1998, and all tax years thereafter,~~ for each exemption for which such individual is entitled to a deduction for the taxable year for federal income tax purposes. ~~In addition to the exemptions authorized in the foregoing provision, an individual filing a federal income tax return under the status of head of household, as the same is defined by 26 U.S.C. § 2(b), shall be allowed an additional Kansas exemption of \$2,250 for tax year 1998.~~

(b) In addition to the exemptions provided in subsection (a), any individual who has been honorably discharged from active service in any branch of the armed forces of the United States and who is certified by the United States department of veterans affairs or its successor to be in receipt of disability compensation at the 100% rate, if the disability is permanent and was sustained through military action or accident or resulted from disease contracted while in such active service, such individual shall be allowed an additional Kansas exemption of \$2,250 for tax year 2023 and all tax years thereafter.

Sec. 41. K.S.A. 79-32,182b is hereby amended to read as follows: 79-32,182b. (a) For all taxable years commencing after December 31, ~~2000~~ 2022, a credit shall be allowed against the tax imposed by the Kansas income tax act on the Kansas taxable income of a taxpayer for expenditures in research and development activities conducted within this state in an amount equal to ~~6 $\frac{1}{2}$ %~~ 10% of the amount by which the amount expended for such activities in the taxable year of the taxpayer exceeds the taxpayer's average of the actual expenditures for such purposes made in such taxable year and the next preceding two taxable years.

(b) In any one taxable year, the amount of such credit allowable for deduction from the taxpayer's tax liability shall not exceed 25% of the total amount of such credit plus any applicable carry forward amount. The amount by which that portion of the credit allowed by subsections (a) and (b) to be claimed in any one taxable year exceeds the taxpayer's tax liability in such year may be carried forward until the total amount of the credit is used.

(c) As used in this section, the term "expenditures in research and development activities" means expenditures made for such purposes, other than expenditures of moneys made available to the taxpayer pursuant to federal or state law, which are treated as expenses allowable for deduction under the provisions of the federal internal revenue code of 1986, as amended, except that for taxable years commencing after December 31, 2013, expenditures in research and development activities shall not include any expenditures for the performance of any abortion, as defined in K.S.A. 65-6701, and amendments thereto.

(d) For tax year 2013 and all tax years thereafter, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to subsection (c) of K.S.A. 79-32,110, and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability
For tax year 2023 and all tax years thereafter, the income tax credit allowed pursuant to

this section shall be transferable by a taxpayer without a current tax liability. The tax credit may be transferred to any person and be claimed by the transferee as a credit against the transferee's Kansas income tax liability in the tax year when it was transferred. The credit shall be claimed and may be carried forward by the transferee as provided and limited by subsection (b). No person shall be entitled to a refund for the transferred tax credit. Only the full credit may be transferred, and the credit may only be transferred one time. Documentation of any credit acquired by transfer shall be provided by the taxpayer or the transferee in the manner required by the secretary of revenue.”;

On page 31, in line 35, by striking all after the period; by striking all in lines 36 and 37; in line 38, by striking all before "Prior";

On page 33, in line 19, by striking "\$500,000" and inserting "\$250,000"; in line 22, by striking "\$1,000,000" and inserting "\$500,000"; in line 24, by striking "\$7,000,000" and inserting "\$5,000,000";

On page 34, in line 5, after "(e)" by inserting "(1)"; following line 31, by inserting:

"(2) The provisions of this subsection shall not apply to tax credits earned pursuant to subsection (a)(2).";

Also on page 34, by striking all in lines 41 through 43; following line 43, by inserting:

"Sec. 43. K.S.A. 2021 Supp. 79-32,267 is hereby amended to read as follows: 79-32,267. (a) For taxable years commencing after December 31, 2011, and before January 1, ~~2024~~ 2027, there shall be allowed as a credit against the tax liability of a resident individual taxpayer an amount equal to the resident individual's income tax liability under the provisions of the Kansas income tax act, when the resident individual:

(1) Establishes domicile in a rural opportunity zone on or after July 1, 2011, and prior to January 1, ~~2023~~ 2026, and was domiciled outside this state for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state;

(2) had Kansas source income less than \$10,000 in any one year for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state; and

(3) was domiciled in a rural opportunity zone during the entire taxable year for which such credit is claimed.

(b) A resident individual may claim the credit authorized by this section for not more than five consecutive years following establishment of their domicile in a rural opportunity zone.

(c) The maximum amount of any refund under this section shall be equal to the amount withheld from the resident individual's wages or payments other than wages pursuant to K.S.A. 79-3294 et seq., and amendments thereto, or paid by the resident individual as estimated taxes pursuant to K.S.A. 79-32,101 et seq., and amendments thereto.

(d) No credit shall be allowed under this section if:

(1) The resident individual's income tax return on which the credit is claimed is not timely filed, including any extension; or

(2) the resident individual is delinquent in filing any return with, or paying any tax due to, the state of Kansas or any political subdivision thereof.

(e) This section shall be a part of and supplemental to the Kansas income tax act.

Sec. 44. K.S.A. 2021 Supp. 79-3602 is hereby amended to read as follows: 79-3602. 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" 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 or 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.

(cc) "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 that are not separately stated on the invoice, bill of sale or similar document given to the purchaser; 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) delivery charges that are separately stated on the invoice, bill of sale or similar document given to the purchaser.

(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, K.S.A. 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.

Sec. 45. K.S.A. 79-3606d is hereby amended to read as follows: 79-3606d. (a) (1) The following shall be exempt from the tax imposed by the Kansas retailers' sales tax act: All sales of tangible personal property and services purchased during calendar years 2017 and 2018 on and after January 1, 2021, and purchased within two years of the date of the applicable disaster declaration necessary to reconstruct, repair or replace any fence that was damaged or destroyed by wildfires a wildfire, flood, tornado or other natural disaster occurring during calendar years 2016 and 2017 on and after January 1, 2021, and the purpose for which is to enclose land devoted to agricultural use.

(2) A taxpayer shall be eligible for the exemption pursuant to this section if the affected property containing the damaged or destroyed fencing is located within an area declared to be a disaster by the federal, state or local government.

(3) Sales tax paid on and after January 1, 2017, 2021, upon the gross receipts received from any such sale 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 section. 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. Any person reconstructing, repairing or replacing such property, or any person who shall contract for the reconstruction, repair or replacement of any such property shall obtain from the state an exemption certificate for the project involved. The certificate shall be furnished to the person or contractor to purchase materials and lease machinery and equipment for such project. The person or 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 person that obtained the exemption certificate, 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.

(b)(4) As used in this subsection, "wildfire" means a fire that spreads rapidly over grassland, woodland or brush creating unwanted and unplanned destruction.

(b) On and after July 1, 2022, all sales of tangible personal property and services necessary to construct, reconstruct, repair or replace any fence that is used to enclose land devoted to agricultural use shall be exempt from the tax imposed by the Kansas retailers' sales tax act.

(c) The provisions of this section shall be deemed to be a part of and supplemental to the Kansas retailers' sales tax act.

Sec. 46. K.S.A. 79-4502 is hereby amended to read as follows: 79-4502. As used in this act, unless the context clearly indicates otherwise:

(a) "Income" means the sum of adjusted gross income under the Kansas income tax act effective for tax year 2013 and thereafter without regard to any modifications

pursuant to K.S.A. 79-32,117(b)(xx) through (xxiii) and (c)(xx), and amendments thereto, maintenance, support money, cash public assistance and relief, not including any refund granted under this act, the gross amount of any pension or annuity, including all monetary retirement benefits from whatever source derived, including but not limited to, all payments received under the railroad retirement act, except disability payments, payments received under the federal social security act, except that for determination of what constitutes income such amount shall not exceed 50% of any such social security payments and shall not include any social security payments to a claimant who prior to attaining full retirement age had been receiving disability payments under the federal social security act in an amount not to exceed the amount of such disability payments or 50% of any such social security payments, whichever is greater, all dividends and interest from whatever source derived not included in adjusted gross income, workers compensation and the gross amount of "loss of time" insurance. Income does not include gifts from nongovernmental sources or surplus food or other relief in kind supplied by a governmental agency, nor shall net operating losses and net capital losses be considered in the determination of income. Income does not include veterans disability pensions. Income does not include disability payments received under the federal social security act.

(b) "Household" means a claimant, a claimant and spouse who occupy the homestead or a claimant and one or more individuals not related as husband and wife who together occupy a homestead.

(c) "Household income" means all income received by all persons of a household in a calendar year while members of such household.

(d) "Homestead" means the dwelling, or any part thereof, owned and occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

(e) "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: (1) For purposes of a claim under K.S.A. 79-4508, and amendments thereto: (A) A person having a disability;-(2) (B) a person who is 55 years of age or older;-(3) (C) a disabled veteran;-(4) (D) the surviving spouse of active duty military personnel who died in the line of duty; or-(5) (E) a person other than a person included under (1), (2), (3) or (4) subparagraph (A), (B), (C) or (D) having one or more dependent children under 18 years of age residing at the person's homestead during the calendar year immediately preceding the year in which a claim is filed under this act; or (2) for purposes of a claim under section 17, and amendments thereto: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a disabled veteran who was receiving benefits pursuant to subsection-(e)(3)-of this section (c)(1)(C) at the time of the veterans' death, shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

When a homestead is occupied by two or more individuals and more than one of the individuals is able to qualify as a claimant, the individuals may determine between them

as to whom the claimant will be. If they are unable to agree, the matter shall be referred to the secretary of revenue whose decision shall be final.

(f) "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1979 or any calendar year thereafter by the state of Kansas and the political and taxing subdivisions of the state. When a homestead is owned by two or more persons or entities as joint tenants or tenants in common and one or more of the persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on the homestead that reflects the ownership percentage of the claimant's household. For purposes of this act, property taxes are "levied" when the tax roll is delivered to the local treasurer with the treasurer's warrant for collection. When a claimant and household own their homestead part of a calendar year, "property taxes accrued" means only taxes levied on the homestead when both owned and occupied as a homestead by the claimant's household at the time of the levy, multiplied by the percentage of 12 months that the property was owned and occupied by the household as its homestead in the year. When a household owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of the taxes allocable to those several properties while occupied by the household as its homestead during the year. Whenever a homestead is an integral part of a larger unit such as a multi-purpose or multi-dwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For the purpose of this act, the word "unit" refers to that parcel of property covered by a single tax statement of which the homestead is a part.

(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 the preceding sentence (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; for purposes of this subsection, a "physical or mental impairment" is 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.

(h) "Blindness" means central visual acuity of $20/200$ 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 ²⁰/₂₀₀ or less.

(i) "Disabled veteran" means a person who is a resident of Kansas and has been honorably discharged from active service in any branch of the armed forces of the United States or Kansas national guard and who has been certified by the United States department of veterans affairs or its successor to have a 50% or greater permanent disability sustained through military action or accident or resulting from disease contracted while in such active service.

Sec. 47. K.S.A. 79-4508 is hereby amended to read as follows: 79-4508. (a) Commencing in the tax year beginning after December 31, 2005, the amount of any claim pursuant to this act and under this section shall be computed by deducting the amount computed under column (2) from the amount of claimant's property tax accrued.

(1)		(2)
<u>Claimant's household</u> income		Deduction from property tax accrued
At least	But not more than	
\$0	\$6,000	\$0
6,001	7,000	4%
7,001	16,000	4% plus 4% of every \$1,000, or fraction thereof, of income in excess of \$7,001
16,001	27,000	40% plus 5% of every \$1,000, or fraction thereof, of income in excess of \$16,001
27,001	27,600	95%

(b) The director of taxation shall prepare a table under which claims under this act and this section shall be determined. The amount of claim for each bracket shall be computed only to the nearest \$1.

(c) The claimant may elect not to record the amount claimed on the claim. The claim allowable to persons making this election shall be computed by the department which shall notify the claimant by mail of the amount of the allowable claim.

(d) In the case of all tax years commencing after December 31, 2004, the upper limit threshold amount prescribed in this section, 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.

Sec. 48. K.S.A. 79-4509 is hereby amended to read as follows: 79-4509. (a) In the event property taxes accrued exceeds \$700 for a household in any one year, the amount thereof shall, for purposes of this act, be deemed to have been \$700.

(b) The provisions of subsection (a) shall not apply to a claim for refund pursuant to section 17, and amendments thereto.

Sec. 49. K.S.A. 79-224, 79-1476, 79-1613, 79-2930, 79-3220, 79-32,111, 79-32,121, 79-32,182b, 79-32,261, 79-3606d, 79-4502, 79-4508 and 79-4509 and K.S.A. 2021 Supp. 12-187, 12-189, 12-192, 74-50,223, 79-201x, 79-2988, 79-32,267 and 79-3602 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "income"; also in line 1, by striking all after the semicolon; by striking all in lines 2 and 3; in line 4, by striking all before the semicolon and inserting "relating to income tax"; in line 5, by striking all after the semicolon; in line 7, by striking "deductions;"; in line 9, by striking all after the first semicolon; by striking all in lines 10 through 14; in line 15, by striking "disallowance;"; in line 16, after the semicolon by inserting "providing tax credits for graduates of aerospace and aviation-related educational programs and employers of program graduates; providing a tax credit for school and classroom supplies purchased by teachers; providing homestead property tax refunds from the income tax refund fund to certain persons based on the increase in property tax over the base year property tax amount; expanding eligibility, amount and transferability of the research and development tax credit; providing a credit for qualified railroad track maintenance expenditures of short line railroads and associated rail siding owners or lessees; providing for an additional personal exemption for 100% disabled veterans; relating to property tax; establishing a revenue neutral rate complaint process for tax levies; authorizing the county clerk to limit the amount of ad valorem taxes to be levied in certain circumstances; establishing a deadline for budgets to be filed with the director of accounts and reports; requiring roll call votes and publication of information; relating to classification and valuation; classifying certain agritourism activities and zoos as land devoted to agricultural use; classifying land devoted to agriculture that is subject to the federal grassland conservation reserve program as grassland; establishing a property tax exemption for antique utility trailers; allowing for the proration of value when certain personal property is acquired or sold prior to September 1 of any tax year; providing for the exemption of inventory and work-in-progress machinery and equipment for telecommunications machinery and equipment; increasing the extent of exemption for residential property from the statewide school levy; providing for abatement or credit of property tax for buildings and improvements destroyed or substantially destroyed by natural disaster; relating to sales and compensating use tax; providing an exemption for certain fencing and for reconstructing, repairing or replacing certain fencing damaged or destroyed by a wildfire, flood, tornado or other natural disaster; excluding separately stated delivery charges from sales or selling price; removing the expiration on manufacturer cash rebates on motor vehicles; providing countywide retailers' sales tax authority for Wilson county; requiring disclosure of distribution of revenues on countywide retailers' sales tax ballot proposals; validating the election held to approve a retailers' sales tax levy by the city of Latham; relating to rural opportunity zones; extending the time period for eligibility in the loan repayment program and the income tax credit; enacting the Gage park improvement authority act; providing for the creation of the Gage park improvement authority; permitting a sales tax within the boundaries of Shawnee county;"; also in line 16, by striking all after "amending" by striking all in lines 17 and 18; in line 19, by striking all before the period and inserting "K.S.A. 79-224, 79-1476, 79-1613, 79-2930, 79-3220, 79-32,111, 79-32,121, 79-32,182b, 79-32,261, 79-3606d, 79-4502, 79-4508 and 79-4509 and K.S.A. 2021 Supp. 12-187, 12-189, 12-192, 74-50,223, 79-201x, 79-2988, 79-32,267 and 79-3602 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

CARYN TYSON

VIRGIL PECK

TOM HOLLAND

Conferees on part of Senate

ADAM SMITH

LES MASON

JIM GARTNER

Conferees on part of House

Senator Tyson moved the Senate adopt the Conference Committee Report on **S Sub HB 2239**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claey's, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Longbine.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HCR 5022** submits the following report:

The Senate recedes from all of its amendments to the resolution.

And your committee on conference recommends the adoption of this report.

KELLIE WARREN

RICK WILBORN

DAVID HALEY

Conferees on part of Senate

JOHN BARKER

TORY MARIE ARNBERGER

LOUIS RUIZ

Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on **HCR 5022**.

On roll call, the vote was: Yeas 39; Nays 1; 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, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Hawk.

The Conference Committee Report was adopted.

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.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **H Sub Sub SB 267**.

The House concurs in Senate amendments to **S Sub HB 2279**, and requests return of the bill.

The House adopts the Conference Committee report to agree to disagree on **Sub HB 2466**, and has appointed Representatives Huebert, Thomas and Stogsdill 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 267** 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 35;

By striking all in pages 2 through 293;

On page 294, by striking all in lines 1 through 9 and inserting the following:

"Section 1. (a) For the fiscal years ending June 30, 2022, June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027, 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 amount from the Lansing correctional facility – facilities operations account of the state general fund for lost property to the following claimant:

Stanley Wooley Jr. #96814

P.O. Box 2

Lansing, KS 66043\$33.64

(b) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for lost property to the following claimant:

Allen Todd #88097

P.O. Box 1568

Hutchinson, KS 67504\$50.00

Travis Becker #121392

P.O. Box 1568
 Hutchinson, KS 67504\$265.00
 Word Ackward #79694

P.O. Box 1568
 Hutchinson, KS 67504\$76.01

(c) 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:

Willie Simmons #117440
 El Dorado Correctional Facility
 P.O. Box 311
 El Dorado, KS 67042\$21.42

Roger Deere, II #70912
 El Dorado Correctional Facility
 P.O. Box 311
 El Dorado, KS 67042\$138.45

Clinton Eugene Ross #0123450
 El Dorado Correctional Facility
 P.O. Box 311
 El Dorado, KS 67042\$200.00

(d) 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:

Brad Gillespie #117695
 El Dorado Correctional Facility
 P.O. Box 311
 El Dorado, KS 67042.....\$60.80

Sec. 3. The Kansas adjutant general's department is hereby authorized and directed to pay the following amount from its operating expenditures account of the state general fund for property damage to the following claimant:

Scott Heston
 4109 NW Walnut Rd
 Topeka, KS 66618\$1,144.55

Sec. 4.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

ACLU Foundation litigation settlement.....\$1,425,000.00
 Dentons US LLP litigation settlement.....\$475,000.00

Sec. 5. The Kansas department of revenue is hereby authorized and directed to pay the following amount from its sales tax refund fund for reimbursement of overage payments in a company's sales tax account to the following claimant:

OneNeck IT Solutions, LLC
 8401 Greenway Blvd, Suite 230
 Middleton, WI 53562\$47,788.56

Sec. 6. 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:

Concrete Service Co Inc. PO Box 1205 Great Bend, KS 67530	\$255.53
Curtis A. Ernst 1415 T Road Mankato, KS 66956	\$116.30
Freedom Aviation Enterprise LLC 2530 Flor De Sol Salina, KS 67401	\$57.48
Colleen Geier 938 S 110 St. Girard, KS 66743	\$153.36
Grant County Feeders PO Box 1087 Ulysses, KS 67880	\$1,870.34
Hesston College PO Box 3000 Hesston, KS 67062	\$44.04
Knight Refrigerated LLC PO Box 540555 North Salt Lake, UT 84054	\$2,169.65
John Korber 2844 L Rd. Bern, KS 66408	\$172.80
Labette County Hwy Dept PO Box 301 Altamont, KS 67330	\$3,447.76
McPherson County Public Works 1115 W Ave A McPherson, KS 67460	\$8,971.79
National Carriers Inc. PO Box 540555 North Salt Lake, UT 84054	\$7,657.88
Navajo Express Inc. 1400 W 64 th Ave Denver, CO 80221	\$3,678.95
Russell Ready Mix Concrete Inc. PO Box 1205 Great Bend, KS 67530	\$107.72
USD 247 Cherokee 506 S Smelter St. Cherokee, KS 66724	\$294.14
Louis B. Vestring 9872 NE Stony Creek Road Cassoday, KS 66842	\$459.65

Sec. 7. (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 6, 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 6 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. 8.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 14(a) of chapter 116 of the 2021 Session Laws of Kansas on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby decreased from \$12,090,773 to \$11,727,452.

(b) 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 116 of the 2021 Session Laws of Kansas on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby decreased from \$12,649,189 to \$12,087,285.

Sec. 9.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 7(a) of chapter 98 of the 2021 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 \$158,683 to \$178,073.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 7(a) of chapter 98 of the 2021 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 \$159,162 to \$172,840.

Sec. 10.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 8(a) of chapter 98 of the 2021 Session Laws of Kansas on the behavioral sciences regulatory board fee fund (102-00-2730-0100) of the behavioral sciences regulatory board is hereby increased from \$968,062 to \$988,412.

Sec. 11.

STATE BOARD OF HEALING ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 16(b) of chapter 116 of the 2021 Session Laws of Kansas on the healing arts fee fund (105-00-2705-0100) of the state board of healing arts is hereby increased from \$6,527,233 to \$6,550,427.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 9(a) of chapter 98 of the 2021 Session Laws of Kansas on the healing arts fee fund (105-00-2705-0100) of the state board of healing arts is

hereby decreased from \$6,852,656 to \$6,595,727.

Sec. 12.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 11(a) of chapter 98 of the 2021 Session Laws of Kansas on the cosmetology fee fund (149-00-2706-0100) of the Kansas state board of cosmetology is hereby decreased from \$1,162,205 to \$1,144,804.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 11(a) of chapter 98 of the 2021 Session Laws of Kansas on the cosmetology fee fund (149-00-2706-0100) of the Kansas state board of cosmetology is hereby decreased from \$1,169,064 to \$1,159,953.

Sec. 13.

STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 17(a) of chapter 116 of the 2021 Session Laws of Kansas on the mortuary arts fee fund (204-00-2709-0100) of the state board of mortuary arts is hereby decreased from \$369,038 to \$367,875.

Sec. 14.

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, 2022, by section 17(a) of chapter 98 of the 2021 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 \$32,188 to \$34,072.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 17(a) of chapter 98 of the 2021 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 \$32,370 to \$34,010.

Sec. 15.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 18(a) of chapter 98 of the 2021 Session Laws of Kansas on the board of nursing fee fund (482-00-2716-0200) of the board of nursing is hereby increased from \$3,037,107 to \$3,061,286.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 18(a) of chapter 98 of the 2021 Session Laws of Kansas on the board of nursing fee fund (482-00-2716-0200) of the board of nursing is hereby increased from \$2,882,559 to \$3,043,871.

Sec. 16.

BOARD OF EXAMINERS IN OPTOMETRY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 19(a) of chapter 98 of the 2021 Session Laws of Kansas on the optometry fee fund (488-00-2717-0100) of the board of examiners in optometry is hereby increased from \$169,599 to \$194,599.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year

ending June 30, 2023, by section 19(a) of chapter 98 of the 2021 Session Laws of Kansas on the optometry fee fund (488-00-2717-0100) of the board of examiners in optometry is hereby increased from \$172,118 to \$197,118.

Sec. 17.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 18(a) of chapter 116 of the 2021 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 \$2,608,906 to \$2,233,826.

(b) During the fiscal year ending June 30, 2022, notwithstanding the provisions of K.S.A. 65-1685, 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 2022 as authorized by section 21 of chapter 98 of the 2021 Session Laws of Kansas, section 18 of chapter 116 of the 2021 Session Laws of Kansas, this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to provide data in the prescription monitoring program to designated representatives from the department of health and environment regarding authorized medicaid program practitioners.

(c) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 21(a) of chapter 98 of the 2021 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 \$3,335,613 to \$3,152,132.

(d) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 65-1685, 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 2023 as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to provide data in the prescription monitoring program to designated representatives from the department of health and environment regarding authorized medicaid program practitioners.

Sec. 18.

KANSAS REAL ESTATE COMMISSION

(a) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 23(a) of chapter 98 of the 2021 Session Laws of Kansas on the real estate fee fund (549-00-2721-0100) of the Kansas real estate commission is hereby increased from \$1,190,738 to \$1,197,838.

Sec. 19.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 26(a) of chapter 98 of the 2021 Session Laws of Kansas on the veterinary examiners fee fund (700-00-2727-1100) of the state board of veterinary examiners is hereby increased from \$335,971 to \$339,745.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 26(a) of chapter 98 of the 2021 Session Laws of Kansas on the veterinary examiners fee fund (700-00-2727-1100) of the state board of

veterinary examiners is hereby increased from \$336,109 to \$351,671.

Sec. 20.

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, 2022.....\$19,845

For the fiscal year ending June 30, 2023.....\$21,743

Sec. 21.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$757,225 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 30(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the legislative coordinating council – operations account (422-00-1000-0100), the sum of \$71,443 is hereby lapsed.

(b) On the effective date of this act, of the \$4,546,798 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 30(a) of chapter 98 of the 2021 Session Laws of Kansas from the legislative research department – operations account (425-00-1000-0103), the sum of \$254,390 is hereby lapsed.

(c) On the effective date of this act, of the \$4,241,111 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 30(a) of chapter 98 of the 2021 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 \$498,193 is hereby lapsed.

Sec. 22.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Legislative coordinating council –

operations (422-00-1000-0100).....\$752,441

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Legislative research department –

operations (425-00-1000-0103).....\$4,661,008

Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Office of revisor of statutes –

operations (579-00-1000-0103).....\$4,132,662

Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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:

Legislative research department special

revenue fund (425-00-2111-2000).....No limit
 Legislature employment security fund.....No limit
 Sec. 23.

LEGISLATURE

(a) On the effective date of this act, of the \$17,911,128 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 32(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operations (including official hospitality) account (428-00-1000-0103), the sum of \$7,289,669 is hereby lapsed.

(b) On the effective date of this act, of the \$5,829,366 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 32(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the legislative information system account (428-00-1000-0300), the sum of \$500,954 is hereby lapsed.

Sec. 24.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operations (including official
 hospitality) (428-00-1000-0103).....\$17,085,667

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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 2023 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 2023: *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 2023: *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 2023: *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 2023: *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: *And provided further*; That expenditures shall be made by the above agency from this account in fiscal year 2023 to increase by the amount of 15% the salaries and wages, and associated fringe benefits, for committee assistants and office assistants.

Legislative information

system (428-00-1000-0300).....	\$6,327,654
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Provided, That any unencumbered balance in the legislative information system account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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:

Legislative special

revenue fund (428-00-2260-2200).....	No limit
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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 2023 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 2023: *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 2023: *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 2023: *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 2023.

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.

Sec. 25.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$3,356,162 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 34(a) of chapter 98 of the 2021 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 \$171,164 is hereby lapsed.

Sec. 26.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operations (including legislative post audit committee) (540-00-1000-0100).....\$3,477,553

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Sec. 27.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Governor's department (252-00-1000-0503).....\$1,406

(b) On the effective date of this act, of the \$4,639,941 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 36(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the domestic violence prevention grants account (252-00-1000-0600), the sum of \$75 is hereby lapsed.

(c) On the effective date of this act, of the \$804,948 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 36(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the child advocacy centers account (252-00-1000-0610), the sum of \$13 is hereby lapsed.

Sec. 28.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2023, the following:

Governor's department (252-00-1000-0503).....\$2,764,050

Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$4,640,194

Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$804,984

Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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.

Rural housing revolving loan program (300-00-1000).....\$20,000,000

Provided, That expenditures may be made from the rural housing revolving loan program account to provide loans or grants to rural communities for moderate-and-low-income housing development, including infrastructure necessary to support that development.

(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, 2023, 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, 2023, 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, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Domestic violence grants fund (252-00-2014-2014).....No limit

Provided, That grants made for domestic violence prevention 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.

Child advocacy centers
 grant fund (252-00-2024-2024).....No limit
 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
 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
 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
Provided, That during the fiscal year ending June 30, 2023, except as provided in subsection (f), no expenditures shall be made from or obligation requested to be incurred against the American rescue plan – state fiscal relief federal fund without a

recommendation from the strengthening people and revitalizing Kansas executive committee and 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: *Provided further*, That the strengthening people and revitalizing Kansas executive committee shall meet and review each such request and shall report such executive committee's recommendation to the state finance council: *And provided further*, That the membership of such executive committee shall consist of seven individuals, including a chairperson appointed by the governor, one public sector individual appointed by the governor, one private sector individual appointed by the governor, the president of the senate or the president's designee, one private sector individual appointed by the president of the senate, the speaker of the house of representatives or the speaker's designee and one private sector individual appointed by the speaker of the house of representatives.

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

Pandemic assistance/vaccine equity –
 federal fund.....No limit

Family violence prevention and services – ARPA
 federal fund.....No limit

Homeowner assistance fund – federal fund.....No limit

Emergency rental assistance – federal fund.....No limit

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:

Holocaust memorial.....\$10,000

Provided, however, That no expenditures shall be made from this account until the above agency reviews expenditures that may be made by the governor's department from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 for the governor's department as authorized by this or other appropriation act of the 2022 regular session of the legislature to determine if the above agency has moneys to expend from such fund or funds for a holocaust memorial: *Provided further*, That if the above agency determines such moneys are available for such expenditures from such fund or funds, such agency shall certify the amount of moneys to be expended on such memorial and identify the fund or funds and shall transmit a copy of such certification to the director of accounts and reports: *And*

provided further, That on the effective date of such certification, the amount appropriated for the above agency for the fiscal year ending June 30, 2023, by this subsection from the state economic development initiatives fund in the holocaust memorial account is hereby lapsed: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall transmit a notification of such certification to the director of legislative research and the director of the budget.

(f) Expenditures shall be made from the American rescue plan – state fiscal relief federal fund (252-00-3756) for the fiscal year ending June 30, 2023, pursuant to the authority in 42 U.S.C. § 802(c)(1) or other relevant authority, to provide government services, for the following specified purposes:

Ag production economic development infrastructure.....\$35,000,000

Provided, That expenditures from the ag production economic development infrastructure account shall be used by the above agency for the purpose of infrastructure for an agricultural production facility in a Kansas county with a population greater than 34,000 and less than 35,000 as of the 2020 census that will create over 200 jobs, include over \$400,000,000 in capital investment and attract additional estimated local development and jobs.

University of Kansas and Wichita state university health sciences.....\$25,000,000

Provided, That expenditures from the university of Kansas and Wichita state university health sciences account shall be used by the above agency for the purpose of funding the development of a health sciences education center in Wichita to consolidate and align the health-related educational, biomedical research, healthcare delivery and population health activities of the university of Kansas and Wichita state university.

Moderate income housing expansion.....\$20,000,000

Provided, That expenditures from the moderate income housing expansion account shall be used by the above agency for the purpose of funding grants or loans that may be awarded to cities and counties to develop multi-family rental units and single-family for-purchase homes in communities with populations fewer than 60,000 people.

University of Kansas economic development.....\$35,000,000

Provided, That the expenditures from the university of Kansas economic development account shall be used by the above agency for the purpose of supplementing private donations, public-private partnerships and revenues to fund strategic initiative projects at the university of Kansas that develop and strengthen local and national partnerships.

Kansas state university agriculture innovation.....\$25,000,000

Provided, That the expenditures from the Kansas state university agriculture innovation account shall be used by the above agency for the purpose of funding projects at Kansas state university that address current and emerging problems in the biosciences field, advance countermeasures for disease, drive economic revitalization and provide training.

University challenge grant funding projects.....\$75,000,000

Provided, That expenditures shall be made from the university challenge grant funding projects account to state educational institutions as defined in K.S.A. 76-711, and amendments thereto, upon written application by the chief executive officer of the institution to the governor and approval of such application at the discretion of the

governor: *Provided further*, That each application for award by such state educational institution shall: (1) Be projects that attract and recruit students and aid in the retention of such students; and (2) build the state work force through increased enrollment: *And provided further*, That applications shall be submitted to the governor on or before March 1, 2023: *And provided further*, That the grant recipients shall be notified on or before June 30, 2023: *And provided further*, That expenditures from this account for university challenge grant funding projects shall be made only upon certification by the chief executive officer of such institution to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$3 of private moneys to \$1 of state moneys basis.

Business closure rebates\$50,000,000

Provided, That expenditures from the business closure rebates account shall be used by the above agency for the purpose of funding payments to businesses shut down or restricted as a result of certain governmental actions related to contagious or infectious disease in humans: *Provided further*, That the maximum amount of a rebate that may be claimed by a claimant pursuant to this subsection shall be \$5,000: *And provided further*, That as used in this subsection, "claimant" means a for-profit business, regardless of legal structure, who has filed for a rebate under the provisions of this subsection and who: (A) Conducts a majority of its retail sales through customers' physical, on-site presence at a retail storefront property; (B) was in operation on or prior to July 1, 2019, and filed a 2019 tax return; (C) had at least \$10,000 in annual revenues, including gross sales and receipts, in 2019; (D) received less gross revenue in 2020 or 2021, as applicable, compared to 2019; (E) was in active operations as of March 1, 2020; and (F) has not received more than a total of \$150,000 in prior COVID-19-related local, state or federal funding or any combination thereof.

Cloud county CC project grant.....\$4,000,000

Provided, That all moneys in the Cloud county CC project grant account shall be for building a technical education and innovation center to house academic programs of renewable energy, nursing and allied health, agriculture and industrial technology to meet workforce needs: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Cowley county CC project grant.....\$4,000,000

Provided, That all moneys in the Cowley county CC project grant account shall be for building a career and technical education facility in Arkansas city to expand carpentry and construction trades, welding, electromechanical maintenance and other high-wage, high-demand programs: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Fort Scott CC project grant.....\$800,103

Provided, That all moneys from the Fort Scott CC project grant account shall be for establishing a training program for heavy equipment operators in partnership with industry to serve multiple southeast Kansas counties and school districts to meet the workforce shortage in such industry: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Garden City CC project grant.....\$1,499,913

Provided, That all moneys in the Garden City CC project grant account shall be for expanding a facility to increase agricultural technology, farm equipment mechanic, industrial machinery mechanic and welding programs to serve more students and meet local industry workforce demands: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Highland CC project grant.....\$425,375

Provided, That all moneys in the Highland CC project grant account shall be for expanding the welding program in Atchison and purchasing equipment for computer support specialist and other high-wage high-demand information technology programs in the highland CC service area: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Hutchinson CC project grant.....\$999,786

Provided, That all moneys in the Hutchinson CC project grant account shall be for expanding facilities to allow for additional lab space for use by 20 additional registered nursing education students to meet a healthcare workforce shortage: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1- for-\$1 basis from either the college or private industry partner.

Johnson county CC project grant.....\$2,538,502

Provided, That all moneys in the Johnson county CC project grant account shall be for expanding the class A commercial driver's license program to meet supply chain and logistics workforce shortages and offer additional courses for students during the day, night and weekends: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Kansas City Kansas CC project grant.....\$12,000,000

Provided, That all moneys in the Kansas City Kansas CC project grant account shall be for the construction and equipment of the Kansas City, Kansas community, education, health and wellness center that will be an education, workforce, behavioral and physical health center to house programs that do not currently exist in downtown Kansas City, Kansas and provide high-wage, high-demand training in various industries: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Neosho county CC project grant.....\$1,498,987

Provided, That all moneys in the Neosho county CC project grant account shall be for expanding the technical education center to provide various technical education programs including healthcare, aerostructures, electrical technology and industrial maintenance technology programs: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Pratt CC project grant.....\$788,445

Provided, That all moneys in the Pratt CC project grant account shall be for expanding the welding program to serve more students, purchase additional robotic welding and technology equipment: *Provided further*, That all expenditures from such

account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Community colleges, technical colleges and

Washburn project grant.....\$10,000,000

Provided, That the expenditures from the community colleges, technical colleges and Washburn project grant account shall be used by the above agency for the purpose of funding projects at community colleges, technical colleges and Washburn university: *Provided however*, That any community college receiving a grant from the American rescue plan – state fiscal relief federal fund pursuant to this section shall not be eligible to apply for a grant from this account: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Private and independent college project grant.....\$10,000,000

Provided, That expenditures from the private and independent college project grant account shall be used by the above agency for the purpose of funding projects at private and independent colleges that have a physical presence in Kansas: *Provided further*, That expenditures from this account for such projects shall be made only upon certification by the chief executive officer of such institution to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$3 of private moneys to \$1 of state moneys basis: *Provided however*, That such private money matches shall not be existing college funds and shall be new moneys.

Sec. 29.

GOVERNOR'S DEPARTMENT

(a) Any unencumbered balance in the university challenge grant funding projects account of the American rescue plan – state fiscal relief federal fund (252-00-3756) of the governor's department in excess of \$100 as of June 30, 2023 is hereby reappropriated for fiscal year 2024: *Provided*, That expenditures shall be made from such account to state educational institution grant recipients notified in fiscal year 2023 and certified, on or before December 31, 2023, by the chief executive officer of such institution to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$3 of private moneys to \$1 of state moneys basis.

Sec. 30.

ATTORNEY GENERAL

(a) On the effective date of this act, of the \$464,282 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 38(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the office of inspector general account (082-00-1000-0300), the sum of \$211,384 is hereby lapsed.

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$235,000 from the scrap metal theft reduction fee fund (082-00-2085-2100) of the attorney general to the state general fund.

Sec. 31.

ATTORNEY GENERAL

(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 (082-00-1000-0103).....\$4,568,111

Provided, That any unencumbered balance in the operating expenditures account in

excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023.

Abuse, neglect and exploitation unit (082-00-1000-0500).....\$349,999

Provided, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$67,500

Child exchange and visitation centers (082-00-1000-0450).....\$115,200

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, 2023, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse (082-00-1000-0900).....\$519,000

Office of inspector general (082-00-1000-0300).....\$618,920

Provided, That any unencumbered balance in the office of inspector general account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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:

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

Private gifts fund (082-00-7300-7000).....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. 2021 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
<i>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.</i>	
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 cntrmsr 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</i> , 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.	
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.....	No limit
Charitable organizations fee fund (082-00-2863-2863).....	No limit
Kansas fights addiction fund (082-00-2826-2826).....	No limit
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, 2023, 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 as the official domestic violence or sexual assault coalition.

(d) During the fiscal year ending June 30, 2023, the attorney general, with the approval of the director of the budget, may transfer any part of any item of

appropriation for fiscal year 2023 from the state general fund for the attorney general to another item of appropriation for fiscal year 2023 from the state general fund for the attorney general. The attorney 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) Notwithstanding the provisions of any other statute, 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 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, 2022, 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, 2023, 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 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, to set legal representation charges for state agencies at a rate exceeding \$100 per hour.

Sec. 32.

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, 2023, 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 (622-00-2225-2100).....	No limit
HAVA ELVIS fund (622-00-2353-2150).....	No limit
Conversion of materials and	
equipment fund (622-00-2418-2200).....	No limit
Information and services	
fee fund (622-00-2430-2300).....	No limit
<i>Provided</i> , That expenditures from the information and services fee fund for official	
hospitality shall not exceed \$2,533.	
State register fee fund (622-00-2619-2500).....	No limit
Uniform commercial code	
fee fund (622-00-2664-2600).....	No limit
State flag and banner fund (622-00-5130-4600).....	No limit
Secretary of state fee	
refund fund (622-00-9047-9100).....	No limit
Electronic voting machine	
examination fund (622-00-9101-9200).....	No limit
Credit card clearing fund (622-00-9434-9400).....	No limit
Suspense fund (622-00-9046-9000).....	No limit

Prepaid services fund (622-00-9114-9300).....	No limit
Athlete agent registration fee fund (622-00-2674-2700).....	No limit
Democracy fund (622-00-2702-2400).....	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.	
Technology communication fee fund (622-00-2672-2900).....	No limit
Help America vote act federal fund (622-00-3091).....	No limit
HAVA title I federal fund (622-00-3283-3283).....	No limit
HAVA election security fraud 2018 (622-00-3956-3956).....	No limit

(b) During the fiscal year ending June 30, 2023, 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 2023 by the above agency by this or other appropriation act of the 2022 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 2023 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, 2022, during fiscal year 2023, 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.

Sec. 33.

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, 2023, 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).....	\$1,890,376
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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 2023, 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, 2023,

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, 2023: *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 2023 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 2023 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</i> , That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.	
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 2023, 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 2023, the 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.</i>	
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
Other federal grants fund (670-00-3878-3878).....	No limit

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: Provided, however, That, for each such remittance deposited in the state treasury during fiscal year 2023, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-*

1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*, That the state treasurer shall credit 10% of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund (206-00-2326-4000) of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund (682-00-2123-2170) of the university of Kansas: *And provided further*, That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, whenever in fiscal year 2023 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2023, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

(c) Notwithstanding the provisions of K.S.A. 75-648, and amendments thereto, or any other statute, on July 1, 2022, 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.

Sec. 34.

INSURANCE DEPARTMENT

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 43(a) of chapter 98 of the 2021 Session Laws of Kansas on the securities act fee fund (331-00-2162-0100) of the insurance department is hereby increased from \$3,416,292 to no limit.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, 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 flexibility to stabilize the market grant
 program fund (331-00-3648-3648).....No limit

Sec. 35.

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, 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:

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 2023 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

registration 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, 2023, 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, 2023, 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 2023 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 2023 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.

Sec. 36.

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, 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:

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, 2023, 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. 37.

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, 2023, 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, 2023, 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, 2023, 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. 38.

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, 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:

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. 39.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) On the effective date of this act, of the \$2,760,665 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 48(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the litigation support account (328-00-1000-0510), the sum of \$786,337 is hereby lapsed.

(b) On the effective date of this act, of the \$13,239,335 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 48(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the assigned counsel expenditures account (328-00-1000-0700), the sum of \$3,801,559 is hereby lapsed.

(c) On the effective date of this act, of the \$18,057,609 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 48(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (328-00-1000-0603), the sum of \$46,967 is hereby lapsed.

(d) On the effective date of this act, of the \$3,104,114 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 48(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the capital defense operations account (328-00-1000-0800), the sum of \$4,645 is hereby lapsed.

Sec. 40.

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:

Operating expenditures (328-00-1000-0603).....\$22,112,262

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$17,741,473

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2023: *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 2023 to set the maximum rate of compensation of assigned counsel in fiscal year 2023 at \$120 per hour.

Capital defense operations (328-00-1000-0800).....\$3,099,512

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the capital defense operations account is hereby reappropriated for fiscal year 2023: *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, 2022, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023.

(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:

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, 2023, 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, 2023, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2023 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 2023 as authorized by this act or other appropriation act of the 2022 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 2023 to classify public defenders based on the level of cases such public defenders are assigned.

Sec. 41.

JUDICIAL BRANCH

(a) On the effective date of this act, of the \$114,356,817 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 50(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the judiciary operations account (677-00-1000), the sum of \$252,966 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, 2022, 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:

Ed Byrne memorial justice assistance
grant fund (677-00-3057).....No limit

Sec. 42.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Judiciary operations (677-00-1000).....\$148,296,991

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 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:

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

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.

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

Sec. 43.

**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, 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:

Kansas public employees

retirement fund (365-00-7002-7000).....No limit

Provided, 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, 2023, for the following specified purposes:

Agency operations (365-00-7002-7400).....\$25,193,171

Provided, 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, 2022, 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, 2022, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$52,254,520.

(d) Notwithstanding the provisions of K.S.A. 74-4911, 74-4992 and 74-4995, and amendments thereto, or any other statute, 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 any special revenue fund or funds of the above agency for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2023 to allow any member of the legislature who did not make an election to participate in the Kansas public employees retirement system to elect to become a member of the Kansas public employees retirement system: *Provided*, That such election to become a member shall be completed prior to the beginning of the 2023 regular session of the legislature: *Provided further*, That such member of the legislature shall also make the election required by K.S.A. 74-4995, and amendments thereto, related to the rate of compensation at which such member shall participate for the purposes of K.S.A. 74-4991 et seq., and amendments thereto: *And provided further*, That all elections made under this subsection shall be irrevocable.

Sec. 44.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, of the \$1,036,042 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 52(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (058-00-1000-0103), the sum of \$1,587 is hereby lapsed.

Sec. 45.

KANSAS HUMAN RIGHTS COMMISSION

(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 (058-00-1000-0103).....\$1,036,106

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$200: *Provided further*; That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the 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, 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:

State and local fair employment practices –
federal fund (058-00-3016-3000).....No limit
Conversion of materials and
equipment fund (058-00-2404-1300).....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. 46.

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, 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:

Public service
regulation fund (143-00-2019-0100).....No limit
Motor carrier license
fees fund (143-00-2812-5500).....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 2023 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 2023, 2024 and 2025.

Natural gas underground storage
fee fund (143-00-2181-2120).....No limit

Gas pipeline inspection
fee fund (143-00-2023-1100).....No limit

Special one-call –
federal fund (143-00-3477-3477).....No limit

Abandoned oil and gas
well fund (143-00-2143-2100).....No limit

Gas pipeline safety program –
federal fund (143-00-3632-3000).....No limit

Underground injection control class II –
federal fund (143-00-3768-3700).....No limit

One call – federal fund (143-00-3633-3120).....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.

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

Facility conservation improvement
program fund (000-00-2432-2400).....No limit

Energy grants management fund (000-00-2667-4000).....	No limit
Energy conservation plan – federal fund (000-00-3682-3500).....	No limit
Energy efficiency revolving loan program – ARRA federal fund (000-00-3161-3160).....	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.

(b) Expenditures for the fiscal year ending June 30, 2023, 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 2023 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, 2023, 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, 2023, 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, 2023, 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, 2022, 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. 47.

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, 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:

Utility regulatory fee fund (122-00-2030-2000).....\$1,197,623

(b) During the fiscal year ending June 30, 2023, 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 2023 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2022 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 2022, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2022 may be expended from the utility regulatory fee fund for fiscal year 2023 pursuant to contracts for professional services and any such expenditure for fiscal year 2023 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2023.

Sec. 48.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Office of the public advocates (173-00-1000).....\$200,000

(b) On the effective date of this act, of the \$4,445,476 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 56(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (173-00-1000-0200) the sum of \$10,293 is hereby lapsed.

(c) On the effective date of this act, of the \$1,615,339 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 56(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the budget analysis account

(173-00-1000-0520), the sum of \$3,826 is hereby lapsed.

(d) On the effective date of this act, of the \$264,919 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 56(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the long-term care ombudsman account (173-00-1000-0580), the sum of \$560 is hereby lapsed.

(e) On the effective date of this act, of the \$28,750,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 28(a) of chapter 116 of the 2021 Session Laws of Kansas from the state general fund in the KPERs bonds debt service account (173-00-1000-0440), the sum of \$4,570,203 is hereby lapsed.

(f) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, 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:

Preventive health care

program fund (173-00-2556-2550).....No limit

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 56(c) of chapter 98 of the 2021 Session Laws of Kansas on the health benefits administration clearing fund – remit admin service org (173-00-7746-7746) for salaries and wages and other operating expenditures of the department of administration is hereby increased from \$11,215,900 to \$14,065,900.

(h) On the effective date of this act, the director of accounts and reports shall transfer \$500,000,000 from the state general fund to the budget stabilization fund (173-00-1600-1600).

Sec. 49.

DEPARTMENT OF ADMINISTRATION

(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 (173-00-1000-0200).....\$4,439,119

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$1,611,661

Provided, That any unencumbered balance in the budget analysis 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. 75-2935, 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 budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*; That expenditures from this account for official hospitality shall not exceed \$1,000.

Gubernatorial transition (173-00-1000).....\$150,000

Cedar crest transition reimbursement (173-00-1000).....\$15,000

Provided, That expenditures shall be made from the cedar crest transition reimbursement account to reimburse the friends of cedar crest association for gubernatorial transition-related expenses.

Office of public advocates (173-00-1000).....\$989,628

Provided, That any unencumbered balance in the office of public advocates account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023:

Provided, however, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service (173-00-1000-0440).....\$88,180,029

Any unencumbered balance in the following account as of June 30, 2022, is hereby reappropriated for fiscal year 2023: Long-term care ombudsman (173-00-1000-0580).

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2023, the following:

KPERS bond debt service (173-00-1700-1704).....\$36,110,453

(c) 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 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, That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.</i>	
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
<i>Provided, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2023, for salaries and wages and other operating expenditures shall not exceed \$4,709,909.</i>	
Dependent care assistance program fund (173-00-7740-7799).....	No limit
<i>Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2023, for salaries and wages and other operating expenditures shall not exceed \$257,284.</i>	
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
<i>Provided, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2023, for salaries and wages and other operating expenditures shall not exceed \$14,173,400.</i>	
Health insurance premium reserve fund (173-00-7350-7350).....	No limit
Coronavirus relief fund (173-00-3753).....	No limit
(d) 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 for the above agency for fiscal year 2023 by this or other appropriation act of the 2022 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 2023, 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, 2022, 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, 2023, 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 2023 by this or other appropriation act of the 2022 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 2023 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, 2022, 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, 2023, except that such amount shall be proportionally adjusted during fiscal year 2023 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2023. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2023 shall

reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2023, 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 2023.

(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, 2022, 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, 2023, except that such amount shall be proportionally adjusted during fiscal year 2023 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2023. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2023 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2023, 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 2023.

(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, 2023, 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, 2023, from the state general fund for the department of administration to another item of appropriation for fiscal year 2023 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, 2023, 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, 2023, the following:
 CIBF – state

building insurance (173-00-8600-8930).....\$400,000
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, 2022, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2023, 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 2023 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, 2022, 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, 2022, 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 2023 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, 2023, by

this or other appropriation act of the 2022 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 2023.

(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, 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 for the above agency for fiscal year 2023 by this or other appropriation act of the 2022 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 2023, 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, 2022, 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, 2023, except that such amount shall be proportionally adjusted during fiscal year 2023 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2023. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2023 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2023, 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 2023.

(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, 2022, 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, 2023, except that such amount shall be proportionally adjusted during fiscal year 2023 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2023. 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 2022 and fiscal year 2023 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2023 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2023, 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 2023.

(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, 2022, 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, 2023, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2023 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2023, 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 2023.

(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, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$500,000 from the state general fund to the digital imaging program fund (173-00-6121-6121) of the department of administration.

Sec. 50.

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, 2023, 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, 2022, is hereby reappropriated for fiscal year 2023.

(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 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

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. 51.

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, 2023, 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. 52.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) On the effective date of this act, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2022, by section 61(a) of chapter 98 of the 2021 Session Laws of Kansas on the administrative hearings office fund (178-00-2582-2584) of the office of administrative hearings is hereby increased from \$20 to \$50.

Sec. 53.

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, 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:

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. 54.

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, 2022, the following:

Operating expenditures (562-00-1000-0103).....\$42,999

Sec. 55.

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).....\$873,554

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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:

Duplicating fees fund (562-00-2219-2200).....\$3,000

BOTA filing fee fund (562-00-2240-2240).....\$1,132,162

Sec. 56.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, of the \$14,443,154 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 65(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures accounts (565-00-1000-0303), the sum of \$26,011 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 65(b) of chapter 98 of the 2021 Session Laws of Kansas on the division of vehicles operating fund (565-00-2089-2020) of the department of revenue is hereby decreased from \$50,832,862 to \$50,436,214.

Sec. 57.

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:

Operating expenditures (565-00-1000-0303).....\$14,800,540

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022 is hereby reappropriated for fiscal year 2023: *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, 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:

Sand royalty fund (565-00-2087-2010).....No limit

Division of vehicles
operating fund (565-00-2089-2020).....\$51,031,404

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, 2023: *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

Provided, 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: *Provided further*, 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

Provided, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*, 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: *And provided further*, 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: *And provided further*; 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</i> , That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies:	
<i>Provided further</i> ; 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.	
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
<i>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.</i>	
Photo fee fund (565-00-2084-2140).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 2021 Supp. 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.</i>	
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
DUI-IID designation fund (565-00-2380-2370).....	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.....	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

(c) On July 1, 2022, October 1, 2022, January 1, 2023, and April 1, 2023, the director of accounts and reports shall transfer \$12,325,000 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, 2022, 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, 2022, 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, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,200,000 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) During the fiscal year ending June 30, 2023, 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 2023 as authorized by this or other appropriation act of the 2022 regular session, to apply the provisions of K.S.A. 79-3603(k), and amendments thereto, on or after July 7, 2018, to an internet-based subscription service providing subscriber access only to a content library.

Sec. 58.

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, 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:

Lottery prize payment fund (450-00-7381).....	No limit
Lottery operating fund (450-00-5123).....	No limit

Provided, 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

(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, 2022; 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, 2022, and on or before the 15th of each month thereafter through June 15, 2023: *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, 2023: *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 2023 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, 2023, 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 2023 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 2023 is equal to or more than \$67,990,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2023 pursuant to this subsection shall be equal to or more than \$67,990,000: *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 2023.

(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 2023, 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, 2023, 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 2023: *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, 2023, authorized by section 59(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, 2023, 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 2023 to the director of the budget and the director of legislative research.

(e) During the fiscal year ending June 30, 2023, 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 2023 as authorized by this or any other appropriation act of the 2022 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. 59.

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, 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:

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

Provided, 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: *Provided further*,

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

Provided, That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,000.

Expanded lottery regulation fund (553-00-2535).....No limit

Provided, 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, 2022, 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, 2023, 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 2023 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 2023 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, 2023, 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 2023 for the Kansas racing and gaming commission by this or other appropriation act of the 2022 regular session of the legislature, expenditures, which are hereby authorized, may be made from the tribal gaming fund for fiscal year 2023 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 Kansas department of wildlife and parks that is directed to be made on or before June 30, 2023, by K.S.A. 74-8831(b)(1), and amendments thereto, and shall transfer on or before June 30, 2023, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2023, 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, 2023, 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. 60.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Moderate income housing (300-00-1000).....\$20,000,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2022, the following:

Build up Kansas.....\$500,000

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, 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:

Technology-enabled fiduciary financial institutions 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

Sec. 61.

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:

Advantage Kansas (300-00-1000).....\$125,000

Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: KBA grant commitments account; and moderate income housing account.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:

Main street program (300-00-1900-1175).....\$825,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the main street program account is hereby reappropriated for fiscal year 2023.

Older Kansans

employment program (300-00-1900-1140).....\$503,164
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the older Kansans employment program account is hereby reappropriated for fiscal year 2023.

Rural opportunity
 zones program (300-00-1900-1150).....\$1,008,583
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2023.

Senior community service
 employment program (300-00-1900-1160).....\$7,941
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the senior community service employment program account is hereby reappropriated for fiscal year 2023.

Strong military
 bases program (300-00-1900-1170).....\$195,880
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the strong military bases program account is hereby reappropriated for fiscal year 2023.

Governor's council of
 economic advisors (300-00-1900-1185).....\$193,795
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2023.

Creative arts industries
 commission (300-00-1900-1188).....\$502,084
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the creative arts industries commission account is hereby reappropriated for fiscal year 2023.

Operating grant (including
 official hospitality) (300-00-1900-1110).....\$9,088,882
Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the public broadcasting grants account is hereby reappropriated for fiscal year 2023.

Build up Kansas (300-00-1900-1230).....\$2,625,000
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the build up Kansas account is hereby reappropriated for fiscal year 2023.

Community development (300-00-1900-1240).....\$644,061
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the community development account is hereby reappropriated for fiscal year 2023.

International trade (300-00-1900-1250).....	\$203,771
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the international trade account is hereby reappropriated for fiscal year 2023.</i>	
Travel and tourism	
operating expenditures (300-00-1900-1901).....	\$2,601,576
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the travel and tourism operating expenditures account is hereby reappropriated for fiscal year 2023: Provided further, That expenditures from this account for official hospitality shall not exceed \$4,000.</i>	
Reemployment implementation (300-00-1900-1260).....	\$94,300
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the reemployment implementation account is hereby reappropriated for fiscal year 2023.</i>	
KIT/KIR programs (300-00-1900).....	\$2,000,000
Registered apprenticeship (300-00-1900).....	\$500,000
Office of broadband development (300-00-1900).....	\$1,000,000
Small business R&D grants (300-00-1900).....	\$1,000,000
Work-based learning (300-00-1900).....	\$714,000
(c) 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:	
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

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 2023, 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 2023: *And provided further*, 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 Peyser 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
Economic development rural Kansas housing grant fund.....	\$5,000,000

Provided, That the expenditures from the economic development rural Kansas housing grant fund shall be used by the above agency for the purpose of providing grants to housing projects intended to accommodate expansion due to recent economic development in a Kansas county with a population greater than 40,000 and less than 60,000 as of the 2020 census: *Provided further*; That the recent economic development will create over 500 new jobs and the housing project includes over \$50,000,000 in capital investments: *And provided further*; That all moneys in the economic development rural Kansas housing grant fund expended for fiscal year 2023 shall be matched by nonstate moneys on a \$1-to-\$1 basis.

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2023, 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 2023, in accordance with the provisions of this or other appropriation act of the 2022 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 2023 for the department of commerce as authorized by this or other appropriation act of the 2022 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 2023 for official hospitality.

(f) During the fiscal year ending June 30, 2023, 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, 2023, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2023 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) During the fiscal year ending June 30, 2023, upon certification by the secretary of commerce to the director of accounts and reports and the director of the budget that the unencumbered balance of the KBA grant commitments account of the state general fund is insufficient to pay an amount necessary to meet contractual obligations for fiscal year 2023, and upon approval of the director of the budget, the director of accounts and reports shall transfer an amount equal to such certified amount from the state general fund to the KBA grant commitments account of the state general fund of the department of commerce: *Provided*, That the secretary shall transmit a copy of each such certification to the director of legislative research at the same time that the secretary submits a certification to the director of accounts and reports and the director of the

budget.

(h) 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 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to consult with the director of the budget who 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 providing grants to housing projects intended to accommodate expansion due to recent economic development, 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*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *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 grant 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 equal to \$5,000,000 as available from such funds to the economic development rural Kansas housing grant fund of the department of commerce for the purpose of providing such grants: *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.

(i) On July 1, 2022, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2023, by subsection (a) from the state general fund in the KBA grant commitments account, the sum of \$240,880 is hereby lapsed.

Sec. 62.

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, 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:

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. 63.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (296-00-1000-0503).....\$233,407

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, 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 fund (296-00-3756-3536).....No limit

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 149(d) of chapter 98 of the 2021 Session Laws of Kansas on the workmen's compensation fee fund (296-00-2124-2228) for capital improvement purposes is hereby increased from \$1,025,000 to \$1,475,000.

Sec. 64.

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).....\$3,654,579

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 2023, 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).....\$257,985

Provided, That any unencumbered balance in the amusement ride safety account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Any unencumbered balance in the unemployment insurance modernization account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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:

Workmen's compensation

fee fund (296-00-2124-2220).....\$13,263,070

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 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the department of labor from the employment security administration fund for fiscal year 2023 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 2023 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 2023.

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</i> , That, notwithstanding the provisions of K.S.A. 44-716a, and amendments thereto, or any statute to the contrary, during fiscal year 2023, 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: <i>Provided further</i> , That, upon approval of any such transfer by the director of the budget, notification will be provided to the Kansas legislative research department.	
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</i> , 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: <i>Provided further</i> , 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.	
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
Renovation bond fund (296-00-8432-8411).....	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
Sec. 65.	

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, 2022, the following:

Operating expenditures –	
administration (694-00-1000-0103).....	\$36,625
Operating expenditures –	
veteran services (694-00-1000-0203).....	\$335,130
Operating expenditures – Kansas	
veterans' home (694-00-1000-0503).....	\$500,000

(b) On the effective date of this act, of the \$611,447 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 76(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operations – state veterans cemeteries account (694-00-1000-0703), the sum of \$8,407 is hereby lapsed.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, 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 fund (694-00-3756-3536).....	No limit
Sec. 66.	

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).....	\$5,059,325

Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Operating expenditures –

veteran services (694-00-1000-0203).....\$1,559,184

Provided, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$2,500.

Operations – state

veterans cemeteries (694-00-1000-0703).....\$598,689

Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Operating expenditures – Kansas

soldiers' home (694-00-1000-0403).....\$1,866,741

Provided, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Operating expenditures – Kansas

veterans' home (694-00-1000-0503).....\$531,890

Provided, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Veterans claim assistance program –

service grants (694-00-1000-0903).....\$700,000

Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 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:

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 state 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, 2023, 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, 2023, 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, 2023, 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 2023 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, 2023, 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, 2023, 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, 2022, 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. 67.

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, 2022, the following:

Breast cancer screening program (264-00-1000-1300).....\$362,213
Operating expenditures (including official

hospitality) – health (264-00-1000-0270).....\$246,140

(b) On the effective date of this act, of the \$4,157,704 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 78(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account (264-00-1000-0202), the sum of \$4,070 is hereby lapsed.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, 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 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

Sec. 68.

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, 2023, the following:

Operating expenditures (including official hospitality) (264-00-1000-0202).....\$5,545,578

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Operating expenditures (including official hospitality) – health (264-00-1000-0270).....\$4,077,187

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

Aid to local units (264-00-1000-0350).....\$6,605,709

Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$12,750,690

Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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 \$12,750,690 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).....\$6,000,000

Aid to local units –

women's wellness (264-00-1000-0610).....\$94,296

Provided, That any unencumbered balance in the aid to local units – women's wellness account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

Pregnancy maintenance

initiative (264-00-1000-1100).....\$338,846

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2022: *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, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

Lyme disease prevention and research (264-00-1000-0670).....\$140,000

(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:

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 2023, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2023 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</i> , That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2023 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.

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, That expenditures may be made by the department of health and environment for fiscal year 2023 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: Provided further, That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.</i>	
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 –</i>	

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.

Radiation control operations
fee fund (264-00-2531-2530).....No limit

Provided, That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.

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).....	No limit
Rural hospital innovation grant fund.....	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

(c) On July 1, 2022, and on other occasions during fiscal year 2023, 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, 2023, 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, 2023, 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, 2023, 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 2023 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 2023 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 2023, as authorized by this or other appropriation act of the 2022 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 2023 pursuant to K.S.A. 22a-242, and amendments thereto.

(h) On July 1, 2022, 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, 2023, the following:

Healthy start (264-00-2000-2105).....\$1,650,000

Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

SIDS network grant (264-00-2000-2115).....\$96,374

Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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 2023 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2022 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, 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 for fiscal year 2023 by this or any other appropriation act of the 2022 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 2023, as authorized by this or other appropriation act of the 2022 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 2023 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. 69.

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, 2022, the following:

Health policy operating	
expenditures (264-00-1000-0010).....	\$129,836
Special enhanced FMAP (264-00-1000).....	\$2,000,000

(b) On the effective date of this act, of the \$759,750,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 80(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$67,684,442 is hereby lapsed.

Sec. 70.

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).....\$31,420,596

Provided, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: Provided further; That expenditures shall be made from the health policy 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, 2022, is hereby reappropriated for fiscal year 2023.

Other medical assistance (264-00-1000-3026).....\$692,680,872

Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: 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 2023: And provided further; That, on July 1, 2022, or as soon thereafter as moneys are available, if legislation that expands or expressly consents to expand eligibility for the receipt of medical assistance benefits as provided in 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, has been passed by the legislature during the 2022 regular session and enacted into law, then, of the moneys appropriated in the other medical assistance account, the sum of \$68,500,000 is hereby lapsed.

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, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

Special enhanced FMAP (264-00-1000).....\$4,000,000

Provided, That any unencumbered balance in the special enhanced FMAP account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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:

Division of health care finance special	
revenue fund (264-00-2360-2350).....	No limit
<i>Provided</i> , That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2023, 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
<i>Provided</i> , That, on July 1, 2022, if legislation that expands or expressly consents to expand eligibility for the receipt of medical assistance benefits as provided in 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, has been passed by the legislature during the 2022 regular session and enacted into law, then the expenditure limitation established for the fiscal year ending June 30, 2023, on the medical programs fee fund is hereby increased from \$126,123,554 to \$128,323,554.	
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

(c) During the fiscal year ending June 30, 2023, 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, 2023, 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, 2023, 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 2023 by this or any other appropriation act of the 2022 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, 2023, 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 2023 by this or any other appropriation act of the 2022 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, 2023, 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 2023 by this or any other appropriation act of the 2022 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, 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 for fiscal year 2023, as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023, to suspend, and not terminate medicaid coverage of inmates in the custody of the department of corrections during the period of such inmate's incarceration for the purposes of reinstating coverage for such inmate during any period of time during fiscal

year 2023 that such inmate is eligible for coverage.

(h) During the fiscal year ending June 30, 2023, notwithstanding the provisions of 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 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to pay hospitals and physicians at the medicaid rate established in fiscal year 2022: *Provided*, That such rate shall not be adjusted prior to January 1 or July 1 immediately following the publication in the Kansas register of the approval of the hospital provider assessment rate adjustments made to K.S.A. 65-6208, and amendments thereto, by section 9 of chapter 10 of the 2020 Session Laws of Kansas.

(i) During the fiscal year ending June 30, 2023, 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 2023 by this or any other appropriation act of the 2022 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. 71.

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, 2022, the following:

Operating expenditures (including official
hospitality) (264-00-1000-0300).....\$216,680

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, 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:

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

Sec. 72.

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, 2023, the following:

Operating expenditures (including official hospitality) (264-00-1000-0300).....\$4,168,056

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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:

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, 2023, 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 2023, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2023 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, 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.</i>	
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 above fund for fiscal year 2023 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
<i>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 2023 related to asbestos remediation, as certified by the secretary of health and environment, shall be credited to the asbestos remediation fund.</i>	
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

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2023, for the state water plan project or projects specified as follows:

Contamination remediation (264-00-1800-1802).....\$1,088,301

Provided, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

TMDL initiatives and use

attainability analysis (264-00-1800-1805).....\$380,738

Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

Nonpoint source program (264-00-1800-1804).....\$403,208

Provided, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Milford and Marion reservoirs harmful algae

bloom pilot (264-00-1800-1810).....\$150,000

Provided, That any unencumbered balance in the Milford and Marion reservoirs harmful algae bloom pilot account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

(d) During the fiscal year ending June 30, 2023, 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 2023 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2023 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, 2023, 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, 2022, and on other occasions during fiscal year 2023 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, 2023, 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, 2023, 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 2023 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 2023 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, 2023, 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.

(j) 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 from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made from such moneys in fiscal year 2023 to maintain the above agency's staffing levels of professional and associate engineers in the livestock waste section of the bureau of environmental field services at or above the staffing levels in fiscal year 2021: *Provided, however*; That the above agency shall reduce staffing levels among either the environmental specialist staff or inspection staff within the bureau of field services as necessary to not exceed the expenditures of such moneys appropriated for fiscal year 2023.

(k) During the fiscal year ending June 30, 2023, notwithstanding the provisions of any other statute, 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 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made from such moneys in fiscal year 2023 to increase the salaries and wages, and associated fringe benefits, of a vacant professional engineer position in the livestock waste section of the bureau of environmental field services in an amount not to exceed \$95,000 in order to hire such engineer.

Sec. 73.

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, 2022, the following:

BH community aid (039-00-1000-3004).....	\$2,000,000
Larned state hospital – operating expenditures (410-00-1000-0103).....	\$797,814
Rehabilitation and repair projects (039-00-8100-8240).....	\$1,734,000

(b) On the effective date of this act, of the \$460,285,911 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$85,106,743 is hereby lapsed.

(c) On the effective date of this act, of the \$27,470,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the non-KanCare caseloads account (039-00-1000-0611), the sum of \$4,392,145 is hereby lapsed.

(d) On the effective date of this act, of the \$344,483,617 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the KanCare non-caseloads account (039-00-1000-0612), the sum of \$20,453,258 is hereby lapsed.

(e) On the effective date of this act, of the \$12,977,490 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the state operations account (039-00-1000-0801), the sum of \$23,625 is hereby lapsed.

(f) On the effective date of this act, of the \$10,192,906 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Kansas neurological institute – operating expenditures account (363-00-1000-0303), the sum of \$17,901 is hereby lapsed.

(g) On the effective date of this act, of the \$28,106,240 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Osawatomic state hospital – operating expenditures account (494-00-1000-0100), the sum of \$56,035 is hereby lapsed.

(h) On the effective date of this act, of the \$11,066,800 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Parsons state hospital and training center – operating expenditures account (507-00-1000-0100), the sum of \$25,076 is hereby lapsed.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 84(b) of chapter 98 of the 2021 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 \$4,746,563 to \$4,741,973.

(j) On the effective date of this act, of the money reappropriated for the above agency for the fiscal year ending June 30, 2022, by section 200 of chapter 98 of the 2021 Session Laws of Kansas from the state institutions building fund in the debt service – new state security hospital account (039-00-8100-8320), the sum of \$333,896 is hereby lapsed.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 84(b) of chapter 98 of the 2021 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 \$6,959,093 to \$7,348,124.

Sec. 74.

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:

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
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Provided, That any unencumbered balance in the administration official hospitality account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

PASRR (039-00-1000-0210).....	\$903,780
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Provided, That any unencumbered balance in the PASRR account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Senior care act (039-00-1000-0260).....	\$5,515,000
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Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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 2022 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 2022: *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 2023 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 2022: *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).....\$4,045,725

Provided, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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 2022 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 2022: *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 2023 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 2022: *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).....\$4,114,860

Provided, That any unencumbered balance in the community services and programs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

KanCare caseloads (039-00-1000-0610).....\$431,984,882

Provided, That any unencumbered balance in the KanCare caseloads account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Non-KanCare caseloads (039-00-1000-0611).....\$44,169,770

Provided, That any unencumbered balance in the non-KanCare caseloads account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$403,669,621

Provided, That any unencumbered balance in the KanCare non-caseloads account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That the above agency shall make expenditures from the KanCare non-caseloads account during fiscal year 2023 to increase provider reimbursement rates for the specialized medical care services code (T1000) under the home and community-based services technology assisted waiver and intellectual and developmental disability waiver to \$47 per hour for in-home registered nurse and licensed practical nurse nursing services under such waiver: *And provided further*; That the above agency shall make expenditures from the KanCare non-caseloads account during fiscal year 2023 to provide a report to the legislative budget committee during the 2022 interim concerning salary and wage information for providers of home and community based services

under the intellectual and developmental disability waiver.

Nursing facilities regulation (039-00-1000-0710).....\$1,776,927
Provided, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Nursing facilities regulation –
 title XIX (039-00-1000-0712).....\$1,805,515
Provided, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

State operations (039-00-1000-0801).....\$31,808,869
Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$2,915,447
Provided, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Community mental health centers
 supplemental funding (039-00-1000-3001).....\$53,884,328
Provided, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

BH community aid (039-00-1000-3004).....\$29,103,530
Provided, That any unencumbered balance in the BH community aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

Kansas neurological institute – operating
 expenditures (363-00-1000-0303).....\$13,974,796
Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$39,167,333

Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023.

Larned state hospital – sexual predator treatment program (410-00-1000-0200).....\$23,242,652

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Osawatomic state hospital – operating expenditures (494-00-1000-0100).....\$32,029,087

Provided, That any unencumbered balance in the Osawatomic state hospital – operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Osawatomic state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Osawatomic state hospital – certified care expenditures (494-00-1000-0101).....\$6,718,128

Provided, That any unencumbered balance in the Osawatomic state hospital – certified care expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Osawatomic state hospital – SPTP MiCo (494-00-1000-0200).....\$1,119,976

Provided, That any unencumbered balance in the Osawatomic state hospital – SPTP MiCo account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Parsons state hospital and training center – operating expenditures (507-00-1000-0100).....\$15,693,713

Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023.

Any unencumbered balance in the other medical assistance account (039-00-1000-3002) in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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 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

Osawatomie state hospital title XIX
reimbursements fund (494-00-2080-4300).....No limit

Osawatomie 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).....\$1,324,436

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).....	\$4,443,456
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
Osawatomic state hospital fee fund (494-00-2079-4200).....	\$1,647,130
<i>Provided</i> , That all moneys received as fees for the use of video teleconferencing equipment at Osawatomic 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 Osawatomic state hospital fee fund: <i>Provided further</i> ; 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 Osawatomic state hospital: <i>And provided further</i> ; That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomic state hospital fee fund.	
Osawatomic state hospital certified care fund (494-00-2079-4201).....	\$5,370,468
Osawatomic state hospital – cottage revenue and expenditures fund (494-00-2159-2159).....	No limit
Osawatomic state hospital – training fee revolving fund (494-00-2602-2000).....	No limit
<i>Provided</i> , That all moneys received as fees for training activities for Osawatomic 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 Osawatomic state hospital – training fee revolving fund: <i>Provided further</i> ; That the superintendent of Osawatomic state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomic state hospital: <i>And provided further</i> ; That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomic state hospital.	
Osawatomic state hospital – motor pool revolving fund (494-00-6164-5200).....	No limit
Osawatomic state hospital – canteen fund (494-00-7807-5600).....	No limit
Osawatomic state hospital – patient benefit fund (494-00-7914-5700).....	No limit
Osawatomic 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
<i>Provided</i> , 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).....	\$7,248,619
State licensure fee fund (039-00-2373-2370).....	No limit
General fees fund (039-00-2524-2500).....	No limit

Provided, 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: *Provided further*, 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: *And provided further*, 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

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

Money follows the person

rebalancing demonstration –

federal fund (039-00-3054-4041).....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 2023 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

Substance abuse/mental

health supported employment –

federal fund (039-00-3284-1329).....No limit

Coop agreement to benefit homeless –

federal fund (039-00-3284-1321).....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 III E –	
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).....	\$4,499,999
<i>Provided</i> , 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 2022 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 2022: <i>Provided further</i> , 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 2023 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 2022: <i>And provided further</i> , 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
SAMSHA 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

(c) On July 1, 2022, and at other times during fiscal year 2023, 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, 2022, the superintendent of Osawatomic state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by

the superintendent from the Osawatomic state hospital – canteen fund (494-00-7807-5600) to the Osawatomic state hospital – patient benefit fund (494-00-7914-5700).

(e) On July 1, 2022, 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, 2022, 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, 2023, 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, 2023, 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 2023 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 2023 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, 2023, 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 2023 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 2023 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 2023 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 2023 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2022

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 2023 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 2023: *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 2023 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2023 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) On October 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the domestic violence grant fund (252-00-2014-2014) of the governor's department.

(l) On October 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the child advocacy center grants fund (252-00-2024-2024) of the governor's department.

(m) On October 1, 2022, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the community corrections special revenue fund (521-00-2447-2447) of the department of corrections.

(n) During the fiscal year ending June 30, 2023, 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 2023 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.

(o) 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 2023.

(p) 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 for fiscal year 2023 by this or any other appropriation act of the 2022 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 2023 shall not exceed \$4,000,000.

(q) 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 from any special revenue fund or funds as authorized by this or any other appropriation act of the 2022 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.

(r) 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 from any special revenue fund or funds as authorized by this or any other appropriation act of the 2022 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.

(s) 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 this or any other appropriation act of the 2022 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.

(t) 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 this or any other appropriation act of the 2022 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.

Sec. 75.

KANSAS DEPARTMENT FOR
CHILDREN AND FAMILIES

(a) On the effective date of this act, of the \$115,556,059 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 87(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the state operations (including official hospitality) account (629-00-1000-0013), the sum of \$200,246 is hereby lapsed.

(b) On the effective date of this act, of the \$220,433,685 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 87(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the youth services aid and assistance account (629-00-1000-7020), the sum of \$17,313,441 is hereby lapsed.

Sec. 76.

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:

- State operations (including official hospitality) (629-00-1000-0013).....\$126,324,931
Provided, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.
- Cash assistance (629-00-1000-2010).....\$10,508,441
Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.
- Vocational rehabilitation aid and assistance (629-00-1000-5010).....\$4,266,974
Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$235,276,149

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures shall be made from this account by the above agency for workforce recruitment and retention incentives for child placing agencies and licensed facilities, including qualified residential treatment programs: *And provided further*; That expenditures shall be made from this account by the secretary for children and families to submit a status report on expansion of the safe families for children – Kansas program to the Kansas City and Wichita metro areas and the southeast Kansas area to the house of representatives committee on social services budget on or before January 1, 2023.

(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 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
- 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
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

SNAP pandemic ebt admin grant – 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, 2023, 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, 2023, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2023 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, 2023, 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, 2023, the following:

Child care (629-00-2000-2406).....	\$5,033,679
<i>Provided</i> , That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.	
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, 2022, is hereby reappropriated for fiscal year 2023.

(f) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 39-709, 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 the state general fund or any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to apply for a waiver from the United States department of agriculture for the time-limited assistance provisions for able-bodied adults between 18 and 49 years of age without dependents in the household under the food assistance program if the secretary can establish that there are insufficient jobs for the employment for such individuals using criteria that is not less restrictive than the criteria established under 7 C.F.R. § 273.24.

(g) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 39-709, 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 the state general fund or any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to allow any single parent of a child who is between three months and one year of age to fulfill work participation requirements under the cash assistance program by engaging in in-home parenting skills training.

(h) During the fiscal year ending June 30, 2023, if the children's alliance receives moneys from the federal government received by the state of Kansas for aid for coronavirus relief for workforce recruitment and retention incentives for child placing agencies and licensed facilities, including qualified residential treatment programs, then on the date following approval by the state finance council, of the \$235,276,149 appropriated for the above agency for the fiscal year ending June 30, 2023, by subsection (a) from the state general fund in the youth services aid and assistance account (629-00-1000-7020), the sum of \$7,500,000 is hereby lapsed.

(i) 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 in any special revenue fund or funds for fiscal year 2023 as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to award a grant to the cerebral palsy research foundation of Kansas in the amount of \$125,000 for the purpose of purchasing and providing durable medical equipment for individuals with disabilities in the state of Kansas.

Sec. 77.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Kansas guardianship program (261-00-1000-0300).....\$1,375,959

Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Sec. 78.

STATE LIBRARY

(a) On the effective date of this act, of the \$1,293,285 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 93(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures

account (434-00-1000-0300), the sum of \$3,062 is hereby lapsed.
Sec. 79.

STATE LIBRARY

(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 (434-00-1000-0300).....\$1,325,411

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023.

Grants to libraries and library systems – interlibrary
loan development (434-00-1000-0420).....\$1,133,467

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, 2022, is hereby reappropriated for fiscal year 2023.

Grants to libraries and library systems – talking
book services (434-00-1000-0430).....\$433,985

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, 2022, is hereby reappropriated for fiscal year 2023.

(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:

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

Statewide database
contribution (434-00-7304-7003).....No limit

Coronavirus relief fund (434-00-3753).....No limit
Sec. 80.

KANSAS STATE SCHOOL FOR THE BLIND

(a) On the effective date of this act, of the \$5,707,392 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 95(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (604-00-1000-0303), the sum of \$530 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, 2022, 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:

Covid-19 federal relief fund.....No limit

Sec. 81.

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).....\$5,801,622

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped (604-00-1000-0502).....\$133,847

(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:

Local services

reimbursement fund (604-00-2088-2500).....No limit

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

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

American rescue plan-state relief –

federal fund (604-00-3756).....No limit

Education improvement –

federal fund (604-00-3898).....No limit

Elementary and secondary school

emergency relief fund –

federal fund.....No limit

Gift fund (604-00-7329-5100).....No limit

Special bequest fund (604-00-7333).....No limit

Nine month payroll

clearing fund (604-00-7714-5200).....No limit
 Covid-19 federal relief fund.....No limit
 Sec. 82.

KANSAS STATE SCHOOL FOR THE DEAF

(a) On the effective date of this act, of the \$9,600,683 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 97(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (610-00-1000-0303), the sum of \$5,498 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, 2022, 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:

Covid-19 federal relief fund.....No limit
 Sec. 83.

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).....\$10,249,757

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000: *Provided further*, That 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 the implementation of the language assessment program for children age birth through two, 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 2023 to be used for such language assessment program, 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 up to \$386,000 as available from such funds to the special revenue fund of the Kansas state school for the deaf and as designated by the superintendent of the Kansas state school for the deaf for the purpose of funding such language assessment program: *And provided further*, That on the effective date of such transfer, of the \$10,249,757 appropriated for the above agency for the fiscal year ending June 30, 2023, in the operating expenditures 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 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:

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 (610-00-2147-2100).....No limit

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

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

Nine month payroll

clearing fund (610-00-7715-5700).....No limit

Language assessment fee fund.....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: *And provided further*, That expenditures from the language assessment fee fund for the fiscal year ending June 30, 2023, for such program shall not exceed \$493,157.

Covid-19 federal relief fund.....No limit

Sec. 84.

STATE HISTORICAL SOCIETY

(a) On the effective date of this act, of the \$3,793,494 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 99(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (288-00-1000-0083), the sum of \$6,497 is hereby lapsed.

Sec. 85.

STATE HISTORICAL SOCIETY

(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 (288-00-1000-0083).....\$4,246,260

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 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:

Vehicle repair and

replacement fund (288-00-6116-6000).....No limit

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

Soil/water conservation fund (288-00-3083-3110).....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 grants in aid fund (288-00-3089-3700).....	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
<i>Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$90,000.</i>	
Land survey fee fund (288-00-2234-2330).....	No limit
<i>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 2023 for operating expenditures that are not related to administering the land survey program.</i>	
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
Coronavirus relief fund (288-00-3753).....	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
<i>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.</i>	

(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, 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 the state general fund or from any special revenue fund or funds for fiscal year 2023, as authorized by this or other appropriation act of the 2022 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 2023 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 2023 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. 86.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (246-00-1000-0013).....\$33,052

Sec. 87.

FORT HAYS 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) (246-00-1000-0013).....\$35,431,391

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Master's-level nursing capacity (246-00-1000-0100).....\$135,393

Kansas wetlands education center at Cheyenne bottoms (246-00-1000-0200).....\$255,845

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Kansas academy of math and science (246-00-1000-0300).....\$734,520

Provided, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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 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
<i>Provided, That expenditures may be made from the housing system revenue fund for official hospitality.</i>	
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
<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: 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.</i>	
Coronavirus relief federal fund (246-00-3753).....	No limit
Governor's emergency education	
relief fund (246-00-3638).....	No limit
(c) On July 1, 2022, 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. 88.

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (367-00-1000-0003).....	\$137,528
Kansas state university polytechnic campus (including official hospitality) (367-00-1000-0150).....	\$234,641

Sec. 89.

KANSAS 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) (367-00-1000-0003).....	\$99,550,631
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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, 2022, is hereby reappropriated for fiscal year 2023.

Midwest institute for comparative stem cell biology (367-00-1000-0170).....	\$127,178
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Provided, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Global food systems (367-00-1000-0190).....	\$4,897,768
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Provided, That unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That all moneys in the global food systems account expended for fiscal year 2023 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 2023.

Kansas state university polytechnic campus (including official hospitality) (367-00-1000-0150).....	\$7,022,758
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Provided, That any unencumbered balance in the Kansas state university polytechnic campus (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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 shall not exceed the following:

Parking fees fund (367-00-5181).....	No limit
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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. 75-3711(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

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.

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</i> , That all expenditures from the national bio agro-defense facility fund shall be approved by the president of Kansas state university.	
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</i> , That, on or before the 10 th day of each month commencing during fiscal year 2023, 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.	
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

(c) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by Kansas state university from such moneys for fiscal year 2023 to conduct a study of the Kansas state university polytechnic campus in Salina, Kansas: *Provided*, That such study shall include a review of: (1) The mission and extent of the polytechnic campus; (2) degree offerings at the polytechnic campus; and (3) the financial structure of the polytechnic campus: *Provided further*, That Kansas state university shall submit a report on such study to the house of representatives committee on appropriations and the senate committee on ways and

means on or before November 1, 2022.

Sec. 90.

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, 2022, the following:

Cooperative extension service (including official hospitality) (369-00-1000-1020).....	\$35,736
Agricultural experiment stations (including official hospitality) (369-00-1000-1030).....	\$53,929

Sec. 91.

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, 2023, the following:

Cooperative extension service (including official hospitality) (369-00-1000-1020).....	\$19,348,711
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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, 2022, is hereby reappropriated for fiscal year 2023.

Agricultural experiment stations (including official hospitality) (369-00-1000-1030).....	\$30,728,893
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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, 2022, is hereby reappropriated for fiscal year 2023.

Wildfire suppression/state forest service (369-00-1000-1040).....	\$636,710
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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, 2022, is hereby reappropriated for fiscal year 2023.

(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 shall not exceed the following:

Restricted fees fund (369-00-2697-1100).....	No limit
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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 2023: *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
<i>Provided,</i> 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
(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:	
Agricultural experiment	
stations (369-00-1900-1900).....	\$307,939

Sec. 92.

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, 2022, the following:

Operating expenditures (including	
official hospitality) (368-00-1000-5003).....	\$26,978

Sec. 93.

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, 2023, the following:

Operating expenditures (including	
official hospitality) (368-00-1000-5003).....	\$10,423,727

Provided, That any unencumbered balance in the operating expenditures (including

official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Operating enhancement (368-00-1000-5023).....\$4,757,733

Provided, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023:

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).....\$378,000

Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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 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
 (c) On July 1, 2022, 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. 94.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (379-00-1000-0083).....\$61,940

Sec. 95.

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).....\$33,761,427

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Reading recovery program (379-00-1000-0100).....\$174,150

Provided, That expenditures may be made from the reading recovery program account for official hospitality.

Nat'l board cert/future teacher academy (379-00-1000-0200).....\$148,664

Provided, That expenditures may be made from the nat'l board cert/future teacher academy account for official hospitality.

(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 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</i> , 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.	
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
Sec. 96.	

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:
 Operating expenditures (including

official hospitality) (385-00-1000-0063).....\$72,564
Sec. 97.

PITTSBURG 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) (385-00-1000-0063).....\$36,276,198

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

School of construction (385-00-1000-0200).....\$751,493

Provided, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Polymer science program (385-00-1000-0300).....\$1,009,386

Provided, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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 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

(c) During the fiscal year ending June 30, 2023, 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. 98.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including	
official hospitality) (682-00-1000-0023).....	\$310,492
Geological survey (including	
official hospitality) (682-00-1000-0170).....	\$9,648

Sec. 99.

UNIVERSITY OF KANSAS

(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) (682-00-1000-0023).....	\$136,020,163

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby

reappropriated for fiscal year 2023.

Geological survey (682-00-1000-0170).....\$6,156,241

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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 2023, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 203 for seismic surveys in an amount not less than \$100,000.

Umbilical cord

matrix project (682-00-1000-0370).....\$132,705

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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 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
<i>Provided,</i> 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 reser 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 K DFA fund (682-00-2864-2860).....	No limit
Student union renovation revenue fund (682-00-5171-5060).....	No limit
Parking facility K DFA 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

(c) On July 1, 2022, 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, 2023, 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, 2022, in the geological survey account is hereby reappropriated for fiscal year 2023.

Sec. 100.

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, 2022, the following:

Operating expenditures (including official hospitality) (683-00-1000-0503).....\$247,171

(b) On the effective date of this act, of the \$30,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 112(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the rural health bridging psychiatry account (683-00-1000-1015), the sum of \$29,921 is hereby lapsed.

Sec. 101.

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, 2023, the following:

Operating expenditures (including official hospitality) (683-00-1000-0503).....\$105,902,974

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023.

Midwest stem cell therapy center (683-00-1000-0800).....\$749,822

Provided, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

(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 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).....\$0

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

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.

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

(c) On July 1, 2022, 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, 2023, 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. 102.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (715-00-1000-0003).....	\$173,103
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Sec. 103.

WICHITA 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) (715-00-1000-0003).....\$67,538,799

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Aviation research (715-00-1000-0015).....\$9,799,000

Provided, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That all moneys in the aviation research account expended for fiscal year 2023 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 2023.

Technology transfer facility (715-00-1000-0005).....\$1,959,700

Provided, That any unencumbered balance in the technology transfer account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Aviation infrastructure (715-00-1000-0010).....\$5,095,500

Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That during the fiscal year ending June 30, 2022, 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 2023 by Wichita state university by this or other appropriation act of the 2022 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2023 may only be expended for training and equipment expenditures of the national center for aviation training.

Digital transformation program.....\$7,000,000

Provided, That all expenditures from the digital transformation program account shall be made only upon certification by the president of Wichita state university that new private moneys from either individuals or corporate entities are available to match the expenditure of state moneys on a \$1-for-\$1 basis: *Provided further*; That no existing private moneys of Wichita state university shall be used for such match: *And provided further*; That Wichita state university shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on or before January 9, 2023, on the progress of the digital transformation program and the economic development attributable to the program, including, but not limited to, new jobs created by the program.

(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 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. 75-3711(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</i> , 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.	
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

Sec. 104.

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:

Digital transformation program.....\$7,000,000

Provided, That all expenditures from the digital transformation program account shall be made only upon certification by the president of Wichita state university that new private moneys from either individuals or corporate entities are available to match the

expenditure of state moneys on a \$1-for-\$1 basis: *Provided further*, That no existing private moneys of Wichita state university shall be used for such match: *And provided further*, That Wichita state university shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on or before January 8, 2024, on the progress of the digital transformation program and the economic development attributable to the program, including, but not limited to, new jobs created by the program.

Sec. 105.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Digital transformation program.....\$7,000,000

Provided, That all expenditures from the digital transformation program account shall be made only upon certification by the president of Wichita state university that new private moneys from either individuals or corporate entities are available to match the expenditure of state moneys on a \$1-for-\$1 basis: *Provided further*, That no existing private moneys of Wichita state university shall be used for such match: *And provided further*, That Wichita state university shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on or before January 13, 2025, on the progress of the digital transformation program and the economic development attributable to the program, including, but not limited to, new jobs created by the program.

Sec. 106.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2026, the following:

Digital transformation program.....\$7,000,000

Provided, That all expenditures from the digital transformation program account shall be made only upon certification by the president of Wichita state university that new private moneys from either individuals or corporate entities are available to match the expenditure of state moneys on a \$1-for-\$1 basis: *Provided further*, That no existing private moneys of Wichita state university shall be used for such match: *And provided further*, That Wichita state university shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on or before January 12, 2026, on the progress of the digital transformation program and the economic development attributable to the program, including, but not limited to, new jobs created by the program.

Sec. 107.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2027, the following:

Digital transformation program.....\$7,000,000

Provided, That all expenditures from the digital transformation program account shall be made only upon certification by the president of Wichita state university that new private moneys from either individuals or corporate entities are available to match the expenditure of state moneys on a \$1-for-\$1 basis: *Provided further*, That no existing private moneys of Wichita state university shall be used for such match: *And provided*

further, That Wichita state university shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on or before January 11, 2027, on the progress of the digital transformation program and the economic development attributable to the program, including, but not limited to, new jobs created by the program.

Sec. 108.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (561-00-1000-0103).....\$8,457

Sec. 109.

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:

Operating expenditures (including official hospitality) (561-00-1000-0103).....\$4,789,174

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That, during fiscal year 2023, 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 2023 by the state board of regents as authorized by this or other appropriation act of the 2022 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 2023 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 2023, 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 2023 by the state board of regents as authorized by this or other appropriation act of the 2022 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 2023 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).....\$95,000
 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, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That \$19,000,000 of such expenditures from such account shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis.

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, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

Postsecondary education operating grant (including

official hospitality) (561-00-1000-0770).....\$25,000,000

Provided, however; That notwithstanding the provisions of K.S.A. 76-719 and 76-817, and amendments thereto, or any other statute, during fiscal year 2023, in order to receive any money from the postsecondary education operating grant (including official hospitality) account, the above agency shall receive a signed written agreement from each state educational institution, as defined in K.S.A. 76-711, and amendments thereto, certifying that tuition assessed for fiscal year 2023 by such institution shall not increase above the amount of such tuition that was fixed and collected in fiscal year 2022: *Provided further*; That upon receipt of such agreement, the board of regents shall certify to the director of accounts and reports that such agreement meets the requirements of this proviso: *And provided further*; That at the same time as the board of regents transmits this certification to the director of accounts and reports, the board of regents shall transmit a copy of such certification to the director of the budget and the director of legislative research.

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, the above agency shall distribute the moneys in the postsecondary tiered technical education state aid account in fiscal year 2023 so that each eligible institution shall receive an amount of moneys not less than such eligible institution received from the postsecondary tiered technical education state aid account in fiscal year 2022.

Non-tiered course credit

hour grant (561-00-1000-0550).....\$95,407,915

Provided, That the above agency shall distribute the moneys in the non-tiered course

credit hour grant account in fiscal year 2023 so that each eligible institution shall receive an amount of moneys not less than such eligible institution received from the non-tired course credit hour grant account in fiscal year 2022.

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 expenditures shall be made by the above agency from the career technical education capital outlay aid account during fiscal year 2023 so that \$3,800,000 of such moneys are divided equally among the seven technical colleges and the nine community colleges that are associated with technical education requiring a local match of nonstate moneys on a \$1-for-\$1 basis from either the college or private donations, including moneys or equipment.

Tuition waivers (561-00-1000-1650).....\$350,000

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, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023: *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 2023, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2023 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, 2023, not later than 60 days following the class start date, expenditures shall be made by the above agency from such account for tuition reimbursement.

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, 2022, is hereby reappropriated for fiscal year 2023.

State universities information technology

infrastructure and cybersecurity.....\$20,000,000

Provided, 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 2023 shall be for non-recurring commitments for the purpose of upgrading information technology infrastructure including hardware, software, network, cybersecurity and equipment to keep pace with demands for usage and to ensure the safety and security of sensitive employee and student data.

Benedictine college engineering program.....\$200,000

(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 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
Temporary assistance for needy families federal fund (561-00-3323-3323).....	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

(c) During the fiscal year ending June 30, 2023, 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, 2023, to another item of appropriation in an account of the state general fund for fiscal year 2023. 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": (1) Means the operating expenditures (including official hospitality) account of the state board of regents (561-00-1000-0103), the university of Kansas (682-00-1000-0023), the university of Kansas medical center (683-00-1000-0503), Kansas state university (367-00-1000-0003), Kansas state university polytechnic campus (367-00-1000-0150), Kansas state university veterinary medical center (368-00-1000-5003), Kansas state university extension systems and agriculture research programs (369-00-1000-1020) and (369-00-1000-1030), Wichita state university (715-00-1000-0003), Emporia state university (379-00-1000-0083), Pittsburg state university (385-00-1000-0063) and Fort Hays state university (246-00-1000-0013); and (2) includes each other account of the state general fund of the state board of regents. The provisions of this subsection shall not apply to the tuition for technical education account (561-00-1000-0120).

(d) (1) In addition to the provisions of subsection (c), during the fiscal year ending June 30, 2023, 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 of a state educational institution for the fiscal year ending June 30, 2023, to another item of appropriation in an account of the state general fund of a state educational institution for the fiscal year ending June 30, 2023, for the purposes of restoring any reductions in funding to such account that occurred during the fiscal year ending June 30, 2022. 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.

(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.

(3) 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 2023 for such state educational institution as authorized by this or other appropriation act of the 2022 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 2023 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 2023: *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 2023 regular session of the legislature.

(4) 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, 2023, 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, 2022, in the SEDIF – career technical education capital outlay aid account is hereby reappropriated for fiscal year 2023: *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, 2022, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2023.

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, 2023, in addition to the other purpose 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 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2023 to implement the legislative intent: For fiscal year 2024, to 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 so that those community colleges and technical colleges who were overfunded in fiscal year 2023 will receive 50% of the amount of such overfunding and the remaining 50% will be distributed based on each eligible institution's calculated gap; and 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) During the fiscal year ending June 30, 2023, in addition to the other purpose 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 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2023 to create a working group to review the plan in subsection (f) and formula-related issues for community colleges and technical colleges: *Provided*, That such working group shall have 13 members as follows: Three members representing community colleges appointed by the Kansas association of community college trustees; two members representing technical colleges appointed by the Kansas association of technical colleges; a member of the board of regents or a designee appointed by the state board of regents; the chairperson of the senate education committee; the chairperson of the senate ways and means committee; the ranking minority member of the senate ways and means committee; the chairperson of the house of representatives appropriations committee; the ranking minority member of the house of representatives appropriations committee; the chairperson of the house of representatives higher education budget committee; and the ranking minority member of the house of representatives higher education budget committee: *Provided further*, That the working group shall report such group's recommendation to the senate ways and means committee and the house of representatives higher education budget committee on or before January 9, 2023.

Sec. 110.

STATE BOARD OF REGENTS

(a) Any unencumbered balance in the career technical education capital outlay aid account (561-00-1000-0310) of the state general fund for the above agency in excess of

\$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.
Sec. 111.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (521-00-1000-0603).....	\$1,331,411
Evidence-based programs (521-00-1000-0050).....	\$21,095,320

Provided, That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures may 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: *Provided further*; That if such expenditures are made for the jobs for America's graduates-Kansas programs, expenditures shall be made by the above agency from the evidence-based programs account to require jobs for America's graduates-Kansas to submit a report to the juvenile justice oversight committee established by K.S.A. 75-52,161, and amendments thereto, on or before October 20, 2022: *And provided further*; That such report shall include the number of youths served and performance outcomes.

Treatment and programs –

offender programs (521-00-1000-0151).....	\$747,651
Community corrections (521-00-1000-0220).....	\$2,558,550
Pathways for success (521-00-1000).....	\$6,665,392

Provided, That notwithstanding section 63 of chapter 116 of the 2021 Session Laws of Kansas, or any other statute, for the fiscal year ending June 30, 2022, 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 technical education equipment at correctional institutions, 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 2022 to be used for such technical education 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 up to \$6,665,392 as available from such funds to the special revenue fund of the department of corrections and as designated by the secretary of corrections for the purpose of funding such technical education equipment: *And provided further*; That on the effective date of such transfer, of the amount appropriated for the above agency for the fiscal year ending June 30, 2022, in the pathways for success 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.

El Dorado correctional facility –
 facilities operations (195-00-1000-0303).....\$30,474
 Hutchinson correctional facility –
 facilities operations (313-00-1000-0303).....\$17,477
 Norton correctional facility (581-00-1000-0303).....\$4,501

(b) On the effective date of this act, of the \$17,281,796 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Ellsworth correctional facility – facilities operations account (177-00-1000-0303), the sum of \$4,481 is hereby lapsed.

(c) On the effective date of this act, of the \$21,128,884 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Kansas juvenile correctional complex – facilities operations account (352-00-1000-0303), the sum of \$36,222 is hereby lapsed.

(d) On the effective date of this act, of the \$33,049,804 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Lansing correctional facility – facilities operations account (400-00-1000-0303), the sum of \$1,728 is hereby lapsed.

(e) On the effective date of this act, of the \$13,460,854 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Larned correctional mental health facility – facilities operations account (408-00-1000-0303), the sum of \$9,541 is hereby lapsed.

(f) On the effective date of this act, of the \$18,120,951 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Topeka correctional facility – facilities operations account (660-00-1000-0303), the sum of \$38 is hereby lapsed.

(g) On the effective date of this act, of the \$15,069,380 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Winfield correctional facility – facilities operations account (712-00-1000-0303), the sum of \$1,212 is hereby lapsed.

Sec. 112.

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:

Operating expenditures (521-00-1000-0603).....\$47,829,331

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Community corrections (521-00-1000-0220).....\$28,547,573

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023:

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 2023 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, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$16,674,473

Provided, That any unencumbered balance in the treatment and programs – offender programs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Treatment and programs – medical

and mental (521-00-1000-0152).....\$77,404,279

Provided, That any unencumbered balance in the treatment and programs – medical and mental account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

Treatment and programs –

KUMC contract (521-00-1000-0154).....\$2,062,308

Provided, That any unencumbered balance in the treatment and programs – KUMC contract account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Operating expenditures –

juvenile services (521-00-1000-0103).....\$1,771,917

Provided, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Evidence-based programs (521-00-1000-0050).....\$12,521,500

Provided, That any unencumbered balance in the evidence-based programs 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. 75-52,164, 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 may 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.

Prevention and graduated sanctions

community grants (521-00-1000-0221).....\$19,311,197

Provided, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023.

Debt service payments – data

systems replacement (521-00-1000-0702).....\$2,704,498

Topeka correctional facility –

facilities operations (660-00-1000-0303).....\$17,767,757

Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$37,688,373

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$32,854,096

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$17,296,979

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$14,443,295

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$18,002,787

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2022 is hereby reappropriated for fiscal year 2023: *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).....\$33,831,697

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023 *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).....\$13,479,391

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$21,154,592

Provided, That any unencumbered balance in the Kansas juvenile correctional complex –facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$49,285,769

Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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 2023 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.

Any unencumbered balance in excess of \$100 as of June 30, 2022, in each of the following accounts is hereby reappropriated for fiscal year 2023: Pathways for success

(521-00-1000).

(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:

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, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.</i>	
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, That expenditures may be made from the correctional industries fund for official hospitality.</i>	
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, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were</i>	

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

Provided, 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: *Provided further*, That the secretary of corrections 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 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

Provided, 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: *Provided, however*, That expenditures from the juvenile alternatives to detention fund for per diem payments to detention centers shall not exceed \$100,000: *And provided further*, That the department of corrections is hereby authorized and directed to make expenditures from the juvenile alternatives to detention fund for fiscal year 2023 for purchase of services: *And provided further*, 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 supervision fund (521-00-2748-2748).....	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.....	No limit
Coronavirus relief fund – federal fund (521-00-3753).....	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.....	No limit
Elementary & secondary schools emergency relief – federal fund.....	No limit
Economic adjustment assistance – federal fund.....	No limit
Detection & mitigation of COVID-19 in confinement facilities – federal fund.....	No limit

(c) During the fiscal year ending June 30, 2023, 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, 2023, 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 2023 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 2023 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 2023 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, 2022, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2022.

(f) During the fiscal year ending June 30, 2023, 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, 2023, 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 2023, 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, 2022, the juvenile delinquency preservation trust fund (521-00-7322-7000) of the department of corrections is hereby redesignated as the juvenile delinquency prevention trust fund (521-00-7322-7000) of the department of corrections. Sec. 113.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Disaster relief (034-00-1000-0200).....	\$2,000,000
Deferred maintenance (034-00-1000-0700).....	\$319,480
Rehabilitation and repair projects (034-00-1000-8000).....	\$83,333

(b) On the effective date of this act, of the unencumbered balance reappropriated for the above agency for the fiscal year ending June 30, 2022, by section 119(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the emergency management account (034- 00-1000-0600), the sum of \$1,767,947 is hereby lapsed.

(c) On the effective date of this act, of the \$5,510,157 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 119(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (034-00-1000-0053), the sum of \$7,896 is hereby lapsed.

(d) On the effective date of this act, the \$268,725 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 167(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the debt service – rehabilitation and repair of the statewide armories (034-00-1000-8010) account is hereby lapsed.

(e) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$8,600,052 from the state emergency fund (034-00-2437-2400) of the adjutant general to the state general fund.

Sec. 114.

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:

Operating expenditures (034-00-1000-0053).....	\$6,035,500
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: <i>Provided, however</i> , 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).....	\$3,332,034

Provided, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023; *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.....\$122,481

Any unencumbered balance in excess of \$100 as of June 30, 2022, in each of the following accounts is hereby reappropriated for fiscal year 2023: 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, 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:

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

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 2023 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.

Military fees fund – federal (034-00-2152).....No limit

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.

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

Provided, 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: *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 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

National guard museum assistance fund (034-00-8306-8300).....No limit

Provided, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35th infantry division museum and education center facility.

Great plains joint regional training center fee fund (034-00-2688-2688).....No limit

Provided, 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: Provided further, 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: 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 great plains joint regional training center 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 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 2023 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 2022 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 2023, 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 2023 made by this or other appropriation act of the 2022 regular session of the legislature.

(d) During the fiscal year ending June 30, 2023, the adjutant general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2023, from the state general fund for the adjutant general to another item of appropriation for fiscal year 2023 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) Any unencumbered balance from the state general fund in the SDB remodel account (034-00-1000-8030) in excess of \$100 as of June 30, 2022, is hereby reapropriated for fiscal year 2023: *Provided*, That all expenditures from the SDB remodel account shall be for the design and construction cost of remodeling the state defense building.

Sec. 115.

STATE FIRE MARSHAL

(a) Notwithstanding section 63 of chapter 116 of the 2021 Session Laws of Kansas, or any other statute, for the fiscal year ending June 30, 2022, 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 personal protective equipment, including structural fire bunker gear and wildland fire fighting gear, 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*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *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 2022 to be used for such personal protective 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 equal to \$1,200,000 if available from such funds to the special revenue fund of the state fire marshal and as designated by the state fire marshal for the purpose of funding such personal protective 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: *Provided, however,* That the local units of government receiving moneys for such personal protective equipment shall not be required to provide matching funds as a condition for receiving any moneys pursuant to this subsection.

Sec. 116.

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:

Fire marshal fee fund (234-00-2330-2000).....\$6,015,655

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, 2023, 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 2023 by the above agency by this or other appropriation act of the 2022 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 2023 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 2023 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

(b) During the fiscal year ending June 30, 2023, 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, 2023, shall not exceed \$500,000.

(c) During the fiscal year ending June 30, 2023, 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 2023, 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 2023 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2023 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 2023 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, 2023, 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 2023, 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 2023 are insufficient to meet in full the estimated expenditures for fiscal year 2023 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 2023: *Provided*, That the aggregate amount of such transfers during fiscal year 2023 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 2023, 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, 2023, 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.

Sec. 117.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made by the above agency from the aircraft fund – on budget (280-00-2368-2360) for fiscal year 2022, as authorized by section 122(a) of chapter 98 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from the aircraft fund – on budget for fiscal year 2022 to purchase one new helicopter with a forward-looking infrared radar and one new Cessna C208 caravan airplane with a forward-looking infrared radar: *Provided*, That expenditures shall be made from such fund to sell the above agency's 1978 Cessna R182 aircraft and 2005 Bell 407 helicopter: *Provided, however*, That, such acquisition shall not exceed \$11,200,000.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the executive aircraft fund (280-00-6144-6120) for fiscal year 2022, as authorized by section 122(a) of chapter 98 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from the executive aircraft fund for fiscal year 2022 to acquire by lease, purchase or otherwise a new or used aircraft: *Provided, however*, That, such acquisition shall not exceed \$9,000,000: *Provided further*, That expenditures shall be made from the executive aircraft fund by the above agency to request through the appropriate strengthening people and revitalizing Kansas executive committee advisory panel from the moneys from the federal government received by the state of Kansas for aid for coronavirus relief an amount not to exceed \$9,000,000 for the acquisition of such aircraft: *Provided, however*, That the above agency shall sell the King Air aircraft owned by such agency at or prior to the delivery of a new or used aircraft.

(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 \$11,200,000 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.

(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 \$9,000,000 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 acquiring a new or used aircraft: *Provided, however;* That if the above agency receives moneys from the federal government received by the state of Kansas for aid for coronavirus relief for such aircraft, then following approval by the state finance council: (1) The director of accounts and reports shall not transfer \$9,000,000 from the state highway fund of the department of transportation to the executive aircraft fund of the Kansas highway patrol, pursuant to this subsection; and (2) on the effective date of such state finance council action, the provisions of this subsection are hereby declared to be null and void and shall have no force and effect.

Sec. 118.

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, 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:

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, 2023, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.

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

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).....	\$62,511,388
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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: *And provided further*, That expenditures of \$5,000,000 shall be made from the Kansas highway patrol operations fund by the above agency for fiscal year 2023 to enhance the agency's career progression plan and implement salary and wage parity within the same career progression plan pay matrix for all law enforcement officer and troopers of the Kansas highway patrol: *And provided further*, That all law enforcement officer I positions shall be moved to the same pay grade and step of trooper within such pay matrix: *And provided further*, That all law enforcement officer II positions shall be moved to the same pay grade and step of master/technical trooper within such pay matrix: *And provided further*, That all law enforcement officer III positions shall be moved to the same pay grade and step of lieutenant within such pay matrix: *Provided, however*, That if the above agency does not implement such salary and wage parity and enhancement, then on July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by this section on expenditures from the Kansas highway patrol operations fund is hereby decreased from \$62,511,388 to \$57,511,388: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund to return the 1959 corvette in the possession of the Kansas highway patrol to the individual from whom the vehicle was seized: *And provided further*, That expenditures shall be made from the Kansas highway patrol operations fund by the above agency in an amount not to exceed \$20,000 to reimburse such owner for any repairs to the vehicle upon proof of receipt of such repairs.

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.....No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2023, 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, 2022, and January 1, 2023, 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, 2023.

(d) Except as provided further, on July 1, 2022, October 1, 2022, January 1, 2023, and April 1, 2023, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$15,627,847 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: *Provided, however;* That if the above agency does not implement salary and wage parity within the same pay matrix for all law enforcement officers and troopers of the Kansas highway patrol, then the amount of \$15,627,847 authorized by this subsection to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol on July 1, 2022, October 1, 2022, January 1, 2023, and April 1, 2023, is hereby decreased to \$14,377,847. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2023 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 2023 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2022, 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, 2022, 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, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,300,000 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.

(h) 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 2023, as authorized by this or other appropriation act of the 2022 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 2023 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.

(i) On July 1, 2022, 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. 119.

ATTORNEY GENERAL – KANSAS
BUREAU OF INVESTIGATION

(a) On the effective date of this act, of the \$22,138,481 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 124(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (083-00-1000-0083), the sum of \$2,851 is hereby lapsed.

Sec. 120.

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, 2023, the following:

Operating expenditures (083-00-1000-0083).....\$27,845,025

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated to the operating expenditures account for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023: *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, 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:

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
<i>Provided</i> , 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: <i>Provided, however</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 record check fee fund: <i>Provided further</i> ; 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

(c) During the fiscal year ending June 30, 2023, 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 2023 made by this act or other appropriation act of the 2022 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 2023 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.

Sec. 121.

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, 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:

Emergency medical services

operating fund (206-00-2326-4000).....\$1,814,249

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, 2023.

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 2023 by this or other appropriation act of the 2022 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 2023 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 2023, as authorized by this or any other appropriation act of the 2022 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 2023 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, 2022, and January 1, 2023, 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, 2023, 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 2023, 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 2023 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2023 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 2023 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, 2023, 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, 2023.

Sec. 122.

KANSAS SENTENCING COMMISSION

(a) On the effective date of this act, of the \$961,734 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 127(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (626-00-1000-0303), the sum of \$2,621 is hereby lapsed.

(b) On the effective date of this act, of the \$7,834,019 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 127(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the substance abuse treatment programs account (626-00-1000-0600), the sum of \$3,754,626 is hereby lapsed.

Sec. 123.

KANSAS SENTENCING COMMISSION

(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 (626-00-1000-0303).....\$1,092,681

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That, notwithstanding the provisions of K.S.A. 2021 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 2023, expenditures may be made from such account for operating costs: *Provided however*; That expenditures from such account for operating costs shall not exceed \$344,596.

(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:

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. 124.

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, 2022, by section 129(a) of chapter 98 of the 2021 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 \$711,904 to \$778,312.

Sec. 125.

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, 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:

Kansas commission on peace officers' standards and training fund (529-00-2583-2580).....\$750,259

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. 126.

KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, of the \$9,006,155 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 131(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (046-00-1000-0053), the sum of \$20,134 is hereby lapsed.

(b) During the fiscal year ending June 30, 2022, 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 2022 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2022 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.

Sec. 127.

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).....\$10,338,243

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated to the operating expenditures account for fiscal year 2023: 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, 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:

- Dairy fee fund (046-00-2105-1015).....No limit
- Meat and poultry inspection
 - fee fund (046-00-2004-0700).....No limit
- Plant protection
 - fee fund (046-00-2006-0900).....No limit
- Laboratory equipment
 - fund (046-00-2710-2700).....No limit
- Water structures – state
 - highway fund (046-00-2043-1080).....No limit
- 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
- Water resources
 - cost fund (046-00-2110-1020).....No limit

Provided, 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.

- Agriculture seed
 - fee fund (046-00-2187-2720).....No limit
- Chemigation fee fund (046-00-2194-1800).....No limit
- Petroleum inspection
 - fee fund (046-00-2550-2550).....No limit
- Kansas agricultural
 - remediation fund (046-00-2095-1090).....No limit
- Warehouse fee fund (046-00-2809-4700).....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.

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

Plant pest emergency

response fund (046-00-2210-1805).....No limit

Pesticide use fee fund (046-00-2804-4300).....No limit

Egg fee fund (046-00-2808-4600).....No limit

Water structures fund (046-00-2037-1075).....No limit

Meat and poultry inspection

fund – federal (046-00-3013).....No limit

EPA pesticide performance partnership grant –

federal fund (046-00-3295-3290).....No limit

FEMA dam safety –

federal fund (046-00-3362-3353).....No limit

State trade and export promotion –

federal fund (046-00-3573-3576).....No limit

Conversion of materials and

equipment fund (046-00-2402-2200).....No limit

Trademark fund (046-00-2333-2360).....No limit

Water structures USGS

LIDAR grant (046-00-3080-3080).....No limit

Water structures NRCS

LIDAR grant (046-00-3081-3081).....No limit

Specialty crop block

grant fund (046-00-3463-3300).....No limit

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.

Reimbursement and

recovery fund (046-00-2773-2294).....No limit

Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and

disbursement fund (046-00-2772-2101).....No limit

Provided, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation

incentive fund (046-00-2517-2510).....	No limit
Land reclamation	
fee fund (046-00-2542-2090).....	No limit
Livestock brand	
fee fund (046-00-2011-2030).....	No limit
Livestock market brand inspection	
fee fund (046-00-2007-2010).....	No limit
Veterinary inspection	
fee fund (046-00-2009-2020).....	No limit
Animal dealers	
fee fund (046-00-2207-2050).....	No limit
<i>Provided</i> , That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300; <i>Provided further</i> , 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.	
Animal disease control	
fund (046-00-2202-2500).....	No limit
<i>Provided</i> , That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.	
Health and human services retail food audit –	
federal fund (046-00-3429-3410).....	No limit
Publications fee fund (046-00-2322-2000).....	No limit
<i>Provided</i> , 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; <i>Provided further</i> , 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; <i>And provided further</i> , 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; <i>And provided further</i> , 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; <i>And provided further</i> , 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.	
Homeland security grant –	
federal fund (046-00-3199-3436).....	No limit
National floodplain insurance assistance (CAP) –	
federal fund (046-00-3445-3330).....	No limit
Cooperating technical partners –	
federal fund (046-00-3203-3210).....	No limit
Plant and animal disease & pest control –	

federal fund (046-00-3360).....	No limit
Market protection/ promotion fund (046-00-3104-3315).....	No limit
USDA Kansas forestry service – federal fund (046-00-3426-3380).....	No limit
Food safety fee fund (046-00-2813-4805).....	No limit
Gifts and donations fund (046-00-7305-7000).....	No limit
<i>Provided</i> , 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: <i>Provided further</i> , 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.	
General fees fund (046-00-2346-2100).....	No limit
<i>Provided</i> , 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: <i>Provided further</i> , 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: <i>And provided further</i> , That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.	
Lodging fee fund (046-00-2456-2400).....	No limit
Watershed protect approach/WTR RSRCE MGT fund (046-00-3889).....	No limit
NRCS contribution agreement farm bill – federal fund (046-00-3917-3800).....	No limit
Compliance education fee fund (046-00-2757-2757).....	No limit
<i>Provided</i> , That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: <i>Provided further</i> , That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2023, 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: <i>And provided further</i> , 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.	
Laboratory testing services fee fund (046-00-2752-2752).....	No limit
<i>Provided</i> , 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: <i>Provided further</i> , 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: <i>And provided further</i> , That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.	
Arkansas river gaging fund (046-00-2751-2751).....	No limit

Food/drug administration/research (046-00-3462).....	No limit
Biofuel infrastructure	
program (046-00-3579-3579).....	No limit
AMS farmers market	
promotion program (046-00-3588-3588).....	No limit
Grain commodity commission	
services fund (046-00-2018-1070).....	No limit
Commercial industrial hemp act licensing	
fee fund (046-00-2343-2343).....	No limit
Plant/animal disease and pest control (046-00-3360).....	No limit
Service member ag grant (046-00-3185-3185).....	No limit
NRCS grant CFDA 10.932 fund (046-00-3022-3903).....	No limit
NRCS grant CFDA 10.931 fund (046-00-3228-3220).....	No limit
Ag stats report fund (046-00-3427-3390).....	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
Coronavirus relief fund – federal fund (046-00-3753).....	No limit
Water structures emergency fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2023, for the water plan project or projects specified, the following:

Water resources	
cost share (046-00-1800-1205).....	\$2,698,289

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2023 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 2023 for the water resources cost share account.

Nonpoint source	
pollution assistance (046-00-1800-1210).....	\$1,860,104

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Conservation district aid (046-00-1800-1220).....	\$2,473,373
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Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Watershed dam	
construction (046-00-1800-1240).....	\$550,000

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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).....\$200,000

Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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 2023 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, 2022, is hereby reappropriated for fiscal year 2023.

Basin management (046-00-1800-0080).....\$621,651

Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Water use (046-00-1800-0075).....\$100,000

Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Interstate water issues (046-00-1800-0070).....\$499,481

Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Kansas conservation reserve enhancement

program fund (046-00-1800-1225).....\$546,593

Provided, That any unencumbered balance in the Kansas conservation reserve enhancement program fund account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

Irrigation technology (046-00-1800-0088).....\$350,000

Provided, That any unencumbered balance in the irrigation technology account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Crop and livestock research (046-00-1800-0089).....\$250,000

Provided, That any unencumbered balance in the crop and livestock research account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Soil health initiative (046-00-1800).....\$100,000

(d) During the fiscal year ending June 30, 2023, 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 2023 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2023 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, 2022, 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, 2023, the following:

Agriculture marketing program (046-00-1900-1110).....\$983,664

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.

(g) On July 1, 2022, 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 water structures emergency fund of the Kansas department of agriculture.

Sec. 128.

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).....\$60,000

Sec. 129.

STATE FAIR BOARD

(a) On the effective date of this act, the \$850,500 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 168(c) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the state fair debt service account (373-00-1000-0700), is hereby lapsed.

Sec. 130.

STATE FAIR BOARD

(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 (373-00-1000-0103).....\$135,000

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That the above agency shall make expenditures from the operating expenditures account during the fiscal year 2023 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, 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 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. 131.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Water resources operating expenditures.....\$80,024,061

Provided, That expenditures of \$80,000,000 shall be made from this account for fiscal year 2022 for the payment of water supply storage debt for Big Hill, Clinton and Hillsdale reservoirs.

Sec. 132.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Water resources operating expenditures (709-00-1000-0303).....\$1,027,686

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

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 2023, 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.

State conservation storage water

- supply fund (709-00-2502-2600).....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: *Provided further*; That, notwithstanding any provision of the state water plan storage act, K.S.A. 82a-1301 through 82a-1320, and amendments thereto, or any other statute, expenditures shall be made from the water marketing fund from moneys previously obligated for the payment of water supply storage debt for Big Hill, Clinton and Hillsdale reservoirs for fiscal year 2023 for payment of water supply storage debt for all other reservoirs for fiscal year 2023.

General fees fund (709-00-2022-2000).....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.

Indirect cost fund (709-00-2419-2419).....No limit

Motor pool vehicle

- replacement fund (709-00-6120-6100).....No limit

Reservoir storage beneficial

- use fund (709-00-2673-2630).....No limit

Provided, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

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

Lower Smoky Hill water supply

- access fund (709-00-2772-2700).....No limit

Milford RCPP federal fund (709-00-3022-3022).....No limit

Lower Smoky Hill water supply

- access fund (709-00-2203-2203).....No limit

EPA wetland development

- grant fund (709-00-3914-3990).....No limit

Distribution management plan – CDFA 97.042.....No limit

Emergency management performance grant (709-00-3342-3342).....	No limit
HHPD rehabilitation – CDFA 97.041 (709-00-3362-3362).....	No limit
Multipurpose grant – CDFA 66-204 (709-00-3103-3103).....	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, 2023, the above agency shall pay an amount equal to the amount certified pursuant to subsection (b) 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, and amendments thereto: *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.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2023, for the state water plan project or projects specified, the following:

Assessment and evaluation (709-00-1800-1110).....	\$834,078
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Provided, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

MOU – storage operations and maintenance (709-00-1800-1150).....	\$530,464
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Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Stream gaging (709-00-1800-1190).....	\$413,580
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Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Technical assistance to water users (709-00-1800-1200).....	\$325,000
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Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Milford lake watershed regional conservation partnership program (709-00-1800-1280).....	\$50,000
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Provided, That any unencumbered balance in the Milford lake watershed regional conservation partnership program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Best management

practices implementation (709-00-1800-1286).....\$1,000,000

Provided, That any unencumbered balance in the best management practices implementation account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Water vision education (709-00-1800-1281).....\$250,000

Provided, That any unencumbered balance in the water vision education account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Reservoir bathymetric surveys and

biological research (709-00-1800-1275).....\$350,000

Provided, That any unencumbered balance in the reservoir bathymetric surveys and biological research account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Water technology farms (709-00-1800-1282).....\$200,000

Provided, That any unencumbered balance in the water technology farms account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Water injection dredging (709-00-1800-1290).....\$1,025,000

Provided, That any unencumbered balance in the water injection dredging account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023.

Equus beds aquifer chloride

plume project (709-00-1800-1287).....\$50,000

Provided, That any unencumbered balance in the equus beds aquifer chloride plume project account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Flood study (709-00-1800-1288).....\$200,000

Provided, That any unencumbered balance in the flood study account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(d) During the fiscal year ending June 30, 2023, 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 2023 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2023 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, 2023, 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. 75-3711c(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.

(f) During the fiscal year ending June 30, 2023, 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.

(g) During the fiscal year ending June 30, 2023, 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, 2023, 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.

(h) During the fiscal year ending June 30, 2023, 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 2023 by this or other appropriation act of the 2022 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 2023 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.

(i) During the fiscal year ending June 30, 2023, 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.

(j) During the fiscal year ending June 30, 2023, 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. 133.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, of the \$1,829,733 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 136(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the operating expenditures account (710-00-1900-1910), the sum of \$34,749 is hereby lapsed.

(b) On the effective date of this act, of the \$1,611,299 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 136(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the state parks operating expenditures account (710-00-1900-1920), the sum of \$7,371 is hereby lapsed.

(c) On the effective date of this act, of the \$36,342 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 136(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the reimbursement for annual licenses issued to national guard members account (710-00-1900-1930), the sum of \$21,228 is hereby lapsed.

(d) On the effective date of this act, of the \$17,922 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 136(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the reimbursement for annual park permits issued to national guard members account

(710-00-1900-1940), the sum of \$10,191 is hereby lapsed.

(e) On the effective date of this act, of the \$69,827 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 136(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the reimbursement for annual licenses issued to disabled veterans account (710-00-1900-1950), the sum of \$35,517 is hereby lapsed.

(f) On the effective date of this act, the \$10,603 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 169(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the debt service – Kansas City district office (710-00-1900-1960) account is hereby lapsed.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 136(b) of chapter 98 of the 2021 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 \$34,732,891 to \$37,127,850.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 136(b) of chapter 98 of the 2021 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 \$10,752,461 to \$13,899,617.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 136(b) of chapter 98 of the 2021 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 \$1,221,474 to \$1,187,530.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 169(n) of chapter 98 of the 2021 Session Laws of Kansas on the recreational trails program (710-00-3238-3238) of the Kansas department of wildlife and parks is hereby increased from \$700,000 to \$1,680,400.

(k) 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:

Economic adjustment assistance fund.....	No limit
Law enforcement agency support fund.....	No limit

Sec. 134.

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, 2023, the following:

Stream monitoring (710-00-1800-1801).....	\$224,457
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(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (710-00-1900-1910).....	\$1,829,737
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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 2023, expenditures shall be made by the above agency from the

operating expenditures account for fiscal year 2023 to include a provision on the calendar year 2023 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).....\$1,611,295

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

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, 2022, is hereby reappropriated for fiscal year 2023: *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 2023 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, 2022, is hereby reappropriated for fiscal year 2023: *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 2023 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).....\$69,827

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, 2022, is hereby reappropriated for fiscal year 2023: 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 2023 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, 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:

Wildlife fee fund (710-00-2300-2890).....\$35,767,049

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2023 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 2023: 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).....\$11,433,220

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2023 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 2023: 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).....\$1,200,236

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2023 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 2023: *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).....\$1,703,677

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 2023, 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 2023: *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

(c) 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 any special revenue fund or funds for fiscal year 2023, from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2022 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 2023, 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.

(d) 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, 2023, by this or any other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the above agency from such moneys during fiscal year 2023 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%.

Sec. 135.

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, 2022, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Categorical aid NHTSA

- national priority (276-00-4100-3035).....No limit
- Unmanned aerial systems –
 - UAS aviation only (276-00-4100-6400).....No limit

Sec. 136.

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, 2023, 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, 2023, 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
<i>Provided</i> , That notwithstanding the provisions of K.S.A. 2021 Supp. 75-5093, and amendments thereto, or any other statute, expenditures shall be made by the above agency for the fiscal year ending June 30, 2023, from the transportation technology development fund to allow postsecondary educational institutions, as defined in K.S.A. 74-3201b, and amendments thereto, and private postsecondary educational institutions, as defined in K.S.A. 74-32,163, and amendments thereto, to apply for grants from such fund: <i>Provided further</i> , That postsecondary educational institutions, private postsecondary educational institutions and local units of government may use state moneys as a match for such grants.	
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, 2023, 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 2023, 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).....	\$305,591,473
<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

Provided, 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: *Provided further*, 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: *And provided further*, 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

Provided, 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 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation	
and repair (276-00-4100-8005).....	\$4,200,000
Buildings – reroofing (276-00-4100-8010).....	\$527,117
Buildings – other construction, renovation	
and repair (276-00-4100-8070).....	\$18,248,376
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 2023, expenditures may be made by the above agency from the state highway fund for fiscal year 2023 from the unencumbered balance as of June 30, 2022, 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 2023 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2022, 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 2023.

(d) During the fiscal year ending June 30, 2023, 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 2023 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 2023 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, 2023, 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, 2023, 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, 2023, 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 2023.

(h) Notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2023, 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) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the driver's education scholarship grant fund (276-00-2851-2851) of the department of transportation: *Provided*, That the secretary of transportation is hereby authorized to transfer additional moneys from the state highway fund to the driver's education scholarship grant fund during the fiscal year ending June 30, 2023: *Provided further*, That the secretary 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.

Sec. 137. 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, 2023, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2023 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 2023 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 19, 2023, which is chargeable to fiscal year 2023 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 2023, 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 2023.

Sec. 138. (a) On June 30, 2023, 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, 2023, 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, 2023, 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, 2023, 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, 2023. 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. 139. (a) During the fiscal year ending June 30, 2023, in addition to the requirements of K.S.A. 75-6701, and amendments thereto, and in addition to the other purposes for which expenditures may be made by the division of the budget, the department of health and environment, the Kansas department for children and families, the Kansas department for aging and disability services and the legislative research department from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agencies from such moneys to advise and consult with the chairperson

and ranking minority member of the house of representatives committee on social services budget and the chairperson of and a member of the minority party serving on the appropriate subcommittee of the senate committee on ways and means in the development and revision of human services consensus caseload estimates: *Provided*, That nothing in this subsection shall be construed to require the release of any information that is made confidential by state or federal law.

Sec. 140.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

State employee pay increase.....\$49,100,000

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 2023.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, 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 2023.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2023, 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 2023.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2023, 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 2023.

(e) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2023, 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 2023.

(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, 2023; 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 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, 2023.

(g) (1) Except as provided in subsection (h) of this section, effective with the first payroll period chargeable to the fiscal year ending June 30, 2023, a benefits-eligible employee 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.

(2) Except as provided in subsection (h) of this section, effective with the first payroll period chargeable to the fiscal year ending June 30, 2023, all state agencies shall receive a sum equivalent to the total of 5.0 percent, rounded to the nearest penny, of the salaries of all benefits eligible unclassified employees in said 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 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) 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) Employees assigned to a trooper or officer classification of the Kansas highway patrol.

(C) Employees who are hourly employees who received salary increases pursuant to the 24/7 pay plan adopted by the state finance council.

(D) Kansas bureau of investigation commissioned officers and forensic scientists who received an agency salary enhancement in fiscal year 2022, are anticipated to receive an agency salary enhancement in fiscal year 2023, or may receive such salary enhancements in both fiscal years.

(E) Employees of the following agencies who received an agency salary enhancement in fiscal year 2022, are anticipated to receive an agency salary enhancement in fiscal year 2023, or may receive such salary enhancements in both fiscal years: State board of indigents' defense services, office of administrative hearings, state fire marshal and Kansas sentencing commission.

(F) Any other employees on a formal, written career progression plan implemented by executive directive.

Sec. 141.

DEPARTMENT OF ADMINISTRATION

(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 for state facilities (173-00-1000-8500).....\$3,449,493

Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Docking state office building rehabilitation and repair (173-00-1000).....\$60,000,000

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 capital improvement projects in addition to the federal funds currently encumbered for such capital improvement 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 2023 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 \$60,000,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by this section from the state general fund in the Docking state office building rehabilitation and repair 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.

Debt service refunding – 2016H (173-00-1000-0464).....\$6,289,875

Debt service refunding – 2019F/G (173-00-1000-0465).....\$6,575,466

Debt service refunding – 2020R (173-00-1000).....\$12,047,450

Debt service refunding – 2020S (173-00-1000).....\$774,000

Debt service refunding – 2021P (173-00-1000).....\$5,764,000

(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 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

(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 2023, 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 2023 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 2023, 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 2023 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 2023.

(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 2023, 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 2023 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 2023, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2023 from the unencumbered balance as of June 30, 2022, 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, 2022: *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 2023 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2023.

Sec. 142.

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 2023, 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 2023, 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 2023, 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 2023, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-3275).....No limit

Sec. 143.

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, 2023, for the capital improvement project or projects specified, the following:

KDHE lab (264-00-1000).....\$32,500,000

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 capital improvement projects in addition to the federal funds currently encumbered for such capital improvement 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 2023 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 \$32,500,000 appropriated for the above agency for the fiscal year

ending June 30, 2023, by this section from the state general fund in the KDHE lab account (264-00-1000), 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.

Sec. 144.

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, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (039-00-8100-8240).....\$11,335,142

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2023 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 2023 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).....\$2,586,200

Ligature resistant furniture (410-00-8100)\$80,926

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. 145.

DEPARTMENT OF LABOR

(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 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 2023 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.

(b) 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 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2023 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 2023 by this or other appropriation act of the 2022 regular session of the legislature except upon approval of the state finance council.

(c) 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 2023, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2023 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 2023 for such capital improvement purposes shall not exceed \$1,555,000.

Sec. 146.

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, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and
 repair projects (694-00-1000-0904).....\$127,000

Provided, That any unencumbered balance in the veterans cemetery program rehabilitation and repair projects account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(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:

Soldiers' home rehabilitation and

repair projects (694-00-8100-7100).....	\$785,359
Veterans' home rehabilitation and repair projects (694-00-8100-8250).....	\$1,040,856

Sec. 147.

KANSAS STATE SCHOOL FOR THE BLIND

(a) During the fiscal year ending June 30, 2022, 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 2022 as authorized by section 95 or section 151 of chapter 98 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made from such moneys in fiscal year 2022 to request through the appropriate strengthening people and revitalizing Kansas executive committee advisory panel from the moneys from the federal government received by the state of Kansas for aid for coronavirus relief an amount of not more than \$919,504 for capital improvement projects: *Provided*, That if the above agency receives such federal funds for the capital improvement projects following authorization by the state finance council pursuant to section 63 of chapter 116 of the 2021 Session Laws of Kansas, then on the effective date of such authorization, the amounts appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2022, by section 151(a) or section 200 of chapter 98 of the 2021 Session Laws of Kansas from the following accounts in the state institutions building fund are hereby lapsed as specified for each account pursuant to such authorization: Rehabilitation and repair projects account (604-00-8100-8108), security system upgrade project account (604-00-8100-8130), and campus boiler and HVAC upgrade account (604-00-8100-8145).

Sec. 148.

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, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (604-00-8100-8108).....	\$278,250
Security system upgrade project (604-00-8100-8130).....	\$144,545
Campus boilers and HVAC upgrades (604-00-8100-8145).....	\$300,234
Walk-in refrigerator replacement.....	\$215,266
Electrical safety upgrade.....	\$48,300
Brighton building elevator.....	\$283,235

(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 from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made from such moneys in fiscal year 2023 to request through the appropriate strengthening people and revitalizing Kansas executive committee advisory panel from the moneys from the federal government received by the state of Kansas for aid for coronavirus relief an amount of not more than \$1,269,830 for capital improvement projects: *Provided*, That if the above agency receives such

federal funds for the capital improvement projects following authorization by the state finance council pursuant to section 22(d), then on the effective date of such authorization, the amounts appropriated for the above agency for the fiscal year ending June 30, 2023, by section 76(a) from the following accounts in the state institutions building fund are hereby lapsed as specified for each account pursuant to such authorization: Rehabilitation and repair projects account (604-00-8100-8108), security system upgrade project account (604-00-8100-8130), and campus boiler and HVAC upgrade account (604-00-8100-8145).

Sec. 149.

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, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....	\$325,238
Campus boilers and HVAC upgrades (610-00-8100-8145).....	\$571,230
Campus life safety and security (610-00-8100-8130).....	\$194,495
Foltz gym wall.....	\$70,000
Roberts building classroom renovation.....	\$114,035
Walk-in refrigerator replacement.....	\$254,910

Sec. 150.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, 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, 2022, is hereby reappropriated for fiscal year 2023.

(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 2023, 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 2023 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 2023.

(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 2023, 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 2023 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 historical preservation grant in aid fund for fiscal year 2023.

(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 2023, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2023 from the unencumbered balance as of June 30, 2022, 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, 2022: *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 2023 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2023.

Sec. 151.

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, 2023, 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).....	No limit
Rehabilitation and repair projects (379-00-2069-2010).....	No limit
Student housing projects (379-00-5650-5120).....	No limit
Deferred maintenance projects (379-00-2485-2485).....	No limit

(b) During the fiscal year ending June 30, 2023, 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 2022 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, 2021.

Sec. 152.

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, 2023, 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 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).....No limit
- Rehabilitation and
 - repair projects (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

(b) During the fiscal year ending June 30, 2023, 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 2022 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, 2021.

Sec. 153.

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, 2023, 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 (367-00-5111-5101).....	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
Capital lease – debt service (367-00-2062-2000).....	No limit
Capital lease – debt service (367-00-2520-2080).....	No limit
Capital lease – debt service (367-00-5117-4430).....	No limit
Rehabilitation and repair projects	
(367-00-2062-2000; 367-00-2062-2080).....	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).....	No limit

(b) During the fiscal year ending June 30, 2023, 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 2022 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, 2021.

Sec. 154.

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, 2023, 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).....No limit
 - Capital lease – debt service (369-00-2921-1200).....No limit
- Sec. 155.

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, 2023, 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
- Sec. 156.

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, 2023, 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
(385-00-2833-2831; 385-00-5106-5105).....No limit
 - Overman student center –
debt service 2014A2 (385-00-2820-2820).....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).....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, 2023, 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 2022 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, 2021.

Sec. 157.

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, 2023, 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).....	
Student recreation center –	
debt service 2017A (682-00-2864-2860).....	No limit
Parking facilities – debt service	
2014C, 2017A (682-00-5175-5070).....	No limit
McCollum hall parking –	
debt service 2014C (682-00-5175-5070).....	No limit
Energy conservation projects – debt service	
2020B (682-00-2107-2000).....	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).....	
Student housing	
maintenance projects (682-00-5621-5110).....	No limit
Rehabilitation and	
repair projects (682-00-2107-2000).....	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).....	

(b) During the fiscal year ending June 30, 2023, 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 2022 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, 2021.

Sec. 158.

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, 2023, 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).....No limit
- Rehabilitation and
 - repair projects (683-00-2108-2500).....No limit
- Rehabilitation and
 - repair projects (683-00-2394-2390).....No limit
- Rehabilitation and
 - repair projects (683-00-2551-2600).....No limit
- Rehabilitation and
 - repair projects (683-00-2907-2800).....No limit
- Rehabilitation and
 - repair projects (683-00-2915-2915).....No limit
- Parking maintenance projects (683-00-5176-5550).....No limit

(b) During the fiscal year ending June 30, 2023, 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 2022 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, 2021.

Sec. 159.

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, 2023, 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 2012A1 (715-00-2558-2030).....No limit
- Engineering research lab – debt
 - service 2012A-2 (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).....No limit
- Flats and suites –
 - debt service 2020P (715-00-5100-5250).....No limit
- Deferred maintenance projects (715-00-2489-2489).....No limit
- Rehabilitation and repair projects
 - (715-00-2558-2558; 715-00-2908-2080).....No limit
- Parking maintenance projects (715-00-5159-5040).....No limit
- Clinton hall – debt service (715-00-2558).....No limit
- Convergence sciences 2 –
 - debt service 2021L (715-00-2558).....No limit
- Marcus welcome center project (715-00-2558).....No limit
- Student housing projects (715-00-5100-5250).....No limit
- Pandemic-related projects (715-00-3149; 715-00-3753).....No limit

(b) During the fiscal year ending June 30, 2023, 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 2022 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, 2021.

(c) 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 2023, or fiscal year 2024, as authorized by this or other appropriation act of the 2022 or 2023 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 2023, or fiscal year 2024 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 Clinton hall 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 \$16,400,000 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 building.

Sec. 160.

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, for the capital improvement project or projects specified, the following:

State universities facilities capital
 renewal initiative (561-00-1000).....\$35,000,000

Provided, 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 2023 shall be for non-recurring commitments for the purpose of increasing annual investment in deferred maintenance to eliminate the backlog and adequately maintain state educational institution campuses in a state of good repair: *Provided further*, That all expenditures from such account 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.....\$10,000,000

Provided, That all expenditures from the demolition of buildings account in fiscal year 2023 shall be only for the demolition or razing of buildings on the campus of postsecondary educational institutions as defined by K.S.A. 74-3201b, and amendments thereto: *Provided further*, That expenditures of \$750,000 shall be made in fiscal year 2023 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, 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:

Kansas educational building fund.....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. 161.

STATE BOARD OF REGENTS

(a) Any unencumbered balance in the demolition of buildings account of the state general fund for the above agency in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided*, That expenditures may be made from the demolition of buildings account in fiscal year 2024 for demolition of buildings at Washburn university in Topeka, Kansas.

Sec. 162.

STATE BOARD OF REGENTS

(a) Any unencumbered balance in the demolition of buildings 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 may be made from the demolition of buildings account in fiscal year 2025 for demolition of buildings at Washburn university in Topeka, Kansas.

Sec. 163.

DEPARTMENT OF CORRECTIONS

(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:

Honor camp demolition (521-00-1000).....\$508,865

Provided, That expenditures shall be made by the above agency from the honor camp demolition account for fiscal year 2023 to raze any buildings at the honor camps in El Dorado and Toronto.

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of correctional institutions (521-00-8600-8240).....\$4,708,896

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2023 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 2023 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment: *Provided further*, That expenditures shall be made by the above agency from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund for fiscal year 2023 to raze any buildings at the honor camps in El Dorado and Toronto.

(c) 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:

Capital improvements –
rehabilitation and repair of juvenile
correctional facilities (521-00-8100-8000)..... \$664,264

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2023 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 2023 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.

(d) 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:

Correctional facility
infrastructure project (521-00-2834).....No limit
Correctional industries fund capital unit (522-00-6126-7301).....No limit
Sec. 164.

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, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and
repair projects (083-00-1000-0100).....\$100,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

KBI lab – debt service (083-00-1000-0820).....\$4,322,800
Sec. 165.

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 2023, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2023 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 2023.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2023, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2023 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 2023.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2023, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2023 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).....\$324,510

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 2023.

(d) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$324,510 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 2023 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 2023 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 for fiscal year 2023, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2023 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 2023.

Sec. 166.

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).....\$1,160,034

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Deferred maintenance (034-00-1000-0700).....\$2,500,000

Provided, That any unencumbered balance in the deferred maintenance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Hays armory.....\$18,135,000

Provided, That all expenditures from the Hays armory account shall be for the design, construction and land purchase costs for a new Hays armory.

Sec. 167.

STATE FAIR BOARD

(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:

State fair capital

improvements fund (373-00-2533-2500).....No limit

(b) On or before the 10th day of each month during the fiscal year ending June 30, 2023, 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. 168.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(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 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

(b) On July 1, 2022, 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.

(c) On July 1, 2022, 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.

(d) 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 2023, 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 2023 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 2023.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and

repair projects (710-00-2122-2066).....\$2,300,000

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 2023.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-2245-2840).....\$75,000

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 2023.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development (710-00-2300-2301).....\$300,000

Land acquisition (710-00-2300-3040).....\$400,000

Federally mandated

boating access (710-00-2300-4360).....\$945,000

Rehabilitation and repair (710-00-2300-3262).....\$4,279,000

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 2023.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation (710-00-2668-2660).....\$300,000

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 2023.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3418-3422).....\$2,947,500

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 2023.

(j) 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 2023, 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 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3490-3491).....\$500,000

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 2023.

(k) 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 2023, 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 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition (710-00-2600-3330).....\$200,000

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 2023.

(l) 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 2023, 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 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation

development (710-00-3794-3794).....\$1,500,000

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 2023.

(m) 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 2023, 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 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program (710-00-3238-3238).....\$1,680,400

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 2023.

(n) 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 2023, 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 2023 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 2023.

(o) 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 2023, 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 2023 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 2023.

(p) 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 2023, expenditures may be made by the above agency from each such special revenue fund

for fiscal year 2023 from the unencumbered balance as of June 30, 2022, 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, 2022: *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 2023 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2023.

Sec. 169. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of Emporia state university, to sell and convey all of the rights, title and interest subject to all easements and appurtenances in the following described real estate, 1601 State Street, located in the city of Emporia, Lyon county, Kansas:

SITE DESCRIPTION

The subject site is located on the west side of State Street, approximately 380 feet north of the intersection of Fifteenth Avenue and State Street. The subject site is irregular in shape and contains approximately 2 acres. The site has approximately 50 feet of frontage along State Street for a drive that extends west approximately 130 feet, and then the site is mostly rectangular. The street that fronts the subject is paved. The site is level at street grade and has all public utilities available. There are paved parking lots on the north, south and east sides of the property.

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the restricted fees account of Emporia state university.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or 75-6609, and amendments thereto.

Sec. 170. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of the university of Kansas, to exchange and convey the real property described in subsection (b) to the Kansas university endowment

association in consideration for which the Kansas university endowment association is hereby authorized to exchange and convey the real property described in subsection (c) to the university of Kansas.

(b) In accordance with the provisions of this section, the state board of regents is hereby authorized to exchange and convey the following described real property in Douglas county, Kansas, to the Kansas university endowment association:

(1) OREAD ADD BLK 4 S 23 FT LT 1 & ALL LT 2; ALSO THAT PART OF LOUISIANA ST ADJ TO SD LTS VAC 7-23-91 BK 459/1274; ALSO E 4 FT LT 11;

(2) COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH $88^{\circ} 07'24''$ WEST (THIS AND ALL THE FOLLOWING BEARINGS ARE BASED ON THE KANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE 1983) COINCIDENT WITH THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1174.02 FEET; THENCE SOUTH $01^{\circ} 34'35''$ EAST, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BOB BILLING PARKWAY AS IT EXISTS TODAY, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH $01^{\circ} 34'35''$ EAST, A DISTANCE OF 42.69 FEET; THENCE NORTH $88^{\circ} 25'25''$ EAST, A DISTANCE OF 21.50 FEET; THENCE SOUTH $01^{\circ} 34'35''$ EAST, A DISTANCE OF 135.00 FEET; THENCE SOUTH $88^{\circ} 07'24''$ WEST A DISTANCE OF 553.36 FEET; THENCE SOUTH $75^{\circ} 25'18''$ WEST, A DISTANCE OF 169.99 FEET; THENCE NORTH $14^{\circ} 33'31''$ WEST, A DISTANCE OF 120.00 FEET; THENCE NORTH $01^{\circ} 52'36''$ WEST, A DISTANCE OF 98.10 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF BOB BILLINGS PARKWAY; THENCE NORTH $88^{\circ} 07'24''$ EAST COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 724.96 FEET TO THE POINT OF BEGINNING; and

(3) A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 13 SOUTH, RANGE 19, EAST OF THE 6TH P.M. IN DOUGLAS COUNTY, KANSAS, AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 2; THENCE NORTH 01 DEGREE 32 MINUTES 58 SECONDS WEST, A DISTANCE OF 1323.44 FEET TO A POINT IN THE CENTER OF THE INTERSECTION OF 21ST AND IOWA STREET; THENCE SOUTH 88 DEGREES 27 MINUTES 02 SECONDS WEST, A DISTANCE OF 100.00 FEET, TO THE SOUTHEAST CORNER OF A TRACT OF LAND RECORDED IN BOOK 488, PAGE 1001 IN THE DOUGLAS COUNTY REGISTER OF DEEDS OFFICE ON MARCH 4, 1993 AND THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 06 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID TRACT OF LAND RECORDED IN BOOK 488, PAGE 1001 IN THE DOUGLAS COUNTY REGISTER OF DEEDS OFFICE, A DISTANCE OF 189.11 FEET; THENCE NORTH 58 DEGREES 47 MINUTES 58 SECONDS WEST, ALONG THE SOUTHWESTERLY LINE OF SAID TRACT OF LAND RECORDED IN BOOK 488, PAGE 1001 IN THE DOUGLAS COUNTY REGISTER OF DEEDS OFFICE, A DISTANCE OF 63.84 FEET; THENCE NORTH 26 DEGREES 44 MINUTES 14 SECONDS EAST, A DISTANCE OF 177.28 FEET; THENCE NORTH 87 DEGREES 35 MINUTES 26 SECONDS EAST, TO THE EAST LINE OF SAID TRACT OF LAND RECORDED IN BOOK 488, PAGE 1001 IN THE DOUGLAS COUNTY REGISTER OF DEEDS OFFICE, A DISTANCE OF 158.46 FEET;

THENCE SOUTH 01 DEGREE 32 MINUTES 58 SECONDS EAST, ALONG THE EAST LINE OF SAID TRACT OF LAND RECORDED IN BOOK 488, PAGE 1001 IN THE DOUGLAS COUNTY REGISTER OF DEEDS OFFICE, A DISTANCE OF 204.39 FEET, TO THE SOUTHEAST CORNER OF SAID TRACT AND TO THE POINT OF BEGINNING.

THE ABOVE CONTAINS 40,000 SQUARE FEET, MORE OR LESS, OR 0.918 ACRES, MORE OR LESS AND IS SUBJECT TO ANY OR ALL EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES, IF ANY.

(c) In accordance with the provisions of this section, the university of Kansas is hereby authorized to accept title to the following described real property in Douglas county, Kansas, conveyed to the university of Kansas by the Kansas university endowment association:

95.06A 2-13-19 NW 1/4, LESS 2.5A IN SWCOR NW QR, LESS 5.12A D 271/587, LESS 19.19A D 438/503, LESS 0.423A D 619/996, LESS 0.279A D 619/997, LESS 0.27A D 619/998, LESS 12.856A D 271/588, LESS 8.947A PLATTED TO KUEA STORAGE FACILITY ADD FILED 09/21/2006 BK P 18/65, LESS 2-13-19 NW 1/4, LESS 2.5A IN SWCOR NW QR, LESS 5.12A D 271/587, LESS 19.19A D 438/503, LESS 0.423A D 619/996, LESS 0.279A D 619/997, LESS 0.27A D 619/998, LESS 12.856A D 271/588, LESS 8.947A PLATTED TO KUEA STORAGE FACILITY ADD FILED 09/21/2006 BK P 18/65, LESS 4.058A D 1024/4393, LESS D 1060/5423 104.277A, LESS THAT PART OF .771A TR D 1102/249 (U15540F & G SPLIT 2013) 4.058A D 1024/4393, LESS D 1060/5423, LESS A PORTION DESC AS; COM AT SW COR OF NW1/4; TH N88DEG08'30"E (BEARING BASED O).

(d) The exchange and conveyance of real property by the state board of regents under this section shall be executed in the name of the state board of regents by its chairperson and executive officer. The deed for such conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the state board of regents in consultation with the attorney general. No exchange and conveyance of real estate and improvements thereon as authorized by this section shall be made by the state board of regents until the deeds and conveyances have been reviewed and approved by the attorney general and, if warranty deeds are to be the instruments of conveyance, title reviews have been performed or title insurance has been obtained and the title opinion or the certificates of title insurance, as the case may be, have been approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-6609, and amendments thereto.

Sec. 171. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of Kansas state university, to sell and convey all of the rights, title and interest subject to all easements and appurtenances in the following

described real estate located in Riley county, Kansas: A tract of land located in the southeast quarter of Section 1, Township 10 South, Range 7 East of the 6th P.M., in the City of Manhattan, Riley county, Kansas, more particularly described as follows:

Commencing at the south quarter corner of said Section 1; Thence along the south line of the southeast quarter of said Section 1 N. 87°05'38" E. 87.63 feet; Thence perpendicular to the south line of the southeast quarter of said Section 1 N. 02°54'22" W. 60.00 feet to the point of beginning on the north right of way line of Kimball Avenue, a public street in the City of Manhattan; Thence along the north right of way line of said Kimball Avenue, being parallel with and 60.00 feet north of the south line of the southeast quarter of said Section 1 N. 87°05'38" E. 1654.83 feet; Thence N. 02°54'22" W. 305.36 feet; Thence N. 52°37'24" W. 132.17 feet; Thence on a curve to the left with a radius of 170.00 feet, an arc length of 57.08 feet, the chord of said curve bears 56.81 feet N. 62°14'30" W.; Thence on a curve to the right with a radius of 130.00 feet, an arc length of 84.94 feet, the chord of said curve bears 83.44 feet N. 53°08'29" W.; Thence S. 56°37'29" W. 111.02 feet; Thence on a curve to the right with a radius of 230.00 feet, an arc length of 121.64 feet, the chord of said curve bears 120.23 feet S. 71°46'32" W.; Thence S. 86°55'36" W. 127.23 feet; Thence on a curve to the right with a radius of 230.00 feet, an arc length of 12.34 feet, the chord of said curve bears 12.34 feet S. 88°27'48" W.; Thence N. 90°00'00" W. 243.05 feet; Thence on a curve to the left with a radius of 120.00 feet, an arc length of 57.07 feet, the chord of said curve bears 56.53 feet S. 76°22'34" W.; Thence on a curve to the right with a radius of 180.00 feet, an arc length of 85.60 feet, the chord of said curve bears 84.80 feet S. 76°22'34" W.; Thence N. 90°00'00" W. 349.93 feet; Thence on a curve to the right with a radius of 280.00 feet, an arc length of 216.28 feet, the chord of said curve bears 210.94 feet N. 67°52'18" W.; Thence N. 45°44'35" W. 15.50 feet; Thence on a curve to the left with a radius of 120.00 feet, an arc length of 94.25 feet, the chord of said curve bears 91.84 feet N. 68°14'35" W.; Thence S. 89°15'25" W. 88.72 feet to the east right of way line of College Avenue, a public street in the City of Manhattan; Thence along the east right of way line of said College Avenue S. 00°43'29" E. 393.45 feet; Thence continuing along the east right of way line of said College Avenue S. 15°11'47" E. 141.19 feet to the point of beginning, containing 15.71 acres.

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the restricted fees account of Kansas state university.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or 75-6609, and amendments thereto.

Sec. 172. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of

the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of Kansas state university, to sell and convey all of the rights, title and interest subject to all easements and appurtenances in the following described real estate located in Cherokee county, Kansas:

Commencing at a point on the southeast corner of Section 28, Township 34, South of Range 22 East; Thence North 330 feet; Thence West 660 feet; Thence South 330 feet; Thence East 660 feet, to the place of beginning, containing 5 acres, in Cherokee county, Kansas.

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the restricted fees account of Kansas state university.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or 75-6609, and amendments thereto.

Sec. 173. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of Kansas state university, to sell and convey all of the rights, title and interest subject to all easements and appurtenances in the following described real estate located in Douglas county, Nebraska:

Parcel 1

Lot 1, in PACIFIC PLAZA REPLAT 2, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

Parcel 2

Lot 2, in PACIFIC PLAZA REPLAT 2, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the restricted fees account of Kansas state university.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the

provisions of K.S.A. 75-3043a or 75-6609, and amendments thereto.

Sec. 174. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of Pittsburg state university, to sell and convey all of the rights, title and interest subject to all easements and appurtenances in the following described real estate, located in the city of Pittsburg, Crawford county, Kansas:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 SOUTH, RANGE 25 EAST OF THE 6TH PRINCIPAL MERIDIAN, CRAWFORD COUNTY, KANSAS, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, HILLSIDE ADDITION TO THE CITY OF PITTSBURG; THENCE N89°48'57"W ON THE SOUTH LINE OF FORD AVENUE TO THE POINT OF BEGINNING A DISTANCE OF 70.00 FEET; THENCE S00°31'41"W A DISTANCE OF 173.88 FEET; THENCE N89°50'36"W TO THE EAST LINE OF JOPLIN AVENUE A DISTANCE OF 129.87 FEET; THENCE N00°32'40"E ON SAID EAST LINE A DISTANCE OF 167.91 FEET; THENCE N52°36'07"E ON SAID EAST LINE TO THE SOUTH LINE OF FORD AVENUE A DISTANCE OF 9.90 FEET; THENCE S89°48'57"E ON SAID SOUTH LINE TO THE POINT OF BEGINNING A DISTANCE OF 122.02 FEET. TRACT 2 CONTAINS 0.52 ACRES, MORE OR LESS.

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the parking fees fund of Pittsburg state university.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or 75-6609, and amendments thereto.

Sec. 175. K.S.A. 2021 Supp. 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. ~~During the fiscal year ending June 30, 2021, no moneys shall be transferred from the state fair fee fund to the state fair capital improvement fund pursuant to this subsection.~~ For the fiscal year ending June 30, 2022, notwithstanding the other provisions of this section, on March 1, 2022, 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 from state fair activities and non-fair days activities through March 1, 2022, except that, subject to approval by the director of the budget prior to March 1, 2022, 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, the state fair board may certify an amount on March 1, 2022, 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, 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. 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, notwithstanding the other provisions of this section, on March 1, 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 2023 from state fair activities and non-fair days activities through March 1, 2023, except that, subject to approval by the director of the budget prior to March 1, 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, 2023, the state fair board may certify an amount on March 1, 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, 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 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.

Sec. 176. K.S.A. 2021 Supp. 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 ~~2021, 2022 and 2023~~ and 2024, 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. 177. K.S.A. 2021 Supp. 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. 2021 Supp. 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, 2020, July 1, 2021, and July 1, 2022, and July 1, 2023,~~ 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 2021, fiscal year 2022 and, fiscal year 2023 and fiscal year 2024,~~ 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 10, 2022, January 9, 2023, and January 8, 2024, and January 13, 2025,~~ 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. 178. K.S.A. 2021 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 ~~2021 and 2022~~ and 2023.

Sec. 179. K.S.A. 2021 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) Commencing on July 1, ~~2020, 2021~~, and on the first day of each month thereafter during ~~fiscal year 2021~~, fiscal year 2022 ~~and~~, fiscal year 2023 and fiscal year 2024, 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; ~~and~~ (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 2021, fiscal year 2022 and fiscal year 2023 and fiscal year 2024~~, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed ~~\$3,500,000~~ \$20,000,000 for each such fiscal year.

(b) Commencing on July 1, ~~2023, 2024~~, 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. 180. K.S.A. 2021 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 ~~2021, 2022 and~~ 2023 and 2024, no moneys shall be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1).

Sec. 181. K.S.A. 2021 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 ~~2021, 2022 and, 2023~~ and 2024, 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. 182. K.S.A. 2021 Supp. 75-6707 is hereby amended to read as follows: 75-6707. (a) For the fiscal years ending June 30, 2022, ~~and June 30, 2023,~~ and June 30, 2024, 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) 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, ~~and June 30, 2023,~~ and June 30, 2024, to the budget stabilization fund established by K.S.A. 75-6706, and amendments thereto.

(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. 183. K.S.A. 2021 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, 2021,~~ June 30, 2022, ~~and June 30, 2023,~~ and June 30, 2024, 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. 184. K.S.A. 2021 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, 2021~~, June 30, 2022, ~~and~~ June 30, 2023, and June 30, 2024, 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. 185. K.S.A. 2021 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 ~~2021~~, 2022, ~~and~~ 2023 and 2024; and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year ~~2024~~ 2025 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. 186. K.S.A. 2021 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 ~~2021, 2022 and, 2023~~ and 2024. 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. 187. K.S.A. 2021 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. 2021 Supp. 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 2021, state fiscal year 2022, or state fiscal year 2023~~ state fiscal year 2024; and (3) all transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 188. K.S.A. 2021 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, 2021, June 30, 2022, or June 30, 2023, or June 30, 2024~~. 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. 189. K.S.A. 2021 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 ~~and~~, 2023 ~~and~~ 2024, 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 2021, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$913,325 from the state economic development initiatives fund to the state water plan fund. 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. In state fiscal year 2023, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$500,000 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. 190. K.S.A. 2021 Supp. 2-223, 12-1775a, 12-5256, 65-180, 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 are hereby repealed.

Sec. 191. 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. 192. *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. 193. *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. 194. *Savings.* (a) Any unencumbered balance as of June 30, 2022, 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 2023 by this or any other appropriation act of the 2022 regular session of the legislature is hereby appropriated for the fiscal year ending June 30, 2023, 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. 195. During the fiscal year ending June 30, 2023, 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 2022 regular session of the legislature are hereby appropriated for the fiscal year ending June 30, 2023, 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. 196. *Federal grants.* (a) During the fiscal year ending June 30, 2023, 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 2023 by this or other appropriation act of the 2022 regular session of the legislature is hereby appropriated for fiscal year 2023 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) 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 2023 by this act or any other appropriation act of the 2022 regular session of the legislature to apply for and receive federal grants during fiscal year 2023, 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) During the fiscal year ending June 30, 2023, the provisions of this section shall not apply to expenditures from the American rescue plan – state fiscal relief federal fund of the governor's department. Such expenditures are subject to the provisions of section 28(d) and (f).

Sec. 197. (a) Any correctional institutions building fund appropriation heretofore

appropriated to any state agency named in this or other appropriation act of the 2022 regular session of the legislature and having an unencumbered balance as of June 30, 2022, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2023, 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, 2021.

Sec. 198. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2022 regular session of the legislature and having an unencumbered balance as of June 30, 2022, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2023, 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, 2021.

Sec. 199. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2022 regular session of the legislature and having an unencumbered balance as of June 30, 2022, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2023, 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, 2021.

Sec. 200. Any transfers of moneys during the fiscal year ending June 30, 2023, 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, 2023.";

And by renumbering remaining sections accordingly;

On page one, in the title, in line 2, by striking "and"; also in line 2, preceding "for" by inserting "June 30, 2026, and June 30, 2027,"; in line 6, after the semicolon by inserting "authorizing and directing payment of certain claims against the state,"; in line 7, by striking "17-12a601,";

And your committee on conference recommends the adoption of this report.

TROY WAYMASTER
KYLE HOFFMAN
KATHY WOLFE MOORE

Conferees on part of House

RICK BILLINGER
J.R. CLAEYS
TOM HAWK

Conferees on part of Senate

Senator Billinger moved the Senate adopt the Conference Committee Report on **H Sub Sub SB 267**.

On roll call, the vote was: Yeas 33; Nays 5; Present and Passing 1; Absent or Not Voting 1.

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

Nays: Holland, Peck, Pyle, Straub, Tyson.

Present and Passing: Hilderbrand.

Absent or Not Voting: Suellentrop.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

Mr. Vice President: I voted "AYE" on **House Substitute for Substitute for Senate Bill 267**. This budget bill will do much for Kansans: investments in education, our highway fund, the state water plan and state employee salaries. It increases the funding for many of our social services; we could have done even more if we had expanded Medicaid. This budget also includes funding to reduce the state sales tax on groceries. I am pleased to have voted for the budget, but incredibly disappointed that the Senate adjourned without passing the conference committee report on **House Bill 2106**. Reducing that tax could help so many Kansans, especially those with children and with low incomes. What are we thinking?—MARCI FRANCISCO

On motion of Senator Alley, the Senate recessed until 8:30 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 **SB 58**.

The House adopts the Conference Committee report on **SB 160**.

The House adopts the Conference Committee report on **HB 2109**.

The House adopts the Conference Committee report on **HB 2299**.

The House adopts the Conference Committee report on **HB 2508**.

The House adopts the Conference Committee report on **HB 2377**.

The House adopts the Conference Committee report on **S Sub HB 2361**.

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.

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 with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 13 through 36;

By striking all on pages 2 through 16;

On page 17, by striking all in lines 1 through 22; following line 22, by inserting:

"New Section 1. (a) The secretary of state, in consultation with county election officers, shall develop an affidavit system to be utilized for the transfer of ballots. Each person who transfers ballots for a county election office shall be required to sign an affidavit listing, if applicable, the:

- (1) Number of blank ballots;
- (2) number of spoiled ballots;
- (3) number of provisional ballots;
- (4) number of counted ballots;
- (5) number of advanced ballots in envelopes;
- (6) name of the person to whom such ballots were delivered; and
- (7) location of where the ballots were delivered.

(b) The affidavit system developed under this section shall apply to all ballots delivered, collected and transferred by county election offices prior to, on and after the date of an election and shall operate in conjunction with the provisions of K.S.A. 25-2707, 25-2708 and 25-2709, and amendments thereto, regarding transporting, preserving and destroying ballots and election records.

(c) (1) It shall be a violation of this section to alter any information provided in an affidavit or provide false information in an affidavit with the intent to hinder, prevent or defeat a fair election.

(2) A violation of this section is a severity level 9, nonperson felony.

New Sec. 2. (a) In the calendar year following the general election of an even-numbered year, the secretary of state shall conduct in four counties an audit of the procedures used for election administration and election records for the elections held during the previous two calendar years.

(b) The secretary of state shall select the counties to be audited at random, except that:

- (1) One of the counties selected shall have a voting age population of more than 90,000;
- (2) one of the counties selected shall have a voting age population of more than 20,000 but less than 90,000;
- (3) two of the counties selected shall have a voting age population of less than 20,000; and
- (4) voting age population shall be set by the most recent federal decennial census.

(c) The secretary of state shall adopt rules and regulations necessary to implement this section including enumerating the specific records and procedures to be examined.

New Sec. 3. (a) (1) (A) All voting systems used for elections in this state held on or after January 1, 2024, shall require the use of an individual, durable, voter-verified paper ballot with a distinctive watermark established by the secretary of state. The voter's ballot shall be:

(i) Marked by the voter, or by a person assisting the voter as otherwise permitted by law, either by hand or by use of a voting machine that is a non-tabulating paper ballot marking or printing device or system that may be electromechanical or electronic;

(ii) made available to the voter for inspection and verification by the voter after the voter has marked the ballot but before the voter's vote is cast and counted, that may be

spoiled by the voter if it fails to reflect the voter's choices and that permits the voter to cast a new paper ballot; and

(iii) canvassed by hand or read and tabulated by vote-tabulating equipment consisting of optical scanning equipment or other counting equipment that counts and tabulates paper ballots.

(B) The voting system shall provide the voter with an opportunity to correct any error on the paper ballot before the paper ballot is secured and preserved.

(2) The voting system shall not preserve the paper ballots in any manner that makes it possible, at any time after the ballot has been cast, to associate a voter with the record of the voter's vote without the voter's consent.

(3) The paper ballot shall constitute the official ballot and shall be preserved and used as the official ballot suitable for purposes of any audit or recount conducted with respect to any election in which the voting system is used. Each paper ballot shall be counted by hand in any recount conducted with respect to any election, unless the requestor of a recount pursuant to K.S.A. 25-3107, and amendments thereto, elects not to have the ballots counted by hand.

(4) In the event of any inconsistencies or irregularities between any electronic vote tallies and the vote tallies determined by counting by hand the paper ballots cast, the paper ballots as counted by hand shall be the true and correct record of the votes cast.

(b) The use of poll books not requiring a hand-written signature shall be prohibited.

(c) On or before January 1, 2023, the secretary of state shall adopt rules and regulations to implement the provisions of this section.

Sec. 4. K.S.A. 25-1124 is hereby amended to read as follows: 25-1124. (a) Upon receipt of the advance voting ballot, the voter shall cast such voter's vote as follows: The voter shall make a cross or check mark in the square or parentheses opposite the name of each candidate or question for whom the voter desires to vote. The voter shall make no other mark, and shall allow no other person to make any mark, upon such ballot. If the advance voting ballot was transmitted by mail, the voter personally shall place the ballot in the ballot envelope bearing the same number as the ballot and seal the envelope. The voter shall complete the form on the ballot envelope and shall sign the same. Except as provided by K.S.A. 25-2908, and amendments thereto, the ballot envelope shall be mailed or otherwise transmitted to the county election officer. If the advance voting ballot was transmitted to the voter in person in the office of the county election officer or at a satellite advance voting site, the voter may deposit such ballot into a locked ballot box without an envelope.

(b) The county election officer shall attempt to contact each person who submits an advance voting ballot where there is no signature or where the signature does not match with the signature on file and allow such voter the opportunity to correct the deficiency before the commencement of the final county canvass.

(c) Any voter who has an illness or physical disability or who is not proficient in reading the English language and is unable to apply for or mark or transmit an advance voting ballot, or any voter who has a disability preventing the voter from signing an application or the form on the ballot envelope, may request assistance by a person who has signed a statement required by subsection (e) in applying for or marking an advance voting ballot, or in signing an application or the form on the ballot envelope if the voter has a disability preventing the voter from signing.

(d) Any voted ballot may be transmitted to the county election officer by the voter.

Subject to the provisions of K.S.A. 25-2437, and amendments thereto, a voted ballot may be transmitted by another person designated in writing by the voter as provided in K.S.A. 25-2437, and amendments thereto, except if the voter has a disability preventing the voter from writing and signing a statement, the written and signed statement required by subsection (e) shall be sufficient. Any such voted ballot shall be transmitted to the county election officer before the close of the polls on election day.

(e) The county election officer shall allow a person to assist a voter who has an illness or physical disability or who is not proficient in reading the English language in applying for or marking an application or advance voting ballot, or to sign for a voter who has a disability preventing the voter from signing an application or advance voting ballot form, provided a written statement is signed by the person who renders assistance to the voter who has an illness or physical disability or who is not proficient in reading the English language and such statement is submitted to the county election officer with the application or ballot. The statement shall be on a form prescribed by the secretary of state and shall contain a statement from the person providing assistance that the person has not exercised undue influence on the voting decision of the voter who has an illness or physical disability or who is not proficient in reading the English language and that the person providing assistance has completed the application, marked the ballot, or signed the application or ballot form as instructed by the voter.

(f) Any person assisting a voter who has an illness or physical disability or who is not proficient in reading the English language in applying for or marking an advance voting ballot, or in signing an application or advance voting ballot form for a voter who has a disability preventing the voter from signing the application or advance voting ballot form, who knowingly fails to sign and submit the statement required by this section or who exercises undue influence on the voting decision of such voter shall be guilty of a severity level 9, nonperson felony.

(g) (1) No person who is a candidate for office shall assist any voter in marking an advance voting ballot or in signing an advance voting ballot form pursuant to this section.

(2) It shall not be a violation of this subsection for:

(A) The secretary of state, any election official or ~~any county election officer~~ ~~officer~~ to assist a voter while engaged in the performance of the duties of such office; or

(B) any candidate for office employed by a county election office to assist a voter while engaged in the performance of the duties of such employee, unless the employee appears as a candidate for office on the advance voting ballot for which such candidate is providing assistance.

(3) For purposes of this subsection, the term "candidate for office" means an individual who has declared such individual's candidacy pursuant to K.S.A. 25-205 et seq., and amendments thereto, or has been nominated for elected office pursuant to K.S.A. 25-301 et seq., and amendments thereto, in the election for which the voter applied for an advance voting ballot.

(4) A violation of this subsection is a class C misdemeanor.

(h) Subject to the provisions of subsection (b), no county election officer shall accept an advance voting ballot transmitted by mail unless the county election officer verifies that the signature of the person on the advance voting ballot envelope matches the signature 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 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 by human inspection. In the event that the signature of a person on the advance voting ballot envelope does not match the signature on file in the county voter registration records, the ballot shall not be counted.

Sec. 5. K.S.A. 25-2316c is hereby amended to read as follows: 25-2316c. (a) When a registered voter changes name by marriage, divorce or legal proceeding, if ~~such the~~ voter is otherwise qualified to vote at such voting place ~~such the~~ voter shall be allowed to vote a provisional ballot at any election, or apply for an advance voting ballot, on the condition that ~~such the~~ voter first completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to update the registration records, if appropriate, for voting in future elections. The county election officer shall send, by nonforwardable mail, a notice of disposition to any voter completing such application.

(b) When a registered voter changes residence, ~~such the~~ voter shall reregister in order to be eligible to vote, except that when a registrant has moved from an address on the registration book to another address within the county and has not reregistered, ~~such the~~ registrant shall be allowed to vote a provisional ballot at any election, or to apply for an advance voting ballot, on the condition that ~~such the~~ registrant first completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to update the registration record, if appropriate, for voting in future elections. The county election officer shall send, by nonforwardable mail, a notice of disposition to any such voter. Whenever the county election officer receives from any other election officer a notice of registration of a voter in a different place than that shown in the records of the county election officer, ~~such the~~ officer shall remove the name of ~~such the~~ voter from the registration book and party affiliation list.

(c) Every application for registration completed under this section shall be returned to the county election officer with the registration books.

(d) A registrant shall not be removed from the registration list on the ground that the registrant has changed residence unless the registrant:

(1) Confirms in writing that the registrant has moved outside the county in which the registrant is registered, or registers to vote in any other jurisdiction; or

(2) (A) (i) has failed to respond to the notice described in subsection (c)(4) (1) through (c)(4); or (ii) the notice described in subsection (c)(5) is returned as undeliverable; and (B) has not appeared to vote in an election during the period beginning on the date of the notice and ending on the day after the date of the second federal general election that occurs after the date of the notice.

(e) A county election officer shall send a confirmation notice upon which a registrant may state such registrant's current address, within 45 days of the following events:

(1) A notice of disposition of an application for voter registration is returned as undeliverable;

(2) change of address information supplied by the national change of address program identifies a registrant whose address may have changed;

(3) if it appears from information provided by the postal service that a registrant has moved to a different residence address in the county in which the registrant is

currently registered; ~~or~~

(4) if it appears from information provided by the postal service that a registrant has moved to a different residence address outside the county in which the registrant is currently registered; ~~or~~

(5) if the registrant has no election-related activity for any four-calendar year period. No election-related activity means that the elector has not voted, attempted to vote, requested or submitted an advance ballot application, filed an updated voter registration card, signed a petition, which is required by law to be verified by the county election officer or the secretary of state, or responded to any official election mailing transmitted by the county election office.

The confirmation notice shall be sent by forwardable mail and shall include a postage prepaid and preaddressed return card in a form prescribed by the chief state election official.

(f) Except as otherwise provided by law, when a voter dies or is disqualified for voting, the registration of the voter shall be void, and the county election officer shall remove such voter's name from the registration books and the party affiliation lists. Whenever (1) an obituary notice appears in a newspaper having general circulation in the county reports the death of a registered voter, or (2) a registered voter requests in writing that such voter's name be removed from registration, or (3) a court of competent jurisdiction orders removal of the name of a registered voter from registration lists, or (4) the name of a registered voter appears on a list of deceased residents compiled by the secretary of health and environment as provided in K.S.A. 65-2422, and amendments thereto, or appears on a copy of a death certificate provided by the secretary of health and environment, or appears in information provided by the social security administration, the county election officer shall remove from the registration books and the party affiliation lists in such officer's office the name of any person shown by such list or death certificate to be deceased. The county election officer shall not use or permit the use of such lists of deceased residents or copies for any other purpose than provided in this section.

(g) When the chief state election official receives written notice of a felony conviction in a United States district court, such official shall notify within five days the county election officer of the jurisdiction in which the offender resides. Upon notification of a felony conviction from the chief state election official, or from a county or district attorney or a Kansas district court, the county election officer shall remove the name of the offender from the registration records.

(h) Except as otherwise provided in this section, no person whose name has been removed from the registration books shall be entitled to vote until such person has registered again.

Sec. 6. K.S.A. 25-2437 is hereby amended to read as follows: 25-2437. (a) No person shall knowingly transmit or deliver an advance voting ballot to the county election officer or polling place on behalf of a voter who is not such person, unless the person submits a written statement accompanying the ballot at the time of ballot delivery to the county election officer or polling place as provided in this section. Any written statement shall be transmitted or signed by both the voter and the person transmitting or delivering such ballot and shall be delivered only by such person. The statement shall be on a form prescribed by the secretary of state and shall contain:

(1) A sworn statement from the person transmitting or delivering such ballot

affirming that such person has not:

- (A) Exercised undue influence on the voting decision of the voter; or
- (B) transmitted or delivered more than 10 advance voting ballots on behalf of other persons during the election in which the ballot is being cast; and
- (2) a sworn statement by the voter affirming that:
 - (A) The voter has authorized such person to transmit or deliver the voter's ballot to a county election officer or polling place; and
 - (B) such person has not exercised undue influence on the voting decision of the voter.

(b) (1) No candidate for office shall knowingly transmit or deliver an advance voting ballot to the county election officer or polling place on behalf of a voter who is not such person, except on behalf of an immediate family member of such candidate.

(2) For purposes of this subsection, the term "candidate for office" means an individual who has declared such individual's candidacy pursuant to K.S.A. 25-205 et seq., and amendments thereto, or has been nominated for elected office pursuant to K.S.A. 25-301 et seq., and amendments thereto, in the election for which the voter applied for an advance voting ballot.

(c) No person shall transmit or deliver more than 10 advance voting ballots on behalf of other voters during an election.

(d) (1) A violation of subsection (a) or (b) is a severity level 9, nonperson felony.

(2) A violation of subsection (c) is a class B misdemeanor.

Sec. 7. K.S.A. 25-2430 is hereby amended to read as follows: 25-2430. (a) (1) Electioneering is:

(A) Knowingly attempting to persuade or influence eligible voters to vote for or against a particular candidate, party or question submitted, including wearing, exhibiting or distributing labels, signs, posters, stickers or other materials that clearly identify a candidate in the election or clearly indicate support or opposition to a question submitted election within any polling place on election day or advance voting site during the time period allowed by law for casting a ballot by advance voting or within a radius of 250 feet from the entrance thereof; or

(B) if committed by a candidate:

- (i) Touching or handling any voter's ballot during the voting process;
- (ii) distributing ballots or counting ballots;
- (iii) hindering or obstructing any voter from voting or from entering and leaving the polling place; or
- (iv) hindering or obstructing any election board worker from performing election duties.

(2) Electioneering shall not include bumper stickers affixed to a motor vehicle that is used to transport voters to a polling place or to an advance voting site for the purpose of voting.

(b) The provisions of subsection (a)(1)(B) shall not apply to:

(1) The secretary of state ~~or~~, any election official or any county election ~~office~~ ~~officer~~; ~~or~~

(2) a candidate for precinct committeeman or committeewoman who is employed by a county election office and is engaged in the performance of such employee's duties;

(3) a candidate for any office not specified in paragraphs (1) or (2) who is

employed by a county election office and is engaged in the performance of such employee's duties, if such employee does not appear as a candidate for office on any ballot such employee touches, handles, distributes or counts; or

(4) a candidate transmitting or delivering an advance voting ballot in accordance with K.S.A. 25-2437(b), and amendments thereto.

(c) As used in this section:

(1) "Advance voting site" means the central county election office or satellite advance voting sites designated as such pursuant to K.S.A. 25-1122(c), and amendments thereto, and adult care homes and hospital based care units at the time of an election participating in the voting procedures prescribed in K.S.A. 25-2812, and amendments thereto; and

(2) "candidate" means an individual who has declared such individual's candidacy pursuant to K.S.A. 25-205 et seq., and amendments thereto, or has been nominated for elected office pursuant to K.S.A. 25-301 et seq., and amendments thereto, in the election for which the individual is charged with having violated the provisions of this section.

(d) Electioneering is a class C misdemeanor.

Sec. 8. K.S.A. 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 ~~will~~ shall determine the members of the sworn election board who will conduct the audit.

(2) The audit ~~will~~ 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.

(B) ~~In even-numbered~~ even-numbered, non-presidential election years:

- (i) One federal race;
- (ii) one statewide race;
- (iii) one state legislative race; and
- (iv) one county race.

(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 (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.

~~(f) The provisions of this section shall apply to all counties for elections that take place after January 1, 2019.~~

Sec. 9. K.S.A. 25-3206 is hereby amended to read as follows: 25-3206. (a) The state board of canvassers shall make the final canvass of national and state primary and general elections. The board shall also make the final canvass of elections upon constitutional amendments and all questions submitted to election on a statewide basis, including questions on retention in office of justices of the supreme court, judges of the court of appeals and judges of the district court.

(b) For the purpose of canvassing elections specified in subsection (a), the state board of canvassers shall meet on the call of the secretary of state, in the secretary's office, as soon as convenient after the tabulation of the returns is made. In the case of general elections, the meeting shall be called not later than December 1 next following the election, except when the date falls on Sunday, then not later than the following day, and may recess from time to time until the canvass is completed.

(c) The state board of canvassers shall, upon the abstracts on file in the office of secretary of state, proceed to make final canvass of any election for officers specified in subsection (a). The state board of canvassers shall certify a statement which shall show the names of the persons receiving votes for any of the offices, and the whole number received by each, distinguishing the districts and counties in which they were voted.

(d) The state board of canvassers shall, upon the abstracts on file in the office of the secretary of state, proceed to make final canvass and determination of the result of statewide question submitted elections. The state board of canvassers shall certify a statement of the number of votes on each question and the result thereof.

(e) The state board of canvassers shall certify such statements to be correct, and the members shall subscribe their names thereto, and the board shall determine what persons have been elected to such offices and the members shall endorse and subscribe on the statement a certificate of the determination and deliver them to the secretary of

state.

(f) The secretary of state shall publish on the official secretary of state website election results by precinct for all federal offices, statewide offices and for legislative offices not later than 30 days after the final canvass of the general election results.

(g) Each county election officer shall provide precinct level election results electronically in machine-readable format for all federal offices, statewide offices, legislative offices and local offices not later than 30 days after the final canvass of the general election results.

Sec. 10. K.S.A. 25-4401 is hereby amended to read as follows: 25-4401. As used in this act unless the context otherwise requires:

(a) "Ballot" may include an electronic display or printed document containing the offices and questions on which voters in a specified voting area are eligible to vote.

(b) "Counting location" means the location in the county selected by the county election officer for the counting of ballots.

(c) "Electronic or electromechanical voting system" means a system of casting votes and tabulating ballots employing automatic tabulating equipment or data processing equipment including a direct recording electronic system.

(d) "Direct recording electronic system" means a system that records votes by means of a ballot display provided with mechanical or electro-optical components that can be activated by the voter, that processes data by means of a computer program, that records voting data and ballot images in memory components, that produces a tabulation of the voting data stored in a removable memory component and as printed copy, and that may also provide a means for transmitting individual ballots or vote totals to a central location for consolidating and reporting results from precincts at the central location.

(e) "Electronic poll book" means an electronic list of registered voters for a particular precinct or polling location that may be transported to a polling location and on which each voter may sign the voter's signature. "Electronic poll book" includes both the hardware and software necessary for operation. An "electronic poll book" is a type of "poll book" as provided in K.S.A. 25-2507, and amendments thereto. "Electronic poll book" does not include automatic tabulating equipment or data processing equipment, including a direct recording electronic system, that are components of an electronic or electromechanical voting system.

Sec. 11. K.S.A. 25-4402 is hereby amended to read as follows: 25-4402. Subject to the limitations of article 44 of chapter 25 of Kansas Statutes Annotated, and amendments thereto, the board of county commissioners and the county election officer of any county are authorized to purchase, lease or rent and use electronic or electromechanical voting systems or electronic poll books as provided by K.S.A. 25-4403, and amendments thereto.

Sec. 12. K.S.A. 25-4403 is hereby amended to read as follows: 25-4403. (a) The board of county commissioners and the county election officer of any county may provide an electronic or electromechanical voting system or electronic poll books to be used at voting places, or for advance voting in the county at national, state, county, township, city and school primary and general elections and in question submitted elections.

(b) The board of county commissioners of any county in which the board of county commissioners and county election officer have determined that an electronic or

electromechanical voting system or electronic poll books shall be used may issue bonds to finance and pay for purchase, lease or rental of such a system.

(c) The board of county commissioners and the county election officer of any county may adopt, experiment with or abandon any electronic or electromechanical system or electronic poll books herein authorized and approved for use in the state and may use such a system in all or any part of the voting areas within the county or in combination with an optical scanning voting system or with regular paper ballots. Whenever the secretary of state rescinds approval of any voting system or electronic poll books, the board of county commissioners and the county election officer shall abandon the system or electronic poll books until changes therein required by the secretary of state have been made, or if the secretary of state advises that acceptable changes cannot be made therein, the abandonment shall be permanent.

(d) On and after the effective date of this act, no board of county commissioners in any county may purchase, lease or rent any direct recording electronic system, as defined in K.S.A. 25-4401(d), and amendments thereto. On and after the effective date of this act, no board of county commissioners in any county may purchase, lease or rent any electronic or electromechanical voting system, unless such system:

(1) Provides a paper record of each vote cast, produced at the time the vote is cast; and

(2) has the ability to be tested both before an election and prior to the date of canvass. Such test shall include the ability to match the paper record of the machine to the vote total contained in the machine.

(e) No component of an electronic or electromechanical voting system shall have the capability to be connected to the internet or to any other communications or computer network, including, but not limited to, a local area network, wireless network, cellular network or satellite network, or to use bluetooth or any other wireless communications technology.

(f) On and after July 1, 2022, no board of county commissioners or the county election officer of any county may purchase, lease or rent any electronic poll books unless the kind or make of such poll books have been certified by the secretary of state. No electronic poll book may be operated unless its network connectivity meets the security standards established by the secretary of state.

Sec. 13. K.S.A. 25-4404 is hereby amended to read as follows: 25-4404. The secretary of state shall examine and approve the kinds or makes of electronic or electromechanical voting systems, including operating systems, firmware and software, and electronic poll books, and no kind or make of such system or electronic poll book shall be used at any election unless and until it receives certification by the secretary of state and a statement thereof is filed in the office of the secretary of state.

Sec. 14. K.S.A. 25-4405 is hereby amended to read as follows: 25-4405. (a) Any person, firm or corporation desiring to sell any kind or make of electronic or electromechanical voting system or electronic poll book to political subdivisions in Kansas may in writing request the secretary of state to examine the kind or make of the system which it desires to sell and shall accompany the request with a certified check in the sum of \$250 payable to the secretary of state to be used to defray a portion of the costs of such examination, and shall furnish at its own expense such system to the secretary of state for use in examining such system. The secretary of state may require such person, firm or corporation to furnish a competent person to explain the system or

electronic poll book and demonstrate by the operation of such system or electronic poll book that it complies with any applicable state and federal laws and regulations. The secretary of state may employ a competent person or persons to assist in the examination and to advise the secretary as to the sufficiency of such ~~machine voting system or electronic poll book~~ and to pay such persons reasonable compensation therefor. The costs of employment and any other costs associated with the approval of such system shall be paid by the applicant.

(b) The secretary of state may require a review of any theretofore approved electronic or electromechanical voting system or electronic poll book and the equipment and operation thereof. Such review shall be commenced by the secretary of state giving written notice thereof to the person, firm or corporation which sought approval of the voting system or electronic poll book and to each county election officer and county commissioner of counties known to have purchased, leased or rented any such voting system or electronic poll book or equipment thereof. Such notice shall fix a time and place of hearing at which those persons wishing to be heard may appear and give oral or written testimony and explanation of the voting system or electronic poll book, its equipment and operation and experience had therewith. After such hearing date and after such review as the secretary of state deems appropriate, the secretary of state may renew approval of the voting system or electronic poll book, require changes therein for continued approval thereof or rescind approval previously given on either a conditioned or permanent basis.

(c) The secretary of state may appoint persons to assist county election officers or county commissioners in the testing of any electronic or electromechanical voting system or electronic poll book and its equipment or the programs of such system or electronic poll book.

Sec. 15. K.S.A. 25-4406 is hereby amended to read as follows: 25-4406. Electronic or electromechanical voting systems approved by the secretary of state:

(a) Shall provide for voting for the candidates for nomination or election of all political parties officially recognized pursuant to K.S.A. 25-302a, and amendments thereto;

(b) shall permit a voter to vote for any independent candidate for any office;

(c) shall provide for voting on constitutional amendments or other questions submitted;

(d) shall be so constructed that, as to primaries where candidates are nominated by political parties, the voter can vote only for the candidates for whom the voter is qualified to vote according to articles 2 and 33 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto;

(e) shall afford the voter an opportunity to vote for any or all candidates for an office for whom the voter is by law entitled to vote and no more, and at the same time shall prevent the voter from voting for the same candidate twice for the same office;

(f) shall be so constructed that in presidential elections the presidential electors of any political party may be voted for by one action;

(g) shall provide for "write-in" votes;

(h) shall provide for voting in absolute secrecy, except as to persons who request assistance due to temporary illness or disability or a lack of proficiency in reading the English language;

(i) shall reject all votes for an office or upon a question submitted when the voter

has cast more votes for such office or upon such question than the voter is entitled to cast;

(j) shall provide for instruction of voters on the operation of voting machines, illustrating the manner of voting by the use of such systems. The instruction may include printed materials or demonstration by election board workers;

(k) shall provide a paper record of each vote cast, produced at the time the vote is cast;

(l) shall have the ability to be tested both before an election and prior to the date of canvass. The test shall include the ability to match the paper records of such machines to the vote totals contained in the machines;~~and~~

(m) shall meet the requirements of the help America vote act of 2002 and other federal statutes and regulations governing voting equipment;~~and~~

(n) shall not have the capability nor shall any component of an electronic or electromechanical voting system have the capability to be connected to the internet or to any other communications or computer network, including, but not limited to, a local area network, wireless network, cellular network or satellite network, or to use bluetooth or any other wireless communications technology.

Sec. 16. K.S.A. 25-4407 is hereby amended to read as follows: 25-4407. (a) When a board of commissioners and county election officer have determined that such ~~a kind or make of electronic or electromechanical~~ voting system ~~or electronic poll book~~ shall be used in a county, the board of county commissioners and the county election officer shall provide such number of units as shall be necessary to equip voting places for the use of voters.

(b) No tax shall be levied under this section, nor shall any moneys be paid from any fund under authority of this section for any contract to purchase, lease or rent any electronic or electromechanical voting system or equipment thereof ~~or electronic poll books~~, if approval of such ~~voting system or equipment or kind or make of electronic poll book~~ has been rescinded by the secretary of state.

(c) The secretary of state may purchase, rent or lease voting equipment only for the purpose of providing such equipment to counties pursuant to the provisions of the help America vote act of 2002.

Sec. 17. K.S.A. 25-4408 is hereby amended to read as follows: 25-4408. The board of county commissioners shall provide for the storage of electronic or electromechanical voting systems ~~and electronic poll books~~. The county election officer shall be in complete charge of the ~~voting systems and electronic poll books~~, their safekeeping when not in use and keeping them in repair and working order and shall see that they are delivered to the voting places in time for all arrangements to be made and for the ~~voting systems and electronic poll books~~ to be ready for use at the hour of opening the polls. After the election the county election officer shall see that the ~~voting systems and electronic poll books~~ are returned to the place of storage, or are secured for on-site storage.

Sec. 18. K.S.A. 25-4409 is hereby amended to read as follows: 25-4409. (a) The ballot information, shall, as far as practicable, be in the order of arrangement provided for paper ballots except that such information may be in vertical or horizontal rows, or in a number of separate pages. Voting squares or ovals may be before or after the names of candidates and statements of questions, and shall be of such size as is compatible with the type of system used. Ballot information shall be displayed in as plain clear type

and size as the ballot spaces will reasonably permit. Where candidate rotation is used, the voting equipment shall be capable of meeting the requirements otherwise provided in law.

(b) Before the opening of the polls the election judges shall compare the ballots with the sample ballots furnished, and see that the ballot information thereon agrees and shall certify thereto on forms provided for this purpose. The certification shall be filed with the election returns.

(c) Before, during and after the operation of the polling place, the election judges shall make all electronic or electromechanical voting systems and vote tabulating equipment available to any candidate or any authorized poll agent for review to ensure there is no connectivity to the internet or to any other communications or computer network, including, but not limited to, a local area network, wireless network, cellular network or satellite network, or using bluetooth or any other wireless communications technology.

Sec. 19. K.S.A. 25-4411 is hereby amended to read as follows: 25-4411. (a) The vote tabulation equipment may be located at any place within the county approved by the county election officer.

(b) Within five days prior to the date of the election, the county election officer shall have the automatic tabulating equipment tested to ascertain that the equipment will correctly count the votes cast for all offices and on all questions submitted. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication once in a newspaper of general circulation in the county or city where such equipment is to be used and on the county website, if the county has a website. The test shall be open to representatives of the political parties, candidates, the press and the public. The test shall be conducted by processing a preaudited group of ballots marked to record a predetermined number of valid votes for each candidate and on each measure, and shall include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject such votes. If any error is detected, the cause therefor shall be ascertained and corrected and an errorless count shall be made before the automatic tabulating equipment is approved. The test shall be repeated within five business days after the completion of the canvass. The equipment, programs and ballots shall be secured and retained by the county election officer.

Sec. 20. K.S.A. 25-4414 is hereby amended to read as follows: 25-4414. Electronic or electromechanical voting system or electronic poll book fraud is:

(a) 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; or

(b) 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.

Electronic or electromechanical voting system or electronic poll book fraud is a severity level 9, nonperson felony.

Sec. 21. K.S.A. 25-4415 is hereby amended to read as follows: 25-4415. The secretary of state may adopt rules and regulations:

(a) For the use of electronic and electromechanical voting systems to count votes

under the election laws of this state;~~and~~

- (b) for the use of electronic poll books to process voters at polling places; and
 (c) necessary for the administration of this act.

Sec. 22. K.S.A. 25-4610 is hereby amended to read as follows: 25-4610. (a) The optical scanning equipment may be located at any place within the county approved by the county election officer.

(b) Within five days prior to the date of the election, the county election officer shall have the optical scanning equipment tested to ascertain that the equipment will correctly count the votes cast for all offices and on all questions submitted. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication once in a newspaper of general circulation in the county where such equipment is to be used and on the county website, if the county has a website. The test shall be open to representatives of the political parties, candidates, the press and the public. The test shall be conducted by processing a preaudited group of ballots marked as to record a predetermined number of valid votes for each candidate and on each question submitted, and shall include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the optical scanning equipment to reject such votes. If any error is detected, the cause therefor shall be ascertained and corrected and an errorless count shall be made before the optical scanning equipment is approved. The test shall be repeated within five business days after the completion of the canvass. The programs and ballots shall be sealed, retained and disposed of in the same manner as paper ballots.

Sec. 23. K.S.A. 25-4613 is hereby amended to read as follows: 25-4613. Optical scanning equipment and systems using optical scanning equipment approved by the secretary of state:

(a) Shall be capable of being tested to ascertain that the equipment will correctly count votes cast for all offices and on all questions submitted;~~and~~

(b) shall be capable of printing in legible form, reports and summaries of the election results as required by articles 30 and 31 of chapter 25 of Kansas Statutes Annotated, and amendments thereto;~~and~~

(c) shall be capable of tabulating votes for candidates for nomination or election of all political parties officially recognized pursuant to K.S.A. 25-302a, and amendments thereto;~~and~~

(d) shall be capable of tabulating votes for any independent candidate of any office;~~and~~

(e) shall be capable of tabulating votes for constitutional amendments or other questions submitted;~~and~~

(f) shall be capable of tabulating the number of "write-in" votes cast for any office;

(g) shall not count any votes for an office or upon a question submitted when the voter has cast more votes for such office or upon such question than the voter is entitled to cast;

(h) shall provide notification when the voter has cast more votes for such office or upon such question than the voter is entitled to cast;~~and~~

(i) shall meet the requirements of the help America vote act of 2002 and other federal statutes and regulations governing voting equipment; and

(j) shall not have the capability nor shall any component of an optical scanning system have the capability to be connected to the internet or to any other

communications or computer network, including, but not limited to, a local area network, wireless network, cellular network or satellite network, or to use bluetooth or any other wireless communications technology.

Sec. 24. K.S.A. 25-1124, 25-2316c, 25-2430, 25-2437, 25-3009, 25-3206, 25-4401, 25-4402, 25-4403, 25-4404, 25-4405, 25-4406, 25-4407, 25-4408, 25-4409, 25-4411, 25-4414, 25-4415, 25-4610 and 25-4613 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 "elections; relating to county election officers and employees; requiring the secretary of state to develop an affidavit system for transfers of ballots; exempting county election office employees from certain election crimes; requiring precinct level election results be electronically provided; relating to voting systems and procedures; requiring voter-verified paper ballots with a distinctive watermark; defining and authorizing use of electronic poll books; prohibiting electronic and electromechanical voting systems from being connected to the internet or other communications networks; requiring audits of election procedures and records of certain counties and of close federal, statewide or state legislative races; requiring a county election officer to send a confirmation notice to a voter if the voter has no election-related activity for a four-calendar year period; amending K.S.A. 25-1124, 25-2316c, 25-2430, 25-2437, 25-3009, 25-3206, 25-4401, 25-4402, 25-4403, 25-4404, 25-4405, 25-4406, 25-4407, 25-4408, 25-4409, 25-4411, 25-4414, 25-4415, 25-4610 and 25-4613 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

ROB OLSON

RICHARD HILDERBRAND

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

JOHN BARKER

EMIL BERQUIST

VIC MILLER

Conferees on part of House

Senator Olson moved the Senate adopt the Conference Committee Report on **S Sub HB 2138**.

On roll call, the vote was: Yeas 28; Nays 8; Present and Passing 3; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Haley, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Present and Passing: Faust-Goudeau, Francisco, Hawk.

Absent or Not Voting: Suellentrop.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2252** 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. 2252, as follows:

On page 1, by striking all in lines 15 through 36;

By striking all on pages 2 through 25;

Also on page 25, following line 43, by inserting:

"Section 1. K.S.A. 25-125 is hereby amended to read as follows: 25-125. (a) The governor shall not have any authority to modify election laws or procedures by issuance of an executive order.

(b) Except as provided in subsection (c), neither the executive branch nor the judicial branch of state government shall have any authority to modify the state election laws.

(c) Neither the governor, the secretary of state nor any other officer in the executive branch shall enter into any consent decree or other agreement with any state or federal court or any agreement with any other party regarding the enforcement of any election law or the alteration of any election procedure without specific approval of such consent decree or other agreement by the legislature or the legislative coordinating council if the legislature is not in session at the time such agreement is submitted for approval.

(d) Nothing in this section shall be construed to limit or otherwise restrict the judicial branch of state government in the exercise of any powers granted by article 3 of the constitution of the state of Kansas.

(e) If any provision of this section or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of the section that can be given effect without the invalid provision or application, and, to this end, the provisions of this section are severable.

Sec. 2. K.S.A. 25-125 is 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 8; in line 9, by striking all before the semicolon and inserting "elections; prohibiting the modification of election laws by agreement except as approved by the legislature"; in line 10, by striking all after the first "K.S.A."; by striking all in line 11 and inserting "25-125"; in line 12, by striking "sections" and inserting "section";

And your committee on conference recommends the adoption of this report.

ROB OLSON

RICHARD HILDERBRAND

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

JOHN BARKER

EMIL BERQUIST

VIC MILLER

Conferees on part of House

Senator Olson moved the Senate adopt the Conference Committee Report on **S Sub HB 2252**.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: Suellentrop.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2387** 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 10 through 34;

By striking all on pages 2 through 12;

On page 13, by striking all in lines 1 through 41; following line 41, by inserting:

"New Section 1. (a) On or before January 31, 2023, no state agency, including the governor, shall:

(1) Issue a request for proposal for the administration and provision of benefits under the medical assistance program; or

(2) enter into any new contract with managed care organizations for the administration and provision of benefits under the medical assistance program.

(b) Except to the extent prohibited by 42 U.S.C. § 1396u-2(a)(2) or other federal law, the secretary of health and environment shall continue to administer medical assistance benefits using managed care entities as described in 42 U.S.C. § 1396u-2.

(c) This section shall expire on January 31, 2023.

Sec. 2. K.S.A. 2021 Supp. 48-925 is hereby amended to read as follows: 48-925.

(a) During any state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, the governor shall be commander-in-chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the governor shall delegate or assign command authority by prior arrangement, embodied in appropriate executive orders or in rules and regulations of the adjutant general, but nothing shall restrict the authority of the governor to do so by executive orders issued at the time of a disaster.

(b) Under the provisions of this act and for the implementation of this act, the governor may issue executive orders to exercise the powers conferred by subsection (c) that have the force and effect of law during the period of a state of disaster emergency declared under K.S.A. 48-924(b), and amendments thereto, or as provided in K.S.A. 2021 Supp. 48-924b, and amendments thereto. The chairperson of the legislative coordinating council shall call a meeting of the council to occur within 24 hours of the issuance of an executive order issued pursuant to this section for the purposes of reviewing such order. Such executive orders shall be null and void after the period of a state of disaster emergency has ended. Such executive orders 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 orders may be revoked by the legislative coordinating council with the affirmative vote of five members thereof.

(c) Except as provided in K.S.A. 2021 Supp. 48-924b, and amendments thereto, during a state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, in addition to any other powers conferred upon the governor by law and subject to the provisions of ~~subsections~~ subsection (d) and (e), the governor may:

(1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders or rules and regulations of any state agency which implements such statute, if strict compliance with the provisions of such statute, order or rule and regulation would prevent, hinder or delay in any way necessary action in coping with the disaster;

(2) utilize all available resources of the state government and of each political subdivision as reasonably necessary to cope with the disaster;

(3) transfer the supervision, personnel or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency management activities;

(4) subject to any applicable requirements for compensation under K.S.A. 48-933, and amendments thereto, commandeer or utilize any private property if the governor finds such action necessary to cope with the disaster;

(5) direct and compel the evacuation of all or part of the population from any area of the state stricken or threatened by a disaster, if the governor deems this action necessary for the preservation of life or other disaster mitigation, response or recovery;

(6) prescribe routes, modes of transportation and destinations in connection with such evacuation;

(7) control ingress and egress of persons and animals to and from a disaster area, the movement of persons and animals within the area and the occupancy by persons and animals of premises therein;

(8) suspend or limit the sale, dispensing or transportation of alcoholic beverages, explosives and combustibles;

(9) make provision for the availability and use of temporary emergency housing;

(10) require and direct the cooperation and assistance of state and local governmental agencies and officials; and

(11) perform and exercise such other functions, powers and duties in conformity with the constitution and the bill of rights of the state of Kansas and with the statutes of the state of Kansas, except any regulatory statute specifically suspended under the authority of subsection (c)(1), as are necessary to promote and secure the safety and protection of the civilian population.

(d) The governor shall not have the power or authority under the provisions of the Kansas emergency management act or any other law to:

(1) Limit or otherwise restrict the sale, purchase, transfer, ownership, storage, carrying or transporting of firearms or ammunition, or any component or combination thereof, including any components or combination thereof used in the manufacture of firearms or ammunition, or seize or authorize the seizure of any firearms or ammunition, or any component or combination thereto, except as otherwise permitted by state or federal law pursuant to subsection (c)(8) or any other executive authority;

~~(e) The governor shall not have the power under the provisions of the Kansas emergency management act or the provisions of any other law to:~~

(2) alter or modify any provisions of the election laws of the state including, but not limited to, the method by which elections are conducted or the timing of such elections;

or

~~(3)~~ (3) prohibit attending or conducting any religious service or worship service in a church, synagogue or place of worship.

~~(c)~~ (c) The governor shall exercise the powers conferred by subsection (c) by issuance of executive orders under subsection (b). Each executive order issued pursuant to the authority granted by subsection (b) shall specify the provision or provisions of subsection (c) by specific reference to each paragraph of subsection (c) that confers the power under which the executive order was issued. The adjutant general, subject to the direction of the governor, shall administer such executive orders.

~~(f)~~ (f) (1) Any party aggrieved by an executive order issued pursuant to this section that has the effect of substantially burdening or inhibiting the gathering or movement of individuals or the operation of any religious, civic, business or commercial activity, whether for-profit or not-for-profit, may file a civil action in the district court of the county in which such party resides or in the district court of Shawnee county, Kansas, within 30 days after the issuance of such executive order. Notwithstanding any order issued pursuant to K.S.A. 2021 Supp. 20-172(a), and amendments thereto, the court shall conduct a hearing within 72 hours after receipt of a petition in any such action. The court shall grant the request for relief unless the court finds such executive order is narrowly tailored to respond to the state of disaster emergency and uses the least restrictive means to achieve such purpose. The court shall issue an order on such petition within seven days after the hearing is conducted. If the court does not issue an order on such petition within seven days, the relief requested in the petition shall be granted.

(2) Relief under this section shall not include a stay or injunction concerning the contested executive order that applies beyond the county in which the petition was filed.

(3) The supreme court may adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection, including, but not limited to, rules for consolidation of similar hearings.

~~(h)~~ (g) (1) The board of county commissioners of any county may issue an order relating to public health that includes provisions that are less stringent than the provisions of an executive order effective statewide issued by the governor. Any board of county commissioners issuing such an order must make the following findings and include such findings in the order:

(A) The board has consulted with the local health officer or other local health officials regarding the governor's executive order;

(B) following such consultation, implementation of the full scope of the provisions in the governor's executive order are not necessary to protect the public health and safety of the county; and

(C) all other relevant findings to support the board's decision.

(2) If the board of county commissioners of a county issues an order pursuant to paragraph (1), such order shall operate in the county in lieu of the governor's executive order.

Sec. 3. K.S.A. 2021 Supp. 48-925 is hereby repealed.";

Also on page 13, in line 43, by striking "statute book" and inserting "Kansas register";

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 6; in line 7, by striking all before the period and inserting "the executive branch; relating to actions by state agencies and the governor; prohibiting the issuance of a request for proposal or entering into a new contract for the administration and provision of benefits under the medical assistance program; relating to the Kansas emergency management act; removing the authority of the governor to prohibit attending or conducting certain religious services and worship services; amending K.S.A. 2021 Supp. 48-925 and repealing the existing section";

And your committee on conference recommends the adoption of this report.

KELLIE WARREN

RICK WILBORN

Conferees on part of Senate

FRED PATTON

BRAD RALPH

Conferees on part of House

Senator Wilborn moved the Senate adopt the Conference Committee Report on **HB 2387**.

On roll call, the vote was: Yeas 26; Nays 12; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: McGinn, Suellentrop.

The Conference Committee Report was adopted.

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.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **H Sub SB 261**.

The House adopts the Conference Committee report on **HB 2239**.

The House concurs in Senate amendments to **HB 2644**, and requests return of the bill.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 58** 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 7 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 27; following line 27, by inserting:

"Section 1. (a) The provisions of this section shall be known and may be cited as the parents' bill of rights.

(b) The legislature finds that a quality education is central to a child's development and long-term success in life and that a parent has a right to direct the upbringing, education and care of the parent's child. The legislature further finds that a parent shall have the right to play a central role in a child's education, to obtain critical information about what is being taught or provided in the classroom and to take action when a parent feels that the quality or content of a child's education does not align with the values and expectations the parent expects and deserves.

(c) Every parent of a child in this state shall have a right to direct the upbringing, education, care and mental health of the parent's child. The following parental rights are reserved to each parent of a child in this state:

- (1) The right to direct the education and care of such child;
- (2) the right to direct the upbringing and the moral or religious training of such child;
- (3) the right to request, access and inspect all written and electronic records maintained by a school relating to such child;
- (4) the right to be informed of and inspect the curriculum, instructional materials and any other materials that are made available or taught to such child in the child's school;
- (5) the right to attend publicly designated meetings of the local school board and the right to question and address school officials during designated public comment periods or through letters, electronic communications or in-person meetings;
- (6) the right to make healthcare and medical decisions for such child;
- (7) the right to expect that such child, and each teacher and educator of such child, shall not be compelled to affirm, believe, profess or adhere to any idea that violates the civil rights act of 1964;
- (8) the right to expect that no course of instruction or unit of study shall direct or otherwise compel the child to personally affirm, adopt or adhere to any idea that violates the civil rights act of 1964;
- (9) the right to expect that the child's school shall not contract for teacher professional development with providers that promote racially essentialist doctrines or practices that have been held to violate the civil rights act of 1964;
- (10) the right to expect that each teacher and educator of such child will endeavor to present facts without distortion, bias or personal prejudice;
- (11) the right to expect that each teacher and educator of such child shall work to eliminate coercion that forces teachers and educators to support actions and ideologies that violate individual professional integrity; and
- (12) the right to assert any other inalienable or constitutional right that is reserved to the parent and the child pursuant to state or federal law.

(d) The board of education of each school district shall develop and adopt policies to guarantee a parent's right to be involved in a child's education. Such policies shall be developed in consultation with parents, teachers and school administrators and shall include policies and procedures for a parent to:

- (1) Be informed of and have the ability to inspect any materials, activities,

curriculum, syllabi, surveys, questionnaires, books, magazines, handouts, professional development and training materials and any other materials or activities that are provided to the parent's child;

(2) inspect and review any educational or health records maintained by the school that pertain to the parent's child;

(3) object to any learning material or activity on the basis that such material or activity harms the child or impairs the parent's firmly held beliefs, values or principles and withdraw such child from the activity, class or program in which the material is used; and

(4) challenge the material or educational benefit of any book, magazine or any other material available to students in the school library such that a successful challenge results in the removal of the book, magazine or material from the school.

(e) As used in this section, "parent" means a parent, guardian or custodian or any other person who has authority to act on behalf of a child.";

Also on page 4, in line 29, 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 period and inserting "education; relating to schools and school districts; establishing the parents' bill of rights";

And your committee on conference recommends the adoption of this report.

KRISTEY WILLIAMS

KYLE HOFFMAN

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

Conferees on part of Senate

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **SB 58**.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 23; Nays 15; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Kerschen, Longbine, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: McGinn, Suellentrop.

The Conference Committee Report was adopted.

The Call was lifted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 160** 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 7 through 36;

On page 2, by striking all in lines 1 through 31; following line 31, by inserting:

"Section 1. The provisions of sections 1 through 5, and amendments thereto, shall be known and may be cited as the fairness in women's sports act.

Sec. 2. (a) Interscholastic, intercollegiate, intramural or club athletic teams or sports that are sponsored by a public elementary or secondary school, a postsecondary educational institution, as such term is defined in K.S.A. 74-3201b, and amendments thereto, or any school or other postsecondary educational institution whose students or teams compete against a public school or postsecondary educational institution shall be expressly designated as one of the following based on biological sex:

- (1) Males, men or boys;
- (2) females, women or girls; or
- (3) coed or mixed.

(b) Athletic teams or sports designated for females, women or girls shall not be open to students of the male sex.

(c) (1) The Kansas state high school activities association shall adopt rules and regulations for its member schools for the implementation of this section.

(2) The state board of regents and the governing body for each municipal university, community college and technical college shall adopt rules and regulations for the postsecondary educational institutions governed by each such entity, respectively, for the implementation of this section.

Sec. 3. No governmental entity, licensing or accrediting organization or athletic association or organization shall entertain a complaint, open an investigation or take any other adverse action against a school or postsecondary educational institution for maintaining separate interscholastic, intercollegiate, intramural or club athletic teams or sports for students of the female sex.

Sec. 4. (a) Any student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of section 2, and amendments thereto, shall have a private cause of action for injunctive relief, damages and any other relief available under law against the school or postsecondary educational institution.

(b) Any student who is subject to retaliation or other adverse action by a school, postsecondary educational institution or athletic association or organization as a result of reporting a violation of section 2, and amendments thereto, to an employee or representative of such school, postsecondary educational institution or athletic association or organization, or to any state or federal agency with oversight of schools or postsecondary educational institutions in this state, shall have a private cause of action for injunctive relief, damages and any other relief available under law against the school, institution or athletic association or organization.

(c) Any school or postsecondary educational institution that suffers any direct or indirect harm as a result of a violation of section 2 or 3, and amendments thereto, shall have a private cause of action for injunctive relief, damages and any other relief available under law against the governmental entity, licensing or accrediting organization or athletic association or organization.

(d) All civil actions shall be initiated within two years after the harm occurred. Persons or organizations who prevail on a claim brought pursuant to this section shall be entitled to monetary damages, including for any psychological, emotional and physical harm suffered, reasonable attorney fees and costs and any other appropriate

relief.

Sec. 5. The provisions of sections 1 through 4, and amendments thereto, are hereby declared to be severable. If any provision of sections 1 through 4, and amendments thereto, or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of sections 1 through 4, and amendments thereto, that can be given effect without the invalid provision or application.";

Also on page 2, in line 33, 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 period and inserting "education; relating to student athletes; enacting the fairness in women's sports act; restricting participation on women's teams to female students; providing a cause of action for violations";

And your committee on conference recommends the adoption of this report.

KRISTEY WILLIAMS

KYLE HOFFMAN

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

Conferees on part of Senate

Senator Erickson moved the Senate adopt the Conference Committee Report on **SB 160**.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 25; Nays 13; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Hilderbrand, 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, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: McGinn, Suellentrop.

The Conference Committee Report was adopted.

The Call was lifted.

EXPLANATION OF VOTE

Mr. President: Like last week on **SB 484** and last year, I voted to "PASS" for the ban on transgender women in women's sports. Only now, mean-spiritedly compelled by a Call of the Senate, must I again split my 50/50 deliberation to vote one way or another on this divisive measure. Accordingly, by a hair's breadth, I vote "NO" on **SB 160**. Our Great State of Kansas can ill afford the stigma which is conferred on jurisdictions that are deemed discriminatory, insensitive and politically incorrect. Further, I predict that the future will judge those who have instituted such bans (when the federal government nullifies them) as Neanderthalistic and absolutely regressive in thought. Though I always have believed and fought for equality and inclusion for all people, at my heart I am an avowed feminist. Despite ingrained courtesies accorded women (like holding the

door, etc.), women deserve equality and should not be subjected to some “superiority” or deference whether acknowledged in society through gender-prescribed and dominated customs or an inherent physical superiority on some field of play. Similarly, my record of advocating for identified transgender and LGBTQ issues (be it: marriage equality, bathrooms, hate crime sentencing, etc. ... you name it) is without equal in this Senate. I do not vote for any discriminatory measure; especially those seemingly generated by mean-spiritedness and/or sheer ignorance due to non-exposure of divergent populations. But, unlike even a swimming or weight-lifting contest or even track and field, the first time I see a woman’s boxing match and a transgendered woman punches a biological woman in the face it will go against everything I hold in my core belief down to my soul. There are undisputed physical differences in anatomical strengths between our respective biologies. Until we, as a society, are able to clearly delineate scientifically if such birth biological advantage has been significantly neutralized, as an admirer of women, I can not vote for a measure that may relegate many women to yet another suppression by a man, albeit a transitioned one now a woman, in a sports-related contest. Oddly though, I am now compelled to do so in preservation of our State’s opportunities and image as well as my belief that history will record it as the correct thing to do.—DAVID HALEY

Mr. President: “Amid all of the drama at this year’s Academy Awards, the public missed an important and impactful message by Jessica Chastain, who won Best Actress that night for her portrayal of Tammy Faye Bakker. In her speech, she amplified Tammy’s “radical acts of love” and her compassion, which she sees as “a guiding principle that leads us forward, and connects us all in the desire that we want to be accepted for who we are.” In my public service, I have always tried to lead with compassion, which is why I cannot vote for this cruel bill that will have no impact on advancing women’s rights but will absolutely tell the most vulnerable among us that they do not belong in our state. All Kansas kids deserve to inherit a state that has been advanced with an intention of radical love, and we are failing them by approving legislation that seeks to divide us and promote judgment and hate.”—DINAH SYKES

Senators Pettey and Ware request the record to show they concur with the “Explanation of Vote” offered by Senator Sykes on **SB 160**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2056** 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, in line 9, by striking “New”; in line 14, after “one” by inserting “additional”; also in line 14, after “voters” by inserting “or portion thereof”; also in line 14, after “county” by inserting “that has in excess of 30,000 registered voters”; in line 15, by striking “(1)”; in line 16, by striking the colon; in line 17, by striking “(A)”; in line 18, by striking the semicolon; by striking all in lines 19 through 22; in line 23, by striking all before the period and inserting “or be continuously monitored by video recording equipment”; in line 24, by striking “(2)”;
 On page 2, in line 10, after the stricken material by inserting “If a remote ballot box

is monitored by video recording equipment, such equipment shall be located to allow recording of the face of each individual when depositing an advance voting ballot. All video recordings shall be digitally preserved and maintained by the county election office for a period of not less than one year from the date of the recording. All video recordings created under this section shall be public records, and any video recording shall be made available upon request to any candidate whose name appears on a ballot in the county where such request is submitted."; in line 11, after the stricken material by inserting "(e)"; in line 16, by striking "(e)" and inserting "(f)"; also in line 16, by striking the colon; in line 17, by striking "(1)" and inserting a comma; in line 20, by striking the semicolon; by striking all in lines 21 through 26; in line 27, by striking "financing"; by striking all in lines 28 through 43;

By striking all on pages 3 through 10;

On page 11, by striking all in lines 1 through 8;

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking the semicolon; by striking all in lines 3 through 5; in line 6, by striking all before the period;

And your committee on conference recommends the adoption of this report.

ROB OLSON

RICHARD HILDERBRAND

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

JOHN BARKER

EMIL BERQUIST

VIC MILLER

Conferees on part of House

Senator Olson moved the Senate adopt the Conference Committee Report on **S Sub HB 2056**.

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, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren.

Nays: Baumgardner, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Longbine, Pettey, Pittman, Sykes, Ware, Wilborn.

Absent or Not Voting: McGinn, Suellentrop.

The Conference Committee Report was adopted.

The Call was lifted.

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.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 84**.

Announcing adoption of **HCR 5036**.

HCR 5036, A CONCURRENT RESOLUTION extending the 2022 regular session of the Legislature beyond 90 calendar days; providing for the adjournment of the Senate and House of Representatives for a period of time during such regular session, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5036** was adopted by voice vote.

MESSAGES FROM THE GOVERNOR

SB 141; Sub SB 300; SB 330, SB 336, SB 367, SB 417, SB 419, SB 440, SB 448; Sub SB 450; SB 483, SB 506 approved on April 1, 2022

REPORT ON ENROLLED BILLS

H Sub SB 28; SB 62; H Sub SB 101; SB 161, SB 199, SB 346, SB 348, SB 405, SB 434, SB 451, SB 479, SB 493 reported correctly enrolled, properly signed and presented to the Governor on April 1, 2022.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes:

Senator Billinger: congratulating Nesting on being named the 2022 Existing Business of the Year;

Senator Bowers: congratulating The Daily Grind Bakery on being named the 2022 Emerging Business of the Year, congratulating Donna Kennedy on being named the 2022 CASA of the 17th Judicial District Volunteer of the Year, congratulating Shaune Jimenez on receiving the Postmaster General Hero Award, congratulating the Tipton Catholic High School Scholars' Bowl Team on winning the 2022 1A State Championship;

Senator Dietrich: celebrating Helen Rhodes' 100th Birthday;

Senator Faust-Goudeau: congratulating Lt. Eric Hatcher on his retirement from the Kansas Highway Patrol;

Senator Pittman: commending the 1st Annual Advocacy Day for Kansas Title Pageant Holders and Their Platforms; and

Senator Sykes: congratulating the Lenexa – St. James Academy Football Team on winning the 2021 4A State Championship.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., April 25, 2022.

Journal of the Senate

FIFTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, April 25, 2022, 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:

The Good Rewards Of Unity
Ecclesiastes 4:9, Romans 12:3-6a

Lord, God of Heaven and Earth, recognizing our need for unity, You told us in Ecclesiastes 4:9 that two are better than one because they have a good reward for their labor. Lord, our desire is to prayerfully experience the promise of the good rewards as we labor here together.

After being away for a season, You have returned us to the labors that prayerfully will bring those rewards. You created us with a fundamental need for synergism, where the sum of what we accomplish united together as a team surpasses the sum of what we achieve working individually.

So move us Lord, as You warned us in Romans 12:3, to not think more highly of ourselves than we ought but to realize that no matter what our individual positions might be You've created us to need each other. And when You have finished with us, when we and the people we serve are enjoying the fruit of our labors, we'll know it was by Your Divine hand.

I come to You this morning, in the precious Name of Jesus, Amen!

The Pledge of Allegiance was led by President Masterson.

MESSAGES FROM THE GOVERNOR

H Sub SB 28; SB 62; H Sub SB 101; SB 346, SB 348, SB 405, SB 434, SB 451, SB 479 approved on April 11, 2022.

H Sub SB 91 approved on April 13, 2022.

Sub SB 563 approved on April 15, 2022.

SB 2, SB 150, SB 200, SB 215, SB 343, SB 408, SB 446, SB 453 approved on April 18, 2022.

March 4, 2022

To the Senate of the State of Kansas

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Laura Kelly
Governor

Department of Credit Unions Administrator, Julie Murray, Wakefield, (R) pursuant to the authority vested in me by K.S.A. 17-2233, and effective upon the date of confirmation by the Senate, to serve a term of four years, to succeed Vickie Hurt.

REFERENCE OF APPOINTMENTS

The President referred the appointment of Julie Murray to the Committee on **Financial Institutions and Insurance**.

COMMUNICATIONS FROM STATE OFFICERS

The following reports have been submitted to the Senate and are on file with the Secretary of the Senate.

Kansas Bureau of Investigation 2021 Civil Asset Forfeiture Report (April 13, 2022)
Kansas Department of Revenue Annual Report – Kansas Enterprise Zone Act (April 12, 2022)

ORIGINAL MOTION

Senator Holland, citing Rule 11b, moved to withdraw **SCR 1624** from the Committee on **Judiciary**.

CHANGE OF CONFERENCE

Senators Hilderbrand, Gossage and Pettey are appointed to replace Senators Olson, Hilderbrand, and Faust-Goudeau as members of the conference committee on **Sub SB 34**.

Senator Claeys is appointed to replace Senator Bowers as a member of the conference committee on **SB 313**.

Senators Billinger, Claeys and Hawk are appointed to replace Senators Longbine, Fagg and Holscher as members of the conference committee on **HB 2510**.

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.

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: **H Sub SB 261; SB 366; HB 2237**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 261** 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. 261, as follows:

On page 5, by striking all in lines 22 through 28;

On page 7, in line 9, by striking "the same" and inserting "a prominent and conspicuous"; in line 10, by striking ", style and";

And your committee on conference recommends the adoption of this report.

KEN RAHJES

ERIC SMITH

SYDNEY CARLIN

Conferees on part of House

DAN KERSCHEN

RONALD RYCKMAN

MARY WARE

Conferees on part of Senate

Senator Kerschen moved the Senate adopt the Conference Committee Report on **H Sub SB 261**.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 2; Absent or Not Voting 0.

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

Present or Passing: Francisco, Holland.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 366** submits the following report:

The House recesses 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 7 through 36;

On page 2, by striking all in lines 1 through 28; following line 28, by inserting:

"Section 1. K.S.A. 2021 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.

(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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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. 2021 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) ~~Notwithstanding any other law to the contrary~~ 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) 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;
- (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. 2021 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.

(l) 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. 2021 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 (l)(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. 2. K.S.A. 2021 Supp. 22-4902 is hereby amended to read as follows: 22-4902. As used in the Kansas offender registration act, unless the context otherwise requires:

(a) "Offender" means:

(1) A sex offender;

(2) a violent offender;

(3) a drug offender;

(4) any person who has been required to register under out-of-state law or is otherwise required to be registered; and

(5) any person required by court order to register for an offense not otherwise required as provided in the Kansas offender registration act.

(b) "Sex offender" includes any person who:

(1) On or after April 14, 1994, is convicted of any sexually violent crime;

(2) on or after July 1, 2002, is adjudicated as a juvenile offender for an act which, if committed by an adult, would constitute the commission of a sexually violent crime, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim;

(3) has been determined to be a sexually violent predator;

(4) on or after July 1, 1997, is convicted of any of the following crimes when one of the parties involved is less than 18 years of age:

(A) Adultery, as defined in K.S.A. 21-3507, prior to its repeal, or K.S.A. 2021 Supp. 21-5511, and amendments thereto;

(B) criminal sodomy, as defined in K.S.A. 21-3505(a)(1), prior to its repeal, or K.S.A. 2021 Supp. 21-5504(a)(1) or (a)(2), and amendments thereto;

(C) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2021 Supp. 21-6420, prior to its amendment by section 17 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013;

(D) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its repeal, or K.S.A. 2021 Supp. 21-6421, prior to its amendment by section 18 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013; or

(E) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior to its repeal,

or K.S.A. 2021 Supp. 21-5513, and amendments thereto;

(5) is convicted of sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2021 Supp. 21-5505(a), and amendments thereto;

(6) is convicted of sexual extortion, as defined in K.S.A. 2021 Supp. 21-5515, and amendments thereto;

(7) is convicted of breach of privacy, as defined in K.S.A. 2021 Supp. 21-6101(a)(6), (a)(7) or (a)(8), and amendments thereto;

(8) is convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2021 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of an offense defined in this subsection; or

~~(8)~~(9) has been convicted of an offense that is comparable to any crime defined in this subsection, or any out-of-state conviction for an offense that under the laws of this state would be an offense defined in this subsection.

(c) "Sexually violent crime" means:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2021 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or K.S.A. 2021 Supp. 21-5506(a), and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or K.S.A. 2021 Supp. 21-5506(b), and amendments thereto;

(4) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or K.S.A. 2021 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2021 Supp. 21-5504(b), and amendments thereto;

(6) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or K.S.A. 2021 Supp. 21-5508(a), and amendments thereto;

(7) aggravated indecent solicitation of a child, as defined in K.S.A. 21-3511, prior to its repeal, or K.S.A. 2021 Supp. 21-5508(b), and amendments thereto;

(8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2021 Supp. 21-5510, and amendments thereto;

(9) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2021 Supp. 21-5505(b), and amendments thereto;

(10) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2021 Supp. 21-5604(b), and amendments thereto;

(11) electronic solicitation, as defined in K.S.A. 21-3523, prior to its repeal, and K.S.A. 2021 Supp. 21-5509, and amendments thereto;

(12) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to its repeal, or K.S.A. 2021 Supp. 21-5512, and amendments thereto;

(13) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2021 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(14) commercial sexual exploitation of a child, as defined in K.S.A. 2021 Supp. 21-6422, and amendments thereto;

(15) promoting the sale of sexual relations, as defined in K.S.A. 2021 Supp. 21-6420, and amendments thereto;

(16) internet trading in child pornography or aggravated internet trading in child

pornography, as defined in K.S.A. 2021 Supp. 21-5514, and amendments thereto;

~~(17)~~ any conviction or adjudication for an offense that is comparable to a sexually violent crime as defined in this subsection, or any out-of-state conviction or adjudication for an offense that under the laws of this state would be a sexually violent crime as defined in this subsection;

~~(17)~~~~(18)~~ an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2021 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of a sexually violent crime, as defined in this subsection; or

~~(18)~~~~(19)~~ any act ~~which~~ that has been determined beyond a reasonable doubt to have been sexually motivated, unless the court, on the record, finds that the act involved non-forceful sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim. As used in this paragraph, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(d) "Sexually violent predator" means any person who, on or after July 1, 2001, is found to be a sexually violent predator pursuant to K.S.A. 59-29a01 et seq., and amendments thereto.

(e) "Violent offender" includes any person who:

(1) On or after July 1, 1997, is convicted of any of the following crimes:

(A) Capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2021 Supp. 21-5401, and amendments thereto;

(B) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2021 Supp. 21-5402, and amendments thereto;

(C) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2021 Supp. 21-5403, and amendments thereto;

(D) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2021 Supp. 21-5404, and amendments thereto;

(E) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2021 Supp. 21-5405(a)(1), (a)(2) or (a)(4), and amendments thereto. The provisions of this paragraph shall not apply to violations of K.S.A. 2021 Supp. 21-5405(a)(3), and amendments thereto, ~~which~~ that occurred on or after July 1, 2011, through July 1, 2013;

(F) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or K.S.A. 2021 Supp. 21-5408(a), and amendments thereto;

(G) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its repeal, or K.S.A. 2021 Supp. 21-5408(b), and amendments thereto;

(H) criminal restraint, as defined in K.S.A. 21-3424, prior to its repeal, or K.S.A. 2021 Supp. 21-5411, and amendments thereto, except by a parent, and only when the victim is less than 18 years of age; or

(I) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2021 Supp. 21-5426(b), and amendments thereto, if not committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(2) on or after July 1, 2006, is convicted of any person felony and the court makes a finding on the record that a deadly weapon was used in the commission of such person felony;

(3) has been convicted of an offense that is comparable to any crime defined in this

subsection, any out-of-state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

(4) is convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2021 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(f) "Drug offender" includes any person who, on or after July 1, 2007:

(1) Is convicted of any of the following crimes:

(A) Unlawful manufacture or attempting such of any controlled substance or controlled substance analog, as defined in K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or K.S.A. 2021 Supp. 21-5703, and amendments thereto;

(B) possession of ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product to manufacture a controlled substance, as defined in K.S.A. 65-7006(a), prior to its repeal, K.S.A. 2010 Supp. 21-36a09(a), prior to its transfer, or K.S.A. 2021 Supp. 21-5709(a), and amendments thereto;

(C) K.S.A. 65-4161, prior to its repeal, K.S.A. 2010 Supp. 21-36a05(a)(1), prior to its transfer, or K.S.A. 2021 Supp. 21-5705(a)(1), and amendments thereto. The provisions of this paragraph shall not apply to violations of K.S.A. 2010 Supp. 21-36a05(a)(2) through (a)(6) or (b) ~~which that~~ occurred on or after July 1, 2009, through April 15, 2010;

(2) has been convicted of an offense that is comparable to any crime defined in this subsection, any out-of-state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

(3) is or has been convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2021 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(g) Convictions or adjudications ~~which that~~ result from or are connected with the same act, or result from crimes committed at the same time, shall be counted for the purpose of this section as one conviction or adjudication. Any conviction or adjudication set aside pursuant to law is not a conviction or adjudication for purposes of this section. A conviction or adjudication from any out-of-state court shall constitute a conviction or adjudication for purposes of this section.

(h) "School" means any public or private educational institution, including, but not limited to, postsecondary school, college, university, community college, secondary school, high school, junior high school, middle school, elementary school, trade school, vocational school or professional school providing training or education to an offender for three or more consecutive days or parts of days, or for 10 or more nonconsecutive days in a period of 30 consecutive days.

(i) "Employment" means any full-time, part-time, transient, day-labor employment or volunteer work, with or without compensation, for three or more consecutive days or parts of days, or for 10 or more nonconsecutive days in a period of 30 consecutive days.

(j) "Reside" means to stay, sleep or maintain with regularity or temporarily one's person and property in a particular place other than a location where the offender is

incarcerated. It shall be presumed that an offender resides at any and all locations where the offender stays, sleeps or maintains the offender's person for three or more consecutive days or parts of days, or for ten or more nonconsecutive days in a period of 30 consecutive days.

(k) "Residence" means a particular and definable place where an individual resides. Nothing in the Kansas offender registration act shall be construed to state that an offender may only have one residence for the purpose of such act.

(l) "Transient" means having no fixed or identifiable residence.

(m) "Law enforcement agency having initial jurisdiction" means the registering law enforcement agency of the county or location of jurisdiction where the offender expects to most often reside upon the offender's discharge, parole or release.

(n) "Registering law enforcement agency" means the sheriff's office or tribal police department responsible for registering an offender.

(o) "Registering entity" means any person, agency or other governmental unit, correctional facility or registering law enforcement agency responsible for obtaining the required information from, and explaining the required registration procedures to, any person required to register pursuant to the Kansas offender registration act. "Registering entity" ~~shall include~~ includes, but is not ~~be~~ limited to, sheriff's offices, tribal police departments and correctional facilities.

(p) "Treatment facility" means any public or private facility or institution providing inpatient mental health, drug or alcohol treatment or counseling, but does not include a hospital, as defined in K.S.A. 65-425, and amendments thereto.

(q) "Correctional facility" means any public or private correctional facility, juvenile detention facility, prison or jail.

(r) "Out-of-state" means: the District of Columbia; any federal, military or tribal jurisdiction, including those within this state; any foreign jurisdiction; or any state or territory within the United States, other than this state.

(s) "Duration of registration" means the length of time during which an offender is required to register for a specified offense or violation.

(t) (1) Notwithstanding any other provision of this section, "offender" shall not include any person who is:

(A) Convicted of unlawful transmission of a visual depiction of a child, as defined in K.S.A. 2021 Supp. 21-5611(a), and amendments thereto, aggravated unlawful transmission of a visual depiction of a child, as defined in K.S.A. 2021 Supp. 21-5611(b), and amendments thereto, or unlawful possession of a visual depiction of a child, as defined in K.S.A. 2021 Supp. 21-5610, and amendments thereto;

(B) adjudicated as a juvenile offender for an act which, if committed by an adult, would constitute the commission of a crime defined in subsection (t)(1)(A); ~~or~~

(C) adjudicated as a juvenile offender for an act which, if committed by an adult, would constitute the commission of sexual extortion as defined in K.S.A. 2021 Supp. 21-5515, and amendments thereto; or

(D) adjudicated as a juvenile offender for an act which, if committed by an adult, would constitute a violation of K.S.A. 2021 Supp. 21-6101(a)(6), (a)(7) or (a)(8), and amendments thereto.

(2) Notwithstanding any other provision of law, a court shall not order any person to register under the Kansas offender registration act for the offenses described in subsection (t)(1).

Sec. 3. K.S.A. 2021 Supp. 22-4906 is hereby amended to read as follows: 22-4906.
 (a) (1) Except as provided in subsection (c), if convicted of any of the following offenses, an offender's duration of registration shall be, if confined, 15 years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, 15 years from the date of conviction:

(A) Sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2021 Supp. 21-5505(a), and amendments thereto;

(B) adultery, as defined in K.S.A. 21-3507, prior to its repeal, or K.S.A. 2021 Supp. 21-5511, and amendments thereto, when one of the parties involved is less than 18 years of age;

(C) promoting the sale of sexual relations, as defined in K.S.A. 2021 Supp. 21-6420, and amendments thereto;

(D) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its repeal, or K.S.A. 2021 Supp. 21-6421, prior to its amendment by section 18 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013, when one of the parties involved is less than 18 years of age;

(E) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior to its repeal, or K.S.A. 2021 Supp. 21-5513, and amendments thereto, when one of the parties involved is less than 18 years of age;

(F) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2021 Supp. 21-5401, and amendments thereto;

(G) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2021 Supp. 21-5402, and amendments thereto;

(H) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2021 Supp. 21-5403, and amendments thereto;

(I) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2021 Supp. 21-5404, and amendments thereto;

(J) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2021 Supp. 21-5405(a)(1), (a)(2) or (a)(4), and amendments thereto;

(K) criminal restraint, as defined in K.S.A. 21-3424, prior to its repeal, or K.S.A. 2021 Supp. 21-5411, and amendments thereto, except by a parent, and only when the victim is less than 18 years of age;

(L) sexual extortion, as defined in K.S.A. 2021 Supp. 21-5515, and amendments thereto, when one of the parties involved is less than 18 years of age;

(M) breach of privacy, as defined in K.S.A. 2021 Supp. 21-6101(a)(6), (a)(7) or (a)(8), and amendments thereto;

(N) any act ~~which~~ that has been determined beyond a reasonable doubt to have been sexually motivated, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim;

~~(N)(O)~~ conviction of any person required by court order to register for an offense not otherwise required as provided in the Kansas offender registration act;

~~(O)(P)~~ conviction of any person felony and the court makes a finding on the record that a deadly weapon was used in the commission of such person felony;

~~(P)(Q)~~ unlawful manufacture or attempting such of any controlled substance or controlled substance analog, as defined in K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or K.S.A. 2021 Supp. 21-5703, and

amendments thereto;

~~(Q)~~(R) possession of ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product to manufacture a controlled substance, as defined by K.S.A. 65-7006(a), prior to its repeal, K.S.A. 2010 Supp. 21-36a09(a), prior to its transfer, or K.S.A. 2021 Supp. 21-5709(a), and amendments thereto;

~~(R)~~(S) K.S.A. 65-4161, prior to its repeal, K.S.A. 2010 Supp. 21-36a05(a)(1), prior to its transfer, or K.S.A. 2021 Supp. 21-5705(a)(1), and amendments thereto; or

~~(S)~~(T) any attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2021 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(2) Except as otherwise provided by the Kansas offender registration act, the duration of registration terminates, if not confined, at the expiration of 15 years from the date of conviction. Any period of time during which any offender is incarcerated in any jail or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration.

(b) (1) Except as provided in subsection (c), if convicted of any of the following offenses, an offender's duration of registration shall be, if confined, 25 years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, 25 years from the date of conviction:

(A) Criminal sodomy, as defined in K.S.A. 21-3505(a)(1), prior to its repeal, or K.S.A. 2021 Supp. 21-5504(a)(1) or (a)(2), and amendments thereto, when one of the parties involved is less than 18 years of age;

(B) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or K.S.A. 2021 Supp. 21-5508(a), and amendments thereto;

(C) electronic solicitation, as defined in K.S.A. 21-3523, prior to its repeal, or K.S.A. 2021 Supp. 21-5509, and amendments thereto;

(D) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2021 Supp. 21-5604(b), and amendments thereto;

(E) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or K.S.A. 2021 Supp. 21-5506(a), and amendments thereto;

(F) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to its repeal, or K.S.A. 2021 Supp. 21-5512, and amendments thereto;

(G) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2021 Supp. 21-5510, and amendments thereto, if the victim is 14 or more years of age but less than 18 years of age;

(H) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2021 Supp. 21-5505(b), and amendments thereto;

(I) internet trading in child pornography, as defined in K.S.A. 2021 Supp. 21-5514, and amendments thereto;

(J) aggravated internet trading in child pornography, as defined in K.S.A. 2021 Supp. 21-5514, and amendments thereto, if the victim is 14 or more years of age but less than 18 years of age;

(K) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2021 Supp. 21-6420, prior to its amendment by section 17 of chapter 120 of the

2013 Session Laws of Kansas on July 1, 2013, if the person selling sexual relations is 14 or more years of age but less than 18 years of age; or

~~(H)~~(L) any attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2021 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(2) Except as otherwise provided by the Kansas offender registration act, the duration of registration terminates, if not confined, at the expiration of 25 years from the date of conviction. Any period of time during which any offender is incarcerated in any jail or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration.

(c) Upon a second or subsequent conviction of an offense requiring registration, an offender's duration of registration shall be for such offender's lifetime.

(d) The duration of registration for any offender who has been convicted of any of the following offenses shall be for such offender's lifetime:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2021 Supp. 21-5503, and amendments thereto;

(2) aggravated indecent solicitation of a child, as defined in K.S.A. 21-3511, prior to its repeal, or K.S.A. 2021 Supp. 21-5508(b), and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or K.S.A. 2021 Supp. 21-5506(b), and amendments thereto;

(4) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or K.S.A. 2021 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2021 Supp. 21-5504(b), and amendments thereto;

(6) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2021 Supp. 21-5426(b), and amendments thereto;

(7) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2021 Supp. 21-5510, and amendments thereto, if the victim is less than 14 years of age;

(8) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2021 Supp. 21-6420, prior to its amendment by section 17 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013, if the person selling sexual relations is less than 14 years of age;

(9) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or K.S.A. 2021 Supp. 21-5408(a), and amendments thereto;

(10) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its repeal, or K.S.A. 2021 Supp. 21-5408(b), and amendments thereto;

(11) aggravated internet trading in child pornography, as defined in K.S.A. 2021 Supp. 21-5514, and amendments thereto, if the victim is less than 14 years of age;

~~(12)~~ commercial sexual exploitation of a child, as defined in K.S.A. 2021 Supp. 21-6422, and amendments thereto; or

~~(12)~~(13) any attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2021 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(e) Any person who has been declared a sexually violent predator pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, shall register for such person's

lifetime.

(f) Notwithstanding any other provisions of this section, for an offender less than 14 years of age who is adjudicated as a juvenile offender for an act which, if committed by an adult, would constitute a sexually violent crime set forth in K.S.A. 22-4902(c), and amendments thereto, the court shall:

(1) Require registration until such offender reaches 18 years of age, at the expiration of five years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later. Any period of time during which the offender is incarcerated in any jail, juvenile facility or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration;

(2) not require registration if the court, on the record, finds substantial and compelling reasons therefor; or

(3) require registration, but such registration information shall not be open to inspection by the public or posted on any internet website, as provided in K.S.A. 22-4909, and amendments thereto. If the court requires registration but such registration is not open to the public, such offender shall provide a copy of such court order to the registering law enforcement agency at the time of registration. The registering law enforcement agency shall forward a copy of such court order to the Kansas bureau of investigation.

If such offender violates a condition of release during the term of the conditional release, the court may require such offender to register pursuant to paragraph (1).

(g) Notwithstanding any other provisions of this section, for an offender 14 years of age or more who is adjudicated as a juvenile offender for an act which, if committed by an adult, would constitute a sexually violent crime set forth in K.S.A. 22-4902(c), and amendments thereto, and such crime is not an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its repeal, or K.S.A. 2021 Supp. 21-6804, and amendments thereto, the court shall:

(1) Require registration until such offender reaches 18 years of age, at the expiration of five years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later. Any period of time during which the offender is incarcerated in any jail, juvenile facility or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration;

(2) not require registration if the court, on the record, finds substantial and compelling reasons therefor; or

(3) require registration, but such registration information shall not be open to inspection by the public or posted on any internet website, as provided in K.S.A. 22-4909, and amendments thereto. If the court requires registration but such registration is not open to the public, such offender shall provide a copy of such court order to the registering law enforcement agency at the time of registration. The registering law enforcement agency shall forward a copy of such court order to the Kansas bureau of investigation.

If such offender violates a condition of release during the term of the conditional release, the court may require such offender to register pursuant to paragraph (1).

(h) Notwithstanding any other provisions of this section, an offender 14 years of age or more who is adjudicated as a juvenile offender for an act which, if committed by

an adult, would constitute a sexually violent crime set forth in K.S.A. 22-4902(c), and amendments thereto, and such crime is an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its repeal, or K.S.A. 2021 Supp. 21-6804, and amendments thereto, shall be required to register for such offender's lifetime.

(i) Notwithstanding any other provision of law, if a diversionary agreement or probation order, either adult or juvenile, or a juvenile offender sentencing order, requires registration under the Kansas offender registration act for an offense that would not otherwise require registration as provided in K.S.A. 22-4902(a)(5), and amendments thereto, then all provisions of the Kansas offender registration act shall apply, except that the duration of registration shall be controlled by such diversionary agreement, probation order or juvenile offender sentencing order.

(j) The duration of registration does not terminate if the convicted or adjudicated offender again becomes liable to register as provided by the Kansas offender registration act during the required period of registration.

(k) For any person moving to Kansas who has been convicted or adjudicated in an out-of-state court, or who was required to register under an out-of-state law, the duration of registration shall be the length of time required by the out-of-state jurisdiction or by the Kansas offender registration act, whichever length of time is longer. The provisions of this subsection shall apply to convictions or adjudications prior to June 1, 2006, and to persons who moved to Kansas prior to June 1, 2006, and to convictions or adjudications on or after June 1, 2006, and to persons who moved to Kansas on or after June 1, 2006.

(l) For any person residing, maintaining employment or attending school in this state who has been convicted or adjudicated by an out-of-state court of an offense that is comparable to any crime requiring registration pursuant to the Kansas offender registration act, but who was not required to register in the jurisdiction of conviction or adjudication, the duration of registration shall be the duration required for the comparable offense pursuant to the Kansas offender registration act.

Sec. 4. K.S.A. 2021 Supp. 22-4908 is hereby amended to read as follows: 22-4908.

~~No person required to register as an offender pursuant to the Kansas offender registration act shall be granted an order relieving the offender of further registration under this act. This section shall include any person with any out-of-state conviction or adjudication for an offense that would require registration under the laws of this state~~

(a) Except as provided in subsection (b), a drug offender who is required to register under the Kansas offender registration act may file a verified petition for relief from registration requirements if the offender has registered for a period of at least five years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, five years from the date of conviction or adjudication.

(b) An offender who is required to register pursuant to K.S.A. 22-4906(k), and amendments thereto, because of an out-of-state conviction or adjudication may not petition for relief from registration requirements in this state if the offender would be required to register under the law of the state or jurisdiction where the conviction or adjudication occurred. If the offender would no longer be required to register under the law of the state or jurisdiction where the conviction or adjudication occurred, the offender may file a verified petition pursuant to subsection (a).

(c) Any period of time during which an offender is incarcerated in any jail or

correctional facility or during which the offender does not substantially comply with the requirements of the Kansas offender registration act shall not count toward the duration of registration required in subsection (a).

(d) (1) A verified petition for relief from registration requirements shall be filed in the district court in the county where the offender was convicted or adjudicated of the offense requiring registration. If the offender was not convicted or adjudicated in this state of the offense requiring registration, such petition shall be filed in the district court of any county where the offender is currently required to register. The docket fee shall be as provided in K.S.A. 60-2001, and amendments thereto.

(2) The petition shall include:

(A) The offender's full name;

(B) the offender's full name at the time of conviction or adjudication for the offense or offenses requiring registration, if different than the offender's current name;

(C) the offender's sex, race and date of birth;

(D) the offense or offenses requiring registration;

(E) the date of conviction or adjudication for the offense or offenses requiring registration;

(F) the court in which the offender was convicted or adjudicated of the offense or offenses requiring registration;

(G) whether the offender has been arrested, convicted, adjudicated or entered into a diversion agreement for any crime during the period the offender is required to register; and

(H) the names of all treatment providers and agencies that have treated the offender for mental health, substance abuse and offense-related behavior since the date of the offense or offenses requiring registration.

(3) The judicial council shall develop a petition form for use under this section.

(4) When a petition is filed, the court shall set a date for a hearing on such petition and cause notice of the hearing to be given to the county or district attorney in the county where the petition is filed. Any person who may have relevant information about the offender may testify at the hearing.

(5) The county or district attorney shall notify any victim of the offense requiring registration who is alive and whose address is known or, if the victim is deceased, the victim's family if the family's address is known. The victim or victim's family shall not be compelled to testify or provide any discovery to the offender.

(6) The county or district attorney shall have access to all applicable records, including records that are otherwise confidential or privileged.

(e) (1) The court may require a drug offender who is petitioning for relief under this section to undergo a risk assessment.

(2) Any risk assessment ordered under this subsection shall be performed by a professional agreed upon by the parties or a professional approved by the court. Such risk assessment shall be performed at the offender's expense.

(f) The court shall order relief from registration requirements if the offender shows by clear and convincing evidence that:

(1) The offender has not been convicted or adjudicated of a felony, other than a felony violation or aggravated felony violation of K.S.A. 22-4903, and amendments thereto, within the five years immediately preceding the filing of the petition, and no proceedings involving any such felony are presently pending or being instituted against

the offender;

(2) the offender's circumstances, behavior and treatment history demonstrate that the offender is sufficiently rehabilitated to warrant relief; and

(3) registration of the offender is no longer necessary to promote public safety.

(g) If the court denies an offender's petition for relief, the offender shall not file another petition for relief until three years have elapsed, unless a shorter time period is ordered by the court.

(h) If the court grants relief from registration requirements, the court shall order that the offender be removed from the offender registry and that the offender is no longer required to comply with registration requirements. Within 14 days of any order, the court shall notify the Kansas bureau of investigation and any local law enforcement agency that registers the offender that the offender has been granted relief from registration requirements. The Kansas bureau of investigation shall remove such offender from any internet website maintained pursuant to K.S.A. 22-4909, and amendments thereto.

(i) An offender may combine a petition for relief under this section with a petition for expungement under K.S.A. 2021 Supp. 21-6614, and amendments thereto, if the offense requiring registration is otherwise eligible for expungement.

Sec. 5. K.S.A. 2021 Supp. 21-6614, 22-4902, 22-4906 and 22-4908 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 line 2; in line 3, by striking "structures" and inserting "offender registration; relating to the Kansas offender registration act; providing a mechanism to seek relief from registration requirements for drug offenders; expungement for such offenses; requiring registration for certain violations of breach of privacy, internet trading in child pornography and aggravated internet trading in child pornography"; also in line 3, by striking "21-5807" and inserting "21-6614, 22-4902, 22-4906 and 22-4908"; in line 4, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

STEPHEN OWENS

ERIC SMITH

DENNIS HIGHBERGER

Conferees on part of House

KELLIE WARREN

RICK WILBORN

DAVID HALEY

Conferees on part of Senate

Senator Wilborn moved the Senate adopt the Conference Committee Report on **SB 366**.

On roll call, the vote was: Yeas 37; Nays 3; 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, Hawk, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Thompson, Ware, Warren,

Wilborn.

Nays: Hilderbrand, 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 2237** 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 4, following line 10, by inserting:

"New Section 1. The provisions of sections 1 through 6, and amendments thereto, shall be known and may be cited as the Kansas affordable housing tax credit act.

New Sec. 2. As used in sections 1 through 6, and amendments thereto:

- (a) "Act" means the provisions of sections 1 through 6, and amendments thereto;
- (b) "allocation certificate" means a statement issued by the KHRC certifying that a given development is eligible for the credit and specifying the amount of the credit allowed;
- (c) "credit" means the Kansas affordable housing tax credit allowed pursuant to this act;
- (d) "credit period" means the credit period as defined in section 42(f)(1) of the federal internal revenue code;
- (e) "director" means the director of taxation pursuant to K.S.A. 75-5102, and amendments thereto;
- (f) "federal tax credit" means the federal low-income housing tax credit provided by section 42 of the federal internal revenue code;
- (g) "KHRC" means the Kansas housing resources corporation, a not-for-profit subsidiary of the Kansas development finance authority incorporated pursuant to K.S.A. 74-8904(v), and amendments thereto;
- (h) "pass-through entity" means any: (1) Limited liability company; (2) limited partnership; or (3) limited liability partnership;
- (i) "pass-through certification" means a certification provided to the director by any pass-through entity allocating a credit to its partners or members, certifying the amount of credit to be allocated to each partner or member of such pass-through entity;
- (j) "qualified allocation plan" means the qualified allocation plan adopted by the KHRC pursuant to section 42(m) of the federal internal revenue code;
- (k) "qualified development" means a "qualified low-income housing project," as that term is defined in section 42 of the federal internal revenue code that is located in Kansas and is determined by the KHRC to be eligible for a federal tax credit whether or not a federal tax credit is allocated with respect to such qualified development; and
- (l) "qualified taxpayer" means an individual, a person, firm, corporation, or other entity that owns an interest, direct or indirect, in a qualified development and is subject to the taxes imposed by the Kansas income tax act, the privilege taxes imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or the premium taxes imposed pursuant to K.S.A. 40-252, and amendments thereto.

New Sec. 3. (a) For all taxable years commencing after December 31, 2022, there shall be allowed 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, for each qualified development for each year of the credit period, in an amount equal to the federal tax credit allocated or allowed by the KHRC to such qualified development, except that there shall be no reduction in the credit allowable in the first year of the credit period due to the calculation in section 42(f)(2) of the federal internal revenue code.

(b) The KHRC shall issue an allocation certificate to an owner of a qualified development to which a credit has been allocated. The KHRC shall issue an allocation certificate to the qualified development simultaneously with issuance of federal form 8609 with respect to the federal tax credits.

(c) All allocations shall be made pursuant to the qualified allocation plan.

(d) If an owner of a qualified development receiving an allocation of a credit is a pass-through entity, the owner may allocate the credit among its partners or members in any manner agreed to by such persons regardless of whether: (1) Any such person is allocated or allowed any portion of any federal tax credit with respect to the qualified project; (2) the allocation of the credit under the terms of the agreement has substantial economic effect within the meaning of section 704(b) of the federal internal revenue code; or (3) any such person is deemed a partner for federal income tax purposes, if the partner or member would be considered a partner or member under applicable state law governing such entity and has been admitted as a partner or member on or prior to the date for filing the qualified taxpayer's tax return, including any amendments to such tax return, with respect to the year of the credit. In the case of multiple tiers of pass-through entities, the credit may be so allocated through any number of pass-through entities in any manner agreed by the owners of such pass-through entities, none of which shall be considered a transfer. Any pass-through entity allocating a credit to its partners or members shall attach a pass-through certification to its tax return annually. Each partner or member shall be allowed to claim or further allocate such amount subject to any restrictions set forth in this act.

(e) An owner of a qualified development to which a credit has been allocated and each qualified taxpayer to which such owner has allocated a portion of such credit, if any, shall file with their state income, privilege or premium tax return a copy of the allocation certificate issued by the KHRC with respect to such qualified development and a copy of any pass-through certification, as prescribed by the director.

(f) No credit shall be allocated pursuant to this act unless the qualified development is the subject of a recorded restrictive covenant requiring the development to be maintained and operated as a qualified development and is in accordance with the accessibility and adaptability requirements of the federal tax credits and title VIII of the civil rights act of 1968, as amended by the fair housing amendments act of 1988, for a period of 15 taxable years, or such longer period as may be agreed to between the KHRC and the owner of the qualified development, beginning with the first taxable year of the credit period.

(g) The allocated credit amount may be taken against the income, privilege or premium taxes imposed for each taxable year of the credit period. Any amount of credit that exceeds the income, privilege or premium tax liability of a qualified taxpayer for a

taxable year may be carried forward as a credit against subsequent years' tax liability up to 11 tax years following the tax year in which the allocation was made and shall be applied first to the earliest years possible. Any amount of the credit that is not used shall not be refunded to the taxpayer.

(h) Unless otherwise provided in this act or the context or law requires otherwise, the KHRC shall determine eligibility for a credit and allocate credits in accordance with the standards and requirements set forth in section 42 of the federal internal revenue code. Any combination of federal tax credits and credits allowed pursuant to this act shall be the least amount necessary to ensure the financial feasibility of a qualified development.

New Sec. 4. If, under section 42 of the federal internal revenue code, a portion of any federal tax credit taken on a qualified development is required to be recaptured or is otherwise disallowed during the credit period, the qualified taxpayer that claimed the credit pursuant to this act with respect to such qualified development shall also be required to recapture a portion of any credits authorized by this act. The percentage of credits subject to recapture shall be equal to the percentage of federal tax credits subject to recapture or otherwise disallowed during such period. Any credits recaptured or disallowed shall increase the tax liability of the qualified taxpayer who claimed the credits and shall be included on the tax return of the qualified taxpayer submitted for the taxable year in which the recapture or disallowance event is identified.

New Sec. 5. The KHRC and the director, in consultation with each other, shall promulgate rules and regulations necessary for their respective administration of this act.

New Sec. 6. (a) The KHRC, in consultation with the director, shall monitor and oversee compliance with the provisions of this act and shall report specific occurrences of noncompliance to the director.

(b) For each allocation year, the KHRC shall submit a written report to the legislature on or before December 31 of each year and make such report available to the public. The report shall:

(1) Specify the number of qualified developments that have been allocated credits during the allocation year and the total number of units supported by each development;

(2) describe each qualified development that has been allocated credits including, without limitation, the geographic location of the development, the household type and any specific demographic information available about residents intended to be served by the development, the income levels intended to be served by the development, and the rents or set-asides authorized for each development; and

(3) provide housing market and demographic information that demonstrates how the qualified developments supported by the credits are addressing the need for affordable housing within the communities they are intended to serve as well as information about any remaining disparities in the affordability of housing within those communities.

New Sec. 7. (a) The purpose of the Kansas housing investor tax credit act is to bring housing investment dollars to communities that lack adequate housing. Development of suitable residential housing will complement economic development of rural and urban areas that lack adequate housing resources and enable such communities to attract businesses, employees and new residents.

(b) Sections 7 through 12, and amendments thereto, shall be known and may be

cited as the Kansas housing investor tax credit act.

New Sec. 8. As used in the Kansas housing investor tax credit act, sections 7 through 12, and amendments thereto:

- (a) "Act" means the Kansas housing investor tax credit act;
- (b) "cash investment" means, as approved by the director, money or money equivalent in consideration for qualified securities;
- (c) "city" means any city incorporated in accordance with Kansas law with a population of less than 70,000, as certified to the secretary of state by the division of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto;
- (d) "corporation" means the Kansas housing resources corporation;
- (e) "county" means any county organized in accordance with K.S.A. 18-101 et seq., and amendments thereto, with a population of less than 75,000, as certified to the secretary of state by the division of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto;
- (f) "director" means the director of housing of the Kansas development finance authority;
- (g) "Kansas investor" means an individual who is a resident of Kansas or any business entity domiciled in Kansas, or any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Kansas or conducts substantially all of its business activities in Kansas, or a bank or other financial institution or association chartered or incorporated under the laws of Kansas that does business primarily in Kansas or conducts substantially all of its business activities in Kansas;
- (h) "manufactured home" means a "manufactured home" as defined in K.S.A. 58-4202, and amendments thereto, that is installed on a permanent foundation. The permanent foundation shall be of a type not removable intact from the site, constructed of durable materials such as concrete, mortared masonry or treated wood, site built and shall have attachment points to anchor and stabilize the manufactured home to transfer all loads to the underlying soil or rock;
- (i) "modular home" means a "modular home" as defined in K.S.A. 58-4202, and amendments thereto, that is installed on a permanent foundation. The permanent foundation shall include a basement or crawl space;
- (j) "qualified housing project" means a project within a city or county for the construction of single-family residential dwellings, including, but not limited to, manufactured housing or modular housing, or multi-family residential dwellings or buildings, that is eligible for designation by the director as a project for the purposes of the tax credit allowed under this act. "Qualified housing project" does not include a project eligible for income or other tax credits designated for low-income housing under state or federal law, including, but not limited to, the low income housing tax credit pursuant to 26 U.S.C. § 42, or a project participating in tenant-based or project-based programs pursuant to section 8 of the United States housing act of 1937, 42 U.S.C. § 1437f;
- (k) "qualified investor" means an investor that has made a cash investment in a qualified housing project and is eligible for a tax credit under this act. A "qualified investor" includes a natural person, a business or a bank or other financial institution or association and the project builder or developer; and

(l) "qualified securities" means a cash investment through any form or combination of forms of financial assistance, including equity or debt instruments or bank or financial institution or association loans pursuant to rules and regulations adopted by the director, and that with respect to any investment made for the purpose of receiving a tax credit under this act have been approved in form and substance by the director.

New Sec. 9. (a) There is hereby established the Kansas housing investor tax credit program within the Kansas housing resources corporation, to be administered by the director of housing. The purpose of tax credits issued under the Kansas housing investor tax credit program is to facilitate investment in suitable housing that will support the growth of communities that lack adequate housing by attracting new employees, residents and families and will support the development and expansion of businesses that are job and wealth creating enterprises.

(b) To achieve this purpose and to optimize the use of the limited resources of the state, the director is authorized to issue tax credits for qualified housing projects to qualified investors who make cash investments in such qualified housing projects and to project builders and developers. Such tax credits shall be issued for those qualified housing projects that, as determined by the director, are most likely to provide the greatest economic benefit to and best meet the needs of the community lacking adequate housing where the project is located. In issuing tax credits, the director shall give priority to Kansas investors.

(c) To be designated as a qualified housing project, the project builder or developer shall apply to the director. Such application shall be in a form and substance as required by the director and shall include:

(1) The name and address of the project builder or developer and names of all principals or management;

(2) if the project builder or developer is seeking tax credits for such builder's or developer's cash investment in the project, information as required by the director for consideration of the request;

(3) a project plan, including a description of the project, timeline, housing to be constructed, intended market, costs and anticipated pricing for the housing and any other information that may be required by the director;

(4) a statement of the potential economic impact of the project;

(5) a description of all financing for the project, the amount of any tax credits requested and the earliest year in which the tax credits may be claimed;

(6) a statement of the amount, timing and projected use of the proceeds to be raised from qualified investors;

(7) the names, addresses and taxpayer identification numbers of all investors who may qualify for the tax credit. Such list of investors who may qualify for the tax credit shall be amended as any information on the list shall change; and

(8) such additional information as the director may require.

(d) In determining whether to designate a project as a qualified housing project, the director shall consider whether the project:

(1) Has the support of the community and the governing body of the city or county where such project is located;

(2) will enhance the ability of the community that lacks adequate housing to attract new businesses or expand existing business by providing suitable housing directly for employees or make such housing significantly more available, or will meet other

significant housing needs of the community making the community attractive to new or expanding businesses or their employees, as determined by the director;

(3) has the financial support, management, planning and market to be successful;

(4) has an analysis or survey of the housing needs of the community provided by the project builder or developer or the governing body of the city or county where the project is located that, in the director's judgment, supports proceeding with the proposed project for the purposes of this act;

(5) has met all other requirements of this act to the satisfaction of the director; and

(6) has met such other requirements of the director as adopted in rules and regulations.

(e) If the director approves the application, the director shall enter into an agreement with the project builder or developer for the project prior to issuing any tax credits for the project. The agreement shall set forth the amount of tax credits to be issued for the project, the requirements for a cash investment and the issuance of tax credits. If the project builder or developer has been approved by the director for tax credits for the project builder's or developer's cash investment in the project, the agreement shall set forth the amount of credits so approved and the amount of credits remaining for issuance to other qualified investors. Such agreement shall require, as a condition of the issuance of tax credits, binding commitments by the project builder or developer to the corporation for:

(1) The reporting of progress and financial data, including investor information. The project builder or developer shall have the obligation to notify the director in a timely manner of any changes in the qualifications of the project or in the eligibility of investors to claim a tax credit;

(2) the right of access to the project and to the financial records of the project builder or developer;

(3) the provision of information for purposes of the economic development incentive program information database pursuant to K.S.A. 2021 Supp. 74-50,226, and amendments thereto;

(4) the repayment requirements upon loss of designation pursuant to section 11, and amendments thereto; and

(5) any additional terms and conditions required by the director.

(f) To be eligible to receive tax credits, a qualified investor shall make a cash investment in the project in accordance with the agreement required by subsection (e). Each project builder or developer of a designated qualified housing project shall promptly report to the corporation the following information at the time such information becomes known to the builder or developer:

(1) The name, address and taxpayer identification number of each qualified investor who has made a cash investment in qualified securities in the project and has received tax credits for this investment during the preceding year and all other preceding years;

(2) the amounts of the cash investments by each qualified investor and a description of the qualified securities issued in consideration of such cash investments;

(3) the name, address and taxpayer identification number of each person to whom tax credits have been transferred by the original qualified investor; and

(4) any additional information as the director may require when requested.

(g) Any violation of the reporting requirements set forth in this section shall be

grounds for loss of the designation as a qualified housing project, as provided by section 5, and amendments thereto.

(h) The reasonable costs of the administration of this act, the review of applications for certification as qualified housing projects and the issuance of tax credits to qualified housing projects as authorized by this act may be reimbursed in total or in part through fees paid by the qualified project, qualified investors or transferees of investors, according to a reasonable fee schedule adopted by the director.

(i) The state of Kansas shall not be held liable for any damages to any qualified investor that makes an investment in a qualified housing project.

(j) The director shall provide information regarding qualified housing projects and qualified investors to the secretary of revenue.

(k) The director shall adopt rules and regulations as necessary to implement the provisions of this act.

New Sec. 10. (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 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.

(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 section 9, 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 may be transferred to any person whether or not such person 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). 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. 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 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.

(e) The secretary of revenue may adopt rules and regulations as necessary to implement and administer the provisions of this act.

New Sec. 11. (a) If the director determines that a project is not in substantial compliance with the requirements of this act or the agreement executed pursuant to section 9, and amendments thereto, the director shall inform the project builder or developer of the project in writing that the project will lose designation as a qualified housing project in 120 days from the date of mailing of the notice unless such builder or developer corrects the deficiencies and becomes compliant with with the requirements for designation.

(b) At the end of such 120-day period, if the project is still not in substantial compliance, the director shall send a notice of loss of designation to the project builder or developer, the secretary of revenue and all known qualified investors in the project. Loss of designation of a qualified housing project shall preclude the issuance of any additional tax credits with respect to the project, and the director shall not approve any subsequent application for such project as a qualified housing project. Upon loss of the designation as a qualified housing project, the project builder or developer shall repay any tax credits such taxpayer has claimed. (c) Qualified investors other than the project builder or developer who have lawfully made a cash investment in a qualified housing project approved by the director shall not have tax credits disallowed solely due to the project losing its designation as a qualified housing project under this act.

New Sec. 12. (a) On or before January 31, 2023, and on or before January 31 of each year thereafter, the director shall transmit a report annually to the governor, the standing committee on commerce of the senate and the standing committee on commerce, labor and economic development of the house of representatives. Such report shall be based upon information received from each qualified housing project for which tax credits have been issued during the preceding year and shall describe the following:

- (1) The manner in which the purpose, as described in this act, has been carried out;
 - (2) the total cash investments made for qualified securities in qualified housing projects during the preceding year and cumulatively since the enactment of this act;
 - (3) an estimate of jobs facilitated by housing developed through such investments; and
 - (4) an estimate of the multiplier effect on the Kansas economy of the investments.
- The amount of tax credits claimed in the previous fiscal year; a general description of the investors that benefited from the tax credits; and any aggregate job creation or capital investment in Kansas that resulted from the tax credits for a period of five years beginning from the date on which the tax credits were issued.

(b) The director shall conduct an annual review of the activities undertaken pursuant to this act to ensure that tax credits issued pursuant to this act are issued in compliance with the provisions of this act and rules and regulations adopted by the director.

New Sec. 13. K.S.A. 79-32,211, and amendments thereto, and sections 13 and 14, and amendments thereto, shall be known as and may be cited as the historic Kansas act.

New Sec. 14. (a) For all taxable years commencing after December 31, 2021, there shall be allowed a tax credit 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 10% of costs and expenses incurred for the restoration and preservation of a commercial structure at least 50 years old that does not receive tax credits pursuant to K.S.A. 79-32,211, and amendments thereto. An additional tax credit of 10% of the costs and expenses may be allowed for the installation of fire suppression materials or equipment by a taxpayer. The total amount of such costs and expenses shall be at least \$25,000 but shall not exceed \$500,000. If the amount of such tax credit exceeds the

taxpayer's income, privilege or premium tax liability for the year in which the rehabilitation was completed, such excess amount may be carried over for deduction from such 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, except that no such credit shall be carried over for deduction after the 10th taxable year succeeding the taxable year in which the rehabilitation plan was placed in service.

(b) Any bank, savings and loan association or savings bank shall pay taxes on 50% of the interest earned on loans to taxpayers used for costs and expenses for the restoration and preservation of a commercial structure at least 50 years old or for the installation of fire suppression materials or equipment.

(c) If the taxpayer 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 provided by this section shall be claimed by the shareholders of such corporation, the partners of such partnership or the 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, or as the corporation, partnership or limited liability company mutually agree as provided in the bylaws or other executed agreement. Credits granted to a partnership, a limited liability company taxed as a partnership or other multiple owners of property shall be passed through to the partners, members or owners respectively pro rata or pursuant to an executed agreement among the partners, members or owners documenting any alternate distribution method.

(d) Any person, hereinafter designated the assignor, may sell, assign, convey or otherwise transfer tax credits allowed and earned pursuant to subsection (a). The taxpayer acquiring credits, hereinafter designated the assignee, may use the amount of the acquired credits to offset up to 100% of the assignee's income, privilege or premium tax liability for either the taxable year in which the costs and expenses were made. Unused credit amounts claimed by the assignee may be carried forward for up to five years, except that all such amounts shall be claimed within 10 years following the tax year in which the costs and expenses were made. The assignor shall enter into a written agreement with the assignee establishing the terms and conditions of the agreement.

(e) No person claiming a tax credit under this section may claim a tax credit for the same structure under K.S.A. 79-32,211, and amendments thereto.

(f) The aggregate amount of tax credits that may be claimed under this section shall not exceed \$10,000,000 each tax year.

(g) The director of taxation may adopt rules and regulations as necessary for the efficient and effective administration of the provisions of this section.

New Sec. 15. The provisions of sections 15 through 19, and amendments thereto, shall be known and may be cited as the Kansas rural home loan guarantee act.

New Sec. 16. As used in the Kansas rural home loan guarantee act:

- (a) "Act" means the Kansas rural home loan guarantee act;
- (b) "corporation" means the Kansas housing resources corporation;
- (c) "financial institution" means any bank, trust company, savings bank, credit union, savings and loan association or any other lending institution that is approved by the corporation;
- (d) "loan" means a transaction with a financial institution to provide the owner financing for the construction or renovation of a single-family home in a rural county;

and

(e) "rural county" means any county in this state with a population of less than 10,000, as certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year.

New Sec. 17. (a) The corporation is hereby authorized to enter into agreements with financial institutions to provide loan guarantees against risk of default for rural housing loans in accordance with the provisions of this act. Except as provided in section 18, and amendments thereto, for payment for a loan guarantee for which the state housing trust fund is liable, no claim against the state under this act shall be paid by the state, the corporation or any other state agency other than pursuant to an appropriation act of the legislature after such claim has been filed with and considered by the joint committee on special claims against the state.

(b) Eligible financial institutions shall apply all usual lending standards to determine the creditworthiness of eligible rural home loan borrowers. The financial institution originating the loan shall be responsible for monitoring the loan and, in case of any default, working with the borrower to obtain the collateral for the loan. The financial institution shall be in the first position and the state in second position to recover on the loan.

(c) The corporation shall administer the provisions of this act and shall adopt rules and regulations for the implementation or administration of this act including the development of an application process. The loan guarantee agreement with the corporation shall include reporting requirements and financial standards that are appropriate for the type of loan for the borrower. The corporation may enter into contracts that the corporation deems necessary for the implementation or administration of this act. The corporation may impose fees and charges as may be necessary to recover costs incurred for the administration of this act.

New Sec. 18. (a) Notwithstanding the provisions of K.S.A. 12-5256 or 74-8959, and amendments thereto, to the contrary, each agreement entered into by the corporation to guarantee against default on a loan transaction shall be backed by the state housing trust fund and shall receive prior approval by the corporation or the corporation's designee.

(b) Each loan transaction eligible for a guarantee under this act shall be for the construction or renovation of a single-family home in a rural county. Eligible costs may include land and building purchases, renovation and new construction costs, equipment and installation costs, predevelopment costs that may be capitalized, financing, capitalized interest during construction and consultant fees that do not include staff costs.

(c) The portion of the loan guaranteed by the corporation under this act shall be for the amount of the loan that exceeds 80% of the appraised value of the home. No loan amount above 125% of the appraised value of the home shall be guaranteed by the corporation under this act. The loan amount guaranteed by the corporation under this act shall not exceed \$100,000 per home.

(d) The total amount of loans guaranteed by the corporation under this act shall not exceed \$2,000,000.

(e) All fees and charges imposed by the corporation and other moneys received by the corporation under this act shall be remitted to the state treasurer in accordance with 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 state housing trust fund.

New Sec. 19. Beginning with the 2023 regular session of the legislature, the corporation shall prepare an annual report of the Kansas rural home loan guarantee act activity, including new loans, loan repayment status and other relevant information regarding activities under this act and shall submit such report at the beginning of each regular session of the legislature to the house of representatives committee on appropriations, or to the appropriate budget committee, and the senate committee on ways and means, or to the appropriate subcommittee thereof or to the successors of such committees.

New Sec. 20. (a) In developing an appraisal of residential real property identified as unique in style or square footage, or both, located in a rural county for the purpose of a mortgage finance transaction, if the sales comparison approach cannot be developed for a credible opinion or indication of value due to a lack of available comparable sales within 30 miles, the appraiser may perform the appraisal without completing the sales comparison approach to value. In the appraisal report, the appraiser shall provide an explanation of the reasons for exclusion of the sales comparison approach and document efforts to obtain comparable sales or market data. A financial institution shall not decline to proceed with a mortgage finance transaction due to the exclusion of the sales comparison approach in accordance with this section unless the sales comparison approach is required in order for such mortgage finance transaction loan to be guaranteed or sold in the secondary market.

(b) As used in this section:

(1) "Financial institution" means a bank, national banking association, savings and loan association, savings bank, trust company, credit union, finance company or other lending institution; and

(2) "rural county" means any county in this state with a population of less than 10,000, as certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year.

Sec. 21. K.S.A. 2021 Supp. 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. 2021 Supp. 12-5252 through 12-5258, and amendments thereto, ~~the following words and phrases shall have the following meanings unless a different meaning clearly appears from the context:~~

(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 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, as certified to the secretary of state by the director of the division of the budget on the previous July 1st 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 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.

~~(k)~~(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 housing incentive district.

Sec. 22. K.S.A. 2021 Supp. 12-5249 is hereby amended to read as follows: 12-5249. (a) Any city or county ~~which~~ that has established a rural 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 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.

(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.";

On page 5, by striking all in lines 29 through 43; by striking all on page 6; on page 7, by striking all in lines 1 through 38; following line 38, by inserting:

Sec. 24. K.S.A. 79-32,211 is hereby amended to read as follows: 79-32,211. (a) For all taxable years commencing after December 31, 2006, there shall be allowed a tax credit 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:

(1) 25% of qualified expenditures incurred in the restoration and preservation of a qualified historic structure pursuant to a qualified rehabilitation plan by a qualified taxpayer if the total amount of such expenditures equal \$5,000 or more if the total amount of such expenditures equals \$5,000 or more; or in an amount equal to

(2) 30% of the qualified expenditures incurred in the restoration and preservation of a qualified historic structure located in a city with a population between 9,500 and 50,000 pursuant to a qualified rehabilitation plan by a qualified taxpayer if the total amount of such expenditures equals \$5,000 or more;

(3) 40% of the qualified expenditures incurred in the restoration and preservation of a qualified historic structure located in a city with a population of less than 9,500 pursuant to a qualified rehabilitation plan by a qualified taxpayer if the total amount of such expenditures equals \$5,000 or more; or

(4) 30% of qualified expenditures incurred in the restoration and preservation of a qualified historic structure which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code and which is not income producing pursuant to a qualified rehabilitation plan by a qualified taxpayer if the total amount of such expenditures equals \$5,000 or more. In no event shall the total amount of credits allowed under this section exceed \$3,750,000 for fiscal year 2010.

(b) If the amount of such tax credit exceeds the qualified taxpayer's income, privilege or premium tax liability for the year in which the qualified rehabilitation plan was placed in service, as defined by section 47(b)(1) of the federal internal revenue code and federal regulation section 1.48-12(f)(2), such excess amount may be carried

over for deduction from such 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, except that no such credit shall be carried over for deduction after the 10th taxable year succeeding the taxable year in which the qualified rehabilitation plan was placed in service.

~~(b)~~(c) Any bank, savings and loan association or savings bank shall pay taxes on 50% of the interest earned on loans to qualified taxpayers used for qualified expenditures for the restoration and preservation of a qualified historic structure.

(d) As used in this section, unless the context clearly indicates otherwise:

(1) "Qualified expenditures" means the costs and expenses incurred by a qualified taxpayer in the restoration and preservation of a qualified historic structure pursuant to a qualified rehabilitation plan which are defined as a qualified rehabilitation expenditure by section 47(c)(2) of the federal internal revenue code;

(2) "qualified historic structure" means any building, whether or not income producing, which is defined as a certified historic structure by section 47(c)(3) of the federal internal revenue code, is individually listed on the register of Kansas historic places, or is located and contributes to a district listed on the register of Kansas historic places;

(3) "qualified rehabilitation plan" means a project which is approved by the cultural resources division of the state historical society, or by a local government certified by the division to so approve, as being consistent with the standards for rehabilitation and guidelines for rehabilitation of historic buildings as adopted by the federal secretary of interior and in effect on the effective date of this act. The society shall adopt rules and regulations providing application and approval procedures necessary to effectively and efficiently provide compliance with this act, and may collect fees in order to defray its approval costs in accordance with rules and regulations adopted therefor; and

(4) "qualified taxpayer" means the owner of the qualified historic structure or any other person who may qualify for the federal rehabilitation credit allowed by section 47 of the federal internal revenue code.

If the taxpayer 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 provided by this section shall be claimed by the shareholders of such corporation, the partners of such partnership or the 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, or as the corporation, partnership or limited liability company mutually agree as provided in the bylaws or other executed agreement. Credits granted to a partnership, a limited liability company taxed as a partnership or other multiple owners of property shall be passed through to the partners, members or owners respectively pro rata or pursuant to an executed agreement among the partners, members or owners documenting any alternate distribution method.

(e) Any person, hereinafter designated the assignor, may sell, assign, convey or otherwise transfer tax credits allowed and earned pursuant to subsection (a). The taxpayer acquiring credits, hereinafter designated the assignee, may use the amount of the acquired credits to offset up to 100% of ~~its~~ such assignee's income, privilege or premiums tax liability for either the taxable year in which the qualified rehabilitation plan was first placed into service or the taxable year in which such acquisition was

made. Unused credit amounts claimed by the assignee may be carried forward for up to five years, except that all such amounts shall be claimed within 10 years following the tax year in which the qualified rehabilitation plan was first placed into service. The assignor shall enter into a written agreement with the assignee establishing the terms and conditions of the agreement and shall perfect such transfer by notifying the cultural resources division of the state historical society in writing within 90 calendar days following the effective date of the transfer and shall provide any information as may be required by such division to administer and carry out the provisions of this section. The amount received by the assignor of such tax credit shall be taxable as income of the assignor, and the excess of the value of such credit over the amount paid by the assignee for such credit shall be taxable as income of the assignee.

(f) The executive director of the state historical society may adopt rules and regulations as necessary for the efficient and effective administration of the provisions of this section.";

Also on page 7, in line 40, after "32,190" by inserting "and 79-32,211"; also in line 40, by striking "74-50,223 and 79-32,267" and inserting "12-5242 and 12-5249";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the first semicolon; by striking lines 2 through 4; in line 5, by striking all before "relating" and inserting "enacting the Kansas affordable housing tax credit act and the Kansas housing investor tax credit act; providing tax credits for qualified housing projects; establishing an older structures tax credit; increasing the amount of the historic structures tax credit for qualified expenditures incurred for structures in cities with a certain population; enacting the Kansas rural home loan guarantee act; guaranteeing a certain portion of home loans with moneys from the state housing trust fund; authorizing certain unique residential real property appraisals in rural counties to be conducted without completing the sales comparison approach to value; allowing the use of bond proceeds under the Kansas rural housing incentive district act for residential vertical development and renovation of certain buildings within economically distressed urban areas;"; in line 9, after "79-32,190" by inserting "and 79-32,211"; in line 10, by striking "74-50,223 and 79-32,267" and inserting "12-5242 and 12-5249";

And your committee on conference recommends the adoption of this report.

ROB OLSON
RICHARD HILDERBRAND
OLETHA FAUST GOUDEAU
Conferees on part of Senate

JIM KELLY
NICK HOHEISEL
RUI XU
Conferees on part of House

Senator Olson moved the Senate adopt the Conference Committee Report on **HB 2237**.

A substitute motion to Not Adopt and appoint a new conference failed.

On roll call, the vote was: Yeas 34; Nays 3; Present and Passing 3; Absent or Not Voting 0.

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

Nays: Erickson, Gossage, Thompson.

Present and Passing: Baumgardner, Suellentrop, Tyson.

The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate recessed until 2:30 p.m..

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

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Masterson, Sykes, Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Ware, Warren and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1733—

A RESOLUTION congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

WHEREAS, The University of Kansas captured the 2022 NCAA Division I men's basketball championship on April 4, 2022, at the Superdome in New Orleans, Louisiana; and

WHEREAS, KU also captured the NCAA Division I national title in 1952, 1988, and 2008 and the Helms national championship in 1922 and 1923; and

WHEREAS, The University of Kansas' 72-69 victory over the University of North Carolina marks the biggest comeback in NCAA championship game history, with the team overcoming a 16-point deficit; and

WHEREAS, The Jayhawks ended their 34-6 college basketball season as the winningest program in NCAA history with 2,357 all-time wins; and

WHEREAS, Members of the team include: Bobby Pettiford; Joseph Yesufu; Burlington, Kansas, native and Blue Valley Northwest graduate Christian Braun, who was named to the All-Big 12 Second Team; Dajuan Harris, Jr.; Kyle Cuffe, Jr.; Jalen Wilson, who was named to the All-Big 12 Third Team; Remy Martin; Leawood, Kansas, native Chris Teahan; Charlie McCarthy; Dillon Wilhite; Michael Jankovich; Zach Clemence; K. J. Adams, Jr.; Ochai Agbaji; Cam Martin; David McCormack, who was named the Big 12 Scholar-Athlete of the Year with a 3.5 GPA; Mitch Lightfoot; and Jalen Coleman-Lands; and

WHEREAS, Ochai Agbaji, Christian Braun, Dajuan Harris, Jr., Michael Jankovich, Mitch Lightfoot, David McCormack, Chris Teahan and Jalen Wilson were members of the 2019-2020 team that was on track to the championship that was eventually canceled due to the COVID-19 pandemic, and these players brought a combined 973 college games of experience to the 2022 championship game; and

WHEREAS, Junior Ochai Agbaji received NCAA Division I All-American recognition, in addition to being named the Big 12 Player of the Year and NCAA Final Four Most Outstanding Player; and

WHEREAS, Head coach Bill Self became the first University of Kansas coach to win multiple NCAA national titles: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the University of Kansas men's basketball team for their 2022 NCAA Division I national championship and also recognize head coach Bill Self, assistant coach Norm Roberts, assistant coach Kurtis Townsend, assistant coach Jeremy Case, athletic director Travis Goff, University of Kansas chancellor Doug Girod, and every athlete and member of the team for a successful 2022 season; and

Be it further resolved: That the Secretary of the Senate shall send 25 enrolled copies of this resolution to University of Kansas Athletic Director Travis Goff, 5 enrolled copies to Senator Masterson and 5 enrolled copies to Senator Sykes.

On emergency motion of Senator Sykes, **SR 1733** was adopted unanimously.

SPECIAL REMARKS

I want to extend my personal congratulations to the 2021-2022 University of Kansas men's basketball team for their outstanding season and for winning the NCAA Division I Men's Basketball Championship. Earlier in the season, the team were Big 12 Regular Season Co-Champions, tying with Baylor for the best conference record, and won the Big 12 Championship tournament in Kansas City, defeating Texas Tech. This is Head Coach Bill Self's 2nd NCAA tournament win – and my second time to honor a KU men's basketball team in the Senate...I was here to honor the 2008 Champions. I'm proud to be the Senator who represents the 2nd District that includes Allen Field House, but also one who graduated from, taught, and worked at KU and who lives in the house at 11th and Ohio built by E.H.S. Bailey. Bailey, a chemistry professor suggested to colleagues on a train ride back to Lawrence in 1886 that the University needed a rousing yell; they settled on "Rah, Rah, Jayhawk, Go KU". When "Rock Chalk" replaced "Rah Rah" a few years later, Professor Bailey gave the geology department credit for the change. Thanks to the coaches and players for coming to Topeka to let us help continue your championship celebration; April 25, 2022 is KU Men's Basketball National Championship Victory Day. And thanks for all the opportunities you have given us this year to together yell out: ROCK CHALK, JAYHAWK GO KU!—MARC FRANCISCO

MESSAGES FROM THE HOUSE

The House announced the appointment of Representatives Waymaster, Hoffman and Wolfe Moore as conferees on **HB 2510**.

REPORT ON ENROLLED BILLS

SB 2, SB 58; H Sub SB 91; SB 150, SB 160, SB 200, SB 215; H Sub Sub SB 286; SB 343, SB 408, SB 446, SB 453; Sub SB 563 reported correctly enrolled, properly signed and presented to the Governor on April 8, 2022.

H Sub Sub SB 267 reported correctly enrolled, properly signed and presented to the Governor on April 11, 2022.

POINT OF PERSONAL PRIVILEGE

Senator Holscher rose on a point of personal privilege and submitted the following comments:

“Body – I have a special guest with me today. Joining us here in the Senate chamber is my father, Archie Blumhorst. He is excited to be here and whenever you have a moment, please come over to say hello as he loves to talk with people!”

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., April 26, 2022.

Journal of the Senate

FIFTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, April 26, 2022, 10:00 a.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 39 senators present.
Senator Ware was excused.
Invocation by Reverend Cecil T. Washington:

Confidence In Prayer
Psalm 91:2, 1 John 5:14-15

Heavenly Father, this is our time for prayer and not because it's just after 10 o'clock. Lord, our need for prayer is not determined by a calendar or a clock. It is determined by You guiding us to pray, the examples of prayers that have been answered and the situations we face today, some of which produce attitudes of gratitude. And then some that are disturbing.

But the comforting thing is to know that come rain or shine Your love and compassion rule the day. When we humble ourselves and come to You in prayer, You have promised to hear us. And You've given us a reliable witness to Your faithfulness.

David, who fathered Solomon, the wisest man to ever live, gave us personal confirmation of Your faithfulness. Lord, he used five personal pronouns in verse 2 of Psalm 91. He said, "I will say of the Lord, He is my refuge and my fortress, my God, in Him will I trust."

Lord, another witness to Your faithfulness and the reliability of prayer comes from the Apostle John. He said in 1 John 5:14-15, "This is the confidence we have in approaching God, that if we ask anything according to His will He hears us. And if we know that He hears us, whatever we ask, we know that we have what we asked of Him."

Lord, please add us, each of us, to Your ever-growing list of witnesses to the expediency of prayer. I'm asking this in the Name of Christ 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 578, AN ACT reconciling conflicting amendments to certain statutes; amending K.S.A. 75-5391, as amended by section 13 of 2022 Senate Bill No. 343, and K.S.A. 2021 Supp. 21-5801, as amended by section 1 of 2022 Senate Bill No. 483, 21-6604, as amended by section 3 of 2022 House Bill No. 2361, and 79-32,117 and repealing the

existing sections; also repealing K.S.A. 75-5391, as amended by section 10 of 2022 Senate Bill No. 62, and K.S.A. 2021 Supp. 21-5801, as amended by section 1 of 2022 Senate Bill No. 408, 21-6604, as amended by section 17 of 2022 House Bill No. 2377, 21-6604, as amended by section 2 of 2022 House Bill No. 2608, 75-5664a, 79-3221p and 79-32,117q, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Under the authority of the President, the Vice President referred **SB 578** to the Committee on **Ways and Means**.

CONSIDERATION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

In compliance with Senate Rule 11, the Senate considered the motion of Senator Holland to withdraw **SCR 1624** from committee. The motion failed.

On roll call, the vote was: Yeas 10; Nays 24; Present and Passing 4; Absent or Not Voting 2.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes.

Nays: Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Alley, Baumgardner, Steffen, Straub.

Absent or Not Voting: Doll, Ware.

EXPLANATION OF VOTE

Mr. Vice President: I vote "Aye" on **SCR 1624** – Make Ministers Mandated Reporters of Child Abuse and Neglect. There have been several lawsuits and prosecutions concerning Roman Catholic clergy sexually abusing children across the U.S. Just as concerning have been the actions of bishops to purposefully not report these crimes and instead reassign accused priests to other parishes. The Kansas Bureau of Investigation has been investigating reports of sexual abuse by clergy at the four Catholic dioceses of Kansas since February 2019. For far, far too long the Kansas Legislature has looked the other way while pedophile priests, pastors and other religious leaders of faith have sexually assaulted Kansas children. **SCR 1624** is a much-needed tool for Kansas law enforcement agencies to start bringing these criminals masquerading as trustworthy religious authorities to justice.—TOM HOLLAND

Senators Francisco and Pittman request the record to show they concur with the "Explanation of Vote" offered by Senator Holland on **SCR 1624**.

MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **SB 58**, AN ACT concerning education; relating to schools and school districts; establishing the parents' bill of rights.

REGARDING VETO OF SENATE BILL 58

Throughout the pandemic, parents had to step up and do the impossible. Go to work. Take care of their children. Teach, tutor and facilitate their children's learning. When it comes to their children's education, parents can and should play a vital role. We know that parental engagement in their child's education greatly impacts the outcome.

This bill, however, is about politics, not parents. Over one hundred Kansas parents testified against this bill. It would create more division in our schools and would be costly. Money that should be spent in the classroom would end up being spent in the courtroom.

That's unacceptable, especially after our efforts to bring Democrats and Republicans together to fully fund our schools for the last four years.

I look forward to working with the Legislature in a bipartisan fashion on a bill that gives parents a seat at the table without harming school funding or exacerbating the issues facing our teachers.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 58**.

Date: April 15, 2022

By The Governor

LAURA KELLY

ACTIONS ON VETO MESSAGE

A motion by Senator Baumgardner on **SB 58**, AN ACT concerning education; relating to schools and school districts; establishing the parents' bill of rights, be passed notwithstanding the Governor's veto.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes.

Absent or Not Voting: Ware.

A two thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion passed and the veto was overridden.

EXPLANATION OF VOTE

Mr. Vice President: I vote to sustain the Governor's veto on the so called "Parents Bill of Rights." This bill creates division in our schools, in a time where we are emerging from a pandemic. It puts even more workload on overworked educators, when we are facing a teacher workforce shortage. This bill incentivizes book bans at a time when kids have almost unlimited access to content on the internet, limiting critical thinking activities and has empty processes and transparency already in existence. This "Bill of Rights" is reactionary, where I think we should be visionary. For example, I want to make sure my kids are safe; that they don't live with fear from bullies in the form of students, administrators or other parents; that kids get individualized education to achieve personal success; that teachers don't have 30+ kids in a class; that kids with special needs have teachers that can help them. I want a parent bill-of-rights that shows that Kansas values teachers for the professional educators they are. I want curriculum that excites our kids for whatever path they choose, that aids in basic skills development, that help them avoid a lifetime of debt, that aids critical thinking skills in an age of disinformation and that allows kids to be kids, yet still helps these same kids

prepare for the difficult realities of what it takes for each kid, for my kids, to be successful. That's what I would support in a real Parents Bill of Rights.—JEFF PITTMAN

Senators Francisco, Holland and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **SB 58**.

MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **SB 160**, AN ACT concerning education; relating to student athletes; enacting the fairness in women's sports act; restricting participation on women's teams to female students; providing a cause of action for violations.

REGARDING VETO OF SENATE BILL 160

Both Republican and Democratic Governors have joined me in vetoing similar divisive bills for the same reasons: it's harmful to students and their families and it's bad for business.

We all want a fair and safe place for our kids to play and compete. However, this bill didn't come from the experts at our schools, our athletes, or the Kansas State High School Activities Association. It came from politicians trying to score political points.

This bill would also undoubtedly harm our ability to attract and retain businesses. It would send a signal to prospective companies that Kansas is more focused on unnecessary and divisive legislation than strategic, pro-growth lawmaking.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 160**.

Date: April 15, 2022

By The Governor

LAURA KELLY

ACTIONS ON VETO MESSAGE

A motion by Senator Erickson on **SB 160**, AN ACT concerning education; relating to student athletes; enacting the fairness in women's sports act; restricting participation on women's teams to female students; providing a cause of action for violations, be passed not withstanding the Governor's veto.

On roll call, the vote was: Yeas 28; Nays 10; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Faust-Goudeau, Francisco, Hawk, Holland, Holscher, Pettey, Pittman, Sykes.

Present and Passing: Haley.

Absent or Not Voting: Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion passed and the veto was overridden.

EXPLANATION OF VOTE

Mr. Vice President: My concern with this most recent version of this bill is the inclusion of elementary students – in particular Kindergarten through 5th graders – who should not have any place in this bill. I support Fairness in Women's Sport. I started the first Girls Wrestling Team at Washburn Rural that have won 6A State Championships twice, but this bill goes too far. Kindergarteners are not women. There are no physical advantages of males at the elementary level and I am sad that this bill includes our youngest students. I voted to try to amend those youngsters out of the bill unsuccessfully. I have also offered to try to work with others to eliminate the focus on our youngest students. Until that happens....I must vote NO to sustain the Governor's veto.—BRENDA DIETRICH

Mr. Vice President: I vote to sustain Governor Kelly's veto of **SB 160** – the Kansas Public School Childrens' Genitalia Inspection Act. This bill shreds personal privacy and healthcare privacy rights for Kansas families whose children attend Kansas public schools. KSHAA already has policies to address this issue. The Kansas Legislature is better than this.—TOM HOLLAND

Mr. Vice President: I vote aye on **SB 160** and would like to explain my vote. Last year, I voted no on the Fairness in Women's Sports Act because there were many flaws in the bill. Unfortunately, those flaws still exist. For example, I am disappointed that the bill includes K-5 children. It is completely unnecessary. However, that doesn't change the fact that Kansas does not have firm rules in place to appropriately address this issue and the NCAA and KSHSAA are behind in developing rules. For these reasons, I vote Yea.—CAROLYN MCGINN

Senator Doll requests the record to show he concurs with the "Explanation of Vote" offered by Senator McGinn on **SB 160**.

Mr. Vice President: As a father of two girls, I absolutely understand parents who are concerned about this issue. However, competitive high school and college sports already have regulations with KSSHA and NCAA to deal with trans athletes and we should observe and evaluate their leadership as they grapple with this complex issue where we need to have rules that keep women's sports competitive and fair, especially at these competitive levels. **SB 160** merely divides our voters. This bill unfairly targets elementary kids all the way down to kindergarten and originally contained genital checking which goes too far for me. It targets a trans population in broad strokes, a population that is at a higher risk of suicide. I believe it does have economic risks for Kansas with regard to factoring against us in the NCAA, FIFA and other tournaments, as well as opening our schools' liability to lawsuits. This bill on transgender athletes was a solution in search of a problem, where here in Kansas only .000047% of athletes identify as trans. I vote today to sustain the governor's veto as we should be looking at solutions that work with and for our young citizens who are trans, not just out and out bans.—JEFF PITTMAN

Senator Pettey requests the record to show she concurs with the "Explanation of Vote" offered by Senator Pittman on **SB 160**.

Mr. Vice President: The purpose of the Fairness in Women's Sports Act is found in its title – it's to preserve fundamental fairness in women's sports, protections which have

existed for 50 years and are now being undermined. While it is unfortunate and perhaps shocking we even have to pass such a bill, it has become necessary so that the incredible gains women have made on the field, on the court, in the pool, or in other athletic competitions are not lost. It is to ensure that the thrill of victory and the competitive spirit of athletics is not destroyed due to a radical ideology that refuses to acknowledge biological reality. Unable to argue these basic facts, some are resorting to gross and inaccurate hyperbole that fans the flames of division rather than calmly, civilly, and rationally debating what is a sensitive yet important topic. Thankfully, today, the Kansas Senate stood for rationality, truth, fairness, and most importantly, women and girls throughout Kansas. I vote Yes.—TY MASTERSON

MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **SB 161**, AN ACT concerning personal package delivery devices; definitions; operating requirements and restrictions; exemption from motor vehicle requirements; limitation of local regulation; requiring entities to submit annual fees and certification forms to the division of vehicles; amending K.S.A. 2021 Supp. 8-126 and repealing the existing section.

REGARDING VETO OF SENATE BILL 161

I support advancements in technology to enhance our transportation network and delivery services. However, **Senate Bill 161** allows delivery service businesses to operate large robotic delivery devices on sidewalks with few safety precautions. These precautions are particularly important in residential areas.

This bill does not clarify who is responsible for enforcing rules and regulations related to personal delivery devices other than requiring an annual fee and a certification form with minimal information. The provisions around minimum liability are also ambiguous and unclear in their application.

The Legislature must address these safety concerns before this bill becomes law. I'm ready to work with lawmakers on legislation that allows us to take advantage of technological advances while ensuring the safety of all Kansans.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 161**.

Date: April 11, 2022

By The Governor

LAURA KELLY

ACTIONS ON VETO MESSAGE

The Governor's objection to **SB 161** having been read, the time arrived for reconsideration of **SB 161**.

There was no motion to reconsider. The Chair ruled the bill had been reconsidered and the veto sustained.

MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **SB 199**, AN ACT concerning insurance; relating to health insurance; providing for short-term, limited-duration health plans; amending K.S.A. 40-2,193 and repealing the existing section.

REGARDING VETO OF SENATE BILL 199

After reviewing this bill, I still have concerns about how it will hurt Kansas families. The plans provided under this bill do not cover pre-existing conditions and do not provide consumer protections. As a result, one medical emergency could cause a Kansas family to spiral into bankruptcy.

We already know that the solution to provide health care access for all Kansans, to bring thousands of jobs to our state, to save small businesses money, to protect our rural hospitals, and inject millions into our economy is expanding Medicaid.

I encourage the Legislature to work with me to improve Kansans' access to affordable healthcare and join the 38 other states in expanding Medicaid.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 199**.

Date: April 11, 2022

By The Governor

LAURA KELLY

ACTIONS ON VETO MESSAGE

A motion by Senator Gossage on **SB 199**, AN ACT concerning insurance; relating to health insurance; providing for short-term, limited-duration health plans; amending K.S.A. 40-2,193 and repealing the existing section, be passed not withstanding the Governor's veto.

On roll call, the vote was: Yeas 28; Nays 9; Present and Passing 2; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes.

Present and Passing: Faust-Goudeau, Francisco.

Absent or Not Voting: Ware.

A two thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion passed and the veto was overridden.

EXPLANATION OF VOTE

Mr. Vice President: Even if the underlying short-term insurance serves as a stop-gap measure for some of our Kansas citizens, I stand today against extending these limited policies from one year to three years, standing beside others who oppose this legislation including the American Heart Association, Kansas Chapter of American Academy of Pediatrics, National Multiple Sclerosis Society, American Cancer Society, American Heart Association, American Lung Association, Arthritis Foundation, National Marrow Donor Program, Leukemia and Lymphoma Society, National Alliance on Mental Illness and others. We owe it to our citizens to build better programs and policy that increase the health outcomes of our citizens; this bill does not seem to do that and I vote today to sustain the Governor's veto.—JEFF PITTMAN

MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **H Sub Sub SB 267**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2022, June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027, 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. 2021 Supp. 2-223, 12-1775a, 12-5256, 65-180, 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.

REGARDING HOUSE SUBSTITUTE SUBSTITUTE SENATE BILL 267

I want to thank the Legislature for their work and bi-partisan collaboration to pass **House Substitute for Substitute for Senate Bill 267** – a budget that allows us to continue to improve core services while investing in our future and setting the stage for additional economic growth.

This budget completes a promise I made to close the Bank of KDOT, it restores and renews the state's commitment to higher education, it fully funds the state water plan, it provides historic funding for the most vulnerable and those who care for them, and it invests in our law enforcement and public safety officers.

Enhancements for workforce and economic development will allow Kansas to continue our record-breaking success in attracting and retaining businesses. The historic investment in moderate income housing will ensure that we have quality housing to recruit and retain families throughout the state.

Funding for state employee pay increases, updated equipment and resources, and facility upgrades will benefit the public and make a down payment toward appropriately rewarding Kansans who dedicate their lives to public service.

Finally, this budget preserves the funding necessary to eliminate the state food sales tax on groceries, benefiting all Kansans, while making a \$500 million deposit in the state's Budget Stabilization Fund – by far the largest Rainy Day Fund investment in state history.

With all that this budget does accomplish, it could do more to ensure that all communities in the state have the access to healthcare that Kansans deserve and that prospective new residents expect. Given how new business growth requires a healthy workforce, I will continue to urge the Legislature to make the commonsense decision to expand Medicaid and return Kansas' federal tax dollars to our communities.

Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return **House Substitute for Substitute for Senate Bill 267** with my signature approving the bill, except for the items enumerated below.

Kansas Public Employees Retirement System—Exclusive Opportunity for Legislators

Section 43(d) has been vetoed in its entirety.

Legislators must make an irrevocable decision when they begin public service to either join or decline enrollment in the Kansas Public Employees Retirement System (KPERs). The policy in Section 43(d) would create an exclusive opportunity for

legislators to reverse the irrevocable decision that they consciously made when they elected not to join (KPERs). Other public employees including teachers, public safety officers, and nurses are not allowed this special election under law. Further, this provision likely would not be approved by the Internal Revenue Service if reviewed.

State Board of Regents—Special Line Item for Single Program

The portion of Section 109(a) that reads as follows has been line-item vetoed:

Benedictine college engineering program\$200,000

Under the State Board of Regents budget, \$200,000 is appropriated for a college engineering program at Benedictine College. This budget includes many enhancements for higher education, including significant increases in funding for grant programs for public and private postsecondary institutions. One of these appropriations is a \$10,000,000 grant program in Section 29(f) that is reserved exclusively for the state’s private and independent colleges. Benedictine College should apply for public funding for the college engineering program through this specifically designated appropriation for similar programs.

Date: April 19, 2022

By The Governor

LAURA KELLY

ACTIONS ON VETO MESSAGE

The Governors objection to line items in **H Sub for Sub SB 267** having been read, the time arrived for reconsideration of the line item vetoes in **H Sub for Sub SB 267**.

There was no motion to reconsider. The Chair ruled the line items had been reconsidered and the veto sustained.

MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **H Sub for Sub SB 286**, AN ACT concerning public health; relating to the governmental response to the COVID-19 pandemic in Kansas; crimes, punishment and criminal procedure; crimes against the public peace; creating the crime of interference with the conduct of a hospital; increasing the criminal penalty for battery of a healthcare provider; extending the expanded use of telemedicine and expiring such provisions; extending the suspension of certain requirements related to medical care facilities and expiring such provisions; modifying the COVID-19 response and reopening for business liability protection act; extending immunity from civil liability for certain healthcare providers, certain persons conducting business in this state and covered facilities for COVID-19 claims until January 20, 2023; amending K.S.A. 2021 Supp. 21-5413, 48-963, 48-964, 60-5503, 60-5504, 60-5508 and 65-468 and repealing the existing sections.

REGARDING VETO OF HOUSE SUB FOR SUB SENATE BILL 286

This bill includes valuable provisions that I support, such as expanding telemedicine and criminal penalties for violence against health care workers in hospital settings.

During the pandemic, I worked with hospitals, frontline care workers, and stakeholders on a narrowly tailored compromise to protect our doctors and nurses responding to COVID-19 while ensuring Kansas patients still had appropriate protections. This was important for those working around the clock, caring for our loved ones during the height of the pandemic.

However, a last-minute provision was inserted into this bill which gutted our original carefully crafted compromise and indiscriminately broadened protections for health care providers, substantially reducing protections for Kansas patients.

I will work with the Legislature in a bipartisan fashion on a bill that returns the liability provisions to the original compromise language and include the provisions for telemedicine and enhanced criminal penalties for violence against health care workers in hospital settings so that both Kansas patients and our hard-working healthcare providers are protected.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **H Sub Sub Senate Bill 286**.

Date: April 15, 2022

By The Governor

LAURA KELLY

ACTIONS ON VETO MESSAGE

The Governors objection to **H Sub Sub SB 286** having been read, the time arrived for reconsideration of **H Sub Sub SB 286**.

There was no motion to reconsider. The Chair ruled the bill had been reconsidered and the veto sustained.

MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **SB 493**, AN ACT concerning cities and counties; prohibiting the regulation of plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages.

REGARDING VETO OF SENATE BILL 493

The disposal and regulation of solid waste is traditionally a public policy issue that Kansans decide at the local level with input from local businesses, waste management providers, and private citizens. As this bill advanced through the process, no evidence was provided demonstrating why the Legislature had a compelling public interest to repeal city and county local control and home rule over these matters.

This issue is a local decision, and it should be left to local governments based on what's best for their constituents, stakeholders, and businesses in their community.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 493**.

Date: April 11, 2022

By The Governor

LAURA KELLY

ACTIONS ON VETO MESSAGE

A motion by Senator Erickson on **SB 493**, AN ACT concerning cities and counties; prohibiting the regulation of plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages, be passed not withstanding the Governor's veto.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, McGinn, Pettey, Pittman, Sykes.

Absent or Not Voting: Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion passed and the veto was overridden.

EXPLANATION OF VOTE

Mr. Vice President: We once again look to put in place another ban across our state, as I'm sure we will soon ban many other things telling our citizens, cities and counties how the have to live their lives and run their communities. Corporate special interests have stepped into the discussion and we are now per-empted and stripped away the rights of localities, such as Prairie Village, Wichita, Lawrence, and every other community, where they have officials voted in to govern as they see fit to meet the needs and values of their community. Today I vote to sustain the governor's veto and opt for local control.—JEFF PITTMAN

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** 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:

Credit Union Administrator, Credit Union Department: K.S.A. 17-2233

Julie Murray, to fill a term expiring four years after the date of confirmation

On motion of Senator Alley, the Senate recessed until 4:00 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 **HCR 5022**.

The House adopts the Conference Committee report on **HB 2387**.

The House adopts the Conference Committee report on **HB 2252**.

The House adopts the Conference Committee report on **HB 2138**.

The House adopts the Conference Committee report on **HB 2237**.

The House announced the appointment of Representatives Barker, Eplee and Highberger to replace Representatives Concannon, Esau and Ousley as conferees on **SB 12**.

The House announced the appointment of Representatives Landwehr, Eplee and S. Ruiz to replace Representatives Barker, Arnberger and L. Ruiz as conferees on **Sub SB 34**.

The House adopts the Conference Committee report to agree to disagree on **SB 313**, and has appointed Representatives Proehl, Delperdang and Helgerson as second conferees on the part of the House.

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 313**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on House amendments to **SB 313** 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.

RICHARD PROEHL
LEO DELPERDANG
HENRY HELGERSON
Conferees on part of House

MIKE PETERSON
J.R. CLAEYS
TOM HAWK
Conferees on part of Senate

On motion of Senator Petersen the Senate adopted the conference committee report on **SB 313**, and requested a new conference be appointed.

The Vice President appointed Senators Petersen, Claeys and Hawk as a second Conference Committee on the part of the Senate on **SB 313**.

CHANGE IN CONFERENCE

Senators Olson, Hilderbrand and Faust-Goudeau are appointed to replace Senators Hilderbrand, Gossage and Pettey as members of the conference committee on **SB 12**.

ORIGINAL MOTION

Senator Holland, citing Rule 11(b), moved to withdraw **SB 342** from the Committee on **Assessment and Taxation**.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Wednesday, April 27, 2022.

Journal of the Senate

FIFTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, April 27, 2022, 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:

For Good And Faithful Servants
Luke 19:17

Lord, the issues we address in these halls are essential for making progress in our state and communities. Wisdom is looking at life and all of life's concerns through Your eyes. So, Lord, we need Your perspective in everything; Your insights as we study, Your understanding as we debate and Your wisdom as things are finalized.

As we move closer to completing this session and the work in these halls is done, I pray that the wrap-up will warrant the same response from You that was given by the ruler in the parable of Luke 19:17. When the servant in that passage completed the work he had been given, when he had carried out with careful diligence the things he was responsible for, these are the words he heard, "Good and faithful servant, you've shown that you can be trusted with a small amount of responsibility. As a result, you will be elevated, advanced and given ten cities to rule over in eternity."

Lord, You have made it clear that if we faithfully represent You and Your authority here we'll be greatly rewarded in the hereafter.

Lord, to Your glory and honor and to the good of Your people, I offer this prayer in the Name of Jesus. Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

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.

POINT OF PERSONAL PRIVILEGE

Senator Francisco rose on a Point of Personal Privilege to share that on Monday night, April 25th, the Free State High School debate team of seniors, Serena Rupp and John Marshall, won the National Championship at the Tournament of Champions hosted by the University of Kentucky. The team's topic was: "The United States federal government should substantially increase its protection of water resources in the United States." Their win is not only the first high school national debate championship in Lawrence's school district history, but also the first for a team from Kansas.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **HB 2492** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2492," as follows:

"Senate Substitute for HOUSE BILL No. 2492

By Committee on Ways and Means

"AN ACT reconciling multiple amendments to certain statutes; amending K.S.A. 75-5391, as amended by section 13 of 2022 Senate Bill No. 343, and K.S.A. 2021 Supp. 21-5801, as amended by section 1 of 2022 Senate Bill No. 483, 21-6604, as amended by section 3 of 2022 House Bill No. 2361, and 79-32,117 and repealing the existing sections; also repealing K.S.A. 75-5391, as amended by section 10 of 2022 Senate Bill No. 62, and K.S.A. 2021 Supp. 21-5801, as amended by section 1 of 2022 Senate Bill No. 408, 21-6604, as amended by section 17 of 2022 House Bill No. 2377, 21-6604, as amended by section 2 of 2022 House Bill No. 2608, 75-5664a, 79-3221p and 79-32,117q.";

And the substitute bill be passed.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointment submitted to the Senate for confirmation was considered.

By the Governor

On the appointment to the:

Department of Credit Unions:

Julie Allen-Murray, to serve a term ending December 31, 2025.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 1; Absent or Not Voting 0.

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

Present and Passing: Steffen.

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 bills: **Sub HB 2466; S Sub HB 2492.**

ORIGINAL MOTION

On motion of Senator Billinger **S Sub HB 2492** was advanced to Final Action subject to amendment, debate and roll call. The motion was adopted by voice vote.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley, an emergency was declared and **S Sub HB 2492** was advanced to final action.

S Sub HB 2492, AN ACT reconciling multiple amendments to certain statutes; amending K.S.A. 75-5391, as amended by section 13 of 2022 Senate Bill No. 343, and K.S.A. 2021 Supp. 21-5801, as amended by section 1 of 2022 Senate Bill No. 483, 21-6604, as amended by section 3 of 2022 House Bill No. 2361, and 79-32,117 and repealing the existing sections; also repealing K.S.A. 75-5391, as amended by section 10 of 2022 Senate Bill No. 62, and K.S.A. 2021 Supp. 21-5801, as amended by section 1 of 2022 Senate Bill No. 408, 21-6604, as amended by section 17 of 2022 House Bill No. 2377, 21-6604, as amended by section 2 of 2022 House Bill No. 2608, 75-5664a, 79-3221p and 79-32,117q.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The substitute bill passed.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2466** 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 8, before "Section" by inserting "New"; in line 11, before "Sec." by inserting "New"; in line 34, before "Sec." by inserting "New";

On page 2, in line 28, before "Sec." by inserting "New";

On page 3, in line 40, before Sec." by inserting "New";

On page 4, following line 33, by inserting:

"New Sec. 6. (a) To determine the needs for secondary career technical education credentialing and student transitioning to employment success, the state department of education shall conduct a survey of the scope of high-value credential courses and standard career and technical education courses offered for students enrolled in each public high school. The survey shall determine the following:

(1) The career and technical education pathway courses offered for high school credit;

(2) the concurrent enrollment partnership and dual enrollment courses offered for high school and college credit;

(3) the concurrent enrollment partnership or dual enrollment courses that are offered by the high school and community college or technical college;

(4) the career and technical education courses that are offered by the high school that will not lead to credentialing;

(5) the number of students with documented accommodations who are not enrolled in a gifted program;

(6) the first-time pass rate of students who have earned approved standard career and technical education credentials in the prior three years;

(7) the first-time pass rate of students that have earned approved high-value credentials in the prior three years;

(8) the credentials earned in the prior three years and the number of students who earned such credentials; and

(9) the amount paid by the school district for students to take credential exams.

(b) The state department of education shall compile the results of the survey and shall report such results to the house standing committee on education and the senate standing committee on education on or before January 16, 2023.

New Sec. 7. (a) On or before July 31, 2023, and each July 31 thereafter, the state board of education shall review and approve a list of high-value industry-recognized credentials and a list of standard industry-recognized credentials.

(b) Such lists shall be prepared by a committee established by the state board of education that includes representatives from the association of community college trustees, the Kansas technical education authority, the Kansas technical college association and the Kansas association of school boards.

New Sec. 8. The state board of education shall establish a secondary career technical education credentialing and student transitioning to employment success pilot program for the 2022-2023 school year for high school students with documented accommodations, other than enrollment in a gifted program, who are enrolled in participating high schools that are served by the Washburn institute of technology service area. Such pilot program shall provide the following stipends and reimbursements to the following educational entities:

(a) The Washburn institute of technology, as defined in K.S.A. 74-3201b, and amendments thereto, shall receive a \$20,000 stipend for additional counseling services for participating students and additional coordination services with participating high schools;

(b) each participating high school within the Washburn institute of technology service area shall receive a \$500 stipend for additional student counseling services and coordination with the Washburn institute of technology; and

(c) each participating high school within the Washburn institute of technology service area shall be reimbursed for the total cost of the assessment for any participating student that takes a credential assessment.

New Sec. 9. A preliminary report from participating school districts and representatives from the Washburn institute of technology shall be presented to the house standing committee on education and the senate standing committee on education on or before February 1, 2023. Such report shall include, but not be limited to, the career technical areas of study pursued, accommodations required for student participation, unanticipated obstacles for course enrollment or completion, barriers for student participation and future funding needs. Such report shall serve as the foundation for determining whether to expand the pilot program to other regions of the state, the amount of funding required to expand the pilot program and how to address barriers that impact student participation.

Sec. 10. K.S.A. 72-6332 is hereby amended to read as follows: 72-6332. As used in K.S.A. 72-6331 through 72-6334, and amendments thereto:

(a) "Educational purposes" means purposes that are directed by an employee or

agent of a school district, that customarily take place at an attendance center operated by a school district or that aid in the administration of school activities, including, but not limited to, instruction in the classroom or at home, administrative activities and collaboration between students, school personnel or parents, or which are otherwise for the use and benefit of the school district.

(b) "Interactive computer service" means any service, system or software provider that provides or enables multiple users access to a computer server, including a service or system that provides access to the internet and systems or services offered by libraries or educational institutions.

(c) "Educational online product" means an internet website, online service, online application or mobile application that is used primarily, and was designed and marketed for, educational purposes.

(d) (1) "Operator" means, to the extent it is operating in this capacity, the operator of an educational online product with actual knowledge that the educational online product is used primarily for educational purposes and was designed and marketed for educational purposes. ~~For the purposes of this act,~~

(2) The term "operator" ~~shall not be construed to~~ does not include:

(A) Any school district or school district employee acting on behalf of a school district employer; or

(B) any national assessment provider that is administering a college and career readiness assessment.

(e) "Personally identifiable information" means information that personally identifies an individual student or that is linked to information that personally identifies an individual student, including, but not limited to: (1) Information in the student's educational record or electronic mail; (2) first and last name; (3) home address; (4) telephone number; (5) electronic mail address; (6) any other information that allows physical or online contact with the student; (7) discipline records; (8) test results; (9) data that is a part of or related to any individualized education program for such student; (10) juvenile dependency records; (11) grades; (12) evaluations; (13) criminal records; (14) medical records; (15) health records; (16) social security number; (17) biometric information; (18) disabilities; (19) socioeconomic information; (20) food purchases; (21) political affiliations; (22) religious information; (23) text messages; (24) documents; (25) student identifiers; (26) search activity; (27) photos; (28) voice recordings; or (29) geolocation information.

(f) "School district" means any unified school district organized and operating under the laws of this state.

(g) "Service provider" means a person or entity that provides a service to an operator, or provides a service that enables users to access content, information, electronic mail or other services offered over the internet or a computer network.

(h) "Student information" means personally identifiable information or material in any media or format that is not otherwise available to the public and was:

(1) Created by an operator in the course of the use of the operator's educational online product for educational purposes;

(2) provided to an operator by a student, or the student's parent or legal guardian, in the course of the use of the operator's educational online product for educational purposes;

(3) created by an operator as a result of the activities of an employee or agent of a

school district;

(4) provided to an operator by an employee or agent of a school district for educational purposes; or

(5) gathered by an operator through the operation of such operator's educational online product for educational purposes.

(i) "Targeted advertising" means presenting an advertisement to a student where the advertisement is selected based on information obtained or inferred over time from that student's online behavior, usage of online applications or student information. Targeted advertising does not include advertising to a student at an online location based upon that student's current visit to that location, or in response to that student's request for information or feedback, without the retention of that student's online activities or requests over time for the purpose of targeting subsequent ~~ads~~ advertisements.

Sec. 11. K.S.A. 72-6332 is hereby repealed.";

And by renumbering the remaining section accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to school districts;"; in line 5, after "courses" by inserting "; relating to career and technical education courses and credentialing; requiring the state department of education to survey career and technical education programs in public high schools; establishing a career technical education credentialing and student transitioning to employment success pilot program in school year 2022-2023; requiring a report on the pilot program; exempting national assessment providers from the student online personal protection act; amending K.S.A. 72-6332 and repealing the existing section";

And your committee on conference recommends the adoption of this report.

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

Conferees on part of Senate

STEVE HUEBERT

ADAM THOMAS

Conferees on part of House

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **Sub HB 2466**.

On roll call, the vote was: Yeas 29; Nays 6; Present and Passing 5; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Holland, Pittman, Steffen, Sykes, Ware.

Present and Passing: Francisco, Hawk, Holscher, Pettey, Pyle.

The Conference Committee Report was adopted.

CHANGE OF CONFERENCE

Senators Tyson, Peck and Holland are appointed to replace Senators Longbine, Fagg and Holscher as members of the conference committee on **SB 331**.

On motion of Senator Alley, the Senate recessed until 3:00 p.m.

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

AFTERNOON SESSION

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.

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: **H Sub Sub SB 84; HB 2106, HB 2540.**

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 84** 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 Further Amended by House Committee of the Whole, as follows:

On page 51, in line 32, by striking all before "manage";

On page 52, in line 14, after "(b)" by inserting "(1)"; in line 24, after "director" by inserting "shall issue a final decision regarding approval of an interactive sports wagering platform within 30 days after the date the request for approval was submitted and"; following line 28, by inserting:

"(2) On or before September 1, 2022, the executive director shall prescribe a process for submission of requests for approval and approval of interactive sports wagering platforms and shall notify all lottery gaming facility managers of such process.

(3) On or before August 1, 2022, the executive director of the Kansas racing and gaming commission shall prescribe a process for conducting background investigations of interactive sports wagering platforms and shall notify all lottery gaming facility managers of such process. The Kansas racing and gaming commission shall commence background investigations of interactive sports wagering platforms on or before August 15, 2022.";

Also on page 52, in line 30, by striking "one" and inserting "three"; also in line 30, by striking "interface" and inserting "interfaces"; in line 31, after "team" by inserting "or auto racetrack facility";

On page 54, in line 7, after "team" by inserting ", auto racetrack facility"; in line 10, after "team" by inserting ", auto racetrack facility"; in line 11, by striking all after "be"; in line 14, by striking "operation"; in line 15, by striking "or"; in line 18, after "team" by inserting ", auto racetrack facility"; in line 20, after "team" by inserting ", auto racetrack facility"; in line 26, after "team" by inserting "or auto racetrack facility"; in line 30, by striking "operating and"; in line 31, by striking "the" and inserting "such"; in line 33, after "team" by inserting ", auto racetrack facility"; in line 34, after "team" by inserting ", auto racetrack facility"; in line 38, by striking "operate and";

On page 55, in line 39, after "wagers" by inserting "with the manager at the manager's location or through the manager's interactive sports wagering platform;

(2) prohibit an interactive sports wagering platform, any director, officer, owner and employee of such platform and any relative living in the same household as such persons from placing any wager through such platform or at the manager's location, except that nothing in this paragraph shall be construed to prohibit any such person from placing any wager through a lottery gaming facility manager or interactive sports wagering platform with which such person has no affiliation";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 58, in line 2, by striking "Such records" and inserting "The records described in subsections (a)(1) through (a)(6)"; also in line 2, by striking "three" and inserting "two"; in line 3, after the period by inserting "Video recordings described in subsection (a)(7) shall be maintained for at least 30 days after the sporting event occurs.";

On page 59, following line 9, by inserting:

"(c) The executive director shall allow lottery gaming facility managers to carry over negative sports wagering revenues and apply such amounts to returns filed for subsequent weeks. Sports wagering revenues for a week will be considered negative if the sum of the winnings paid to patrons wagering on such manager's sports wagering plus all voided wagers and excise taxes on sports wagering paid pursuant to federal law, exceeds the manager's total bets accepted from sports wagering by patrons. The negative amount of sports wagering revenues shall not be applied back to an earlier week and moneys previously received by the Kansas lottery will not be refunded unless the manager ceases to manage sports wagering and the last return reported negative sports wagering revenues.";

Also on page 59, in line 10, by striking "(c)" and inserting "(d)"; also in line 10, by striking "monthly" and inserting "weekly"; in line 19, by striking "At least once each month,"; in line 20, by striking "from" and inserting "remaining in";

On page 60, following line 12, by inserting:

"New Sec. 13. (a) There is hereby established in the state treasury the attracting professional sports to Kansas fund. The attracting professional sports to Kansas fund shall be administered by the state finance council. 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 chairperson of the state finance council, or the chairperson's designee, for the purpose set forth in this section.

(b) The state finance council is authorized to pledge all or a portion of the funds held in the attracting professional sports to Kansas fund or sports wagering revenues credited to or to be credited to the attracting professional sports to Kansas fund for the benefit of any professional sports team and used to pay the principal or interest on any bonds issued by the state or any municipality, including, but not limited to, bonds issued pursuant to K.S.A. 12-17,160, et seq., 12-1770, et. seq., or 12-1740, et seq, and amendments thereto, which also shall include any such financing structured as pay-as-you-go, issued to fund the construction, rehabilitation, revitalization or expansion of a professional sports team's primary facility or any other ancillary development to such primary facility.

(c) Each month, the state finance council shall certify to the director of accounts and reports the amount of moneys held in the attracting professional sports to Kansas fund that are in excess of the amount necessary for the purposes described in subsection (b). Upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the attracting professional sports to Kansas fund to the lottery operating fund established in K.S.A. 74-8711, and amendments thereto.;

Also on page 60, in line 14, by striking "existinggaming" and inserting "existing gaming"; in line 16, by striking "17" and inserting "18"; in line 21, by striking "orother" and inserting "or other"; in line 24, by striking "operatedand";

On page 61, in line 42, by striking "14" and inserting "15";

On page 62, in line 9, by striking "14" and inserting "15"; in line 12, by striking "14" and inserting "15";

On page 64, in line 15, by striking "14 and"; also in line 15, after "15" by inserting "and 16"; in line 17, by striking "14 and"; also in line 17, after "15" by inserting "and 16"; in line 26, by striking "orthe" and inserting "or the";

On page 69, following line 14, by inserting:

"Sec. 22. K.S.A. 2021 Supp. 21-6508 is hereby amended to read as follows: 21-6508. (a) Tampering with a sports contest is seeking to influence a sports participant or sports official, or tampering with any animal or equipment or other thing involved in the conduct or operation of a sports contest, in a manner known to be contrary to the rules and usages governing such contest and with intent to influence the outcome of such contest.

(b) Tampering with a sports contest is a severity level-9 8, nonperson felony.;"

Also on page 69, in line 17, by striking "17" and inserting "18"; in line 34, after "(b)" by inserting ""Auto racetrack facility" means the same as defined in K.S.A. 2021 Supp. 12-17,162, and amendments thereto, and that is located in Wyandotte county with a minimum investment of \$50,000,000 and is in operation on July 1, 2022.

(c)";

On page 70, in line 32, by striking all after "means"; by striking all in lines 33 through 35; in line 36, by striking all before the period and inserting "an integrated system of hardware, software and applications, including mobile applications and servers, through which sports wagering may be made available to persons physically located within the state of Kansas at the time of submitting the wager to a sports wagering manager over the internet or wireless services as defined in K.S.A. 66-2019, and amendments thereto, including, but not limited to, through websites and mobile device applications";

On page 71, in line 35, by striking ", as of January 1, 2007,"; in line 36, by striking all after "at"; by striking all in line 37; in line 38, by striking all before the period and inserting "any licensed gaming facilities in the United States";

On page 77, in line 13, after "wagers" by inserting ", federal excise taxes, free plays or other promotional credits";

On page 79, in line 17, by striking "13" and inserting "14"; in line 23, by striking "and"; following line 25, by inserting:

"(D) permitting each lottery gaming facility manager, or such manager's contracted parties, including any approved interactive sports wagering platform, to have employees located outside the state of Kansas so that all job functions will conform with 18 U.S.C. § 1081 et seq.;

(E) permitting the establishment of online sports wagering accounts held by a lottery gaming facility manager as approved by the Kansas lottery and preestablished online accounts from other states to be accessed within the borders of Kansas so that revenue is recorded correctly and all other Kansas online rules are followed; and

(F) allowing lottery gaming facility managers to carry over negative amounts to returns filed for subsequent weeks when sports wagering revenues for a week are a negative number because the sum of the winnings paid to patrons wagering on the manager's sports wagering plus all voided wagers and excise taxes on sports wagering paid pursuant to federal law exceeds the manager's total bets accepted from sports wagering by patrons. The negative amounts of sports wagering revenues shall not be carried back to an earlier week and moneys previously received by the lottery will not be refunded, except if the manager ceases to manage sports wagering and the last return reported negative adjusted gross receipts.";

On page 80, in line 32, by striking "and"; in line 33, after "(9)" by inserting "transfers to the attracting professional sports to Kansas fund of the state finance council pursuant to subsection (h); and

(10)";

On page 81, following line 31, by inserting:

"(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 section 13, and amendments thereto.";

On page 83, in line 21, by striking "13" and inserting "14";

On page 88, in line 17, by striking "operating and"; in line 22, by striking all after "include"; in line 23, by striking all before "receive" and inserting "a provision for the state to"; also in line 23, by striking "20%" and inserting "10%"; in line 24, by striking all after "facility"; by striking all in lines 25 and 26; in line 27, by striking all before the period and inserting "manager";

On page 89, in line 31, by striking all after "to"; in line 36, by striking "operate and";

On page 91, in line 13, by striking all after "(3)"; by striking all in lines 14 through 26; in line 27, by striking all before the semicolon and inserting "(A) a certification requirement and enforcement procedure for:

(i) Employees of a lottery gaming facility manager or another entity owned by the lottery gaming facility manager's parent company that are directly involved in the management of sports wagering managed by such manager; and

(ii) those persons who propose to contract with a lottery gaming facility manager in an amount that exceeds \$250,000 per year for the provision of goods or services related to sports wagering, including any interactive sports wagering platform requested by a lottery gaming facility manager under section 2, and amendments thereto; and

(B) such certification requirement shall include compliance with such security, fitness and background investigations and standards as the executive director deems necessary to determine whether such person's reputation, habits or associations pose a threat to the public interest of the state or to the reputation of, or effective regulation and control of, sports wagering conducted by the lottery gaming facility. Such certification shall be valid for one year from the date of issuance";

On page 92, in line 12, by striking all after "(b)"; by striking all in lines 13 through 16; in line 17, by striking "(c)";

On page 93, following line 36, by inserting:

"Sec. 32. K.S.A. 74-8756 is hereby amended to read as follows: 74-8756. (a) Wagers shall be received only from a person at the location where the electronic gaming machine or lottery facility game is authorized pursuant to the Kansas expanded lottery act. No person present at such location shall place or attempt to place a wager on behalf of another person who is not present at such location.

(b) No employee or contractor of, or other person who has any legal affiliation with, a racetrack gaming facility manager shall loan money to or otherwise extend credit to patrons of the parimutuel licensee.

(c)(1) Except as otherwise provided, no employee or contractor of, or other person who has any legal affiliation with, a lottery gaming facility manager shall loan money to or otherwise extend credit to patrons of a lottery gaming facility.

(2) A patron of a lottery gaming facility may fund an account held by a lottery gaming facility manager for the payment of sports wagers and pay for sports wagers through the use of:

(A) Cash and cash equivalents;

(B) electronic bank transfers of money, including transfers through third parties;

(C) bank and wire transfers of money;

(D) debit and credit cards;

(E) online and mobile application payment systems that support online money transfers;

(F) promotional funds provided by a lottery gaming facility manager; and

(G) any other payment method approved by the Kansas lottery.

(3) Nothing in this subsection shall be construed to prohibit any lottery gaming facility manager from obtaining insurance or check guarantee services to protect against any loss as a result of any check that is returned or otherwise not honored due to a stop payment order or nonsufficient funds.

(d) Violation of this section is a class A nonperson misdemeanor upon a conviction for a first offense. Violation of this section is a severity level 9, nonperson felony upon conviction for a second or subsequent offense.";

On page 94, by striking all in line 24; in line 25, by striking "facility" and inserting "sports wager"; in line 28, by striking the second "or"; by striking all in lines 29 through 43;

On page 95, by striking all in lines 1 through 3; in line 4, by striking all before the period and inserting:

"(3) a lottery gaming facility manager, any director, officer, owner or employee of such manager or any relative living in the same household as such persons who places any wager with the manager at the manager's location or through the manager's interactive sports wagering platform;

(4) an interactive sports wagering platform, any director, officer, owner or employee of such platform or any relative living in the same household as such persons who places any wager with the manager through such platform or at the manager's location, except that nothing in this paragraph shall be construed to prohibit any such person from placing any wager through a lottery gaming facility manager or interactive sports wagering platform with which such person has no affiliation;

(5) any owner, officer, athlete, coach or other employee of a team or any person participating as an individual in any sporting event; or

(6) any director, officer or employee of a player or referee union";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 96, following line 14, by inserting:

"Sec. 36. K.S.A. 74-8772 is hereby amended to read as follows: 74-8772. On or before January 1, 2023, the Kansas racing and gaming commission shall adopt such permanent rules and regulations as the commission deems necessary to carry out the duties and functions of the commission pursuant to the Kansas expanded lottery act. Such Temporary rules and regulations may be adopted by the commission without being subject to the provisions and requirements of K.S.A. 77-415 through 77-438, and amendments thereto, but shall be subject to approval by the attorney general as to legality and shall be filed with the secretary of state and published in the Kansas register. Temporary and permanent rules and regulations shall include, but not be limited to, rules and regulations:

(a) Promoting the integrity of the gaming and finances of lottery gaming facilities and racetrack gaming facilities and shall meet or exceed industry standards for monitoring and controlling the gaming and finances of lottery gaming facility operations and racetrack gaming facility operations and shall give the Kansas racing and gaming commission sufficient authority to monitor and control the gaming operation and to ensure its integrity and security;

(b) prescribing the on-site security arrangements for lottery gaming facilities and racetrack gaming facilities;

(c) requiring reporting of information about any lottery gaming facility manager or racetrack gaming facility manager, and its employees, vendors and finances, necessary or desirable to ensure the security of lottery gaming facility and racetrack gaming facility operations. None of the information disclosed pursuant to this subsection shall be subject to disclosure under the Kansas open records act;

(d) requiring reporting and auditing of financial information of lottery gaming facility managers and racetrack gaming facility managers, including, but not limited to, the reporting of profits or losses incurred by lottery gaming facility managers and racetrack gaming facility managers and the reporting of such other information as the Kansas racing and gaming commission requires to determine compliance with the Kansas expanded lottery act and rules and regulations adopted hereunder. None of the information disclosed pursuant to this subsection shall be subject to disclosure under the Kansas open records act; and

(e) provisions for oversight of all lottery gaming facility operations and racetrack gaming facility operations, including, but not limited to, oversight of internal controls; oversight of security of facilities; performance of background investigations, determination of qualifications and credentialing of employees, contractors and agents of lottery gaming facility managers, ancillary lottery gaming facility operations and racetrack gaming facilities; auditing of lottery gaming facility revenues and net electronic gaming machine income of racetrack gaming facilities; enforcement of all state laws; and maintenance of the integrity of lottery gaming facility and racetrack gaming facility operations.";

On page 112, in line 23, after "(f)" by inserting "On or before January 15, 2023, and

each January 15 thereafter, the secretary for aging and disability services shall prepare and submit a report on expenditures from the problem gambling and addictions grant fund to the standing committees on federal and state affairs of the senate and house of representatives.

(g)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 112, in line 42, after the fourth comma by inserting "74-8756,"; also in line 42, after the seventh comma by inserting "74-8772,";

On page 113, in line 1, by striking "and" and inserting a comma; also in line 1, after "21-6507" by inserting "and 21-6508";

And by renumbering sections accordingly;

On page 1, in the title, in line 10, after the second comma by inserting "the attracting professional sports to Kansas fund,"; in line 14, after the seventh comma by inserting "74-8756,"; in line 15, after the third comma by inserting "74-8772,"; in line 16, by striking the third "and" and inserting a comma; in line 17, after "6507" by inserting "and 21-6508";

And your committee on conference recommends the adoption of this report.

JOHN BARKER

TORY MARIE ARNBERGER

LOUIS RUIZ

Conferees on part of House

ROB OLSON

MIKE PETERSEN

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

A motion by Senator Olson to not adopt the conference committee report on **SB 84** and appoint a new conference prevailed.

The President appointed Senators Olson, Petersen and Faust-Goudeau as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORTS

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2540** 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 6 through 26; following line 26, by inserting:

"Section 1. K.S.A. 2021 Supp. 21-5701 is hereby amended to read as follows: 21-5701. As used in K.S.A. 2021 Supp. 21-5701 through 21-5717, and amendments thereto:

(a) "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.

(b) (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.

(c) "Cultivate" means the planting or promotion of growth of five or more plants that contain or can produce controlled substances.

(d) "Distribute" means the actual, constructive or attempted transfer from one person to another of some item whether or not there is an agency relationship. "Distribute" includes, but is not limited to, sale, offer for sale or any act that causes some item to be transferred from one person to another. "Distribute" does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act or otherwise authorized by law.

(e)(1) "Drug" means:

~~(1)(A)~~ Substances recognized as drugs in the official United States pharmacopeia, official homeopathic pharmacopeia of the United States or official national formulary or any supplement to any of them;

~~(2)(B)~~ substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

~~(3)(C)~~ substances, other than food, intended to affect the structure or any function of the body of humans or animals; and

~~(4)(D)~~ substances intended for use as a component of any article specified in paragraph (1), (2) or (3) subparagraph (A), (B) or (C).

~~(2)~~ "Drug" does not include devices or their components, parts or accessories.

(f) "Drug paraphernalia" means all equipment and materials of any kind that are used, or primarily intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance and in violation of this act. "Drug paraphernalia" shall include, but is not limited to:

(1) Kits used or intended for use in planting, propagating, cultivating, growing or

harvesting any species of plant that is a controlled substance or from which a controlled substance can be derived;

(2) kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;

(3) isomerization devices used or intended for use in increasing the potency of any species of plant that is a controlled substance;

(4) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances, excluding fentanyl testing strips;

(5) scales and balances used or intended for use in weighing or measuring controlled substances;

(6) diluents and adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose and lactose that are used or intended for use in cutting controlled substances;

(7) separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;

(8) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;

(9) capsules, balloons, envelopes, bags and other containers used or intended for use in packaging small quantities of controlled substances;

(10) containers and other objects used or intended for use in storing or concealing controlled substances;

(11) hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body;

(12) objects used or primarily intended or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, hashish oil, phencyclidine (PCP), methamphetamine or amphetamine into the human body, such as:

(A) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;

(B) water pipes, bongs or smoking pipes designed to draw smoke through water or another cooling device;

(C) carburetion pipes, glass or other heat resistant tubes or any other device used, intended to be used or designed to be used to cause vaporization of a controlled substance for inhalation;

(D) smoking and carburetion masks;

(E) roach clips, objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;

(F) miniature cocaine spoons and cocaine vials;

(G) chamber smoking pipes;

(H) carburetor smoking pipes;

(I) electric smoking pipes;

(J) air-driven smoking pipes;

(K) chillums;

(L) bongs;

(M) ice pipes or chillers;

(N) any smoking pipe manufactured to disguise its intended purpose;

(O) wired cigarette papers; or

(P) cocaine freebase kits.

"Drug paraphernalia" shall not include any products, chemicals or materials described in K.S.A. 2021 Supp. 21-5709(a), and amendments thereto.

(g) "Immediate precursor" means a substance that the state board of pharmacy has found to be and by rules and regulations 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.

(h) "Isomer" means all enantiomers and diastereomers.

(i) "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. "Manufacture" does not include:

(1) 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:

(A) 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

(B) 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; or

(2) the addition of diluents or adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose or lactose that are intended for use in cutting a controlled substance.

(j) "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. "Marijuana" 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

~~(4)~~(5) industrial hemp as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

(k) "Minor" means a person under 18 years of age.

(l) "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.

(m) "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. "Opiate" 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). "Opiate" does include its racemic and levorotatory forms.

(n) "Opium poppy" means the plant of the species *Papaver somniferum* L. except its seeds.

(o) "Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, association or any other legal entity.

(p) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(q) "Possession" means having joint or exclusive control over an item with knowledge of and intent to have such control or knowingly keeping some item in a place where the person has some measure of access and right of control.

(r) "School property" means property upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12. This definition shall not be construed as requiring that school be in session or that classes are actually being held at the time of the offense or that children must be present within the structure or on the property during the time of any alleged criminal act. If the structure or property meets the above definition, the actual use of that structure or property at the time alleged shall not be a defense to the crime charged or the sentence imposed.

(s) "Simulated controlled substance" means any product that identifies itself by a common name or slang term associated with a controlled substance and that indicates on its label or accompanying promotional material that the product simulates the effect of a controlled substance.

Sec. 2. K.S.A. 2021 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 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:

~~(1)(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;

~~(2)(B)~~ substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in human or animals;

~~(3)(C)~~ substances (other than food) intended to affect the structure or any function of the body of human or animals; and

~~(4)(D)~~ substances intended for use as a component of any article specified in ~~paragraph (1), (2) or (3), 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

~~(4)~~(5) industrial hemp as defined in K.S.A. 2021 Supp. 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. 3. K.S.A. 2021 Supp. 65-4105 is hereby amended to read as follows: 65-4105.

(a) The controlled substances listed in this section are included in schedule I and the number set forth opposite each drug or substance is the DEA controlled substances code that has been assigned to it.

(b) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

- (1) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).....9821
- (2) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide).....9815
- (3) Acetylmethadol.....9601
- (4) Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide; acryloylfentanyl).....9811
- (5) AH-7921 (3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl]benzamide).....9551
- (6) Allylprodine.....9602
- (7) Alphacetylmethadol.....9603
(except levo-alphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM)
- (8) Alphameprodine.....9604
- (9) Alphamethadol.....9605
- (10) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine).....9814
- (11) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).....9832
- (12) Benzethidine.....9606
- (13) Betacetylmethadol.....9607
- (14) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide).....9830
- (15) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide).....9831
- (16) Beta-hydroxythiofentanyl (N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide).....9836
- (17) Betameprodine.....9608
- (18) Betamethadol.....9609
- (19) Betaprodine.....9611
- (20) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide).....9822

(21)	Clonitazene.....	9612
(22)	<u>Crotonyl fentanyl ((E)-N-(1-phenethylpiperidin-4-yl)-N-phenylbut-2-enamide).....</u>	<u>9844</u>
(23)	Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide).....	9847
(23)(24)	Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide).....	9845
(24)(25)	Dextromoramide.....	9613
(25)(26)	Diampromide.....	9615
(26)(27)	Diethylthiambutene.....	9616
(27)(28)	Difenoxin.....	9168
(28)(29)	Dimenoxadol.....	9617
(29)(30)	Dimepheptanol.....	9618
(30)(31)	Dimethylthiambutene.....	9619
(31)(32)	Dioxaphetyl butyrate.....	9621
(32)(33)	Dipipanone.....	9622
(33)(34)	Ethylmethylthiambutene.....	9623
(34)(35)	Etonitazene.....	9624
(35)(36)	Etoperidine.....	9625
(36)(37)	Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide).....	9834
(37)(38)	Furethidine.....	9626
(38)(39)	Hydroxypethidine.....	9627
(39)(40)	<u>Isotonitazene (N,N-diethyl-2-(2-(4 isopropoxybenzyl)-5-nitro-1 H-benzimidazol-1-yl)ethan-1-amine; N,N-diethyl-2-[[4-(1-methylethoxy)phenyl]methyl]-5-nitro-1 H-benzimidazole-1-ethanamine).....</u>	<u>9614</u>
(41)	Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide).....	9827
(40)(42)	Ketobemidone.....	9628
(41)(43)	Levomoramide.....	9629
(42)(44)	Levophenacymorphan.....	9631
(43)(45)	Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).....	9825
(44)(46)	3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide).....	9813
(45)(47)	3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).....	9833
(46)(48)	Morpheridine.....	9632
(47)(49)	Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide).....	9838
(48)(50)	O-desmethyltramadol Some trade or other names: 2-((dimethylamino)methyl-1-(3-hydroxyphenyl)cyclohexanol;3-(2-((dimethylamino)methyl)-1-hydroxycyclohexyl)phenol	
(49)(51)	MPPP (1-methyl-4-phenyl-4-propionoxypiperidine).....	9661

(50) <u>(52)</u> MT-45 (1-cychohexyl-4-(1,2-diphenylethyl)piperazine).....	9560
(51) <u>(53)</u> Noracymethadol.....	9633
(52) <u>(54)</u> Norlevorphanol.....	9634
(53) <u>(55)</u> Normethadone.....	9635
(54) <u>(56)</u> Norpipanone.....	9636
(55) <u>(57)</u> Ortho-fluorofentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide; 2-fluorofentanyl).....	9816
(56) <u>(58)</u> Para-chloroisobutyryl fentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide).....	9826
(57) <u>(59)</u> Para-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide).....	9823
(58) <u>(60)</u> Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide).....	9812
(59) <u>(61)</u> Para-fluoroisobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, 4-fluoroisobutyryl fentanyl)....	9824
(60) <u>(62)</u> Para-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide).....	9837
(61) <u>(63)</u> PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine).....	9663
(62) <u>(64)</u> Phenadoxone.....	9637
(63) <u>(65)</u> Phenampromide.....	9638
(64) <u>(66)</u> Phenomorphan.....	9647
(65) <u>(67)</u> Phenoperidine.....	9641
(66) <u>(68)</u> Piritramide.....	9642
(67) <u>(69)</u> Proheptazine.....	9643
(68) <u>(70)</u> Properidine.....	9644
(69) <u>(71)</u> Propiram.....	9649
(70) <u>(72)</u> Racemoramide.....	9645
(71) <u>(73)</u> Tetrahydrofuranlyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide).....	9843
(72) <u>(74)</u> Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide).....	9835
(73) <u>(75)</u> Tilidine.....	9750
(74) <u>(76)</u> Trimeperidine.....	9646
(75) <u>(77)</u> U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide).....	9547
(76) <u>(78)</u> Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide).....	9840

(c) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine.....	9319
(2) Acetyldihydrocodeine.....	9051
(3) Benzylmorphine.....	9052
(4) <u>Brorphine</u>	9098
(5) Codeine methylbromide.....	9070

(5) (6)	Codeine-N-Oxide.....	9053
(6) (7)	Cyprenorphine.....	9054
(7) (8)	Desomorphine.....	9055
(8) (9)	Dihydromorphine.....	9145
(9) (10)	Drotebanol.....	9335
(10) (11)	Etorphine (except hydrochloride salt).....	9056
(11) (12)	Heroin.....	9200
(12) (13)	Hydromorphenol.....	9301
(13) (14)	Methyl-desorphine.....	9302
(14) (15)	Methyldihydromorphine.....	9304
(15) (16)	Morphine methylbromide.....	9305
(16) (17)	Morphine methylsulfonate.....	9306
(17) (18)	Morphine-N-Oxide.....	9307
(18) (19)	Myrophine.....	9308
(19) (20)	Nicocodeine.....	9309
(20) (21)	Nicomorphine.....	9312
(21) (22)	Normorphine.....	9313
(22) (23)	Pholcodine.....	9314
(23) (24)	Thebacon.....	9315

(d) Any material, compound, mixture or preparation that contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Alpha-ethyltryptamine 7249 Some trade or other names: etryptamine; Monase; α -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; and AET.
- (2) 4-bromo-2,5-dimethoxy-amphetamine.....7391
Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA.
- (3) 2,5-dimethoxyamphetamine.....7396
Some trade or other names: 2,5-dimethoxy-alpha-methyl-phenethylamine; 2,5-DMA.
- (4) 4-methoxyamphetamine.....7411
Some trade or other names: 4-methoxy-alpha-methylphene-thylamine; paramethoxyamphetamine; PMA.
- (5) 5-methoxy-3,4-methylenedioxy-amphetamine.....7401
- (6) 4-methyl-2,5-dimethoxy-amphetamine.....7395
Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP".
- (7) 3,4-methylenedioxy amphetamine.....7400
- (8) 3,4-methylenedioxymethamphetamine (MDMA).....7405
- (9) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl MDA, MDE, and MDEA).....7404
- (10) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4-(methylenedioxy) phenethylamine, and

	N-hydroxy MDA).....	7402
(11)	3,4,5-trimethoxy amphetamine.....	7390
(12)	Bufotenine.....	7433
	Some trade or other names: 3-(Beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine.	
(13)	Diethyltryptamine.....	7434
	Some trade or other names: N,N-Diethyltryptamine; DET.	
(14)	Dimethyltryptamine.....	7435
	Some trade or other names: DMT.	
(15)	Ibogaine.....	7260
	Some trade or other names: 7-Ethyl-6,6 Beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2]azepino[5,4-b]indole; Tabernanthe iboga	
(16)	Lysergic acid diethylamide.....	7315
(17)	Marijuana.....	7360
(18)	Mescaline.....	7381
(19)	Parahexyl.....	7374
	Some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl.	
(20)	Peyote.....	7415
	Meaning all parts of the plant presently classified botanically as <i>Lophophora williamsii</i> Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.	
(21)	N-ethyl-3-piperidyl benzilate.....	7482
(22)	N-methyl-3-piperidyl benzilate.....	7484
(23)	Psilocybin.....	7437
(24)	Psilocyn.....	7438
	Some trade or other names: Psilocin.	
(25)	Ethylamine analog of phencyclidine.....	7455
	Some trade or other names: N-ethyl-1-phenyl-cyclo-hexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE.	
(26)	Pyrrolidine analog of phencyclidine.....	7458
	Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; PHP.	
(27)	Thiophene analog of phencyclidine.....	7470
	Some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP.	
(28)	1-[1-(2-thienyl)-cyclohexyl] pyrrolidine.....	7473
	Some other names: TCPy.	
(29)	2,5-dimethoxy-4-ethylamphetamine.....	7399
	Some trade or other names: DOET.	
(30)	<i>Salvia divinorum</i> or <i>salvinorum</i> A; all parts of the plant presently classified botanically as <i>salvia divinorum</i> , whether growing or not,	

the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.

- (31) *Datura stramonium*, commonly known as gypsum weed or jimson weed; all parts of the plant presently classified botanically as *datura stramonium*, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.
- (32) N-benzylpiperazine.....7493
Some trade or other names: BZP.
- (33) 1-(3-[trifluoromethylphenyl])piperazine
Some trade or other names: TFMPP.
- (34) 4-Bromo-2,5-dimethoxyphenethylamine.....7392
- (35) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical isomers, salts and salts of optical isomers.....7348
- (36) Alpha-methyltryptamine (other name: AMT).....7432
- (37) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers, salts and salts of isomers.....7439
- (38) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).....7509
- (39) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).....7508
- (40) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).....7519
- (41) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).....7518
- (42) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2).....7385
- (43) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4).....7532
- (44) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).....7517
- (45) 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C-N).....7521
- (46) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).....7524
- (47) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT).....7431
Some trade or other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole.
- (48) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) thanamine.....7538
Some trade or other names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimi-5.
- (49) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) thanamine.....7537
Some trade or other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimi-82.
- (50) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine.....7536
Some trade or other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimi-36.
- (51) 2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
Some trade or other names: 25H-NBOMe.
- (52) 2-(2,5-dimethoxy-4-methylphenyl)-N-(2-methoxybenzyl)ethanamine
Some trade or other names: 25D-NBOMe; 2C-D-NBOMe.
- (53) 2-(2,5-dimethoxy-4-nitrophenyl)-N-(2-methoxybenzyl)ethanamine
Some trade or other names: 25N-NBOMe, 2C-N-NBOMe.

(54) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1 H-pyrrolo[2,3-b]pyridine-3-carboxamide (5F-CUMYL-P7AICA).....7085

(e) Any material, compound, mixture or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Etizolam
Some trade or other names: (4-(2-chlorophenyl)-2-ethyl-9-methyl-6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine)
- (2) Mecloqualone.....2572
- (3) Methaqualone.....2565
- (4) Gamma hydroxybutyric acid

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:

- (1) Aminorex.....1585
Some other names: Aminoxaphen 2-amino-5-phenyl-2-oxazoline or 4,5-dihydro-5-phenyl-2-oxazolamine
- (2) Fenethylamine.....1503
- (3) N-ethylamphetamine.....1475
- (4) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine).....1590
- (5) N,N-dimethylamphetamine (also known as N,N-alpha-trimethylbenzeneethanamine; N,N-alpha-trimethylphenethylamine).....1480
- (6) Cathinone (some other names: 2-amino-1-phenol-1-propanone, alpha-amino propiophenone, 2-amino propiophenone and norphedrone).....1235
- (7) Substituted cathinones
Any compound, except bupropion or compounds listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:
 - (A) By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;
 - (B) by substitution at the 3-position with an acyclic alkyl substituent;
 - (C) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or
 - (D) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(g) Any material, compound, mixture or preparation that contains any quantity of the following substances:

- (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of isomers

- (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers
 - (h) Any of the following cannabinoids, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:
 - (1) Tetrahydrocannabinols.....7370
 Meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers Delta 3,4 cis or trans tetrahydrocannabinol, and its optical isomers (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.), except tetrahydrocannabinols in any of the following:
 - (A) Industrial hemp, as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto;
 - (B) solid waste, as defined in K.S.A. 65-3402, and amendments thereto, and hazardous waste, as defined in K.S.A. 65-3430, and amendments thereto, if such waste is the result of the cultivation, production or processing of industrial hemp, as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto, and such waste contains a delta-9 tetrahydrocannabinol concentration of not more than 0.3%; or
 - (C) hemp products, as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto, unless otherwise deemed unlawful pursuant to K.S.A. 2021 Supp. 2-3908, and amendments thereto.
- (2) ~~Naphthoylindoles~~
~~Any compound containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl) ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the benzyl or naphthyl ring to any extent.~~
 - (3) Naphthylmethylindoles
 Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ~~ring group~~ by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted ~~in on~~ the indole ~~ring group~~ to any extent and whether or not substituted ~~in on~~ the benzyl or naphthyl ring to any extent.

- (4)(3) Naphthoylpyrroles
Any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring group by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in on the pyrrole ring group to any extent, whether or not substituted in on the benzyl or naphthyl ring to any extent.
- (5)(4) Naphthylmethylenes
Any compound containing a naphthylideneindene naphthylmethylindene structure with substitution at the 3-position of the indene ring group by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in on the indene ring group to any extent, whether or not substituted in on the benzyl or naphthyl ring to any extent.
- (6) — Phenylacetylindoles
~~Any compound containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any extent, whether or not substituted in the benzyl or phenyl ring to any extent.~~
- (7)(5) Cyclohexylphenols
Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted in on the cyclohexyl ring to any extent.
- (8) — Benzoylindoles
Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any extent and whether or not substituted in the benzyl or phenyl ring to any extent.
- (9)(6) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone.
Some trade or other names: WIN 55,212-2.
- (10)(7) 9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol
Some trade or other names: HU-210, HU-211.
- (11) — Tetramethylecyclopropanoylindoles
Any compound containing a 3-tetramethylecyclopropanoylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-

~~pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranyl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the benzyl or tetramethylecyclopropyl rings to any extent.~~

(+2)(8) Indole-3-carboxylate esters

Any compound containing a 1H-indole-3-carboxylate ester structure with the ester oxygen bearing a naphthyl, quinolinyl, isoquinolinyl or adamantyl group and substitution at the 1 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, ~~N-methyl-2-piperidinyl)methyl~~ 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl or benzyl groups to any extent.

(+3)(9) Indazole-3-carboxamides

Any compound containing a 1H-indazole-3-carboxamide structure with substitution at the nitrogen of the carboxamide by a naphthyl, quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1 position of the indazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, ~~N-methyl-2-piperidinyl)methyl~~ 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indazole ring to any extent and whether or not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-oxoalkan-2-yl, 1-alkoxy-1-oxoalkan-2-yl or benzyl groups to any extent.

(+4)(10) Indole-3-carboxamides

Any compound containing a 1H-indole-3-carboxamide structure with substitution at the nitrogen of the carboxamide by a naphthyl, quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, ~~N-methyl-2-piperidinyl)methyl~~ 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not further substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-oxoalkan-2-yl, 1-alkoxy-1-oxoalkan-2-yl or benzyl groups to any extent.

(+5)(11) (1H-indazol-3-yl)methanones

Any compound containing a (1H-indazol-3-yl)methanone structure with the carbonyl carbon bearing a naphthyl group and substitution at the 1 position of the indazole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, ~~N-methyl-2-piperidinyl)methyl~~ 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indazole ring to any extent and whether or not substituted on the naphthyl or benzyl groups to any extent.

(12) (1H-indol-3-yl)methanones

Any compound containing a (1H-indol-3-yl)methanone structure with the

carbonyl carbon bearing a naphthyl, quinolinyl, isoquinolinyl, adamantyl, phenyl, benzyl or tetramethylcyclopropyl group and substitution at the 1 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl, phenyl, benzyl or tetramethylcyclopropyl groups to any extent.

Sec. 4. K.S.A. 65-4107 is hereby amended to read as follows: 65-4107. (a) The controlled substances listed in this section are included in schedule II and the number set forth opposite each drug or substance is the DEA controlled substances code which has been assigned to it.

(b) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene, naloxone, 6β-naltrexol and naltrexone and their respective salts, but including the following:

(A)	Raw opium.....	9600
(B)	Opium extracts.....	9610
(C)	Opium fluid.....	9620
(D)	Powdered opium.....	9639
(E)	Granulated opium.....	9640
(F)	Tincture of opium.....	9630
(G)	Codeine.....	9050
(H)	Ethylmorphine.....	9190
(I)	Etorphine hydrochloride.....	9059
(J)	Hydrocodone.....	9193
(K)	Hydromorphone.....	9150
(L)	Metopon.....	9260
(M)	Morphine.....	9300
(N)	<u>Noroxymorphone.....</u>	<u>9668</u>
(O)	Oxycodone.....	9143
(P)	Oxymorphone.....	9652
(Q)	Thebaine.....	9333
(R)	Dihydroetorphine.....	9334
(S)	Oripavine.....	9330

(2) Any salt, compound, isomer, derivative or preparation thereof which 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 (9040) and any salt, compound, derivative or preparation of coca leaves, but not including decocainized coca leaves or extractions which do not contain cocaine (9041) or ecgonine (9180).

(5) Cocaine, its salts, isomers and salts of isomers (9041).

(6) Ecgonine, its salts, isomers and salts of isomers (9180).

(7) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy) (9670).

(c) Any of the following opiates, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation dextropropoxyphene and levopropoxyphene excepted:

(1)	Alfentanil.....	9737
(2)	Alphaprodine.....	9010
(3)	Anileridine.....	9020
(4)	Bezitramide.....	9800
(5)	Bulk dextropropoxyphene (nondosage forms).....	9273
(6)	Carfentanil.....	9743
(7)	Dihydrocodeine.....	9120
(8)	Diphenoxylate.....	9170
(9)	Fentanyl.....	9801
(10)	Isomethadone.....	9226
(11)	Levomethorphan.....	9210
(12)	Levorphanol.....	9220
(13)	Metazocine.....	9240
(14)	Methadone.....	9250
(15)	Methadone-intermediate,4-cyano-2-dimethyl amino-4, 4-diphenyl butane.....	9254
(16)	Moramide-intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid.....	9802
(17)	<u>Oliceridine (N-[(3-methoxythiophen-2-yl)methyl] ({2-[(9 R)-9-(pyridin-2-yl)-6-oxaspiro [4.5]decan-9-yl]ethyl}) amine fumarate).....</u>	<u>9245</u>
(18)	Pethidine (meperidine).....	9230
(18)(19)	Pethidine-intermediate-A, 4-cyano-1-methyl-4- phenylpiperidine.....	9232
(19)(20)	Pethidine-intermediate-B, ethyl-4-phenyl- piperidine-4-carboxylate.....	9233
(20)(21)	Pethidine-intermediate-C, 1-methyl-4-phenyl-piperidine-4-carboxylic acid.....	9234
(21)(22)	Phenazocine.....	9715
(22)(23)	Piminodine.....	9730
(23)(24)	Racemethorphan.....	9732
(24)(25)	Racemorphan.....	9733
(25)(26)	Sufentanil.....	9740
(26)(27)	Levo-alphaacetyl methadol.....	9648

Some other names: levo-alpha-acetyl methadol, levomethadyl acetate or

LAAM.

(27)(28) Remifentanil.....9739
 (28)(29) Tapentadol.....9780
 (29)(30) Thiafentanil.....9729

(d) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers and salts of its optical isomers.....1100
 (2) Phenmetrazine and its salts.....1631
 (3) Methamphetamine, including its salts, isomers and salts of isomers.....1105
 (4) Methylphenidate.....1724
 (5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.....1205

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Amobarbital.....2125
 (2) Glutethimide.....2550
 (3) Secobarbital.....2315
 (4) Pentobarbital.....2270
 (5) Phencyclidine.....7471

(f) Any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Immediate precursor to amphetamine and methamphetamine:
 (A) Phenylacetone.....8501
 Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.
 (2) Immediate precursors to phencyclidine (PCP):
 (A) 1-phenylcyclohexylamine.....7460
 (B) 1-piperidinocyclohexanecarbonitrile (PCC).....8603
 (3) Immediate precursor to fentanyl:
 (A) 4-anilino-N-phenethyl-4-piperidinephenethylpiperidine (ANPP).....8333
 (B) N-phenyl-N-(piperidin-4-yl)propionamide (norfentanyl).....8366

(g) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substance, its salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Dronabinol [(-)-delta-9-trans tetrahydrocannabinol] in an oral solution in a drug product approved for marketing by the United States food and drug administration.....7365
 (2) Nabilone.....7379

[Another name for nabilone: (±)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one]

(h) Any material, compound, mixture or preparation containing any of the following narcotic drugs or any salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

- (1) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit with a fourfold or greater quantity of an isoquinoline alkaloid of opium 9805
- (2) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.....9806

Sec. 5. K.S.A. 65-4111 is hereby amended to read as follows: 65-4111. (a) The controlled substances listed in this section are included in schedule IV and the number set forth opposite each drug or substance is the DEA controlled substances code that has been assigned to it.

(b) Any material, compound, mixture or preparation that contains any quantity of the following substances including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation and having a potential for abuse associated with a depressant effect on the central nervous system:

(1)	Alprazolam.....	2882
(2)	Barbital.....	2145
(3)	<u>Brexanolone.....</u>	<u>2400</u>
(4)	Bromazepam	2748
(4) (5)	Camazepam.....	2749
(5) (6)	Carisoprodol.....	8192
(6) (7)	Chloral betaine.....	2460
(7) (8)	Chloral hydrate.....	2465
(8) (9)	Chlordiazepoxide.....	2744
(9) (10)	Clobazam.....	2751
(10) (11)	Clonazepam.....	2737
(11) (12)	Clorazepate.....	2768
(12) (13)	Clotiazepam.....	2752
(13) (14)	Cloxazolam.....	2753
(14) (15)	Delorazepam.....	2754
(15) (16)	Diazepam.....	2765
(16) (17)	Dichloralphenazone.....	2467
(17) (18)	Estazolam.....	2756
(18) (19)	Ethchlorvynol.....	2540
(19) (20)	Ethinamate.....	2545
(20) (21)	Ethyl loflazepate.....	2758
(21) (22)	Fludiazepam.....	2759
(22) (23)	Flunitrazepam.....	2763
(23) (24)	Flurazepam.....	2767

(24) (25)	Fospropofol.....	2138
(25) (26)	Halazepam.....	2762
(26) (27)	Haloxazolam.....	2771
(27) (28)	Ketazolam.....	2772
(28) (29)	Lemborexant.....	2245
(30)	Loprazolam.....	2773
(29) (31)	Lorazepam.....	2885
(30) (32)	Lormetazepam.....	2774
(31) (33)	Mebutamate.....	2800
(32) (34)	Medazepam.....	2836
(33) (35)	Meprobamate.....	2820
(34) (36)	Methohexital.....	2264
(35) (37)	Methylphenobarbital (mephobarbital).....	2250
(36) (38)	Midazolam.....	2884
(37) (39)	Nimetazepam.....	2837
(38) (40)	Nitrazepam.....	2834
(39) (41)	Nordiazepam.....	2838
(40) (42)	Oxazepam.....	2835
(41) (43)	Oxazolam.....	2839
(42) (44)	Paraldehyde.....	2585
(43) (45)	Petrichloral.....	2591
(44) (46)	Phenobarbital.....	2285
(45) (47)	Pinazepam.....	2883
(46) (48)	Prazepam.....	2764
(47) (49)	Quazepam.....	2881
(48) (50)	Remimazolam.....	2846
(51)	Temazepam.....	2925
(49) (52)	Tetrazepam.....	2886
(50) (53)	Triazolam.....	2887
(51) (54)	Zolpidem.....	2783
(52) (55)	Zaleplon.....	2781
(53) (56)	Zopiclone.....	2784
(54) (57)	2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers and salts of these isomers (including tramadol)..	9752
(55) (58)	Alfaxalone.....	2731
(56) (59)	Suvorexant.....	2223

(c) Any material, compound, mixture, or preparation that contains any quantity of fenfluramine (1670), including its salts, isomers (whether optical, position or geometric) and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible. The provisions of this subsection (c) shall expire on the date fenfluramine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(d) Any material, compound, mixture or preparation that contains any quantity of lorcaserin (1625), including its salts, isomers and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible (21 U.S.C. § 812; 21

code of federal regulations 1308.14).

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1)	Cathine ((+)-norpseudoephedrine).....	1230
(2)	Diethylpropion.....	1610
(3)	Fencamfamin.....	1760
(4)	Fenproporex.....	1575
(5)	Mazindol.....	1605
(6)	Mefenorex.....	1580
(7)	Pemoline (including organometallic complexes and chelates thereof)....	1530
(8)	Phentermine.....	1640

The provisions of this subsection (e)(8) shall expire on the date phentermine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(9)	Pipradrol.....	1750
(10)	SPA((-)-1-dimethylamino-1, 2-diphenylethane).....	1635
(11)	Sibutramine.....	1675
(12)	<u>Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol, beta-amino-, carbamate (ester)).....</u>	<u>1650</u>
(13)	Mondafinil.....	1680

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation that contains any quantity of the following, including salts thereof:

(1)	Pentazocine.....	9709
(2)	Butorphanol (including its optical isomers).....	9720
(3)	Cannabidiol, when comprising the sole active ingredient of a drug product approved by the United States food and drug administration Some other names for cannabidiol: 2-[(1R,6R)-3-Methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol	
(4)	Eluxadolone (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl]][(1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid).(including its optical isomers) and its salts, isomers, and salts of isomers.....	9725

(g) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1)	Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.....	9167
(2)	Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propion-oxybutane).....	9278

(h) Butyl nitrite and its salts, isomers, esters, ethers or their salts.

(i) The board may except by rule and regulation any compound, mixture or preparation containing any depressant substance listed in subsection (b) from the application of all or any part of this act if the compound, mixture or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion or concentration that vitiate the potential for abuse of the substances that have a depressant effect on the central nervous system.

Sec. 6. K.S.A. 65-4113 is hereby amended to read as follows: 65-4113. (a) The controlled substances or drugs, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section are included in schedule V.

(b) Any compound, mixture or preparation containing limited quantities of any of the following narcotic drugs which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than 200 milligrams of codeine or any of its salts per 100 milliliters or per 100 grams.

(2) Not more than 100 milligrams of dihydrocodeine or any of its salts per 100 milliliters or per 100 grams.

(3) Not more than 100 milligrams of ethylmorphine or any of its salts per 100 milliliters or per 100 grams.

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

(6) Not more than .5 milligram of difenoxin (9168) and not less than 25 micrograms of atropine sulfate per dosage unit.

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Propylhexedrine (except when part of a compound used for nasal decongestion which is authorized to be sold lawfully over the counter without a prescription under the federal food, drug and cosmetic act, so long as it is used only for such purpose).....8161

(2) Pyrovalerone.....1485

(d) Any compound, mixture or preparation containing any detectable quantity of ephedrine, its salts or optical isomers, or salts of optical isomers.

(e) Any compound, mixture or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers.

(f) Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

- (1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide) (some trade or other names BRV; UCB-34714; Briviact).....2710
- (2) Cenobamate [(1R)-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl] carbamate..2720
- (3) Ezogabine N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester.....2779
- ~~(3)~~~~(4)~~ Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide].....2746
- ~~(4)~~~~(5)~~ Lasmiditan [2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-carbonyl)pyridine-2-yl)-benzamide.....2790
- (6) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].....2782

Sec. 7. K.S.A. 65-4107, 65-4111 and 65-4113 and K.S.A. 2021 Supp. 21-5701, 65-4101 and 65-4105 are hereby repealed.";

Also on page 1, in line 28, 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 all after "ACT"; by striking all in line 2; in line 3, by striking all before the period and inserting "concerning controlled substances; relating to substances included in schedules I, II, IV and V of the uniform controlled substances act; amending the definition of controlled substances in the Kansas criminal code; excluding certain drug products from the definition of marijuana; fentanyl testing strips from the definition of drug paraphernalia; amending K.S.A. 65-4107, 65-4111 and 65-4113 and K.S.A. 2021 Supp. 21-5701, 65-4101 and 65-4105 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

RICHARD HILDERBRAND
BEVERLY GOSSAGE
PAT PETTEY

Conferees on part of Senate

BRENDA LANDWEHR
JOHN EPLEE
SUSAN RUIZ

Conferees on part of House

A motion was made by Senator Hilderbrand to adopt the Conference Committee Report on **HB 2540**.

A substitute motion by Senator Baumgardner to not adopt the conference committee report on **HB 2540** and appoint a new conference prevailed.

The President appointed Senators Hilderbrand, Gossage and Pettey as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2106** 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 15 through 34;

By striking all on pages 2 through 13;

On page 14, by striking all in lines 1 through 14; following line 14, by inserting:

"New Section 1. (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%;

(2) commencing on January 1, 2024, at the rate of 2%; and

(3) commencing on January 1, 2025, 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. 2. K.S.A. 2021 Supp. 12-189a is hereby amended to read as follows: 12-189a. The following sales shall be subject to the taxes levied and collected by all cities and counties under the provisions of K.S.A. 12-187 et seq., and amendments thereto:

(a) All sales of natural gas, electricity, heat and water delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises and all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes for agricultural use, except that effective January 1, 2006, the provisions of this subsection shall expire for sales of water pursuant to this subsection;

(b) 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; ~~and~~

(c) all sales of intrastate telephone and telegraph services for noncommercial use; ~~and~~

(d) all sales of food and food ingredients.

Sec. 3. K.S.A. 13-13a39 is hereby amended to read as follows: 13-13a39. ~~The following sales subject to the countywide and city retailers' sales tax pursuant to K.S.A. 12-189a, and amendments thereto, shall also~~ be subject to the taxes levied by Washburn University of Topeka under the provisions of K.S.A. 13-13a38, and amendments thereto:

~~(a) All sales of natural gas, electricity, heat and water delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises and all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes for agricultural use;~~

~~(b) 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; and~~

~~(c) all sales of intrastate telephone and telegraph services for noncommercial use.~~

Sec. 4. K.S.A. 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, 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 $20/200$ 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 $20/200$ 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. 5. K.S.A. 2021 Supp. 79-3602 is hereby amended to read as follows: 79-3602. 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 or 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.

(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, K.S.A. 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 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. 6. K.S.A. 2021 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 ~~July January 1, 2021, 16.154%~~ 2023, 17% and on and after January 1, 2025, 18% of the ~~6.5% rate tax rate~~ tax rate imposed pursuant to this section and the rate provided in section 1, 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" ~~shall mean~~ 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" ~~shall mean~~ 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" ~~shall mean~~ 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" ~~shall mean~~ means only those enclosures within which individuals

customarily live;

(5) "utility structure" ~~shall mean~~ 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" ~~shall mean~~ 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; ~~and~~

(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 section 1, and amendments thereto.

Sec. 7. K.S.A. 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 July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(2) ~~On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(3) ~~On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(4) ~~On July 1, 2013, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(5) ~~On July January 1, 2015 2023,~~ the state treasurer shall credit ~~16.226% 17%~~ of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the ~~rate of 6.5% rates provided in K.S.A. 79-3603, and amendments thereto, and section 1, and amendments thereto,~~ and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

~~(6)(2) On July January 1, 2016 2025,~~ and thereafter, the state treasurer shall credit ~~16.154% 18%~~ of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the ~~rate of 6.5% rates provided in K.S.A. 79-3603, and amendments thereto, and section 1, 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. 2021 Supp. 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. 2021 Supp. 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. 8. K.S.A. 2021 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 section 1, and amendments thereto.

(c) On and after July January 1, 2021, 16.154% at 2023, 17% and on and after January 1, 2025, 18% of the 6.5% rate tax rate imposed pursuant to this section and the rate provided in section 1, 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. 9. K.S.A. 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 July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(4) On July 1, 2013, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(5) On July January 1, 2015 2023, the state treasurer shall credit ~~16.226%~~ 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the ~~rate of 6.5%~~ rates provided in K.S.A. 79-3703, and amendments thereto, and section 1, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(6)(2) On July January 1, 2016 2025, and thereafter, the state treasurer shall credit ~~16.154%~~ 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the ~~rate of 6.5%~~ rates provided in K.S.A. 79-3703, and amendments thereto, and section 1, 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 14, in line 15, by striking "79-3221 and 79-32,117" and inserting "13-13a39, 79-32,271, 79-3620 and 79-3710 and K.S.A. 2021 Supp. 12-189a, 79-3602, 79-3603 and 79-3703"; in line 16, after "effect" by inserting "on and after January 1, 2023,"; in line 17, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "income"; also in line 1, by striking all after the first semicolon; by striking all in lines 2 through 9 and inserting "reducing the rate of sales and compensating use tax imposed on sales of food and food ingredients; relating to income tax; discontinuing the food sales tax credit;"; in line 10, by striking "79-3221 and 79-32,117" and inserting "13-13a39, 79-32,271, 79-3620 and 79-3710 and K.S.A. 2021 Supp. 12-189a, 79-3602, 79-3603 and 79-3703";

And your committee on conference recommends the adoption of this report.

CARYN TYSON

VIRGIL PECK

Conferees on part of Senate

ADAM SMITH

LES MASON

Conferees on part of House

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2106**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 1; Absent or Not Voting 0.

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

Present and Passing: Suellentrop.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

Mr. President: After working to reduce sales tax on food in this legislature for years, I'm excited to finally take this step. After imposing fiscally responsible policies in the last few years, I do believe we are in a position to make this effective in July 2022 AND eliminate the entire state portion of food sales tax to zero immediately. While it represents a compromise amongst stakeholders across parties, across chambers, across legislative branches, indeed across Kansas; this is still a great move forward that specifically gives long due relief to our more economically challenged citizens with this version of an axe to the food sales tax. I vote "Aye."—JEFF PITTMAN

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 313**.

The House adopts the Conference Committee report on **Sub HB 2466**.

The House concurs in Senate amendments to **S Sub HB 2492**.

The House announced the appointment of Representatives Smith, A., Mason and Gartner to replace Representatives S. Johnson, Croft and Neighbor as conferees on on **SB 331**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 313** 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 29; following line 29, by inserting:

"New Section 1. As used in sections 1 through 10, and amendments thereto, unless the context otherwise requires:

(a) "ADS-equipped vehicle" means a motor vehicle equipped with an automated

driving system.

(b) "Automated driving system" means the hardware and software collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether the system is limited to a specific operational design domain, if any.

(c) "Conventional human driver" means a natural person who manually controls the in-vehicle accelerating, braking, steering and transmission gear selection input devices in order to operate a motor vehicle.

(d) "Driverless-capable vehicle" means an ADS-equipped vehicle capable of performing the entire dynamic driving task within the automated driving system's operational design domain, if any, including, but not limited to, achievement of a minimal risk condition without intervention or supervision by a conventional human driver.

(e) (1) "Dynamic driving task" means all real-time operational and tactical functions required to operate a motor vehicle on a highway in traffic within an automated driving system's specific operational design domain, if any.

(2) "Dynamic driving task" does not include any strategic function such as trip scheduling or the selection of destinations and waypoints.

(f) "Minimal risk condition" means a reasonably safe state to which an automated driving system brings an ADS-equipped vehicle upon experiencing a performance-relevant failure of the system that renders the system unable to perform the entire dynamic driving task, including, but not limited to, removing the vehicle to the nearest shoulder if the vehicle is capable of doing so, bringing the vehicle to a complete stop and activating the vehicle's emergency signal lamps.

(g) "On-demand driverless-capable vehicle network" means a transportation network company as defined in K.S.A. 8-2702, and amendments thereto, that uses a software application or other digital means to dispatch driverless-capable vehicles for the purposes of transporting persons or goods, including, but not limited to, transportation for hire and public transportation.

(h) "Operational design domain" means a set of operating conditions under which a given automated driving system feature is specifically designed to function. "Operational design domain" includes, but is not limited to, environmental, geographical and time-of-day restrictions or the requisite presence or absence of certain traffic or roadway characteristics.

(i) "Transportation for hire" means all transportation of property or passengers made available by a person for compensation.

New Sec. 2. (a) A driverless-capable vehicle may operate on the public highways of this state without a conventional human driver with the automated driving system engaged if the vehicle meets all of the following conditions:

(1) The vehicle is capable of achieving a minimal risk condition if a malfunction of the automated driving system occurs that renders the system unable to perform the entire dynamic driving task within the system's intended operational design domain, if any;

(2) while in driverless operation, the vehicle is capable of operating in compliance with the applicable traffic and motor vehicle safety laws and regulations of this state that govern the performance of the dynamic driving task;

(3) when required by federal law, the vehicle bears the required manufacturer's certification label indicating that at the time of manufacture the vehicle has been

certified to be in compliance with all applicable federal motor vehicle safety standards, including any reference to any exception granted by the national highway traffic safety administration; and

(4) the driverless-capable vehicle cannot exceed 34,000 pounds on tandem axles. The provisions of this paragraph shall expire and have no effect on and after July 1, 2025; and

(5) a conventional human driver shall be required to be physically present in every driverless-capable vehicle placed into service in Kansas for the 12 consecutive months from the date that such entity places a driverless-capable vehicle into service in this state. The provisions of this paragraph shall not apply to a person who operates a:

(A) Vehicle that is not designed, intended or marketed for human occupancy; or
 (B) dedicated driverless-capable vehicle that lacks manual controls for operation by a conventional human driver.

(b) Prior to operating a driverless-capable vehicle on the public roads of this state without a conventional human driver, the owner of such driverless-capable vehicle shall submit a law enforcement interaction plan to the Kansas highway patrol that describes:

(1) How to communicate with a fleet support specialist who is available during the times the vehicle is in operation, and on which side of the vehicle contact information of the fleet support specialist is readily visible;

(2) information regarding safety considerations for first responders in dealing with a driverless-capable vehicle as the result of collision or fire;

(3) how to recognize whether the driverless-capable vehicle is in autonomous mode; and

(4) any additional information the manufacturer or owner deems necessary regarding hazardous conditions or public safety risks associated with the operation of the driverless-capable vehicle.

(c) (1) The operation of an ADS-equipped vehicle capable of performing the entire dynamic driving task within the automated driving system's operational design domain on the public highways of this state while a conventional human driver is present and expected to respond to a request to intervene, shall be lawful. During such operation, the conventional human driver shall possess a valid driver's license pursuant to K.S.A. 8-234b, and amendments thereto, and shall be subject to the required insurance, self-insurance or other financial security required pursuant to K.S.A. 40-3104, and amendments thereto. The conventional human driver shall operate the ADS-equipped vehicle according to the manufacturer's requirements and specifications and shall regain manual control of the vehicle when prompted by the automated driving system.

(2) An automated driving system, while engaged, shall be designed to operate within the system's operational design domain in compliance with the applicable traffic and motor vehicle safety laws and regulations of this state that govern the performance of the dynamic driving task.

(d) Except as provided in this section, the motor vehicle laws of this state shall not be construed to require a conventional human driver to operate a driverless-capable vehicle that is being operated by an automated driving system. The automated driving system, while engaged, shall be deemed to fulfill any physical acts required of a conventional human driver to perform the dynamic driving task.

(e) Sections 1 through 10, and amendments thereto, shall not be construed to modify the responsibilities of a conventional human driver that operates a system-

equipped vehicle when the automated driving system is not engaged.

New Sec. 3. Before an ADS-equipped vehicle is allowed to operate on the public highways of this state, the owner shall obtain insurance, self-insurance or other financial security coverage for the vehicle. An ADS-equipped vehicle shall not operate on the highways of this state unless insurance, self-insurance or other financial security coverage is in effect for the vehicle and unless proof of coverage is carried in the vehicle pursuant K.S.A. 40-3104, and amendments thereto.

New Sec. 4. In the event of an accident that would otherwise be subject to K.S.A. 8-1602 through 8-1606 and 8-1609, and amendments thereto, such provisions shall not apply to a driverless-capable vehicle operating without a conventional human driver if the vehicle remains at the scene or in the immediate vicinity of the accident until law enforcement arrives or vehicle registration and insurance information is provided to the parties affected by the accident, and either:

(a) The vehicle owner, or a person acting on behalf of the vehicle owner, promptly contacts the applicable law enforcement agency to report the accident; or

(b) for a vehicle that has the capability of promptly alerting a law enforcement agency or emergency services, the vehicle alerts a law enforcement agency or emergency services to the accident.

New Sec. 5. A person may operate an on-demand driverless-capable vehicle network, with the exception that any provision of K.S.A. 8-2701 et seq., and amendments thereto, that only applies to a conventional human driver would not apply to the operation of a driverless-capable vehicle with the automated driving system engaged on an on-demand driverless-capable vehicle network. An on-demand driverless-capable vehicle network may be used to facilitate the transportation of persons or goods, including, but not limited to, transportation for hire and public transportation. An on-demand driverless-capable vehicle network may connect passengers to driverless-capable vehicles either exclusively or as part of a digital network that also connects passengers to conventional human drivers who provide transportation services, pursuant to K.S.A. 8-2701 et seq., and amendments thereto, or any other applicable laws, in vehicles that are not driverless-capable vehicles.

New Sec. 6. (a) (1) Automated driving systems and ADS-equipped vehicles shall be governed by:

(A) Sections 1 through 10, and amendments thereto; and

(B) all applicable traffic and motor vehicle safety laws.

(2) Automated driving systems and ADS-equipped vehicles shall be regulated exclusively by the Kansas highway patrol. Violations of state and local traffic laws are enforceable as if the vehicle has a licensed human driver on board.

(3) The superintendent of the highway patrol may adopt such rules and regulations necessary to carry out the provisions of sections 1 through 10, and amendments thereto.

(b) A political subdivision of the state shall not impose requirements, including, but not limited to, performance standards specific to the operation of ADS-equipped vehicles, automated driving systems or on-demand driverless-capable vehicle networks that are in addition to the requirements set forth pursuant to sections 1 through 10, and amendments thereto. A political subdivision of the state shall not impose a tax on ADS-equipped vehicles, automated driving systems or on-demand driverless-capable vehicle networks if such tax relates specifically to the operation of ADS-equipped vehicles, automated driving systems or on-demand driverless-capable vehicle networks.

New Sec. 7. (a) A driverless-capable vehicle shall be properly registered in accordance with K.S.A. 8-127, and amendments thereto. If a driverless-capable vehicle is registered in this state, the vehicle shall be identified on the registration as a fully autonomous vehicle.

(b) A driverless-capable vehicle shall be properly titled in accordance with K.S.A. 8-135, and amendments thereto. If a driverless-capable vehicle is titled in this state, the vehicle shall be identified on the title as a driverless-capable vehicle.

New Sec. 8. A driverless-capable vehicle that is also a commercial motor vehicle pursuant to K.S.A. 8-143m, and amendments thereto, may operate pursuant to state laws governing the operation of commercial motor vehicles, except that:

(a) Any provision that reasonably only applies to a conventional human driver does not apply to such a vehicle operating with the automated driving system engaged; and

(b) such a vehicle shall not carry hazardous materials as defined in K.S.A. 48-904, and amendments thereto. The provisions of this subsection do not apply to transporting articles and substances prepared in accordance with 49 C.F.R. § 172.315 or that otherwise do not require placarding pursuant to the federal hazardous materials regulations provided in 49 C.F.R. parts 100 through 110. The provision of this subsection shall expire on January 1, 2025.

New Sec. 9. The uniform act regulating traffic on highways, to the extent practicable, shall be interpreted and applied for the use of a driverless-capable vehicle. Such provisions shall not require any additional provisions, including, but not limited to, operation by a conventional human driver seated in the vehicle.

New Sec. 10. A driverless-capable vehicle that is designed to be operated exclusively by the automated driving system for all trips is not subject to motor vehicle equipment laws or regulations of this state that:

(1) Support motor vehicle operation by a conventional human driver seated in the vehicle, including, but not limited to, mirrors, windshields and windshield wipers; and

(2) are not relevant for an automated driving system.

New Sec. 11. (a) There is created the autonomous vehicle advisory committee that will include the following members:

(1) Two members of the senate to be appointed by the president of the senate;

(2) one member of the senate to be appointed by the minority leader of the senate;

(3) two members of the house of representatives to be appointed by the speaker of the house of representatives;

(4) one member of the house of representatives to be appointed by the minority leader of the house of representatives;

(5) the director of vehicles or the director's designee;

(6) the secretary of transportation or the secretary's designee;

(7) the superintendent of the highway patrol or the superintendent's designee;

(8) two members appointed by the governor from labor organizations;

(9) two members appointed by the chairperson of the state corporation commission;

(10) one member appointed by the Kansas league of municipalities;

(11) one member appointed by the Kansas association of counties;

(12) one member appointed by the governor from the light-duty motor vehicle manufacturers;

(13) one member appointed by the governor from the original equipment manufacturers;

(14) one member appointed by the governor from the original equipment manufacturers trade association;

(15) one member appointed by the governor from the heavy-duty motor vehicle manufacturers;

(16) one member appointed by the governor from the automated driving system developers;

(17) one member appointed by the governor from the automated driving system developers trade association;

(18) one member appointed by the governor from the automated driving system manufacturers;

(19) one member appointed by the governor from the on-demand transportation network companies;

(20) one member appointed by the Kansas sheriffs' association;

(21) one member appointed by the Kansas state troopers association;

(22) one member appointed by ABATE of Kansas;

(23) one member appointed by the foundation for traffic safety; and

(24) one member appointed by the Kansas public transit association.

(b) The speaker of the house of representatives shall select one member of the autonomous vehicle advisory committee who is a member of the house of representatives to serve as chairperson of the advisory committee during even-numbered calendar years. The president of the senate shall select one member of the autonomous vehicle advisory committee who is a member of the senate to serve as chairperson of the advisory committee during odd-numbered calendar years.

(c) Members of the autonomous vehicle advisory committee shall serve without compensation.

(d) The autonomous vehicle advisory committee may meet in an open meeting at any time upon the call of the chairperson.

(e) On or before July 1, 2023, and each July 1 thereafter, the autonomous vehicle advisory committee shall submit to the governor, president of the senate and speaker of the house of representatives a report of activities and any recommendations regarding the use or regulation of autonomous motor vehicles in this state.

(f) The provisions of this section shall expire on July 1, 2027.

Sec. 12. K.S.A. 2021 Supp. 8-2106 is hereby amended to read as follows: 8-2106.

(a) A law enforcement officer may prepare and deliver to a person a written traffic citation on a form approved by the division of motor vehicles, if the law enforcement officer stops the person for a violation of:

(1) The uniform act regulating traffic on highways, which violation is a misdemeanor or a traffic infraction;

(2) K.S.A. 8-262, 8-287, 8-2,144, 8-1599, 40-3104, 40-3106, 41-715, 41-724, 41-727, 47-607, 66-1,111, 66-1,129, 66-1,139, 66-1,140, 66-273, 66-1314, 66-1324, 66-1330, 66-1331, 66-1332, 68-2104, 68-2106 or ~~subsection (b) of K.S.A. 79-34,122(b), or K.S.A. 2021 Supp. subsection (a) of 21-5607(a), 21-5810, 21-5815, 21-5816, subsection (a) of 21-5817(a) or 21-6203, and amendments thereto;~~

(3) K.S.A. 31-155, and amendments thereto, involving transportation of bottle rockets;

(4) K.S.A. 66-1314 or 66-1328, and amendments thereto, and any rules and regulations adopted pursuant thereto;

(5) any rules and regulations adopted pursuant to K.S.A. 2-1212, 68-2001 or 31-146, and amendments thereto;

(6) any rules and regulations adopted pursuant to K.S.A. 31-133, and amendments, thereto relating to transportation of materials or fuel; ~~or~~

(7) K.S.A. 8-1343 through 8-1347, and amendments thereto, relating to the child passenger safety act; or

(8) K.S.A. 8-2501 through 8-2507, and amendments thereto, relating to the safety belt use act.

(b) The citation shall contain a notice to appear in court, the name and address of the person, the type of vehicle the person was driving, whether hazardous materials were being transported, whether an accident occurred, the state registration number of the person's vehicle, if any, a statement whether the vehicle is a commercial vehicle, whether the person is licensed to drive a commercial motor vehicle, the offense or offenses charged, the time and place when and where the person shall appear in court, the signature of the law enforcement officer; and any other pertinent information.

(c) The time specified in the notice to appear shall be at least five days after the alleged violation unless the person charged with the violation demands an earlier hearing.

(d) The place specified in the notice to appear shall be before a judge of the district court within the county in which the offense is alleged to have been committed.

(e) Except in the circumstances to which ~~subsection (a)~~ of K.S.A. 8-2104(a), and amendments thereto, apply, in the discretion of the law enforcement officer, a person charged with a misdemeanor may give written promise to appear in court by signing at least one copy of the written citation prepared by the law enforcement officer, in which event the law enforcement officer shall deliver a copy of the citation to the person and shall not take the person into physical custody.

(f) When a person is charged with a traffic infraction, the notice to appear shall provide a place where the person may make a written entry of appearance, waive the right to a trial and plead guilty or no contest. Such notice to appear shall contain a provision that the person's failure to either pay such fine and court costs or appear at the specified time may result in suspension of the person's drivers' license as provided in K.S.A. 8-2110, and amendments thereto. The notice to appear shall provide a space where the law enforcement officer shall enter the appropriate fine specified in the uniform fine schedule contained in K.S.A. 8-2118, and amendments thereto, for the violation charged and court costs in the amount provided by law. If the notice to appear does not do so, the law enforcement officer shall provide a person charged with a traffic infraction a form explaining the person's right to appear and right to a trial and the person's right to pay the appropriate fine and court costs prior to the appearance date. The law enforcement officer shall provide the person with the address of the court to which the written entry of appearance, waiver of trial, plea of guilty or no contest and payment of fine and court costs shall be mailed.

(g) Any officer violating any of the provisions of subsection (f) is guilty of misconduct in office and shall be subject to removal from office.

(h) A driverless-capable vehicle's registered owner shall be responsible for all applicable traffic law violations when the automated driving system is engaged. For the purposes of prosecution of traffic law violations, the owner is considered to be the operator of the vehicle when the automated driving system is engaged. A law

enforcement officer shall deliver the written traffic citation to a person charged with a traffic infraction to the owner of the driverless-capable vehicle operating without a conventional human driver as such terms are defined by section 1, and amendments thereto, by sending the citation by certified mail to the address of the owner.

Sec. 13. K.S.A. 2021 Supp. 8-2204 is hereby amended to read as follows: 8-2204. This act shall be known and may be cited as the uniform act regulating traffic on highways. The uniform act regulating traffic on highways includes ~~K.S.A. 8-1560a through 8-1560d~~; all sections located in articles 10, 14 through 22 and 25 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 8-1,129, 8-1,130a, 8-1428a, 8-1560a through 8-1560d, 8-1599, 8-1742a, and 8-2118 ~~and K.S.A. 8-1599~~, and amendments thereto, and sections 1 through 10, and amendments thereto.

Sec. 14. K.S.A. 2021 Supp. 8-2106 and 8-2204 are hereby repealed.";

Also on page 1, in line 31, 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 all after "concerning"; by striking all in lines 2 through 4; in line 5, by striking all before the period and inserting "motor vehicles; relating to autonomous motor vehicles; providing for the use and regulation thereof; establishing the autonomous vehicle advisory committee; amending K.S.A. 2021 Supp. 8-2106 and 8-2204 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

RICHARD PROEHL

LEO DELPERDANG

Conferees on part of House

MIKE PETERSEN

J. R. CLAEYS

Conferees on part of Senate

Senator Petersen moved the Senate adopt the Conference Committee Report on **SB 313**.

On roll call, the vote was: Yeas 23; Nays 17; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Petersen, Ryckman, Suellentrop, Thompson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Olson, Peck, Pettey, Pittman, Pyle, Steffen, Straub, Sykes, Tyson, Ware.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

Mr. President: The safety of the public has always been my primary goal when I consider bills that come before me. **SB 313**, the autonomous vehicle bill, is a bill which does not meet my standard for public safety. The original bill was narrowly targeted to commercial trucks with a specific function on a specific route from a distribution center to a retail outlet. The bill was expanded to include fairly large driverless trucks on any road as well as passenger vehicles in a transportation network company. An amendment approved on the Senate floor, which gave some important legislative oversight on companies legally allowed to transport passengers without a driver present, was

stripped out of the bill in the Conference Committee as was a 24-month protection period for passenger vehicles. The expansion of the bill means that, within twelve months, we will not be able to guarantee a reasonable number of driverless vehicles on the road. The assumption that a future legislature could fix what I see as blatant omissions in this bill before a serious accident takes place is not likely within the time limits of this bill. I do not believe the technology is sufficient to ensure my safety, that of my family, or that of other drivers on the road when a car is fully self-driving. For these reasons I agreed to disagree on the initial conference committee report. I cannot in good conscience support a bill that does not adequately evaluate the safety factors that driverless vehicles bring to our roads. I vote “no” on **SB 313**.—TOM HAWK

Senators Faust-Goudeau and Francisco request the record to show they concur with the “Explanation of Vote” offered by Senator Hawk on **SB 313**.

Mr. President: CCR **SB 313** is a jobs killer. I vote NO on CCR **SB 313**. —Tom HOLLAND

CONSIDERATION OF ORIGINAL MOTIONS

Pursuant to Senate Rule 11, the Senate considered the motion of Senator Holland to withdraw **SB 342** from the Committee on **Assessment and Taxation**. The motion failed.

On roll call, the vote was: Yeas 14; Nays 23; Present and Passing 2; Absent or Not Voting 1.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Petersen, Pettey, Pittman, Pyle, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O’Shea, Olson, Peck, Ryckman, Suellentrop, Thompson, Tyson, Wilborn.

Present and Passing: Steffen, Straub.

Absent or Not Voting: Warren.

EXPLANATION OF VOTE

Mr. President: I vote “AYE” on the motion to move **SB 342** out of committee. The Senate, in unanimously adopting **HB 2106**, has gone on record saying the rate of tax on the sale of food and food ingredients should be reduced to 0% by January 1, 2025. The revenue reports make it clear that this could happen July 1st of this year. I vote in favor of this procedural motion necessary to establish a path to make that possible.—MARCI FRANCISCO

Senator Haley requests the record to show that he concurs with the Explanation of Vote offered by Senator Francisco on **SB 342**.

REPORT ON ENROLLED BILLS

H Sub SB 261; SB 366 reported correctly enrolled, properly signed and presented to the Governor on April 27, 2022.

SR 1733 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 27, 2022.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Thursday, April 28, 2022.

Journal of the Senate

FIFTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, April 28, 2022, 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:

The Significance Of You And Me! Psalm 139:14

Lord, You are our creator and sustainer. King David, the Psalm writer, realizing the complexity of our design in Psalm 139:14 wrote these words to You. "I praise You because I am fearfully and wonderfully made. Marvelous are Your works, oh Lord. And I know that full well."

Lord, someone decided that every year this day, April 28, would be "Biological Clock Day," that we should have a special day to think about and honor the fact that we're not just an accidental blob of tissue, that no one is, that everyone of us is a precious, irreplaceable treasure.

Therefore Lord, You would have us look at each other regardless of our differences as precious, irreplaceable treasures. Help each of us to function in accord with the clock that You have given us. Sleeping when it's time to sleep, working when it's time to work, resting when it's time to rest so that the portions of our bodies, physically, mentally and spiritually can be working in harmony with the things You've called us to do in life. Then every time we look in the mirror, just like the Psalm writer, we can say, "Lord, You sure are right! I am fearfully and wonderfully made! Marvelous are Your works Oh Lord! But then, to safeguard us from conceit help us to look for and see the qualities You have given other precious irreplaceable treasures."

Lord, I pray this to Your glory and honor in the Name of Jesus, Amen!

The Pledge of Allegiance was led by President Masterson.

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 2136.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2136** 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.

CARYN TYSON

VIRGIL PECK

TOM HOLLAND

Conferees on part of Senate

ADAM SMITH

LES MASON

Conferees on part of House

On motion of Senator Tyson the Senate adopted the conference committee report on **HB 2136**, 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 **HB 2136**.

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.

MESSAGES FROM THE GOVERNOR

Enclosed is Executive Order 22-04 for your information. (April 26, 2022)

Enclosed is a message regarding issuance of executive clemency in 2021 pursuant to K.S.A. 22-3703. (April 28, 2022)

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 421; S Sub HB 2567**.

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 accedes to the request of the Senate for a conference on **HB 2540** and has appointed Representatives Landwehr, Eplee and Ruiz, S. as Second conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 84** and has appointed Representatives Barker, Arnberger and Ruiz, L. as Second conferees on the part of the House.

The House adopts the Conference Committee report to agree to disagree on **HB 2136**, and has appointed Representatives Smith, A., Mason and Gartner as Second conferees on the part of the House.

Announcing a veto message from the Governor, together with the enrolled copy of **House Bill 2448**, AN ACT concerning public assistance; requiring able-bodied adults

without dependents to complete an employment and training program in order to receive food assistance; amending K.S.A. 39-709 and repealing the existing section. was received on April 15, 2022 and read on April, 25, 2022.

MESSAGE FROM THE GOVERNOR

“Every Kansan feels the price of the pandemic-induced inflation at the pumps and at the grocery store. The cost of food alone is one of the most significant contributors to inflation overall.

With the rising costs of these necessities, we should be helping people afford the basics. This bill would unnecessarily burden nearly 30,000 hard-working Kansans, including people caring for their families and impacting those with children.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **S Sub for House Bill 2448.**”

Laura Kelly, Governor
April 15, 2022

A motion was made that, notwithstanding the Governor’s objections to **House Bill 2448**, the bill be passed. By a vote of 86 Yeas and 36 Nays, the motion having received the required two-thirds majority of the elected members of the House of Representatives, voting in the affirmative to approve the bill, **House Bill 2448** did pass.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2567** 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. 2567, as follows:

On page 1, following line 9, by inserting:

"Section 1.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Education superhighway (652-00-1000-0180).....	\$178,986
Supplemental state aid (652-00-1000-0840).....	\$10,252,000

(b) On the effective date of this act, of the \$14,109,493 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 2(a) of chapter 114 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account (652-00-1000-0053), the sum of \$25,749 is hereby lapsed.

(c) On the effective date of this act, of the \$41,853,675 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 2(a) of chapter 114 of the 2021 Session Laws of Kansas from the state general fund in the KPERS – school employer contributions – non-USDs account (652-00-1000-0100), the sum of \$7,789,076 is hereby lapsed.

(d) On the effective date of this act, of the \$537,971,506 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 2(a) of chapter 114 of the 2021 Session Laws of Kansas from the state general fund in the KPERS – school

employer contributions – USDs account (652-00-1000-0110), the sum of \$24,041,149 is hereby lapsed.

(e) On the effective date of this act, of the \$2,437,622,329 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 2(a) of chapter 114 of the 2021 session laws of Kansas from the state general fund for state foundation aid account (652-00-1000-0820), the sum of \$58,570,986 is hereby lapsed.

Sec. 2.

DEPARTMENT OF EDUCATION

(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) (652-00-1000-0053).....\$14,200,772

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

State foundation aid (652-00-1000-0820).....\$157,335,108

Supplemental state aid (652-00-1000-0840).....\$54,039,398

Center for READING (652-00-1000-0080).....\$80,000

Provided, That the above agency shall expend moneys in such account to provide a project manager grant to the center for reading at Pittsburg state university to: (1) Assist in the development and support of a science of reading curricula for the state educational institutions and colleges based on the knowledge and practice standards that have been adopted by the state department of education; (2) develop and support a recommended dyslexia textbook list for in-class learning for school districts to use; (3) develop and support a recommended dyslexia resources list for in-class learning for school districts to use; (4) provide knowledge and support for a train the trainer program and professional development curriculum for school districts to use; and (5) provide knowledge and support for developing a list of qualified trainers for school districts to hire.

KPERS-school employer contributions-non-USDs (652-00-1000-0100).....\$37,714,422

Provided, That any unencumbered balance in the KPERS-school employer contributions-non-USDs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

KPERS-school employer contributions-USDs (652-00-1000-0110).....\$520,780,609

Provided, That any unencumbered balance in the KPERS-school employer contributions-USDs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

ACT and workkeys assessments program (652-00-1000-0140).....\$2,800,000

Mental health intervention team pilot (652-00-1000-0150).....\$10,534,722

Provided, That any unencumbered balance in the mental health intervention team pilot account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That expenditures shall be made by the above agency from the mental health intervention team pilot account during fiscal year 2023 for mental

health intervention team school liaisons employed by those school districts participating in the mental health intervention team pilot program: *And provided further*, That the salaries and wages for school liaisons shall be matched by participating school districts on a \$3 of state moneys for \$1 of school district moneys basis: *And provided further*, That each school district that participated in the mental health intervention team pilot program during fiscal year 2022 shall continue to receive an amount of moneys not less than the amount from such account or fund such school district received in fiscal year 2022 so long as the school district maintains a substantially similar program participation level in fiscal year 2023: *And provided further*, That the remaining unencumbered moneys in the mental health intervention team pilot account shall be used to expand the program to school districts that have not previously participated in the program and to contract with a third-party entity to conduct a study of the effectiveness of the program and suggest improvements to the program: *And provided further*, That, if such remaining moneys are not fully expended on new school district programs and the third-party study, the above agency shall expend such moneys on school districts that seek to expand existing programs: *And provided further*, That the department of education shall provide a report on or before January 1, 2023, to the director of the budget and the director of legislative research that includes performance measures, developed in consultation with the Kansas department for aging and disability services, that illustrate the effectiveness of the mental health intervention team pilot program.

Career and technical education transportation	
state aid (652-00-1000-0190).....	\$1,482,338
Juvenile transitional crisis	
center pilot (652-00-1000-0210).....	\$300,000
Education commission of	
the states (652-00-1000-0220).....	\$67,700
School safety hotline (652-00-1000-0230).....	\$10,000
School district juvenile detention	
facilities and Flint Hills job corps	
center grants (652-00-1000-0290).....	\$5,060,528
<i>Provided</i> , That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: <i>Provided further</i> , That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-1173, and amendments thereto.	
School food assistance (652-00-1000-0320).....	\$2,510,486
Mentor teacher (652-00-1000-0440).....	\$1,300,000
Educable deaf-blind and severely handicapped	
children's programs aid (652-00-1000-0630).....	\$110,000
Special education	
services aid (652-00-1000-0700).....	\$520,380,818

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *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.

Governor's teaching excellence scholarships
and awards (652-00-1000-0770).....\$360,693

Professional development
state aid (652-00-1000-0860).....\$1,770,000

School safety and security grants.....\$4,000,000

Provided, That expenditures shall be made from the school safety and security grants account for fiscal year 2023 for disbursements of grant moneys approved by the state board of education for the: Acquisition and installation of security cameras and any other systems, equipment and services necessary for security monitoring of facilities operated by a school district and for securing doors, windows and any entrances to such facilities; and salaries and wages, and associated fringe benefits, for newly created positions of school resource officers and the costs associated with any newly created school resource officers provided by the city or county of such school district: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2023 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the district that may be used for such purpose.

Computer science education advancement grant.....\$1,000,000

Provided, That expenditures shall be made by the above agency from the computer science education advancement grant account for fiscal year 2023 to provide grants to high-quality professional learning providers to develop and implement teacher professional development programs for the computer science courses as established in 2022 Substitute for House Bill No. 2466: *Provided further*, That, if 2022 Substitute for House Bill No. 2466 is not passed by the legislature during the 2022 regular session and enacted into law, then on July 1, 2022, the \$1,000,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, by this section in the computer science education advancement grant account is hereby lapsed.

Career technical education pilot.....\$40,000

Provided, That expenditures shall be made by the above agency from the career technical education pilot account for fiscal year 2023 to distribute the stipends required to be provided to the Washburn institute of technology and to participating high schools that are served by the Washburn institute of technology service area pursuant to the secondary career technical education credentialing and student transitioning to employment success pilot program as established in 2022 Substitute for House Bill No. 2466: *Provided further*, That, if 2022 Substitute for House Bill No. 2466 is not passed by the legislature during the 2022 regular session and enacted into law, then on July 1, 2022, the \$40,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, by this section in the career technical education pilot

account is hereby lapsed.

Virtual math education program.....\$4,000,000

Provided, That expenditures shall be made by the above agency from the virtual math education program account for fiscal year 2023 to select and implement a virtual math program that shall be customized to Kansas curriculum standards, be evidence-based, not impose any fee or cost upon students, provide tutoring in multiple languages, provide professional development for the implementation of the program and have been implemented in other states over the preceding eight fiscal years: *Provided further*; That the above agency shall enter into a two-year contract to implement such program: *And provided further*; That any unified school district shall be authorized to use such program: *And provided further*; That the above agency shall recommend that all school districts use such program: *And provided further*; That all school districts shall track and report to the above agency twice during school year 2022-2023 as determined by the above agency on the number of attendance centers and students using such program or other virtual math program and the number of attendance centers and students not using any such virtual math program, the number of teachers participating in the professional development provided by such program or other virtual math program and the effect of any such virtual math program on student academic proficiency: *And provided further*; That the above agency shall compile such reports and shall submit a summary report to the house of representatives standing committee on K-12 education budget and the senate standing committee on education during the 2023 regular session of the legislature: *And provided further*; That such report shall also include a list of the school districts and attendance centers that are using such program or other virtual math program and a list of the school districts and attendance centers that are not using a virtual math program and a comparison between low-usage and high-usage school districts and attendance centers: *Provided however*; If the above agency, in consultation with the director of the budget, determines that expenditures are made from the American rescue plan – state fiscal relief federal fund in the virtual math education program account pursuant to section 3(a), then the director of the budget shall so certify such information to the director of accounts and reports, and on the date of such certification, the \$4,000,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by this section from the state general fund in the virtual math education program account 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, 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 and transfers to other state agencies shall not exceed the following:

School district capital outlay state aid fund.....No limit

Educational technology

 coordinator fund (652-00-2157).....No limit

Provided, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2023, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2023 in order to assess the cost effectiveness of the position of educational technology coordinator.

Communities in schools
 program fund (652-00-2221).....No limit

Inservice education workshop
 fee fund (652-00-2230).....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 education 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.

Federal indirect cost
 reimbursement fund (652-00-2312).....No limit

Conversion of materials and
 equipment fund (652-00-2420).....No limit

School bus safety fund (652-00-2532).....No limit

State safety fund (652-00-2538).....No limit

Provided, That notwithstanding the provisions of K.S.A. 8-272, and amendments thereto, or any other statute, funds shall be distributed during fiscal year 2023 as soon as moneys are available.

Motorcycle safety fund (652-00-2633).....No limit

Teacher and administrator
 fee fund (652-00-2723).....No limit

Service clearing fund (652-00-2869).....No limit

School district capital
 improvements fund (652-00-2880).....No limit

Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-5457, and amendments thereto.

Reimbursement for
 services fund (652-00-3056).....No limit

ESSA – student support academic enrichment –
 federal fund (652-00-3113).....No limit

Educationally deprived
 children – state operations –
 federal fund (652-00-3131).....No limit

Food assistance –
 federal fund (652-00-3230).....No limit

Elementary and secondary school aid –
 federal fund (652-00-3233).....No limit

Education of handicapped children
 fund – federal (652-00-3234).....No limit

Community-based child abuse prevention –
 federal fund (652-00-3319).....No limit

TANF children's programs – federal fund (652-00-3323).....	No limit
21 st century community learning centers – federal fund (652-00-3519).....	No limit
State assessments – federal fund (652-00-3520).....	No limit
Rural and low-income schools program – federal fund (652-00-3521).....	No limit
Language assistance state grants – federal fund (652-00-3522).....	No limit
State grants for improving teacher quality – federal fund (652-00-3526).....	No limit
State grants for improving teacher quality – federal fund – state operations (652-00-3527).....	No limit
Food assistance – school breakfast program – federal fund (652-00-3529).....	No limit
Food assistance – national school lunch program – federal fund (652-00-3530).....	No limit
Food assistance – child and adult care food program – federal fund (652-00-3531).....	No limit
Elementary and secondary school aid – federal fund – local education agency fund (652-00-3532).....	No limit
Education of handicapped children fund – state operations – federal fund (652-00-3534).....	No limit
Education of handicapped children fund – preschool – federal fund (652-00-3535).....	No limit
Education of handicapped children fund – preschool state operations – federal (652-00-3536).....	No limit
Elementary and secondary school aid – federal fund – migrant education fund (652-00-3537).....	No limit
Elementary and secondary school aid – federal fund – migrant education – state operations (652-00-3538).....	No limit
Vocational education title II – federal fund (652-00-3539).....	No limit
Vocational education title II – federal fund – state operations (652-00-3540).....	No limit

Educational research grants and projects fund (652-00-3592).....No limit

Local school district contribution program checkoff fund (652-00-7005).....No limit

Provided, That notwithstanding the provisions of K.S.A. 79-3221n, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2023, any moneys in such fund where a taxpayer fails to designate a unified school district on such taxpayer's individual income tax return may be expended by the above agency to distribute to unified school districts.

Governor's teaching excellence scholarships program repayment fund (652-00-7221).....No limit

Provided, That all expenditures from the governor's teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-2166, and amendments thereto: Provided further, That each such grant shall be required to be matched on a \$1-for-\$1 basis from nonstate sources: And provided further, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: And provided further, That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships 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 governor's teaching excellence scholarships program repayment fund.

Private donations, gifts, grants and bequests fund (652-00-7307).....No limit

Family and children investment fund (652-00-7375).....No limit

State school district finance fund (652-00-7393).....No limit

Mineral production education fund (652-00-7669-7669).....No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2023, the following:

Children's cabinet accountability fund (652-00-2000-2402).....\$375,000

Provided, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

CIF grants (652-00-2000-2408).....\$20,729,848

Provided, That any unencumbered balance in the CIF grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Parent education program (652-00-2000-2510).....\$8,437,635

Provided, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: Provided further, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount that is equal to not less than 50% of the grant.

Pre-K pilot (652-00-2000-2535).....	\$4,200,000
Early childhood infrastructure.....	\$1,400,773
Imagination library.....	\$500,000

(d) On July 1, 2022, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (652-00-7375-7900) of the department of education to the communities in schools program fund (652-00-2221-2400) of the department of education.

(e) On March 30, 2023, and June 30, 2023, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$550,000 from the state safety fund (652-00-2538-2030) to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is 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 department of education by other state agencies that receive appropriations from the state general fund to provide such services.

(f) On July 1, 2022, and quarterly thereafter, the director of accounts and reports shall transfer \$73,750 from the state highway fund (276-00-4100-4100) of the department of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2022, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund (652-00-2633-2050) of the department of education to the motorcycle safety fund (561-00-2366-2360) of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

(h) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,000 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education.

(i) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2023, the following:
 Children's cabinet administration (652-00-7000-7001).....\$260,535

Provided, That any unencumbered balance in the children's cabinet administration account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(j) During the fiscal year ending June 30, 2023, the commissioner of education, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2023 from the state general fund for the department of education to another item of appropriation for fiscal year 2023 from the state general fund for the department of education. The commissioner of education 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 expanded lottery act revenues fund for the fiscal year ending June 30, 2023, the following:

KPERS – school employer

contribution (652-00-1700-1700).....\$41,389,547

Provided, That during the fiscal year ending June 30, 2023, the amount appropriated from the expanded lottery act revenues fund in the KPERS – school employer contribution account (652- 00-1700-1700) for the department of education shall be for the purpose of reducing the unfunded actuarial liability of the Kansas public employees retirement system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, in accordance with K.S.A. 74-8768, and amendments thereto.

(l) 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 the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by section 3 of chapter 114 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 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 2023 for communities in schools in an amount not less than \$100,000.

Sec. 3.

GOVERNOR'S DEPARTMENT

(a) Expenditures shall be made from the American rescue plan – state fiscal relief federal fund (252-00-3756) for the fiscal year ending June 30, 2023, pursuant to the authority in 42 U.S.C. § 802(c)(1) or other relevant authority, to provide government services, for the following specified purposes:

Virtual math education program.....\$4,000,000

Provided, That expenditures from the virtual math education program account shall be used by the above agency, in consultation with the department of education, for the purpose of implementing a virtual math program to be used by school districts: *Provided further*; That the above agency shall designate the department of education as the administrating authority for such program: *And provided further*; That the department of education is hereby authorized to select and implement a virtual math program that shall be customized to Kansas curriculum standards, be evidence-based, not impose any fee or cost upon students, provide tutoring in multiple languages, provide professional development for the implementation of the program and have been implemented in other states over the preceding eight fiscal years: *Provided further*; That the department of education shall enter into a two-year contract to implement such program: *And provided further*; That any unified school district shall be authorized to use such program: *And provided further*; That the above agency shall recommend that all school districts use such program: *And provided further*; That all school districts shall track and report to the department of education twice during school year 2022-2023 as determined by the department of education on the number of attendance centers and students using such program or other virtual math program and the number of attendance centers and students not using any such virtual math program, the number of teachers participating in the professional development provided by such program or other virtual math program and the effect of any such virtual math program on student academic proficiency: *And provided further*; That the department of education shall compile such reports and shall submit a summary report to the house of representatives

standing committee on K-12 education budget and the senate standing committee on education during the 2023 regular session of the legislature: *And provided further*; That such report shall also include a list of the school districts and attendance centers that are using such program or other virtual math program and a list of the school districts and attendance centers that are not using a virtual math program and a comparison between low-usage and high-usage school districts and attendance centers.

School safety and security grants.....\$1,000,000

Provided, That expenditures shall be made from the school safety and security grants account by the above agency, in consultation with the department of education, for disbursements of grant moneys approved by the state board of education for the: Acquisition and installation of security cameras and any other systems, equipment and services necessary for security monitoring of facilities operated by a school district and for securing doors, windows and any entrances to such facilities; and salaries and wages, and associated fringe benefits, for newly created positions of school resource officers and the costs associated with any newly created school resource officers provided by the city or county of such school district: *Provided further*; That all moneys expended for school safety and security grants account for fiscal year 2023 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the school district that may be used for such purpose.

(b) During the fiscal year ending June 30, 2023, the expenditures in subsection (a) from the American rescue plan – state fiscal relief federal fund shall not be subject to the provisions of section 28(d) of 2022 House Substitute for Substitute for Senate Bill No. 267.

(c) During the fiscal year ending June 30, 2023, the provisions of section 196 of 2022 House Substitute for Substitute for Senate Bill No. 267 shall not apply to expenditures from the American rescue plan – state fiscal relief federal fund of the governor's department. Such expenditures are subject to the provisions of subsection (a).

Sec. 4.

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:

State foundation aid (652-00-1000-0820).....\$2,558,881,605

Provided, That any unencumbered balance in the state foundation aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Supplemental state aid (652-00-1000-0840).....\$568,150,000

Provided, That any unencumbered balance in the supplemental state aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Virtual math education program.....\$2,000,000

Provided, That expenditures shall be made by the above agency from the virtual math education program account for fiscal year 2024 to fund the second year of operation of the virtual math program implemented by the above agency pursuant to sections 2(a) and 3(a): *Provided further*; That all school districts shall track and report to the above agency twice during school year 2023-2024 as determined by the above agency on the number of attendance centers and students using such program or other virtual math program and the number of attendance centers and students not using any such virtual math program, the number of teachers participating in the professional development

provided by such program or other virtual math program and the effect of any such virtual math program on student academic proficiency: *And provided further*, That the above agency shall compile such reports and shall submit a summary report to the house of representatives standing committee on K-12 education budget and the senate standing committee on education during the 2024 regular session of the legislature: *And provided further*, That such report shall also include a list of the school districts and attendance centers that are using such program or other virtual math program and a list of the school districts and attendance centers that are not using a virtual math program and a comparison between low-usage and high-usage school districts and attendance centers.

(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 transfers to other state agencies shall not exceed the following:

- State school district finance fund (652-00-7393).....No limit
- Mineral production education fund (652-00-7669-7669).....No limit

New Sec. 5. (a) The legislature hereby affirms that excellence in education provides an essential gateway to success not only for students but for the entire state. Achieving excellence in education opens doors of opportunity for long-term personal, professional and economic growth and improvement for all students. As academic achievement is elevated, inspired and attained, more students will gain the soft skills that are necessary to succeed in the workforce, including improved time management, personal accountability and communication skills. Maintaining high academic achievement standards for all students provides the basis for the fundamental belief that all people, despite their socioeconomic, racial or cultural status, are uniquely capable and worthy of meeting and exceeding the highest caliber of expectations. In affirming this focus on excellence, the legislature hereby desires consistent communication with the state board of education and the state department of education to annually review academic achievement, as quantitatively measured by performance on state assessments and the interventions, goals and strategies that are being utilized to move all students to academic proficiency.

(b) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 6. (a) This section shall be known and may be cited as the every child can read act.

(b) The legislature hereby affirms that third grade marks a pivotal grade level in which students must attain proficiency in reading or risk continued learning losses throughout their academic career. To ensure that all students move toward grade-level proficiency in literacy, especially by the third grade level, the board of education of each school district shall provide opportunities for students to participate in targeted educational interventions to promote proficiency in literacy. Reading literacy shall be attained through the science of reading and evidence-based reading instruction and shall include such competencies as may be necessary to attain reading proficiency. The necessary competencies, best practices and screening tools used by school districts shall follow the framework of the dyslexia handbook developed by the state department of education. To ensure that such competencies are achieved, the board of education of

each school district shall include as part of instruction in literacy:

- (1) Phonics, phonological and phonemic awareness;
- (2) vocabulary development;
- (3) silent and oral reading fluency; and
- (4) reading comprehension.

(c) To promote the goals of the every child can read act, the board of education of each school district shall:

(1) Measure student achievement by participation in the state assessment program and through other universal screening and assessment tools that are approved by a board of education of a school district or by the state department of education;

(2) provide targeted and tiered interventions that are designed to match a student's individual deficiencies through additional contact hours with such student, including, but not limited to, one-on-one instruction, small group instruction, tutoring and summer school programs for all students and especially for those students who are at and below the third grade level who are identified as having a literacy deficit; and

(3) ensure that the teacher of each third grade student communicates with the parent or guardian of each such student to provide information on the student's literacy proficiency or deficiencies and any recommended interventions for such student to achieve proficiency. Such communication shall occur at least once during the fall semester and once during the spring semester. When a teacher provides the communications required pursuant to this paragraph, each such communication shall provide the parent or guardian with:

- (A) A summary of the every child can read act and the literacy goals of the act;
- (B) any assessment data relating to literacy that pertains to the student;
- (C) any recommended interventions for the student; and
- (D) how the school district tracks the outcomes of any such interventions.

(d) (1) On or before June 30 of each school year, each school district shall report to the state department of education on the school district's implementation of the every child can read act, the interventions that the school district is using to attain the goals of such act and the resulting outcomes of such interventions. Such report shall include:

- (A) The number of third grade students in such school district;
- (B) the screening and assessment data from at least the preceding two school years that the school district is using as a baseline to evaluate student progress in literacy; and
- (C) the percentage of students that are proficient, moving toward proficiency or deficient, with percentages provided for all students and student subgroups.

(2) The state department of education shall compile such reports and shall submit a summary report to the governor and the legislature on or before January 15 of each year.

(e) This section shall take effect and be in force from and after July 1, 2023.

New Sec. 7. (a) A board of education of a school district may adopt a policy to allow students enrolled in grades six through 12 to earn course credits through alternative educational opportunities with sponsoring entities. A school district's policy adopted pursuant to this section shall provide:

- (1) Eligibility requirements for sponsoring entities;
- (2) requirements for the provision of alternative educational opportunities by sponsoring entities;
- (3) the procedures for a sponsoring entity to submit a proposal to the school district

to provide an additional educational opportunity to students;

(4) the criteria the school district will use to evaluate such proposals; and

(5) the course credit that may be earned through the alternative educational opportunity by a participating student.

(b) A school district may accept a proposal from a sponsoring entity if the alternative educational opportunity provided by the sponsoring entity:

(1) Provides an additional learning opportunity for students through a work-based, pre-apprenticeship, apprenticeship, internship, industry certification or community program; and

(2) (A) is approved by the state board of education as an alternative educational opportunity pursuant to subsection (d); or

(B) complies with the school district policies adopted pursuant to subsection (a).

(c) Each approved alternative educational opportunity with a sponsoring entity shall be managed and directed by a licensed teacher employed by the school district.

(d) A sponsoring entity may petition the state board to approve an alternative educational opportunity that is provided through such sponsoring entity if the alternative educational opportunity provided through such sponsoring entity is generally applicable on a statewide or regional basis across multiple school districts. The state board of education shall approve or deny each petition proposing an alternative educational opportunity within 90 days of receipt of such proposal. If the state board denies the proposal, the state board shall provide the sponsoring entity the reasons for such denial. If the state board approves such proposal, any school district may implement the alternative educational opportunity. The state board may revoke any such approved proposal if the state board determines that the sponsoring entity fails to comply with the requirements of this section.

(e) Each school district shall report to the state department of education information regarding the school district's alternative educational opportunities offered at the school, the names of sponsoring entities, the number of students participating and credits earned.

(f) The state board of education may adopt rules and regulations for the administration of this section.

(g) As used in this section:

(1) "Alternative educational opportunity" means instruction that primarily occurs outside the classroom with a sponsoring entity.

(2) "Sponsoring entity" means a business, not-for-profit organization, nonprofit organization, trade association, parent of a student, teacher or administrator that partners with a school district to provide an alternative educational opportunity to students.

(h) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 8. (a) As used in K.S.A. 72-3122 through 72-3125, and amendments thereto, and section 9, and amendments thereto:

(1) "Homeless child" means a child who lacks a fixed, regular and adequate nighttime residence and whose primary nighttime residence is:

(A) A supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters and transitional housing for the mentally ill;

(B) an institution that provides a temporary residence for individuals intended to be institutionalized; or

(C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.

(2) "Nonresident student" or "nonresident transfer student" means a student who is enrolled and in attendance at or seeking to enroll and attend a school located in a district where such student is not a resident.

(3) "Parent" means and includes natural parents, adoptive parents, stepparents and foster parents.

(4) "Person acting as parent" means:

(A) A guardian or conservator; or

(B) a person, other than a parent, who:

(i) Is liable by law to maintain, care for or support the child;

(ii) has actual care and control of the child and is contributing the major portion of the cost of support of the child;

(iii) has actual care and control of the child with the written consent of a person who has legal custody of the child; or

(iv) has been granted custody of the child by a court of competent jurisdiction.

(5) "Receiving school district" means a school district of nonresidence of a student who attends school in such school district.

(6) "School district" means a school district organized and operating under the laws of this state.

(7) "Sending school district" means a school district of residence of a student who attends school in a school district not of the student's residence.

(8) "Sibling" means a brother or sister of the whole or half blood, adoptive brother or sister, a stepbrother or stepsister or a foster brother or foster sister.

(b) This section shall take effect and be in force from and after July 1, 2023.

New Sec. 9. (a) On or before January 1, 2024, each board of education of a school district shall adopt a policy to determine the number of nonresident students that the school district has the capacity to accept in each grade level for each school of the school district pursuant to K.S.A. 72-3123, and amendments thereto. Such policies shall clearly specify the reasons that the board may use to deny continued enrollment of a nonresident student who is not in good standing. Such reasons for a denial of continued enrollment may include, but shall not be limited to, the nonresident student's record of school absenteeism and repeated suspensions or expulsions.

(b) Prior to adopting such policy, the board of education shall call and hold a hearing on the proposed policy. The board of education shall provide notice of such hearing, which shall include the time, date and place of the public hearing to be held on the proposed policy. Such notice shall be published at least once each week for two consecutive weeks in a newspaper of general circulation in the school district and shall also be posted on the school district's website.

(c) At such hearing, a representative of the board shall present the board's proposal for the policy and the board shall hear testimony regarding the proposed policy. Following the public hearing, after consideration of the testimony and evidence presented or submitted at such public hearing, the board shall determine whether to adopt or revise the proposed policy at a subsequent public meeting of the board.

(d) The policy adopted pursuant to subsection (a) shall be published on the school district's website.

(e) The provisions of this section shall not apply to any school located on a military

installation, as defined in K.S.A. 72-8268, and amendments thereto.

(f) This section shall take effect and be in force from and after July 1, 2023.

Sec. 10. On and after July 1, 2022, K.S.A. 19-5005 is hereby amended to read as follows: 19-5005. (a) All revenue received by the county treasurer pursuant to this act shall be appropriated by the county to the Johnson county education research triangle authority. The authority shall remit such funds for expenditure in equal shares by designated officials for the Edwards campus of the university of Kansas, the Johnson county location of Kansas state university and the university of Kansas medical center's Johnson county locations. All such funds shall be spent for building construction, academic and research program development and growth, faculty and staff recruitment and retention, and operations and maintenance in support of:

(1) The undergraduate and graduate programs at the Edwards campus of the university of Kansas;

(2) the research and education programs in animal health and food safety and security at the Johnson county location of Kansas state university; and

(3) other undergraduate and graduate programs, subject to the approval of Kansas state university, the university of Kansas and the Johnson county education research triangle authority board of directors and which shall not include pre-baccalaureate programs, lower-division courses or courses for students attending high school, at the Johnson county location of Kansas state university; and

(4) the medical education and life sciences and cancer research programs at the university of Kansas medical center's Johnson county locations.

(b) All such expenditures shall be in compliance with the purposes of this act and shall be certified as such to the authority and to the Kansas state board of regents by appropriate officials at the university of Kansas, Kansas state university and the university of Kansas medical center. Such expenditures shall also comply with the policies of the Kansas state board of regents and applicable state and federal laws.

(c) ~~No~~Not more than ~~two percent~~ 2% of funds so collected in any fiscal year shall be used for the administrative expenses of the authority or its board of directors.

(d) The authority shall have no authority to issue bonds or to exercise the power of eminent domain.

(e) The authority shall issue an annual report to the board of regents, the legislature and the board of commissioners of Johnson county.

(f) The authority shall be subject to legislative post audit and audit by the board of commissioners of the Johnson county internal auditor.

(g) Meetings of the board of directors of the authority shall be subject to the Kansas open meetings act and records of the authority and the board shall be subject to the Kansas open records act.

(h) Unless state general fund appropriations for the university of Kansas, Kansas state university, and the university of Kansas medical center are reduced by action of the legislature or the governor, state general fund support of such institutions shall not be reduced below the level of support in effect on the effective date of this act.

(i) The Kansas board of regents shall remain responsible for the governance of these institutions, including approval of any academic programs and the regulation thereof, and shall be responsible to the authority for institutional compliance with the purposes of this act.

Sec. 11. On and after July 1, 2022, K.S.A. 38-2223 is hereby amended to read as

follows: 38-2223. (a) *Persons making reports.* (1) When any of the following persons has reason to suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse, the person shall report the matter promptly as provided in subsections (b) and (c);

(A) The following persons providing medical care or treatment: Persons licensed to practice the healing arts, dentistry and optometry, persons engaged in postgraduate training programs approved by the state board of healing arts, licensed professional or practical nurses and chief administrative officers of medical care facilities;

(B) the following persons licensed by the state to provide mental health services: Licensed psychologists, licensed masters level psychologists, licensed clinical psychotherapists, licensed social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed behavioral analysts, licensed assistant behavioral analysts, licensed professional counselors, licensed clinical professional counselors and registered alcohol and drug abuse counselors;

(C) teachers, school administrators—~~or~~ and other employees of an educational institution ~~which that~~ the child is attending and any member of the board of directors of the Kansas state high school activities association referenced in K.S.A. 72-7114, and amendments thereto, and any person who is employed by or is an officer of such association;

(D) persons licensed by the secretary of health and environment to provide child care services or the employees of persons so licensed at the place where the child care services are being provided to the child;

~~(E)~~(E) firefighters, emergency medical services personnel, law enforcement officers, juvenile intake and assessment workers, court services officers, community corrections officers, case managers appointed under K.S.A. 2021 Supp. 23-3508, and amendments thereto, and mediators appointed under K.S.A. 2021 Supp. 23-3502, and amendments thereto; and

~~(F)~~(F) any person employed by or who works as a volunteer for any organization, whether for profit or not-for-profit, that provides social services to pregnant teenagers, including, but not limited to, counseling, adoption services and pregnancy education and maintenance.

(2) In addition to the reports required under subsection (a)(1), any person who has reason to suspect that a child may be a child in need of care may report the matter as provided in subsection (b) and (c).

(b) *Form of report.* (1) The report may be made orally and shall be followed by a written report if requested. Every report shall contain, if known: The names and addresses of the child and the child's parents or other persons responsible for the child's care; the location of the child if not at the child's residence; the child's gender, race and age; the reasons why the reporter suspects the child may be a child in need of care; if abuse or neglect or sexual abuse is suspected, the nature and extent of the harm to the child, including any evidence of previous harm; and any other information that the reporter believes might be helpful in establishing the cause of the harm and the identity of the persons responsible for the harm.

(2) When reporting a suspicion that a child may be in need of care, the reporter shall disclose protected health information freely and cooperate fully with the secretary and law enforcement throughout the investigation and any subsequent legal process.

(c) *To whom made.* Reports made pursuant to this section shall be made to the

secretary, except as follows:

(1) When the Kansas department for children and families is not open for business, reports shall be made to the appropriate law enforcement agency. On the next day that the department is open for business, the law enforcement agency shall report to the department any report received and any investigation initiated pursuant to K.S.A. 38-2226, and amendments thereto. The reports may be made orally or, on request of the secretary, in writing.

(2) Reports of child abuse or neglect occurring in an institution operated by the Kansas department of corrections shall be made to the attorney general or the secretary of corrections. Reports of child abuse or neglect occurring in an institution operated by the Kansas department for aging and disability services shall be made to the appropriate law enforcement agency. All other reports of child abuse or neglect 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 made to the appropriate law enforcement agency.

(d) *Death of child.* Any person who is required by this section to report a suspicion that a child is in need of care and who knows of information relating to the death of a child shall immediately notify the coroner as provided by K.S.A. 22a-242, and amendments thereto.

(e) *Violations.* (1) Willful and knowing failure to make a report required by this section is a class B misdemeanor. It is not a defense that another mandatory reporter made a report.

(2) Intentionally preventing or interfering with the making of a report required by this section is a class B misdemeanor.

(3) Any person who willfully and knowingly makes a false report pursuant to this section or makes a report that such person knows lacks factual foundation is guilty of a class B misdemeanor.

(f) *Immunity from liability.* Anyone who, without malice, participates in the making of a report to the secretary or a law enforcement agency relating to a suspicion a child may be a child in need of care or who participates in any activity or investigation relating to the report or who participates in any judicial proceeding resulting from the report shall have immunity from any civil liability that might otherwise be incurred or imposed.

Sec. 12. On and after July 1, 2022, K.S.A. 2021 Supp. 72-1163 is hereby amended to read as follows: 72-1163. (a) (1) Each year the board of education of a school district shall conduct an assessment of the educational needs of each attendance center in the district. Such assessment shall be published on the school district's website. Information obtained from such ~~needs assessment~~ ~~needs assessment~~ shall be used by the board when ~~preparing~~ ~~approving~~ the budget of the school district to ensure improvement in student academic performance. In the minutes of the meeting at which the board approves its annual budget, the board shall include that such needs assessment was provided to the board, the board evaluated such assessment and how the board used such assessment in the approval of the school district's budget.

(2) Each year, the board of education of a school district shall review state assessment results and, as part of such review, shall document the following:

(A) The barriers that must be overcome to have all students achieve proficiency above level 2 for grade level academic expectations on such assessments;

(B) any budget actions, including, but not limited to, recommendations on reallocation of resources that should be taken to address and remove such barriers; and

(C) the amount of time the board estimates it will take for all students to achieve proficiency above level 2 for grade level academic expectations on the state assessments if such budget actions are implemented.

(3) The budget of the school district shall allocate sufficient moneys in a manner reasonably calculated such that all students may achieve the goal set forth in K.S.A. 72-3218(c), and amendments thereto. The board also shall prepare a summary of the budget for the school district. The budgets and summary shall be in the form prescribed by the director pursuant to K.S.A. 79-2926, and amendments thereto.

(b) The budgets ~~and~~, the summary of the proposed budget, the needs assessment and the state assessment documentation shall be on file at the administrative offices of the school district and available on the school district's website. ~~Copies of such budgets and summary shall be available upon request.~~

(c) The notice required to be published by K.S.A. 79-2929, and amendments thereto, shall include a statement that the budgets ~~and~~, the summary of the proposed budget, the needs assessment and state assessment documentation is on file at the administrative offices of the district ~~and that copies of such budgets and summary are available upon request~~ available on the school district's website.

Sec. 13. On and after July 1, 2023, K.S.A. 72-13,101 is hereby amended to read as follows: 72-13,101. (a) In accordance with the provisions of this section, the boards of education of any two or more unified school districts may make and enter into agreements providing for the attendance of ~~pupils~~ students residing in one school district at school in kindergarten or any of the grades one through 12 maintained by any such other school district. The boards of education may also provide by agreement for the combination of enrollments for kindergarten or one or more grades, courses or units of instruction.

(b) Prior to entering into any agreement under authority of this section, the board of education shall adopt a resolution declaring that it has made a determination that such an agreement should be made and that the making and entering into of such an agreement would be in the best interests of the educational system of the school district. Any such agreement is subject to the following conditions:

- (1) The agreement may be for any term not exceeding a term of five years.
- (2) The agreement shall be subject to change or termination by the legislature.
- (3) Within the limitations provided by law, the agreement may be changed or terminated by mutual agreement of the participating boards of education.
- (4) The agreement shall make provision for transportation of ~~pupils~~ students to and from the school attended on every school day, for payment or sharing of the costs and expenses of ~~pupil~~ student attendance at school, and for the authority and responsibility of the participating boards of education.

(c) Provision by agreements entered into under authority of this section for the attendance of ~~pupils~~ students at school in a school district of nonresidence of such ~~pupils~~ students shall be deemed to be in compliance with the kindergarten, grade, course and units of instruction requirements of law.

(d) The board of education of any school district ~~which that~~ enters into an agreement under authority of this section for the attendance of ~~pupils~~ students at school in another school district may discontinue kindergarten or any or all of the grades,

courses and units of instruction specified in the agreement for attendance of ~~pupils~~ students enrolled in kindergarten or any such grades, courses and units of instruction at school in such other school district. Upon discontinuing kindergarten or any grade, course or unit of instruction under authority of this subsection, the board of education may close any school building or buildings operated or used for attendance by ~~pupils~~ students enrolled in such discontinued kindergarten, grades, courses or units of instruction. The closing of any school building under authority of this subsection shall require a majority vote of the members of the board of education and shall require no other procedure or approval.

(e) ~~Pupils-Students~~ attending school in a school district of nonresidence of such ~~pupils~~ students in accordance with an agreement made and entered into under authority of this section shall be counted as regularly enrolled in and attending school in the school district of residence of such pupils for the purpose of computations under the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto.

(f) ~~Pupils-Students~~ who satisfactorily complete grade 12 while in attendance at school in a school district of nonresidence of such ~~pupils~~ students in accordance with the provisions of an agreement entered into under authority of this section shall be certified as having graduated from the school district of residence of such ~~pupils~~ students unless otherwise provided for by the agreement.

(g) Students who are not residents of a school district and are attending the schools of the school district in accordance with the provisions of an agreement entered into under the authority of this section shall not be charged for attendance at school. The costs of providing for the attendance of such students at school shall be paid by the school district of residence of the students in accordance with the provisions of the agreement.

Sec. 14. On and after July 1, 2022, K.S.A. 72-3120 is hereby amended to read as follows: 72-3120. (a) Subject to the other provisions of this section, every parent or person acting as parent in the state of Kansas, who has control over or charge of any child who has reached the age of seven years and is under the age of 18 years and has not attained a high school diploma ~~or~~ a general educational development ~~(GED)~~ credential or a high school equivalency credential, shall require such child to be regularly enrolled in and attend continuously each school year:

(1) A public school for the duration of the school term provided for in K.S.A. 72-3115, and amendments thereto; ~~or~~

(2) a private, denominational or parochial school taught by a competent instructor for a period of time which is substantially equivalent to the period of time public school is maintained in the school district in which the private, denominational or parochial school is located. ~~If the child is 16 or 17 years of age, the parent or person acting as parent, by written consent, or the court, pursuant to a court order, may allow the child to be exempt from the compulsory attendance requirements of this section; or~~

(3) a combination of a public school and a private, denominational or parochial school for the periods of time referred to in paragraphs (1) and (2).

(b) If the child is 16 or 17 years of age, the child shall be exempt from the compulsory attendance requirements of this section if:

(1) The child is regularly enrolled in and attending a program recognized by the local board of education as an approved alternative educational program;

(2) the parent or person acting as parent provides written consent to allow the child to be exempt from the compulsory attendance requirements of this section and the child and the parent or person acting as parent attend a final counseling session conducted by the school during which a disclaimer to encourage the child to remain in school or to pursue educational alternatives is presented to and signed by the child and the parent or person acting as parent. The disclaimer shall include information regarding the academic skills that the child has not yet achieved, the difference in future earning power between a high school graduate and a high school drop out; and a listing of educational alternatives that are available for the child; ~~or~~

(3) the child is regularly enrolled in a school as required by subsection (a) and is concurrently enrolled in a postsecondary educational institution, as defined by K.S.A. 74-3201b, and amendments thereto. ~~The provisions of this clause (3) shall be applicable to children from and after July 1, 1997, and shall relate back to such date; or~~

(4) the child is subject to a court order that allows or requires the child to be exempt from the compulsory attendance requirements.

(c) Any child who is under the age of seven years, but who is enrolled in school, ~~is~~ shall be subject to the compulsory attendance requirements of this section. Any such child may be withdrawn from enrollment in school at any time by a parent or person acting as parent of the child and thereupon the child shall be exempt from the compulsory attendance requirements of this section until the child reaches the age of seven years or is re-enrolled in school.

(d) Any child who is determined to be an exceptional child, except for an exceptional child who is determined to be a gifted child, under the provisions of the special education for exceptional children act ~~is~~ shall be subject to the compulsory attendance requirements of such act and ~~is~~ exempt from the compulsory attendance requirements of this section.

(e) Any child who has been admitted to, and is attending, the Kansas academy of mathematics and science, as provided in K.S.A. 72-3903 et seq., and amendments thereto, ~~is~~ shall be exempt from the compulsory attendance requirements of this section.

(f) No child attending public school in this state shall be required to participate in any activity which is contrary to the religious teachings of the child if a written statement signed by one of the parents or a person acting as parent of the child is filed with the proper authorities of the school attended requesting that the child not be required to participate in such activities and stating the reason for the request.

(g) When a recognized church or religious denomination that objects to a regular public high school education provides, offers and teaches, either individually or in cooperation with another recognized church or religious denomination, a regularly supervised program of instruction, ~~which that~~ is approved by the state board of education, for children of compulsory school attendance age who have successfully completed the eighth grade, participation in such a program of instruction by any such children whose parents or persons acting as parents are members of the sponsoring church or religious denomination shall be regarded as acceptable school attendance within the meaning of this act. Approval of such programs shall be granted by the state board of education, for two-year periods, upon application from recognized churches and religious denominations, under the following conditions:

(1) Each participating child shall be engaged, during each day on which attendance is legally required in the public schools in the school district in which the child resides,

in at least five hours of learning activities appropriate to the adult occupation that the child is likely to assume in later years;

(2) acceptable learning activities, for the purposes of this subsection, shall include parent (or person acting as parent) supervised projects supervised by a parent or person acting as parent in agriculture and homemaking, work-study programs in cooperation with local business and industry; and correspondence courses from schools accredited by the national home study council, recognized by the United States office of education as the competent accrediting agency for private home study schools;

(3) at least 15 hours per week of classroom work under the supervision of an instructor shall be provided, at which time students shall be required to file written reports of the learning activities they have pursued since the time of the last class meeting, indicating the length of time spent on each one, and the instructor shall examine and evaluate such reports, approve plans for further learning activities; and provide necessary assignments and instruction;

(4) regular attendance reports shall be filed as required by law; and students shall be reported as absent for each school day on which they have not completed the prescribed minimum of five hours of learning activities;

(5) the instructor shall keep complete records concerning instruction provided, assignments made; and work pursued by the students, and these records shall be filed on the first day of each month with the state board of education and the board of education of the school district in which the child resides;

(6) the instructor shall be capable of performing competently the functions entrusted thereto; and

(7) in applying for approval under this subsection a recognized church or religious denomination shall certify its objection to a regular public high school education and shall specify, in such detail as the state board of education may reasonably require, the program of instruction that it intends to provide and no such program shall be approved unless it fully complies with standards ~~therefor which shall be~~ specified by the state board of education.

If the sponsors of an instructional program approved under this subsection fail to comply at any time with the provisions of this subsection, the state board of education shall rescind, after a written warning has been served and a period of three weeks allowed for compliance, approval of the programs, even though the two-year approval period has not elapsed, and thereupon children attending such program shall be admitted to a high school of the school district.

(h) (1) Each board of education of a school district shall allow any child to enroll part-time in the school district to allow the student to attend any courses, programs or services offered by the school district if the child:

(A) Is also enrolled in a nonaccredited private elementary or secondary school pursuant to K.S.A. 72-4345, and amendments thereto, or in any other private, denominational or parochial school pursuant to the provisions of subsection (a);

(B) requests to enroll part-time in the school district; and

(C) meets the age of eligibility requirements for school attendance pursuant to K.S.A. 72-3118, and amendments thereto.

(2) Each board of education of a school district shall adopt a policy regarding the part-time enrollment of students pursuant to this subsection and shall publish such policy on the school district's website. The board of education of a school district shall

make a good faith attempt to accommodate scheduling requests of students enrolling in the school district pursuant to this subsection but shall not be required to make adjustments to accommodate every such request.

(i) As used in this section:

(1) "Educational alternatives" means an alternative learning plan for the student that identifies educational programs that are located in the area where the student resides; and are designed to aid the student in obtaining a high school diploma, general educational development credential or other certification of completion, such as a career technical education industry certification. Such alternative learning plans may include extended learning opportunities such as independent study, private instruction, performing groups, internships, community service, apprenticeships and online coursework.

(2) "Parent" and "person acting as parent" ~~have the meanings respectively ascribed thereto~~ mean the same as such terms are defined in K.S.A. 72-3122, and amendments thereto.

(3) "Regularly enrolled" means enrolled in five or more hours of instruction each school day. For the purposes of subsection (b)(3), hours of instruction received at a postsecondary educational institution shall be counted.

Sec. 15. On and after July 1, 2023, K.S.A. 72-3122 is hereby amended to read as follows: 72-3122. (a) Any child who has attained the age of eligibility for school attendance may attend school in the district ~~in which~~ where the child lives, if:

(1) the child lives with a resident of the district and the resident is the parent, or a person acting as parent, of the child; ~~or~~

(2) subject to the provisions of subsection (c), the child lives in the district as a result of placement therein by a district court or by the secretary for children and families; or

(3) the child is a homeless child.

(b) Any child who has attained the age of eligibility for school attendance may attend school in a school district ~~in which~~ where the child is not a resident ~~if the school district in which the child resides has entered into an agreement with such other school district in accordance with and under authority of K.S.A. 72-13,101, 72-3123 or 72-3125,~~ and amendments thereto.

~~(c) Any child who has attained the age of eligibility for school attendance and who lives at the Judge James V. Riddel boys ranch as a result of placement at such ranch by a district court or by the secretary for children and families shall be deemed a resident of unified school district No. 259, Sedgwick county, Kansas, and. Any such child may attend school, which shall be maintained for such child by the board of education of such school district as in the case of a child who is a bona fide resident of the district.~~

~~(d) As used in this section:~~

~~(1) "Parent" means and includes natural parents, adoptive parents, stepparents, and foster parents;~~

~~(2) "person acting as parent" means (A) a guardian or conservator, or (B) a person, other than a parent, who is liable by law to maintain, care for, or support the child, or who has actual care and control of the child and is contributing the major portion of the cost of support of the child, or who has actual care and control of the child with the written consent of a person who has legal custody of the child, or who has been granted custody of the child by a court of competent jurisdiction; and~~

~~(3) "homeless child" means a child who lacks a fixed, regular, and adequate nighttime residence and whose primary nighttime residence is: (A) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); or (B) an institution that provides a temporary residence for individuals intended to be institutionalized; or (C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.~~

Sec. 16. On and after July 1, 2023, K.S.A. 72-3123 is hereby amended to read as follows: 72-3123. (a) Beginning in school year 2024-2025, any child of school age pursuant to K.S.A. 72-3118, and amendments thereto, may attend a school operated by a school district where such child does not reside if such school district has open seats as determined pursuant to this section.

~~(b) The board of education of any school district is hereby authorized to permit pupils who are not residents of the school district shall permit nonresident students to enroll in and attend the schools of the district. The board of education may permit such pupils to attend school without charge or, subject to the provisions of subsection (b), may charge such pupils for attendance at school to offset, totally or in part, the costs of providing for such attendance. Amounts received under this subsection by the board of education of a school district for enrollment and attendance of pupils at school in regular educational programs shall be deposited in the general fund of the school district.~~

~~(b) Pupils who are not residents of a school district and are attending the schools of the school district in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-13,101, and amendments thereto, shall not be charged for attendance at school. The costs of providing for the attendance of such pupils at school shall be paid by the school district of residence of the pupils in accordance with the provisions of the agreement. if such school district has open seats as determined pursuant to this section.~~

(c) Each school district shall determine capacity in each school of the school district for the following school year as follows:

(1) For kindergarten and grades one through eight, the classroom student-teacher ratio in each grade level; and

(2) for grades nine through 12, the student-teacher ratio for each school building or program in each school building, including, but not limited to, advanced placement or international baccalaureate programs.

(d) (1) On or before May 1 of each year, each school board shall determine for each grade level in each school building of the school district for the next succeeding school year the:

(A) Capacity as determined pursuant to subsection (c);

(B) number of students expected to attend school in the school district; and

(C) number of open seats available to nonresident students.

(2) On or before June 1 of each year, each school district shall publish on such school district's website the number of open seats available to nonresident students in each grade level for each school building of the school district for the next succeeding school year.

(3) From June 1 through June 30, each school district shall accept applications from nonresident students. Applications shall be on a form and in a manner determined by the

school district.

(4) If the number of applications for a grade level in a school building is less than the number of available seats for such grade level in such school building, the nonresident students shall be accepted for enrollment and attendance at such school district. If the number of applications for a grade level in a school building is greater than the number of available seats for such grade level in such school building, the school district shall randomly select nonresident students using a confidential lottery process. Such process shall be completed on or before July 15 of each year.

(5) The school district shall provide to the parent or person acting as parent of a nonresident student who was not accepted for or denied enrollment at such school district the reason for the nonacceptance or denial and an explanation of the nonresident student selection process.

(e) (1) Subject to capacity, school districts shall give priority to any sibling of a nonresident student who was accepted to enroll in and attend such school district. Priority shall be given when the nonresident student is first accepted and, if necessary, at any other time the school district considers transfer applications. Any such sibling shall not be subject to the open seat lottery.

(2) Any child who is in the custody of the department for children and families and who is living in the home of a nonresident student who transfers may attend school in the receiving school district.

(f) A school district shall not:

(1) Charge tuition or fees to any nonresident student who transfers to such school district pursuant to this section except fees that are otherwise charged to every student enrolled in and attending school in the district; or

(2) accept or deny a nonresident student transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude or athletic ability.

(g) A nonresident student who has been accepted for enrollment and attendance at a receiving school district shall be permitted to continue such enrollment and attendance in such school district until such student graduates from high school, unless such student is no longer in good standing. A receiving school district may deem a nonresident student as not in good standing in accordance with such school district's nonresident transfer policy.

(h) A student may always enroll at any time in the school district where such student resides.

(i) Except for a child in the custody of the department for children and families, a nonresident student shall not transfer more than once per school year to one or more receiving school districts pursuant to the provisions of this section.

(j) A receiving school district shall not be required to provide transportation to nonresident students. If space is available on school district transportation vehicles, a school district may provide nonresident students an in-district bus stop where transportation may be provided by such school district to and from such bus stop and the school for such nonresident students.

(k) Each school district board of education shall submit to the state department of education the number of nonresident student transfers approved and denied by such board and whether the denials were based on capacity or in accordance with the policy adopted pursuant to section 9, and amendments thereto. The state department of

education shall collect and report such data on such department's website and make such data available to the legislative division of post audit.

(1) (1) Each year, the state department of education, as part of the department's enrollment audit, shall audit the nonresident student capacity and enrollment.

(2) In calendar year 2027, the legislative post audit committee shall direct the legislative division of post audit to conduct an audit of nonresident student transfers pursuant to this section. Such audit shall be reported to the legislative post audit committee on or before January 15, 2028, and subsequently presented to the house standing committee on K-12 education budget and the senate standing committee on education, or any successor committees.

(m) Nothing in this section shall be construed to exempt any nonresident student who transfers to a receiving school district pursuant to this section from the policies and requirements of the activities association referred to in K.S.A. 72-7114, and amendments thereto.

(n) The provisions of this section shall not apply to any school located on a military installation as defined in K.S.A. 72-8268, and amendments thereto.

Sec. 17. On and after July 1, 2023, K.S.A. 72-3124 is hereby amended to read as follows: 72-3124. (a) ~~As used in this section:~~

~~(1) "School district" means a school district organized and operating under the laws of this state and no part of which is located in Johnson county, Sedgwick county, Shawnee county or Wyandotte county.~~

~~(2) "Non-resident pupil" or "pupil" means a pupil who is enrolled and in attendance at a school located in a district in which such pupil is not a resident and who: (A) Lives 2½ or more miles from the attendance center the pupil would attend in the district in which the pupil resides and is not a resident of Johnson county, Sedgwick county, Shawnee county or Wyandotte county; or (B) is a member of the family of a pupil meeting the condition prescribed in subparagraph (A).~~

~~(3) "Member of the family" means a brother or sister of the whole or half blood or by adoption, a stepbrother or stepsister, and a foster brother or foster sister.~~

~~(b) The board of education of any school district may shall allow any pupil student who is not a resident of the district to enroll in and attend school in such district pursuant to K.S.A. 72-3123, and amendments thereto. The board of education of such district may furnish or provide transportation to any non-resident pupil nonresident student who is enrolled in and attending school in the district pursuant to this section. If the district agrees to furnish or provide transportation to a non-resident pupil nonresident student, such transportation shall be furnished or provided until the end of the school year. Prior to providing or furnishing transportation to a non-resident pupil nonresident student, the receiving school district shall notify the board of education of the sending school district in which the pupil resides that transportation will be furnished or provided for such student.~~

~~(c) Pupils attending school in a school district in which the pupil does not reside pursuant to this section~~

~~(b) Nonresident students shall be counted as regularly enrolled in and attending school in the receiving school district where the pupil is enrolled for the purpose of computations under the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto, except computation of transportation weighting under such act, and for the purposes of the statutory provisions contained in article 64 of~~

chapter 72 of the Kansas Statutes Annotated, and amendments thereto. Such ~~non-resident pupil~~ nonresident student shall not be charged for the costs of attendance at school.

Sec. 18. On and after July 1, 2023, K.S.A. 72-3125 is hereby amended to read as follows: 72-3125. (a) ~~As used in this section:~~

(1) ~~"Receiving school district" means a school district of nonresidence of a pupil who attends school in such school district.~~

(2) ~~"Sending school district" means a school district of residence of a pupil who attends school in a school district not of the pupil's residence.~~

(b) ~~The board of education of any school district may make and enter into contracts with the board of education of any receiving school district located in this state for the purpose of providing for the attendance of pupils~~ students at school in the receiving school district.

(c) ~~The board of education of any school district may make and enter into contracts with the governing authority of any accredited school district located in another state for the purpose of providing for the attendance of pupils~~ students from this state at school in such other state or for the attendance of ~~pupils~~ students from such other state at school in this state.

(d) ~~Pupils~~ Students attending school in a receiving school district in accordance with a contract authorized by this section and made and entered into by such receiving school district with a sending school district located in this state shall be counted as regularly enrolled in and attending school in the sending school district for the purpose of computations under the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto.

(e) ~~(d)~~ Any contract made and entered into under authority of this section is subject to the following conditions:

(1) The contract shall be for the benefit of ~~pupils~~ students who reside at inconvenient or unreasonable distances from the schools maintained by the sending school district or for ~~pupils~~ students who, for any other reason deemed sufficient by the board of education of the sending school district, should attend school in a receiving school district;

(2) the contract shall make provision for the payment of tuition by the sending school district to the receiving school district;

(3) if a sending school district is located in this state and the receiving school district is located in another state, the amount of tuition provided to be paid for the attendance of a ~~pupil student~~ or ~~pupils~~ students at school in the receiving school district shall not exceed $\frac{1}{2}$ of the amount of the budget per ~~pupil student~~ of the sending school district under the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto, for the current school year; and

(4) the contract shall make provision for transportation of ~~pupils~~ students to and from the school attended on every school day.

(f) ~~(e)~~ Amounts received pursuant to contracts made and entered into under authority of this section by a school district located in this state for enrollment and attendance of ~~pupils~~ students at school in regular educational programs shall be deposited in the general fund of the school district.

(g) ~~(f)~~ The provisions of subsection ~~(e)(3)~~ (d)(3) do not apply to unified school district No. 107, Rock Hills.

~~(h)~~(g) The provisions of this section do not apply to contracts made and entered into under authority of the special education for exceptional children act.

~~(h)~~(h) The provisions of this section are deemed to be alternative to the provisions of K.S.A. 72-13,101, and amendments thereto, and no procedure or authorization under K.S.A. 72-13,101, and amendments thereto, shall be limited by the provisions of this section.

Sec. 19. On and after July 1, 2022, K.S.A. 72-3713 is hereby amended to read as follows: 72-3713. (a) Virtual schools shall be under the general supervision of the state board. The state board may adopt any rules and regulations relating to virtual schools which that the state board deems necessary to administer and enforce the virtual school act.

(b) For purposes of accreditation by the state board, the four-year adjusted cohort graduation rate for a virtual school shall be determined by only including those students enrolled in such virtual school who had earned sufficient credits to be expected to graduate in the same school year as such student's cohort at the time such student first enrolled in such virtual school. The virtual school's four-year adjusted cohort graduation rate shall be determined in addition to the graduation rates determined for the school district that operates the virtual school and any other high schools operated by the school district.

(c) No virtual school shall offer or provide any financial incentive for a student to enroll in a virtual school.

(d) As used in this section, "financial incentive" means any monetary payment or award that is intended to encourage, entice or motivate a student to enroll in a virtual school.

Sec. 20. On and after July 1, 2022, K.S.A. 72-3715 is hereby amended to read as follows: 72-3715. (a) In order to be included in the full-time equivalent enrollment of a virtual school, a student shall be in attendance at the virtual school on:

- (1) A single school day on or before September 19 of ~~each the~~ school year; and
- (2) on a single school day on or after September 20, but before October 4 of ~~each the~~ school year.

(b) A school district ~~which that~~ offers a virtual school shall determine the full-time equivalent enrollment of each student enrolled in the virtual school on September 20 of ~~each the~~ school year as follows:

- (1) Determine the number of hours the student was in attendance on a single school day on or before September 19 of ~~each the~~ school year;
- (2) determine the number of hours the student was in attendance on a single school day on or after September 20; but before October 4 of ~~each the~~ school year;
- (3) add the numbers obtained under subsections (b)(1) and (b)(2);
- (4) divide the sum obtained under subsection (b)(3) by 12. The quotient is the full-time equivalent enrollment of the student.

(c) The school days on which a district determines the full-time equivalent enrollment of a student under subsections (b)(1) and (2) shall be the school days on which the student has the highest number of hours of attendance at the virtual school. No more than six hours of attendance may be counted in a single school day. Attendance may be shown by a student's on-line activity or entries in the student's virtual school journal or log of activities.

- (d) Subject to the availability of appropriations and within the limits of any such

appropriations, each school year a school district ~~which that~~ offers a virtual school shall receive virtual school state aid. The state board of education shall determine the amount of virtual school state aid a school district is to receive as follows:

(1) Determine the number of students enrolled in virtual school on a full-time basis, excluding those students who are over 19 years of age and those students who are 19 years of age or younger who qualify for virtual school state aid pursuant to paragraph (4), and multiply the total number of such students by ~~\$5,000~~ \$5,600;

(2) determine the full-time equivalent enrollment of students enrolled in virtual school on a part-time basis, excluding those ~~pupils~~ students who are over 19 years of age and those students who are 19 years of age or younger who qualify for virtual school state aid pursuant to paragraph (4), and multiply the total full-time equivalent enrollment of such students by ~~\$1,700~~ \$2,800;

(3) for students enrolled in a virtual school who are over 19 years of age, determine the number of one-hour credit courses such students have passed, not to exceed six credit courses per school year, and multiply the total number of such courses by \$709; ~~and~~

(4) for students who are 19 years of age or younger who enroll in a virtual school as a dropout diploma completion virtual student, determine the number of one-hour credit courses such students have passed, not to exceed six credit courses per school year, and multiply the total number of such courses by \$709; and

(5) add the amounts calculated under subsections (d)(1) through (d)(4). The resulting sum is the amount of virtual school state aid the school district shall receive.

(e) (1) There is hereby established in every school district ~~a fund which shall be called the virtual school fund, which. Such~~ fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to virtual schools offered by a school district may be paid from the virtual school fund. The cost of an advance placement course provided to a student by a virtual school shall be paid by the virtual school. Moneys deposited in or otherwise transferred to the virtual school fund shall only be expended for those costs directly attributable to the provision of virtual instruction.

(2) Any balance remaining in the virtual school fund at the end of the budget year shall be carried forward into the virtual school fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.

(3) In preparing the budget of such school district, the amounts credited to and the amount on hand in the virtual school fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(f) For the purposes of this section, a student enrolled in a virtual school who is not a resident of the state of Kansas shall not be counted in the full-time equivalent enrollment of the virtual school. The virtual school shall record the permanent address of any student enrolled in such virtual school.

(g) ~~For purposes of~~ As used in this section:

(1) "Dropout diploma completion virtual student" means any student who is 19 years of age or younger who has:

(A) A ratio of earned credits to expected credits for the student's cohort year of less

than 75% when enrolling in a virtual school;

(B) (i) dropped out of high school such that the student has not attended any school of a school district for 60 consecutive days or more during the current school year and the student is not reasonably anticipated to recommence enrollment or attendance at any school of a school district during the current school year;

(ii) dropped out of high school such that the student has not attended any school of a school district for 60 consecutive days or more during the preceding school year, the student did not finish such preceding school year and the student is not reasonably anticipated to recommence enrollment or attendance at any school of a school district during the current school year; or

(iii) been exempted from compulsory student attendance by written consent of the parent pursuant to K.S.A. 72-3120, and amendments thereto; and

(C) not been counted in the enrollment of a virtual school as a full-time or part-time virtual student during the school year in which such student enrolls as a dropout diploma completion virtual student.

(2) "Full-time" means attendance in a virtual school for no less than six hours as determined pursuant to subsection (b).

~~(2)~~(3) "Part-time" means attendance in a virtual school for less than six hours as determined pursuant to subsection (b).

Sec. 21. On and after July 1, 2022, K.S.A. 2021 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; 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 ~~under the age of six years~~ 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;

(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.";

Also on page 1, in line 10, before "K.S.A." by inserting "On and after July 1, 2022,";

On page 9, in line 4, before "K.S.A." by inserting "On and after July 1, 2022,"; following line 43, by inserting:

"Sec. 24. On and after July 1, 2022, K.S.A. 2021 Supp. 72-5178 is hereby amended to read as follows: 72-5178. (a) On or before January 15 of each year, the state department of education shall prepare and ~~submit a~~ digitally update on the website of the state department of education the performance accountability-report reports and-a longitudinal achievement-report-for reports upon all students enrolled in any public school or accredited nonpublic school in the state, each school district, each school operated by a school district and each accredited nonpublic school ~~to the governor and to the legislature.~~

(b) Each performance accountability report shall be prepared in a single-page format containing the information that is required to be reported under the federal elementary and secondary education act, as amended by the federal every student succeeds act, public law 114-95, or any successor federal acts, and the college and career readiness metrics developed and implemented by the state board. The report shall use the categories for achievement identified under the federal every student succeeds act, public law 114-95, or any successor achievement categories. All categories and metrics included in the report shall be clearly defined.

(c) Each longitudinal achievement report shall provide the achievement rates on the state assessments for English language arts, math and science for all students and each student subgroup and the change in achievement rate year-over-year starting with the school year in which the state board first implemented new achievement standards on such state assessments.

(d) On or before January 15 of each year, the state department of education shall prepare written academic achievement reports to provide a summary of student achievement in this state and shall submit such reports to the governor and the legislature. Such written academic achievement reports shall:

(1) Provide a statewide summary of the performance accountability reports and longitudinal achievement reports prepared pursuant to this section. Such summary report shall provide:

(A) Achievement data from the English language arts assessments and math assessments over the preceding five years for all students and student subgroups to show whether there are statewide trends in academic improvement or learning loss among all students and student subgroups;

(B) a comparison to any other evaluation metric used by the state board of education to evaluate student achievement such as college and career readiness measurements or graduation rates;

(C) a comparison to other educational assessments that measure academic performance such as the national assessment of educational progress;

(D) an analysis of the trends in student achievement outcomes and a review of conditions that are impacting recent student achievement outcomes;

(E) a review of the academic interventions that school districts are using to improve student performance, whether the state board of education has any specific recommendations regarding academic interventions to improve academic achievement and an estimation of the academic achievement gains that can be expected from such interventions; and

(F) a summary of the performance levels and the scale and cut scores for the statewide assessments and how such information should be used to draw conclusions about student achievement; and

(2) provide a student-focused longitudinal achievement report that provides information on the academic achievement of certain student cohort groups to show the achievement gains or learning losses that are occurring for such students. Such report shall begin with the students who are entering grade three and grade eight in school year 2022-2023. The report shall summarize the longitudinal achievement of such students over a three-year period and shall be repeated every three years for the students entering such grade levels. The longitudinal report shall provide:

(A) A summary of the improvement or learning loss that is occurring within such student cohort groups over such three-year period for all such students and the student subgroups;

(B) an analysis of the evaluations and metrics that are used to measure the year-over-year achievement of such student cohort groups;

(C) a review of the academic interventions that school districts are using to improve student performance within such student cohort groups, whether the state board of education has any specific recommendations regarding academic interventions to improve academic achievement and an estimate of the academic achievement gains that can be expected from such interventions; and

(D) the achievement results from the English language arts assessments and math assessments for such student cohort groups and any other assessment data pertaining to such student cohort groups, including, but not limited to, the national assessment for educational progress, the ACT college entrance exam and the pre-ACT assessment.

(d) All reports prepared pursuant to this section shall be published in accordance with K.S.A. 2021 Supp. 72-1181, and amendments thereto.;

On page 10, in line 1, before "K.S.A." by inserting "On and after July 1, 2022,";

On page 11, in line 26, before "K.S.A." by inserting "On and after July 1, 2022,";

On page 12, in line 28, after the second comma by inserting "but prior to July 1, 2022,"; in line 29, by striking "Except as provided in subsection (b)(8),"; in line 33, by striking "except as provided in subsection (b)(8),";

On page 13, in line 5, by striking "51%" and inserting "75%"; in line 9, after "2015" by inserting ", but prior to July 1, 2022"; in line 12, after "(3)" by inserting "For general obligation bonds approved for issuance at an election held on or after July 1, 2022, the state board of education shall:

(A) Except as provided in subsection (b)(9), determine the amount of the AVPP of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(3);

(B) except as provided in subsection (b)(9), prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 72-5463, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 51%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2022; and

(E) multiply the amount determined under subsection (b)(3)(D) by the applicable state aid percentage factor.

(4)";

Also on page 13, in line 17, by striking "(4)" and inserting "(5)"; in line 19, after "(b)(2)(E)" by inserting "or (b)(3)(E)";

On page 14, in line 11, by striking "(b)(5)" and inserting "(b)(6)"; in line 13, by striking "(b)(6)" and inserting "(b)(7)"; also in line 13, by striking "(b)(8)" and inserting "(b)(9)"; in line 14, by striking "(b)(3)" and inserting "(b)(4)"; in line 16, by striking "(b)(4)" and inserting "(b)(5)"; in line 31, after "(b)(2)(D)" by inserting "and (b)(3)(D)"; in line 43, by striking "(b)(2)(B)" and inserting "(b)(3)(B)";

On page 15, in line 15, by striking "June 30, 2021,."; in line 16, by striking "and"; also in line 16, after the third comma by inserting "and June 30, 2024,."; in line 40, by striking "(b)(4)(D)" and inserting "(b)(5)(D)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 15, following line 40, by inserting:

"Sec. 27. On and after July 1, 2022, K.S.A. 72-6316 is hereby amended to read as follows: 72-6316. ~~No(a) A nonacademic test, questionnaire, survey or examination containing any questions about the student's personal and private attitudes, values, beliefs or practices on issues such as sex, family life, morality or religion, or any questions about the student's parents' or guardians' beliefs and practices on issues such as sex, family life, morality or religion, of the student or the student's parents,~~

guardians, family members, associates, friends or peers that is administered during the school day shall not be administered to any student enrolled in kindergarten or grades one through 12, unless the parent or guardian of the student;

(1) Is notified in writing not more than four months in advance of the administration of such test, questionnaire, survey or examination that this such test, questionnaire, survey or examination is to be administered and the parent or guardian of the student. Such notification shall include:

(A) A copy of the test, questionnaire, survey or examination that is to be administered;

(B) information on how the parent or guardian may provide written consent to authorize the student to take such test, questionnaire, survey or examination;

(C) the name of the company or entity that produces or provides the test, questionnaire, survey or examination to the school; and

(D) whether the school will receive or maintain the resulting data and an explanation of how the school intends to use and maintain such data; and

(2) gives written permission for consent through a written or electronic signature to authorize the student to take this the test, questionnaire, survey or examination or, in the event of an immediate need, gives verbal consent. This section shall not prohibit school counselors from providing counseling services to a student, including the administration of tests and forms which are part of a counselor's student counseling services. Any information obtained through such tests or counseling services shall not be stored on any personal mobile electronic device which is not owned by the school district, including but not limited to, laptops, tablets, phones, flash drives, external hard drives or virtual servers. Such written consent may only be accepted after a parent or guardian has received the notification required pursuant to paragraph (1) and had an opportunity to review the information contained in such notification. Written consent shall be provided separately for each individual test, questionnaire, survey or examination that is to be administered.

(b) Notwithstanding a parent or guardian's consent for a student to take any such test, questionnaire, survey or examination, a student shall have the right to refuse to take any such test, questionnaire, survey or examination at any time without limitation. Prior to the administration of any such test, questionnaire, survey or examination, each student shall be informed that such student has the right to refuse to take such test, questionnaire, survey or examination and that the student will not suffer any adverse consequences based on such refusal.

(c) Prior to the administration of any such test, questionnaire, survey or examination, a school district shall post and maintain a copy of such test, questionnaire, survey or examination on the school district website.

(d) No personally identifiable student data shall be collected through any such test, questionnaire, survey or examination.

(e) Except as provided in subsection (f), the provisions of this section shall apply to any test, questionnaire, survey or examination described in subsection (a) that is administered or proposed to be administered to any student by any employee of a school district, including, but not limited to, any administrator, teacher, counselor, social worker, psychologist or nurse.

(f) Notwithstanding the provisions of this section, if any school district employee becomes aware that a student may be at risk of suicide by a credible report from the

student, the student's peers or another school district employee, the school personnel who are designated by the school to administer a suicide risk assessment or screening tool may administer such risk assessment or screening tool in accordance with the provisions of this subsection to determine whether the student could be at risk for suicide. Such designated school personnel may include, but is not limited to, any administrator, teacher, counselor, social worker, psychologist or nurse. Prior to the administration of any such risk assessment or screening tool, the designated school personnel shall verbally notify the parent or guardian before the administration of such risk assessment or screening tool and obtain the consent of the parent or guardian. If the designated school personnel is unable to verbally notify the parent or guardian of the student and obtain consent after reasonable attempts to do so, the designated school personnel may administer the risk assessment or screening tool without such consent. If a risk assessment or screening tool is administered without the parent or guardian's consent, as soon as contact with the parent or guardian is made, the designated school personnel shall notify the parent or guardian of the administration of such assessment or screening tool and provide to the parent or guardian all information obtained from the risk assessment or screening tool administered to the student.

Sec. 28. K.S.A. 2021 Supp. 74-32,271 is hereby amended to read as follows: 74-32,271. (a) K.S.A. 2021 Supp. 74-32,271 et seq., and amendments thereto, shall be known and may be cited as the Kansas promise scholarship act.

(b) As used in the Kansas promise scholarship act:

(1) "Eligible postsecondary educational institution" means:

(A) Any community college or technical college established under the laws of this state and with a recognized service area;

(B) the Washburn institute of technology; or

(C) any not-for-profit institution of postsecondary education with its main campus or principal place of operation in Kansas that offers a promise 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.

(2) "Military servicemember" means the same as defined in K.S.A. 2021 Supp. 48-3406, and amendments thereto.

(3) "Part-time student" means a student who is enrolled for six credit hours or more ~~in a~~ the fall, summer or spring semester and is not enrolled as a full-time student.

(4) "Promise eligible program" means any two-year associate degree program or career and technical education certificate or stand-alone program offered by an eligible postsecondary educational institution that is:

(A) Approved by the state board of regents;

(B) high wage, high demand or critical need; and

(C) identified as a "promise eligible program" by the state board of regents pursuant to K.S.A. 2021 Supp. 74-32,272, and amendments thereto, or ~~designated as a "promise eligible program" within a field of study designated~~ by an eligible postsecondary educational institution pursuant to K.S.A. 2021 Supp. 74-32,273, and amendments thereto.

Sec. 29. K.S.A. 2021 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, ~~2022~~ 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—deadlines 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. 2021 Supp. 74-32,276, and amendments thereto; ~~and~~

(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. 2021 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; ~~or~~

(B) ~~designated by the eligible postsecondary educational institution pursuant to K.S.A. 2021 Supp. 74-32,273, 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 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) ensure that any student 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. 2021 Supp. 74-32,276, and amendments thereto;

(8) determine whether students who received a Kansas promise scholarship fulfills fulfill the residency, employment and repayment requirements provided in K.S.A. 2021 Supp. 74-32,276, and amendments thereto; and

~~(6)~~(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. 30. K.S.A. 2021 Supp. 74-32,273 is hereby amended to read as follows: 74-32,273. (a) Subject to subsection (b)–In addition to the fields of study provided in K.S.A. 2021 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) distribution and logistics.

(b) , an eligible postsecondary educational institution may designate one additional promise eligible program if the additional program is a two-year associate degree program or a career and technical education certificate or stand-alone program that corresponds to a high wage, high demand or critical need occupation.

(b) To designate an additional promise eligible program, such institution shall have and maintain an existing promise eligible program in any of the following fields of study:

(1) Information technology and security;

(2) mental and physical healthcare;

(3) advanced manufacturing and building trades; or

(4) early childhood education and development.

(c)–An eligible postsecondary educational institution that designates an additional promise eligible program field of study pursuant to this subsection (a) section shall maintain the promise eligible program field of study designation of such program for at least three consecutive years. After maintaining such program field of study for at least three years, the institution may designate a new promise eligible program field of study that corresponds to a high wage, high demand or critical need occupation to replace the existing designated promise eligible program field of study. Any newly designated program 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. 31. K.S.A. 2021 Supp. 74-32,274 is hereby amended to read as follows: 74-32,274. (a) (1) Subject to appropriations, the amount of a Kansas promise scholarship for a student for each ~~semester~~ academic year 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 ~~semester~~. Aid includes any grant, scholarship or financial assistance awards that do not require repayment academic year.

(2) If a student is enrolled in a promise eligible program offered by a ~~four-year~~ an eligible private postsecondary educational institution described in K.S.A. 2021 Supp. 74-32,271(b)(1)(C), and amendments thereto, the aggregate amount of tuition, mandatory fees and the cost of books and materials for such program shall be the average cost of tuition, mandatory fees and the cost of books and materials for such promise eligible program when offered by an eligible public postsecondary educational institution ~~that is not a four-year institution~~ described in K.S.A. 2021 Supp. 74-32,271(b)(1)(A) or (B), and amendments thereto.

(b) ~~Except as otherwise provided in this subsection,~~ 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. ~~If scholarship moneys remain in the Kansas promise scholarship program fund during the award year after awarding all other scholarships pursuant to this section, Kansas promise scholarships may be awarded to eligible students whose family household income exceeds such amounts.~~

(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 2022 and 2023 year, the appropriation made for the Kansas promise scholarship program shall not exceed \$10,000,000. For fiscal year 2024 and each fiscal year thereafter, the appropriation shall not exceed 150% of the amount disbursed in promise scholarships for the immediately preceding fiscal year.

(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. 32. K.S.A. 2021 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;
 (2)(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) be 21 years of age or older and, 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; or

(E) be a dependent child of a military service member 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;

(3)(4) complete the required scholarship application on such forms and in such manner as established by the state board of regents;

(4)(5) enter into a Kansas promise scholarship agreement pursuant to K.S.A. 2021 Supp. 74-32,276, and amendments thereto;

(5)(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

(6)(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:

(1)(A) Maintain satisfactory academic progress toward completion of in the courses of the promise eligible program for which the student received a Kansas promise scholarship; and

(2)(B) satisfy the requirements of a Kansas promise scholarship agreement as

provided in K.S.A. 2021 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.

Sec. 33. K.S.A. 2021 Supp. 74-32,276 is hereby amended to read as follows: 74-32,276. (a) As a condition to receiving a Kansas promise scholarship, an eligible student shall enter into a Kansas promise scholarship agreement with the state board of regents. The eligible postsecondary educational institution making the scholarship award to such student shall counsel each eligible student on the requirements and conditions of the promise scholarship agreement. Such agreement shall require ~~such~~ any student who receives a Kansas promise scholarship to:

(1) Enroll as a full-time or part-time student at the eligible postsecondary educational institution from which the student is receiving a Kansas promise scholarship and engage in and complete the required promise eligible program within ~~30~~ 36 months of the date the scholarship was first awarded;

(2) within six months after graduation from the promise eligible program:

(A) Reside in 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 a Kansas promise scholarship agreement, repay the amount of the Kansas promise scholarship 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 Kansas promise scholarship fails to satisfy the requirements of a Kansas promise scholarship agreement, such student shall pay an amount equal to the total amount of money received by such student pursuant to such agreement that is financed by the state of Kansas plus accrued interest at a rate equivalent to the interest rate applicable to loans made under the federal PLUS program at the time such ~~person first entered into an agreement~~ student's first course funded by a Kansas promise scholarship award began. Interest shall begin accruing on the date the student is determined to be out of compliance with the Kansas promise scholarship 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 a Kansas promise scholarship 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 promise scholarship program fund.

(2) For any Kansas promise scholarship awarded on or after July 1, 2021, the state board of regents shall be the sole entity responsible for collecting or recouping any Kansas promise scholarship funds required to be repaid by a student who fails to satisfy the requirements of a Kansas promise scholarship agreement 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 not being involved other than 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 Kansas promise scholarship 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 Kansas promise scholarship agreement; 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 Kansas promise scholarship until the requirements of the program and scholarship agreement are complete; and

(B) notify the state board of regents when a student who received a Kansas promise scholarship:

(i) Completes the program of study for which the student received the scholarship or has exhausted scholarship benefits; and

(ii) exceeds the 36-month program completion requirement provided in this section. This requirement shall apply to any Kansas promise scholarship awarded on or after July 1, 2021.

(6) For any Kansas promise scholarship awarded on or after July 1, 2021, 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 funds required to be repaid by a student who fails to satisfy the requirements of a Kansas promise scholarship agreement pursuant to this section.

(c) Any requirement of a Kansas promise scholarship 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 Kansas promise scholarship program if such recipient:

(1) Completes the requirements of the scholarship agreement;

(2) commences service as a military servicemember after receiving a Kansas promise scholarship;

(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 scholarship recipient.

Sec. 34. On and after July 1, 2022, K.S.A. 2021 Supp. 75-4364 is hereby amended to read as follows: 75-4364. (a) This section shall be known and may be cited as the Kansas hero's scholarship act.

(b) As used in this section:

(1) "Accident" means an undesigned, sudden and unexpected traumatic event, usually of an afflictive or unfortunate nature and often, but not necessarily, accompanied by a manifestation of force. An "accident" shall be identifiable by the time and place of occurrence, produce at the time symptoms of an injury and occur during a single work shift. The "accident" shall be the prevailing factor in causing the injury.

(2) "Covered person" means a public safety officer or Kansas resident in military service to whom this section applies.

(3) "Dependent" means: (A) A birth child, adopted child or stepchild; or (B) any child other than the foregoing who is actually dependent in whole or in part on the individual and who is related to such individual by marriage or consanguinity.

~~(2)~~(4) "Emergency medical service provider" means the same as defined in K.S.A. 65-6112, and amendments thereto.

(5) "Fees" mean those charges required by an institution to be paid by every student as a condition of enrollment. "Fees" do not include all other charges associated with the student's academic program or living costs.

~~(3)~~(6) "Firefighter" means a person who is: (A) Employed by any city, county, township or other political subdivision of the state and who is assigned to the fire department thereof and engaged in the fighting and extinguishment of fires and the protection of life and property therefrom; or (B) a volunteer member of a fire district, fire department or fire company.

(7) "Injured or disabled" means that the covered person, because of the injury or disability, has been rendered incapable of performing the duties of the following:

(A) The position being performed at the time the injury or disability was sustained; and

(B) any position that is at or above the pay level of the position the covered person was in at the time the injury or disability was sustained, if the covered person is a paid employee.

(8) "Injury" and "disability" mean any lesion or change in the physical structure of the body causing damage or harm thereto that is not transitory or minor. "Injury" and "disability" shall occur only by accident, intentional act of violence or repetitive trauma.

(9) (A) "Intentional act of violence" means one or a combination of the following:

(i) A deliberate act by a third party that results in inflicting harm on a covered person while such person is performing those duties; or

(ii) a deliberate act by a covered person in the reasonable performance of duties as a covered person that results in the infliction of harm on the covered person.

(B) An "intentional act of violence" shall be identifiable by the time and place of occurrence, produce at the time symptoms of an injury and occur during a single work shift. The "intentional act of violence" shall be the prevailing factor in causing the injury.

(C) "Intentional act of violence" does not include repetitive trauma in any form.

~~(4)~~(10) "Kansas educational institution" means and includes community colleges, the municipal university, state educational institutions, the institute of technology at Washburn university and technical colleges.

~~(5)~~(11) "Law enforcement officer" means a 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 violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes wardens, superintendents, directors, security personnel, officers and employees of adult and juvenile correctional institutions, jails or other institutions or facilities for the detention of persons accused or convicted of crime, while acting within the scope of their authority.

~~(6)~~(12) "Military service" means any active service in any armed service of the United States and any active state or federal service in the Kansas army or air national guard.

(13) "Nature of the employment" means that, to the occupation, trade or employment in which the covered person was engaged, there is attached a particular and peculiar hazard of the injury or disability that distinguishes the performance of job duties from other occupations and employments and that creates a hazard of such injury or disability in excess of the hazard of the injury or disability in general.

~~(7)~~(14) "Prisoner of war" means any person who was a resident of Kansas at the time the person entered service of the United States armed forces and who, while serving in the United States armed forces, has been declared to be a prisoner of war, as established by the United States secretary of defense, after January 1, 1960.

(15) "Public safety employee" means any employee of a law enforcement office, sheriff's department, municipal fire department, volunteer and non-volunteer fire protection association, emergency medical services provider or correctional institution of the department of corrections.

~~(8)~~(16) "Public safety officer" means a law enforcement officer, a firefighter, an emergency medical service provider or a public safety employee.

(17) (A) "Repetitive trauma" means the cause of an injury that occurs as a result of repetitive use, cumulative traumas or microtraumas. The repetitive nature of the injury shall be demonstrated by diagnostic or clinical tests. The "repetitive trauma" shall be the prevailing factor in causing the injury.

(B) For purposes of the educational benefit conferred by this section, "repetitive trauma" includes only an injury arising out of the performing of duties and resulting from the nature of the employment in which a covered person was engaged and that was actually contracted while so engaged. The injury shall appear to have had its origin in a special risk of the injury connected with the particular type of employment and to have resulted from that source as a reasonable consequence of the risk. Ordinary injuries of life and conditions to which the general public is or could be exposed outside of the particular employment, and hazards of injuries and conditions attending employment in general, shall not qualify as "repetitive trauma."

~~(9)~~(18) "Resident of Kansas" means a person who is a domiciliary resident as defined by K.S.A. 76-729, and amendments thereto.

~~(10)~~(19) "Spouse" means the spouse of a ~~deceased~~ public safety officer or ~~deceased~~ member of the military service who has not remarried.

~~(11)~~(20) "State board" means the state board of regents.

~~(12)~~ "Public safety employee" means any employee of a law enforcement office, sheriff's department, municipal fire department, volunteer and non-volunteer fire protection association, emergency medical services provider or correctional institution of the department of corrections.

~~(b)~~(c) (1) Every Kansas educational institution shall provide for enrollment without charge of tuition or fees for:

(A) Any eligible dependent or spouse of a public safety officer who:

(i) Was injured or disabled while performing duties as a public safety officer; or
 (ii) died as the result of injury sustained while performing duties as a public safety officer;

(B) any dependent or spouse of any resident of Kansas who:

(i) Died or was injured or disabled on or after September 11, 2001, while, and as a result of, serving in military service; or

(ii) is entitled to compensation for a service-connected disability of at least 80% because of a public statute administered by the department of veterans affairs or a military department as a result of injuries or accidents sustained in combat after September 11, 2001; and

(C) any prisoner of war.

(2) Any such dependent or spouse and any prisoner of war shall be eligible for enrollment at a Kansas educational institution without charge of tuition or fees for not to exceed 10 semesters of undergraduate instruction, or the equivalent thereof, at all such institutions.

~~(e)~~(d) Subject to appropriations therefor, any Kansas educational institution, at which enrollment, without charge of tuition or fees, of a prisoner of war or a dependent or spouse is provided for under subsection (b), may file a claim with the state board for reimbursement of the amount of such tuition and fees. In any fiscal year, such reimbursement shall not exceed a total of ~~\$350,000~~ \$500,000. The state board shall include in its budget estimates pursuant to K.S.A. 75-3717, and amendments thereto, a request for appropriations to cover tuition and fee claims pursuant to this section. The state board shall be responsible for payment of reimbursements to Kansas educational institutions upon certification by each such institution of the amount of reimbursement to which entitled. Payments to Kansas educational institutions shall be made upon vouchers approved by the state board and upon warrants of the director of accounts and reports. Payments may be made by issuance of a single warrant to each Kansas educational institution at which one or more eligible dependents or spouses or prisoners of war are enrolled for the total amount of tuition and fees not charged for enrollment at that institution. The director of accounts and reports shall cause such warrant to be delivered to the Kansas educational institution at which any such eligible dependents or spouses or prisoners of war are enrolled. If an eligible dependent or spouse or prisoner of war discontinues attendance before the end of any semester, after the Kansas educational institution has received payment under this subsection, the institution shall pay to the state the entire amount that such eligible dependent or spouse or prisoner of

war would otherwise qualify to have refunded, not to exceed the amount of the payment made by the state in behalf of such dependent or spouse or prisoner of war for the semester. All amounts paid to the state by Kansas educational institutions under this subsection shall be deposited in the state treasury and credited to the state general fund.

~~(4)~~(c) The state board shall adopt rules and regulations for administration of the provisions of this section and shall determine the qualification of persons as dependents and spouses of public safety officers or United States military personnel and the eligibility of such persons for the benefits provided for under this section.";

Also on page 15, by striking all in lines 41 and 42; following line 42, by inserting:

"Sec. 35. K.S.A. 2021 Supp. 74-32,271, 74-32,272, 74-32,273, 74-32,274, 74-32,275 and 74-32,276 are hereby repealed.

Sec. 36. On and after July 1, 2022, K.S.A. 19-5005, 38-2223, 72-3120, 72-3713, 72-3715, 72-5135, 72-5461 and 72-6316 and K.S.A. 2021 Supp. 72-1163, 72-4352, 72-5132, 72-5178, 72-5462 and 75-4364 are hereby repealed.

Sec. 37. On and after July 1, 2023, K.S.A. 72-13,101, 72-3122, 72-3123, 72-3124 and 72-3125 are hereby repealed.";

On page 16, in line 1, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the first semicolon by inserting "making and concerning appropriations for fiscal years ending June 30, 2022, June 30, 2023, and June 30, 2024, for the state department of education; establishing the legislature's intention to focus on academic achievement; enacting the every child can read act to support literacy proficiency by third grade; authorizing the state board of education and school districts to allow students to earn course credit through alternative educational opportunities outside the traditional classroom; making members of or persons employed by the Kansas state high school activities association mandatory reporters of child abuse and neglect; requiring the board of education of each school district to consider the district building needs assessment and state academic assessments when approving the budget of the school district; requiring school districts to allow for part-time enrollment of certain students; allowing students to transfer to and attend school in any school district in the state; requiring school districts to set transfer capacity and adopt certain transfer policies; establishing an alternative method for calculating virtual school graduation rates; prohibiting virtual schools from offering or providing any financial incentives to attract a student to enroll; increasing virtual school state aid; authorizing virtual school state aid for students who are credit deficient; amending the tax credit for low income students scholarship program to allow students who are seven years of age or under to participate in the program without the need for prior enrollment in a public school"; in line 2, after the semicolon by inserting "requiring the state department of education to provide an annual written report on academic achievement outcomes;"; in line 5, after the semicolon by inserting "relating to the Kansas promise scholarship act; responsibilities of the state board of regents and postsecondary educational institutions relating thereto; authorizing designation of additional eligible programs and fields of study; increasing the limitation on reimbursements to Kansas educational institutions for educational benefits for spouses and dependents of deceased, injured or disabled public safety officers and employees and certain deceased, injured or disabled military personnel and prisoners of war; establishing requirements for the administration of certain nonacademic tests, questionnaires, surveys and

examinations; authorizing additional research and education programs under the Johnson county education research triangle authority act;"; also in line 5, by striking all after "amending"; in line 6, by striking all before the second "and" and inserting "K.S.A. 19-5005, 38-2223, 72-13,101, 72-3120, 72-3122, 72-3123, 72-3124, 72-3125, 72-3713, 72-3715, 72-5135, 72-5461 and 72-6316 and K.S.A. 2021 Supp. 72-1163, 72-4352, 72-5132, 72-5178, 72-5462, 74-32,271, 74-32,272, 74-32,273, 74-32,274, 74-32,275, 74-32,276 and 75-4364";

And your committee on conference recommends the adoption of this report.

MOLLY BAUMGARDNER

RENEE ERICKSON

Conferees on part of Senate

KRISTEY WILLIAMS

KYLE HOFFMAN

Conferees on part of House

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **S Sub HB 2567**.

On roll call, the vote was: Yeas 24; Nays 14; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Suellentrop, Thompson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Pyle, Sykes, Tyson, Ware.

Present and Passing: Steffen, Straub.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

Mr. President: I cannot possibly support an educational funding bill built on an unconstitutional state Supreme Court ruling. As a side note, the bloated unconstitutional funding has brought only declining achievement scores. Education funding is a broken system thanks to a grossly political judicial system.—MARK STEFFEN

Vice President Wilborn assumed the chair.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 421** 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, in line 16, by striking "\$1,000,000,000" and inserting "\$553,866,022"; in line 24, after "2019" by inserting ": *Provided further*, That the remaining balance of such transfer shall be for the payment, in full or in part, of the unfunded actuarial liability of participating employers under K.S.A. 74-4931, and amendments thereto, of the Kansas public employees retirement system.

(b) On June 1, 2022, or as soon thereafter as moneys are available, the director of

accounts and reports shall transfer \$300,000,000 from the state general fund to the Kansas public employees retirement fund (365-00-7002-7000) of the Kansas public employees retirement system for the payment, in full or in part, of the unfunded actuarial liability of participating employers under K.S.A. 74-4931, and amendments thereto, of the Kansas public employees retirement system";

Also on page 1, following line 34, by inserting:

"Sec. 2.

KANSAS PUBLIC EMPLOYEES
RETIREMENT SYSTEM

(a) Except as provided further, on August 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$146,133,978 from the state general fund to the Kansas public employees retirement fund (365-00-7002-7000) of the Kansas public employees retirement system for the payment, in full or in part, of the unfunded actuarial liability of participating employers under K.S.A. 74-4931, and amendments thereto, of the Kansas public employees retirement system: *Provided, however*, That, if prior to such date, the state finance council approves a resolution stopping such transfer, then following such action by the state finance council: (1) The director of accounts and reports shall not transfer \$146,133,978 from the state general fund to the Kansas public employees retirement fund of the Kansas public employees retirement system pursuant to this subsection; and (2) on the effective date of such state finance council action, the provisions of this subsection are hereby declared to be null and void and shall have no force and effect: *Provided further*, That the state finance council is hereby authorized to stop such transfer: *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. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

(b) Except as provided further, on December 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$125,000,000 from the state general fund to the Kansas public employees retirement fund (365-00-7002-7000) of the Kansas public employees retirement system for the payment, in full or in part, of the unfunded actuarial liability of participating employers under K.S.A. 74-4931, and amendments thereto, of the Kansas public employees retirement system: *Provided, however*, That, if prior to such date, the state finance council approves a resolution stopping such transfer, then following such action by the state finance council: (1) The director of accounts and reports shall not transfer \$125,000,000 from the state general fund to the Kansas public employees retirement fund of the Kansas public employees retirement system pursuant to this subsection; and (2) on the effective date of such state finance council action, the provisions of this subsection are hereby declared to be null and void and shall have no force and effect: *Provided further*, That the state finance council is hereby authorized to stop such transfer: *And provided further*, That 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 approval also may be given while the legislature is in session.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 3, by striking "year" and inserting "years"; in line 5, before the semicolon by inserting ", and June 30, 2023"; in line 6, after the semicolon by inserting "allowing the state finance council to stop such fiscal year 2023 transfers;"

And your committee on conference recommends the adoption of this report.

STEVE JOHNSON
CHRIS CROFT
CINDY NEIGHBOR

Conferees on part of House

RICK BILLINGER
J.R. CLAEYS
TOM HAWK

Conferees on part of Senate

Senator Billinger moved the Senate adopt the Conference Committee Report on **SB 421**.

On roll call, the vote was: Yeas 26; Nays 10; Present and Passing 2; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, McGinn, O'Shea, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Haley, Hawk, Holland, Holscher, Peck, Pettey, Sykes, Ware.

Present and Passing: Faust-Goudeau, Olson.

Absent or Not Voting: Masterson, Petersen.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

Mr. Vice President: When this bill first came up for a vote in early March, this body had not yet passed legislation that provided tax relief for every single Kansan. We've done good work to address the needs of large groups of Kansans through property tax relief and policies that promote access to housing. But until yesterday, we had not considered legislation that touches every single person who consumes calories, that is to say every single Kansan. And yesterday, we let partisan politics get in the way of delivering that broad relief in the most common sense, comprehensive way possible. KPERS will be 80% funded by next year, even with no extra payments, and reported savings for the State General Fund will decrease if the assumed rate of return is lowered this year because of legislation like this. Our significant budget surplus has put us in an enviable position, and we have a responsibility to our constituents to be good stewards of these funds. Given our financial standing and the established stability of our KPERS fund, I believe it would be far more beneficial to Kansans in my district if we did not hastily drain our funds and instead increased SPED funding, provided a \$250 rebate for tax filers, and delivered a full elimination of the state sales tax on food July 1st.—DINAH SYKES

Senators Corson, Hawk, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **SB 421**.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report to agree to disagree on **SB 331**, and has appointed Representatives Smith, A., Mason and Gartner as Second conferees on the part of the House.

The House adopts the Conference Committee report on **SB 84**.

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 331**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 331** 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

JIM GARTNER

LES MASON

Conferees on part of House

CARYN TYSON

VIRGIL PECK

TOM HOLLAND

Conferees on part of Senate

On motion of Senator Tyson the Senate adopted the conference committee report on **SB 331**, and requested a new conference be appointed.

The Vice President appointed Senators Tyson, Peck and Holland as a second Conference Committee on the part of the Senate on **SB 331**.

On motion of Senator Alley, the Senate recessed until 7:30 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 **S Sub HB 2567**.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2495** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2495," as follows:

"Senate Substitute for HOUSE BILL No. 2495

By Committee on Judiciary

"AN ACT concerning law enforcement; relating to criminal history record information; requiring the retention of fingerprint information; participation in the rap back program; limiting access to fingerprints and records relating to fingerprints;

relating to privacy rights on real property; imposing restrictions on surveillance by employees of the Kansas department of wildlife and parks; expanding the jurisdiction and powers of law enforcement officers; relating to search and seizure; extending the time within which a search warrant may be executed; clarifying information exchange in investigations of child abuse between the Kansas department for children and families and law enforcement agencies; directing the department to release certain information to law enforcement agencies; amending K.S.A. 38-2210, 38-2211, 38-2212 and 72-6146 and K.S.A. 2021 Supp. 22-2401a and 22-2506 and repealing the existing sections; also repealing section 1 of 2022 House Bill No. 2299 and section 2 of 2022 House Bill No. 2299 and K.S.A. 38-2210, as amended by section 5 of 2022 House Bill No. 2299, 38-2211, as amended by section 6 of 2022 House Bill No. 2299, 38-2212, as amended by section 7 of 2022 House Bill No. 2299, and 72-6146, as amended by section 8 of 2022 House Bill No. 2299, and K.S.A. 2021 Supp. 22-2401a, as amended by section 3 of 2022 House Bill No. 2299, and 22-2506, as amended by section 4 of 2022 House Bill No. 2299.";

And the substitute bill be 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: **S Sub HB 2495; HB 2510.**

ORIGINAL MOTION

On motion of Senator Warren, **S Sub HB 2495** was advanced to Final Action subject to amendment, debate and roll call. The motion was adopted by voice vote.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **S Sub HB 2495** was advanced to Final Action subject to amendment, debate, and roll call.

S Sub HB 2495, AN ACT concerning law enforcement; relating to criminal history record information; requiring the retention of fingerprint information; participation in the rap back program; limiting access to fingerprints and records relating to fingerprints; relating to privacy rights on real property; imposing restrictions on surveillance by employees of the Kansas department of wildlife and parks; expanding the jurisdiction and powers of law enforcement officers; relating to search and seizure; extending the time within which a search warrant may be executed; clarifying information exchange in investigations of child abuse between the Kansas department for children and families and law enforcement agencies; directing the department to release certain information to law enforcement agencies; amending K.S.A. 38-2210, 38-2211, 38-2212 and 72-6146 and K.S.A. 2021 Supp. 22-2401a and 22-2506 and repealing the existing sections; also repealing section 1 of 2022 House Bill No. 2299 and section 2 of 2022 House Bill No. 2299 and K.S.A. 38-2210, as amended by section 5 of 2022 House Bill No. 2299, 38-2211, as amended by section 6 of 2022 House Bill No. 2299, 38-2212, as amended by section 7 of 2022 House Bill No. 2299, and 72-6146, as amended by section 8 of 2022 House Bill No. 2299, and K.S.A. 2021 Supp. 22-2401a, as amended by section 3 of 2022 House Bill No. 2299, and 22-2506, as

amended by section 4 of 2022 House Bill No. 2299.

On roll call, the vote was: Yeas 40; Nays 0; 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, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The substitute bill passed.

ACTIONS ON VETO MESSAGE

A motion by Senator Gossage on **HB 2448**, AN ACT concerning public assistance; requiring able-bodied adults without dependents to complete an employment and training program in order to receive food assistance; amending K.S.A. 39-709 and repealing the existing section, be passed not withstanding the Governor's veto.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion passed and the veto was overridden.

EXPLANATION OF VOTE

Mr. President: I vote NO on this attempt to override the Governor's veto of **S Sub HB 2448**. This bill is about further limiting access to a very clear, simple need every human has: the ability to access food and to eat. Who among us has not had, at some point in time, the challenge of keeping adequate food on our table and keeping a roof over our head? It concerns me that we here in the greatest nation on the planet – and perhaps one of its' greatest states – cannot, for only a temporary period of time, bridge the gap of food insecurity and assist our neighbors, our brothers and our sisters, in keeping food on their tables without also adding requirements for training programs whether or not the programs are appropriate or helpful. It concerns me that, in an ongoing fashion, we, as supposedly public servants, don't say that we will look out for those all around us who, but for the grace of a merciful God, could be any of us.—DAVID HALEY

Senators Corson, Faust-Goudeau, Francisco, Holland, Holscher, Pettey, Pittman and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Haley on **S Sub HB 2448**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **HB 2510** 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 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 4, and inserting the following:

"Section 1. (a) For the fiscal years ending June 30, 2022, June 30, 2023, and June 30, 2024, 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 2022 and shall constitute the omnibus reconciliation spending limit bill for the 2022 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.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 9(a) of 2022 House Substitute for Substitute for Senate Bill No. 267 on the board of barbering fee fund (100-00-2704-0100) of the Kansas board of barbering is hereby increased from \$178,073 to \$198,073.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 9(b) of 2022 House Substitute for Substitute for Senate Bill No. 267 on the board of barbering fee fund (100-00-2704-0100) of the Kansas board of barbering is hereby increased from \$172,840 to \$180,840.

Sec. 3.

BOARD OF NURSING

(a) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 15(b) of 2022 House Substitute for Substitute for Senate Bill No. 267 on the board of nursing fee fund (482-00-2716-0200) of the board of nursing is hereby increased from \$3,043,871 to \$3,084,471.

Sec. 4.

STATE BOARD OF PHARMACY

(a) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 17(c) of 2022 House Substitute for Substitute for Senate Bill No. 267 on the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy is hereby increased from \$3,152,132 to \$3,273,406.

Sec. 5.

KANSAS REAL ESTATE COMMISSION

(a) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 18(a) of 2022 House Substitute for Substitute for Senate Bill

No. 267 on the real estate fee fund (549-00-2721-0100) of the Kansas real estate commission is hereby increased from \$1,197,838 to \$1,397,838.

Sec. 6.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 19(a) of 2022 House Substitute for Substitute for Senate Bill No. 267 on the veterinary examiners fee fund (700-00-2727-1100) of the state board of veterinary examiners is hereby increased from \$339,745 to \$349,001.

Sec. 7.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Legislative research department –	
operations (425-00-1000-0103).....	\$81,842
Office of revisor of statutes –	
operations (579-00-1000-0103).....	\$163,684

Sec. 8.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Legislative information	
system (428-00-1000-0300).....	\$5,097,000

(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 from any special revenue fund or funds for the above agency for fiscal year 2023 as authorized by section 24 of 2022 House Substitute for Substitute for Senate Bill No. 267, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2023 to create an interim study committee on Sedgwick county regional mental health bed expansion: *Provided*, That such committee shall consist of 11 members as follows: (1) The members of the legislative budget committee; (2) the chairperson and vice chairperson of the 2021 special committee on Kansas mental health modernization and reform; (3) a member of the minority party of the house of representatives appointed by the legislative coordinating council; and (4) a member of the senate appointed by the legislative coordinating council: *Provided further*, That such committee shall develop a plan for providing a facility with acute inpatient psychiatric adult beds and adult forensic beds in the Sedgwick county regional area: *And provided further*, That such facility shall not exceed 50 total beds: *And provided further*, That such committee shall define the terms of such facility and the operation agreement of such facility: *And provided further*, That such interim committee shall report any recommendations regarding such facility to the state finance council on or before October 1, 2022.

Sec. 9.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, 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:

Nursing facilities support fund.....\$15,000,000

(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 2023 by section 28 of 2022 House Substitute for Substitute for Senate Bill No. 267, this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to consult with the director of the budget who 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 the purposes of nursing facilities support, 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*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *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 2022 to be used for the purposes of this subsection, 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 equal to \$15,000,000 as available from such funds to the the nursing facilities support fund of the above agency: *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. 10.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Court appointed special advocates.....\$225,000

(b) Expenditures shall be made from the American rescue plan – state fiscal relief federal fund (252-00-3756) for the fiscal year ending June 30, 2023, pursuant to the authority in 42 U.S.C. § 802(c)(1) or other relevant authority, to provide government services, for the following specified purposes:

Colby CC project grant.....\$1,843,594

Provided, That all moneys from the Colby CC project grant account shall be for the career and technical education agricultural center: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Seward County CC project grant.....\$1,843,594

Provided, That all moneys from the Seward County CC project grant account shall be for the professional truck driver program and diesel technology lab: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private

industry partner.

Coffeyville CC project grant.....\$425,987

Provided, That all moneys from the Coffeyville CC project grant account shall be for the construction, electrical, fire science and welding technology programs: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Butler County CC project grant.....\$572,268

Provided, That all moneys from the Butler County CC project grant account shall be for the culinary arts and hospitality and management programs: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Barton CC project grant.....\$1,843,594

Provided, That all moneys from the Barton CC project grant account shall be for the agriculture, farm machine and transportation technology complex: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

North central Kansas technical college project grant.....\$1,843,594

Provided, That all moneys from the North central Kansas technical college project grant account shall be for the carpentry and commercial drivers' license programs: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Northwest Kansas technical college project grant.....\$600,104

Provided, That all moneys from the Northwest Kansas technical college project grant account shall be for the cybersecurity and cryptosecurity programs: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Washburn institute of technology project grant.....\$1,843,594

Provided, That all moneys from the Washburn institute of technology project grant account shall be for the manufacturing training center: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Wichita state technical college project grant.....\$1,843,594

Provided, That all moneys from the Wichita state technical college project grant account shall be for the smart manufacturing, industry training 4.0 and associate degree nursing programs: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Flint hills technical college project grant.....\$500,000

Provided, That all moneys from the Flint hills technical college project grant account shall be for welding equipment: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a

\$1-for-\$1 basis from either the college or private industry partner.

Salina technical college project grant.....\$1,843,594
Provided, That all moneys from the Salina technical college project grant account shall be for the automation and maintenance programs: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Manhattan technical college project grant.....\$1,843,594
Provided, That all moneys from the Manhattan technical college project grant account shall be for the biomanufacturing program expansion: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Fort Hays state university project grant.....\$5,000,000
Provided, That all moneys from the Fort Hays state university project grant account shall be for the Gross coliseum improvements:.

Emporia state university project grant.....\$5,000,000
Provided, That all moneys from the Emporia state university project grant account shall be for the nursing program relocation and staffing:.

Pittsburg state university project grant.....\$5,000,000
Provided, That all moneys from the Pittsburg state university project grant account shall be for the expansion of the Tyler research development park and projects in block 22:.

Washburn university project grant.....\$3,000,000
Provided, That all moneys from the Washburn university project grant account shall be for the center for integrated health studies:.

Animal nourishment facility economic development infrastructure.....\$5,000,000
Provided, That expenditures from the animal nourishment facility economic development infrastructure account shall be used by the above agency for the purpose of infrastructure for an animal nourishment facility for a city in Kansas with a population greater than 24,000 and less than 24,500 as of the 2020 census.

Southeast Kansas economic development infrastructure.....\$5,000,000
Provided, That expenditures from the southeast Kansas economic development infrastructure account shall be used by the above agency for the purpose of infrastructure for a city in southeast Kansas with a population greater than 20,000 and less than 21,000 as of the 2020 census.

Northeast Kansas economic development.....\$3,100,000
Provided, That expenditures from the northeast Kansas economic development account shall be used by the above agency for the purpose of the refurbishment of a building for housing for a city in northeast Kansas with a population greater than 12,200 and less than 12,700 as of the 2020 census.

Port authority transload facility economic development.....\$2,500,000
Provided, That expenditures from the port authority transload facility economic

development account shall be used by the above agency for the purpose of establishing a transload facility for a county in Kansas with a population greater than 4,000 and less than 4,300 as of the 2020 census and such county has been awarded a building a stronger economy grant in fiscal year 2022.

Economic expansion rural housing grant.....\$20,000,000

Provided, That the expenditures from the economic expansion rural housing grant account shall be used by the above agency for the purpose of providing grants to housing projects intended to accommodate expansion due to recent economic development in a Kansas county with a population greater than 40,000 and less than 60,000 as of the 2020 census: *Provided further*; That the recent economic development will create over 500 new jobs and the housing project includes over \$50,000,000 in capital investments: *And provided further*; That all moneys in the economic expansion rural housing grant account expended for fiscal year 2023 shall be matched by nonstate moneys on a \$1-to-\$1 basis.

Nutritional program grant.....\$1,500,000

Provided, That the above agency shall consult with the Kansas department for aging and disability services to distribute such funding.

(c) During the fiscal year ending June 30, 2023, the expenditures in subsection (b) from the American rescue plan – state fiscal relief federal fund shall not be subject to the provisions of section 28(d) of 2022 House Substitute for Substitute for Senate Bill No. 267.

(d) During the fiscal year ending June 30, 2023, the provisions of section 196 of 2022 House Substitute for Substitute for Senate Bill No. 267 shall not apply to expenditures from the American rescue plan – state fiscal relief federal fund of the governor's department. Such expenditures are subject to the provisions of subsection (b).

(e) On July 1, 2022, the appropriation of all moneys credited to and available in the community colleges, technical colleges and Washburn project grant account of the American rescue plan – state fiscal relief federal fund for the fiscal year ending June 30, 2022, by section 28(f) of 2022 House Substitute for Substitute for Senate Bill No. 267 is hereby lapsed. On July 1, 2022, the community colleges, technical colleges and Washburn project grant account is hereby abolished.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:

Affordable housing redevelopment.....\$1,000,000

Provided, That expenditures from the affordable housing redevelopment account shall be used by the above agency for the purpose of the redevelopment of a hotel into affordable apartments for moderate-income individuals for a city in central Kansas with a population greater than 4,350 and less than 4,450 as of the 2020 census.

(g) 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:

White collar crime fund.....No limit

(h) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made from the private and independent college project grant account of the American rescue plan – state fiscal relief federal fund (252-00-

3756) of the governor's department for fiscal year 2023 as authorized by section 28(f) of 2022 House Substitute for Substitute for Senate Bill No. 267, this or other appropriation act of the 2022 regular session of the legislature, expenditures of \$200,000 shall be made from such account for fiscal year 2023 for the Benedictine college engineering program: *Provided, however;* That such expenditures shall be made only upon certification by the chief executive officer of Benedictine college 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 \$1 of state moneys basis: *Provided further;* That such private money matches shall not be existing college funds and shall be new moneys.

(i) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 28(f) of 2022 House Substitute for Substitute for Senate Bill No. 267 on the Pratt CC program grant account of the American rescue plan – state fiscal relief federal fund (252-00-3756) of the governor's department is hereby decreased from \$788,445 to \$778,445.

Sec. 11.

SECRETARY OF STATE

(a) During the fiscal year ending June 30, 2023, notwithstanding the provisions of chapter 61 of the 2021 Session Laws of Kansas, 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 2023 as authorized by section 32 of 2022 House Substitute for Substitute for Senate Bill No. 267, this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys for the above agency to continue to require an annual filing of the written business entity information report by the business entities required to file such report.

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, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- STAR bonds food sales tax revenue replacement fund.....No limit
- Distinctive license plate royalty fund.....No limit

(b) Prior to June 30, 2023, the governing body of each city and county that has established a STAR bond project district as defined in K.S.A. 2021 Supp. 12-17,162, and amendments thereto, prior to December 31, 2022, in consultation with the secretary of revenue, shall certify to the director of accounts and reports the amount equal to the amount of sales tax revenue realized from sales within such district.

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, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- STAR bonds food sales tax revenue replacement fund.....No limit

(b) On July 1, 2023, and January 1, 2024, the governing body of each such city or

county shall certify to the director of accounts and reports an amount equal to the amount by which revenues realized from such sales taxes imposed in such STAR bond project district are reduced for the preceding six-month period due to legislative changes in the state sales tax for food and food ingredients. Prior to September 1, 2023, and March 1, 2024, the director of accounts and reports shall certify to the state treasurer each amount certified by the governing bodies of cities or counties under this subsection for the preceding six months and shall transfer from the state general fund to the STAR bonds food sales tax revenue replacement fund the aggregate of all amounts so certified. Prior to October 15, 2023, and April 15, 2024, the state treasurer shall pay from the STAR bonds food sales tax revenue replacement fund to the city bond fund in the amount certified to the director of accounts and reports for each city or county for the preceding six months.

Sec. 14.

INSURANCE DEPARTMENT

(a) On the effective date of this act, the pharmacy benefits manager registration fund (331-00-2665-2665) of the insurance department is hereby redesignated as the pharmacy benefits manager licensure fund of the insurance department.

Sec. 15.

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, 2023, 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 2023 as authorized by section 36 of 2022 House Substitute for Substitute for Senate Bill No. 267, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2023 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 a national organization recognized by the board of governors and whose accreditation standards are approved by the board; or (2) is a maternity center as defined in K.S.A. 65-503, and amendments thereto.

Sec. 16.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Judiciary operations (677-00-1000).....\$17,328,850

(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:

Specialty court resources fund.....No limit

Sec. 17.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Debt service refunding –

2015A (173-00-1000-0463).....\$160,460,850

Provided, That expenditures from the debt service refunding – 2015A account shall be made by the above agency solely for the purposes of debt service payments and legally defeasing or cash redeeming the 2015A state of Kansas projects revenue bonds redeeming at their first optional redemption date of May 1, 2023.

National bio and agro-defense facility –

debt service (173-00-1000-0460).....\$171,765,300

Provided, That expenditures from the national bio and agro-defense facility – debt service account shall be made by the above agency solely for the purposes of debt service payments and legally defeasing or cash redeeming the 2015G national bio and agro-defense facility project revenue bonds redeeming at their first optional redemption date of April 1, 2023.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$250,000,000 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.

Sec. 18.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Salary adjustments.....\$150,000

Provided, That expenditures shall be made by the above agency from this account in fiscal year 2023 to increase by the amount of 5% the salaries and wages, and associated fringe benefits, for office of facilities and property management custodial staff for buildings in the capitol complex.

(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:

Kansas suffragist memorial fund.....No limit

Kansas gold star families memorial fund.....No limit

(c) On July 1, 2022, the director of accounts and reports shall transfer \$10,000,000 from the state general fund to the health benefits administration clearing fund – remit admin service org (173-00-7746-7746) of the department of administration.

Sec. 19.

DEPARTMENT OF REVENUE

(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:

Kansas historic site fund.....No limit

Gage park improvement authority sales tax fund.....No limit

Sec. 20.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by

section 67(b) of chapter 98 of the 2021 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, 2022, is hereby increased from \$69,590,000 to \$70,740,000.

(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:

- Sports wagering receipts fund.....No limit
 - Privilege fee repayment fund.....No limit
- Sec. 21.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, 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 job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto: *Provided*, That the above agency, with the approval of the state finance council, shall expend such moneys for the purpose of preparing land for an economic development project in accordance with this subsection to fulfill the purposes of the attracting powerful economic expansion act established by House Substitute for Senate Bill No. 347: *Provided further*, That the state finance council acting 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: *Provided, however*, That if the state finance council does not approve an agreement with a qualified firm or qualified supplier pursuant to section 2 of House Substitute for Senate Bill No. 347, then, on June 30, 2022, the director of accounts and reports shall transfer \$4,000,000 from the job creation program fund to the state general fund: *And provided further*, That, upon transferring such moneys to the state general fund, the director of accounts and reports shall certify to the director of the budget and the director of legislative research that such transfer has occurred.

Sec. 22.

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:

- Kansas semiquincentennial commission support.....\$73,500

(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:

- Kansas commission for the United States
 - semiquincentennial gifts and donations fund.....No limit
- Attracting professional sports to Kansas fund.....No limit
- Attracting powerful economic expansion payroll
 - incentive fund.....No limit
- Attracting powerful economic expansion new
 - employee training and education fund.....No limit
- Attracting powerful economic expansion Kansas
 - residency incentive fund.....No limit

(c) During the fiscal year ending June 30, 2023, the secretary of commerce shall certify to the director of accounts and reports if the state finance council has approved an agreement with a qualified firm or qualified supplier pursuant to section 2 of House Substitute for Senate Bill No. 347: *Provided*, That upon receipt of such certification, the director of accounts and reports shall transfer an aggregate amount of not more than \$19,000,000 from the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto, to the attracting powerful economic expansion payroll incentive fund, the attracting powerful economic expansion new employee training and education fund and the attracting powerful economic expansion Kansas residency incentive fund of the above agency: *Provided further*, That the secretary of commerce shall certify to the director of accounts and reports the appropriate amount to be transferred to each such special revenue fund to fulfill the purposes of the attracting powerful economic expansion act established by House Substitute for Senate Bill No. 347 and shall transmit a copy of such certification to the director of the budget and the director of legislative research.

Sec. 23.

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 – Kansas	
soldiers' home (694-00-1000-0403).....	\$105,000
Operating expenditures – Kansas	
veterans' home (694-00-1000-0503).....	\$105,000

Sec. 24.

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, 2023, the following:

Specialty health care access programs (264-00-1000).....	\$750,000
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Provided, That of the amount appropriated for the specialty health care access programs account, \$250,000 shall be distributed to each of the following programs: Project access of Wichita, health access of Shawnee county, and Wy Jo care of Wyandotte and Johnson counties.

Child abuse review and evaluation program.....	\$757,000
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Provided, 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: *Provided further*, That on or before January 9, 2023, 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.

Any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) During the fiscal year ending June 30, 2023, expenditures shall be made by the above agency from the infant and toddler program (264-00-1000-0570) account of the state general fund in the amount of \$6,000,000 for the purposes of aid to local units and

other assistance: *Provided, however;* That such moneys shall not be expended for administrative costs incurred by the above agency.

(c) 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:

HIV care formula grant federal fund (264-00-3328-3311).....No limit
Sec. 25.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) On the effective date of this act, of the \$759,750,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 80(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$21,989,024 is hereby lapsed.

(b) During the fiscal year ending June 30, 2022, the above agency shall not expend any moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022 by section 80 of chapter 98 of the 2021 Session Laws of Kansas, section 40 of chapter 116 of the 2021 Session Laws of Kansas, section 69 of 2022 House Substitute for Substitute for Senate Bill No. 267, this or any other appropriation act of the 2022 regular session of the legislature to impose any limitation on funding, including, but not limited to, a maximum amount that may be paid for services, for the prospective payment system established pursuant to K.S.A. 39-2019, and amendments thereto, under the medical assistance program for certified community behavioral health clinics other than limitations imposed by the United States centers for medicare and medicaid services.

Sec. 26.

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:

Other medical assistance (264-00-1000-3026).....\$34,249,128

(b) During the fiscal year ending June 30, 2023, the above agency shall not expend any moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 by section 70 of 2022 House Substitute for Substitute for Senate Bill No. 267, this or any other appropriation act of the 2022 regular session of the legislature to impose any limitation on funding, including, but not limited to, a maximum amount that may be paid for services, for the prospective payment system established pursuant to K.S.A. 39-2019, and amendments thereto, under the medical assistance program for certified community behavioral health clinics other than limitations imposed by the United States centers for medicare and medicaid services.

(c) 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:

Ryan White title II – federal fund (264-00-3328-3310).....No limit

Sec. 27.

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, 2022, the following:

KanCare caseloads (039-00-1000-0610).....	\$16,000,000
Larned state hospital – operating expenditures (410-00-1000-0103).....	\$5,500,000

Sec. 28.

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:

KanCare caseloads (039-00-1000-0610).....	\$30,015,118
Non-KanCare caseloads (039-00-1000-0611).....	\$2,340,230
State operations (039-00-1000-0801)	\$3,190,000
988 suicide prevention and mental health crisis hotline.....	\$10,000,000

Provided however, That, on July 1, 2022, if House Substitute for Senate Bill No. 19, or other legislation that establishes a 988 suicide prevention and mental health crisis hotline fund and transfers moneys to such special revenue fund, has been passed by the legislature during the 2022 regular session and enacted into law, then, of the moneys appropriated in the 988 suicide prevention and mental health crisis hotline account, the sum of \$10,000,000 is hereby lapsed.

Community services and programs (039-00-1000-0520).....	\$500,000
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(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:

988 suicide prevention and mental health crisis hotline fund.....	No limit
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(c) 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 the regional beds funding account (039-00-1000-3003) of the state general fund of the above agency for fiscal year 2023, as authorized by section 74(a) of 2022 House Substitute for Substitute for Senate Bill No. 267, this or other appropriation act of the 2022 regular session of the legislature, subject to the provisions of this subsection, expenditures shall be made by the above agency from the regional beds funding account for fiscal year 2023, in an amount not to exceed \$15,000,000, for the purpose of expanding regional mental health bed access in the Sedgwick county regional area: *Provided, however,* That such expenditures shall be subject to approval by the state finance council: *Provided further,* That the state finance council is hereby authorized to approve such expenditures: *And provided further,* That 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: *And provided further,* That prior to any state finance council action, the interim legislative study committee on Sedgwick county regional area mental health bed expansion shall provide recommendations to the state finance council on or before October 1, 2022: *And provided further,* That the state finance council shall consider the recommendations from such interim study committee

in determining whether to authorize expenditures for the purpose of expanding regional mental health bed access.

Sec. 29.

KANSAS DEPARTMENT FOR
CHILDREN AND FAMILIES

(a) On the effective date of this act, of the \$220,433,685 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 87(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the youth services aid and assistance account (629-00-1000-7020), the sum of \$6,600,000 is hereby lapsed.

Sec. 30.

KANSAS DEPARTMENT FOR
CHILDREN AND FAMILIES

(a) On the effective date of this act, of the \$235,276,149 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 76(a) of House Substitute for Substitute for Senate Bill No. 267 from the state general fund in the youth services aid and assistance account (629-00-1000-7020), the sum of \$5,350,000 is hereby lapsed.

(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 from any special revenue fund or funds for the above agency for fiscal year 2023 as authorized by section 76 of 2022 House Substitute for Substitute for Senate Bill No. 267, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency to collaborate with community partners and stakeholders to jointly develop a plan for implementation of a set of performance-based contracts to provide an array of evidence-based prevention and early intervention services for families who are at risk for an out-of-home placement or have a child in out-of-home care and for children who are awaiting adoption: *Provided*, That such plan shall describe the services that are required to be delivered under any such contract in order to assure that providers have the ability to provide adequate, appropriate and relevant evidence-based services to individual families, the outcome measures that will be used to evaluate the effectiveness of provider performance under such contracts, how families will be referred to contracted providers, including the protocols for continued communication or coordination between providers and the above agency in order to assure child safety and well-being and to promote such family's engagement and the optimum balance of shared responsibility for child protection and child welfare between the above agency and such providers, including a description of the core functions to be performed by each: *Provided further*, That in developing such plan, the above agency shall consider the capacity for regionwide delivery of an array of evidence-based prevention and early intervention services to children and families, paying particular attention to the willingness and ability of community and stakeholders to collaborate in the development of the implementation plan by January 31, 2023, and whether there are any existing and available multidisciplinary or multisystem work groups engaged in performance improvement or reform efforts: *And provided further*, That the above agency shall report to the governor, the house of representatives committee on children and seniors and the senate committee on public health and welfare by January 31, 2023, with a plan to begin implementation on July 1, 2023.

Sec. 31.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) 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 2022 or 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2024 to provide, not later than January 31, 2024, to the governor and the legislature a status update and recommendations for continued progress on the plan to implement performance-based contract criteria as described in section 29(b): And provided further, That the above agency shall submit a proposal to the legislature and the governor on or before January 31, 2024, for the reinvestment of savings from reduced foster care caseloads into evidence-based prevention and early intervention programs designed to prevent the need for or reduce the duration of out-of-home placements: And provided further, That such proposal shall include sufficient detail regarding accounting, budgeting and allocation of resources or other procedures for legislative consideration and approval.

Sec. 32.

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, 2023, the following:

Veterinary training program for rural Kansas (368-00-1000-5013).....\$250,000

Sec. 33.

UNIVERSITY OF KANSAS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the geological survey account (682-00-100-0023) of the state general fund for fiscal year 2023, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2023 for seismic surveys in an amount not less than \$100,000.

Sec. 34.

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, 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:

Cancer research and public information trust (683-00-2925-2925).....No limit

Sec. 35.

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, 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:

Digital transformation program fund.....\$10,000,000

Provided, That all moneys in the digital transformation program fund expended for fiscal year 2023 shall be matched by nonstate moneys on a \$1-to-\$1 basis.

(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 2023 by section 103 of 2022 House Substitute for Substitute for Senate Bill No. 267, this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to consult with the director of the budget who 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 the digital transformation 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, and are unencumbered: *Provided*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *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 program, 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 equal to \$10,000,000 as available from such funds to the digital transformation program fund of Wichita state university for the purpose of providing such program: *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. 36.

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:

Postsecondary education operating grant (including official hospitality) (561-00-1000-0770).....	\$12,500,000
Computer science preservice educator grant.....	\$1,000,000

Provided, That expenditures shall be made by the above agency from the computer science preservice educator grant account for fiscal year 2023 to promote the advancement of computer science preservice teacher preparation in Kansas and to award scholarships to licensed and preservice teachers pursuant to the provisions of 2022 Substitute for House Bill No. 2466: *Provided further*; That, if 2022 Substitute for House Bill No. 2466 is not passed by the legislature during the 2022 regular session and enacted into law, then on July 1, 2022, the \$1,000,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, by this section in the computer science preservice educator grant account is hereby lapsed.

(b) On the effective date of this act, the provisions of the proviso for the postsecondary education operating grant (including official hospitality) account (561-00-1000-0770) of the state board of regents in section 109(a) of 2022 House Substitute for Substitute for Senate Bill No. 267 are hereby declared to be null and void and shall have no force and effect.

Sec. 37.

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:

Community corrections (521-00-1000-0220).....	\$841,113
Treatment and programs –	
offender programs (521-00-1000-0151).....	\$1,132,216
Facility operations (521-00-1000-0303).....	\$850,000

(b) On July 1, 2022, of the \$47,829,331 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 112(a) of 2022 House Substitute for Substitute for Senate Bill No. 267 from the state general fund in the operating expenditures account (521-00-1000-0603), the sum of \$71,313 is hereby lapsed.

Sec. 38.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (034-00-1000-0053).....	\$37,160
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Sec. 39.

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:

Operating expenditures (034-00-1000-0053).....	\$147,055
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Sec. 40.

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 shall not exceed the following:

Elevator safety fee fund.....	No limit
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(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 116(a) of House Substitute for Substitute for Senate Bill No. 267 on the fire marshal fee fund (234-00-2330-2000) of the state fire marshal is hereby increased from \$6,015,655 to \$6,205,639.

Sec. 41.

KANSAS HIGHWAY PATROL

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,600,000 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 the transfer of such amount shall be in addition to any other transfer from the state highway fund to the aircraft fund – on budget as prescribed by law: *Provided further*, That expenditures from the above transfer shall be made by the above agency to purchase two additional forward-looking infrared radars.

Sec. 42.

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, 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:

DUI-IID designation fund.....No limit

(b) On July 1, 2022, the director of accounts and reports shall transfer all moneys in the _____ DUI-IID designation fund (565-00-2380-2370) of the department of revenue to the DUI-IID designation fund of the above agency. On July 1, 2022, all liabilities of the DUI-IID designation fund of the department of revenue are hereby transferred to and imposed on the DUI-IID designation fund of the above agency and the DUI-IID designation fund of the department of revenue is hereby abolished.

Sec. 43.

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, 2022, the following:

Forensic science laboratory early payment of bonds.....\$41,487,988

Sec. 44.

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, 2023, the following:

Operating expenditures (083-00-1000-0083).....\$85,371

(b) On July 1, 2022, the \$4,322,800 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 164(a) of 2022 House Substitute for Substitute for Senate Bill No. 267 from the state general fund in the KBI – debt service account (083-00-1000-0820) is hereby lapsed.

Sec. 45.

KANSAS SENTENCING COMMISSION

(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 (626-00-1000-0303).....\$74,628

Sec. 46.

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:

Dairy industry expansion needs assessment.....\$350,000

Sec. 47.

STATE FAIR BOARD

(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:

Bison arena renovation.....\$10,000,000

State fair facilities upgrades.....\$4,450,000

Sec. 48.

DEPARTMENT OF TRANSPORTATION

(a) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 136(b) of House Substitute for Substitute for Senate Bill No. 267 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 \$305,591,473 to \$305,622,993.

Sec. 49.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

State employee pay increase.....\$800,000

(b) On the effective date of this act, the provisions of section 140(h)(3)(E) of House Substitute for Substitute for Senate Bill No. 267 are hereby declared to be null and void and shall have no force and effect.

(c) Section 140(g) of House Substitute for Substitute for Senate Bill No. 267 shall not apply to employees of the office of administrative hearings and the Kansas sentencing commission who received an agency salary enhancement in fiscal year 2022, are anticipated to receive an agency salary enhancement in fiscal year 2023 or may receive such salary enhancements in both fiscal years.

(d) Section 140(h)(3)(F) of House Substitute for Substitute for Senate Bill No. 267 shall not apply to employees of the state fire marshal or state board of indigents' defense services.

Sec. 50. Notwithstanding the provisions of K.S.A. 46-2102, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2023, any state agency named in chapter 98 of the 2021 Session Laws of Kansas, 2022 House Substitute for Substitute for Senate Bill No. 267, this or other appropriation act of the 2022 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 2023 to advise and consult with the joint committee on information technology prior to releasing any request for proposal for an information technology project, as defined in K.S.A. 75-7201, and amendments thereto.

Sec. 51. K.S.A. 2021 Supp. 76-1959 is hereby amended to read as follows: 76-1959. (a) (1) Except as provided in paragraph (2), for the purpose of financing a capital improvement project relating to construction of a state veterans home facility located in northeast Kansas, including, but not limited to, Douglas, Jefferson, Leavenworth, Shawnee and Wyandotte counties, the Kansas development finance authority is hereby authorized to issue one or more series of revenue bonds pursuant to the Kansas development finance authority act, K.S.A. 74-8901 et seq., and amendments thereto, in a total amount not to exceed \$10,500,000, plus all amounts required for costs of bond issuance, costs of insurance or credit enhancement, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds.

(2) During state fiscal years 2022 and 2023, the Kansas development finance authority is hereby authorized to issue one or more series of revenue bonds pursuant to the Kansas development finance authority act, K.S.A. 74-8901 et seq., and amendments thereto, in a total amount not to exceed \$17,200,000, plus all amounts required for costs

of bond issuance, costs of insurance or credit enhancement, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds.

(b) The proceeds from the sale of any bonds, other than refunding bonds, issued pursuant to this section, after payment of any costs related to the issuance of such bonds, shall be paid by the Kansas development finance authority to the department of administration to be applied to the payment of costs of the capital improvement project authorized pursuant to this section as requested by the secretary of administration and by resolution of the Kansas development finance authority and shall constitute the state's required 35% match for the United States department of veterans affairs state veterans home construction grant program under 38 U.S.C. §§ 8131 through 8138, as in effect on July 1, 2021.

(c) On and after July 1, 2021, prior to the issuance of any bonds pursuant to this section, the capital improvement project described in subsection (a) is hereby approved for the department of administration 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 shall be approved by the Kansas development finance authority in accordance with K.S.A. 74-8901 et seq., amendments thereto, and 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 when the legislature is in session.

(d) The department of administration shall only make expenditures from the moneys received from the issuance of any bonds pursuant to this section for those purposes set forth in subsection (a) for such capital improvement project.

(e) The debt service for any such bonds issued pursuant to this section shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds.

(f) The date of maturity on bonds issued pursuant to this section shall not be fixed for a period of time that exceeds 20 years from the date of issuance.

(g) The state hereby pledges and covenants with the holders of any bonds issued pursuant to the provisions of this section, that the state will not limit or alter the rights or powers vested in the Kansas development finance authority by this section, nor limit or alter the rights or powers of the authority, or the department of administration, in any matter that would jeopardize the interest of the holders, or any trustee of such holders, or inhibit or prevent performance or fulfillment by the Kansas development finance authority or the department of administration with respect to the terms of any agreement made with the holders of the bonds or agreements made pursuant to this section, except that the failure of the legislature to appropriate moneys for debt service on any bonds issued pursuant to this section shall not be deemed a violation of this pledge and covenant. The department of administration is hereby specifically authorized to include this pledge and covenant in any agreement with the Kansas development finance authority. The Kansas development finance authority is hereby specifically authorized to include this pledge and covenant in any bond resolution, trust indenture or agreement for the benefit of the holders of the bonds.

(h) Neither the state nor the department of administration shall have the power to pledge the full faith and credit or taxing power of the state for debt service on any bonds

issued pursuant to this section, and any payment by the department of administration for such purpose shall be subject to and dependent on appropriations by the legislature. Any obligation of the state or the department of administration for payment of debt service on bonds issued pursuant to this section 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.

(i) Subject to the provisions of appropriation acts, the secretary of administration shall enter into pledge agreements with the Kansas development finance authority to pledge moneys for the payment of bonds issued pursuant to this section, which pledge shall be subject to the appropriation of moneys therefor.

Sec. 52. *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. 53. *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. 54. 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. 55. K.S.A. 2021 Supp. 76-1959 is 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 5; in line 6, by striking "sections" and inserting "making and concerning appropriations for the fiscal years ending June 30, 2022, 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; amending K.S.A. 2021 Supp. 76-1959 and repealing the existing section"

And your committee on conference recommends the adoption of this report.

TROY WAYMASTER

KYLE HOFFMAN

KATHY WOLFE MOORE

Conferees on part of House

RICK BILLINGER

J.R. CLAEYS

TOM HAWK

Conferees on part of Senate

Senator Billinger moved the Senate adopt the Conference Committee Report on **HB 2510**.

On roll call, the vote was: Yeas 33; Nays 7; 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, Hawk, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Petersen, Pettey, Pittman, Ryckman, Steffen, Suellentrop, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Hilderbrand, Holland, Olson, Peck, Pyle, 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 2540** 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 6 through 26; following line 26, by inserting:

"Section 1. K.S.A. 2021 Supp. 21-5701 is hereby amended to read as follows: 21-5701. As used in K.S.A. 2021 Supp. 21-5701 through 21-5717, and amendments thereto:

(a) "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.

(b) (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.

(c) "Cultivate" means the planting or promotion of growth of five or more plants that contain or can produce controlled substances.

(d) "Distribute" means the actual, constructive or attempted transfer from one person to another of some item whether or not there is an agency relationship. "Distribute" includes, but is not limited to, sale, offer for sale or any act that causes some item to be transferred from one person to another. "Distribute" does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act or otherwise authorized by law.

(e)(1) "Drug" means:

~~(1)(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;

~~(2)(B)~~ substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

~~(3)(C)~~ substances, other than food, intended to affect the structure or any function of the body of humans or animals; and

~~(4)(D)~~ substances intended for use as a component of any article specified in paragraph (1), ~~(2) or (3)~~ subparagraph (A), (B) or (C).

~~(2)~~ "Drug" does not include devices or their components, parts or accessories.

(f) "Drug paraphernalia" means all equipment and materials of any kind that are used, or primarily intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance and in violation of this act. "Drug paraphernalia" shall include, but is not limited to:

(1) Kits used or intended for use in planting, propagating, cultivating, growing or harvesting any species of plant that is a controlled substance or from which a controlled substance can be derived;

(2) kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;

(3) isomerization devices used or intended for use in increasing the potency of any species of plant that is a controlled substance;

(4) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances;

(5) scales and balances used or intended for use in weighing or measuring controlled substances;

(6) diluents and adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose and lactose that are used or intended for use in cutting controlled substances;

(7) separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;

(8) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;

(9) capsules, balloons, envelopes, bags and other containers used or intended for use in packaging small quantities of controlled substances;

(10) containers and other objects used or intended for use in storing or concealing controlled substances;

(11) hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body;

(12) objects used or primarily intended or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, hashish oil, phencyclidine (PCP), methamphetamine or amphetamine into the human body, such as:

(A) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;

(B) water pipes, bongs or smoking pipes designed to draw smoke through water or another cooling device;

(C) carburetion pipes, glass or other heat resistant tubes or any other device used, intended to be used or designed to be used to cause vaporization of a controlled substance for inhalation;

(D) smoking and carburetion masks;

(E) roach clips, objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;

(F) miniature cocaine spoons and cocaine vials;

(G) chamber smoking pipes;

(H) carburetor smoking pipes;

(I) electric smoking pipes;

(J) air-driven smoking pipes;

(K) chillums;

(L) bongs;

(M) ice pipes or chillers;

(N) any smoking pipe manufactured to disguise its intended purpose;

(O) wired cigarette papers; or

(P) cocaine freebase kits.

"Drug paraphernalia" shall not include any products, chemicals or materials described in K.S.A. 2021 Supp. 21-5709(a), and amendments thereto.

(g) "Immediate precursor" means a substance that the state board of pharmacy has found to be and by rules and regulations 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.

(h) "Isomer" means all enantiomers and diastereomers.

(i) "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. "Manufacture" does not include:

(1) 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:

(A) 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

(B) 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; or

(2) the addition of diluents or adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose or lactose that are intended for use in cutting a controlled substance.

(j) "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. "Marijuana" 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

~~(4)~~(5) industrial hemp as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

(k) "Minor" means a person under 18 years of age.

(l) "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.

(m) "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. "Opiate" 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). "Opiate" does include its racemic and levorotatory forms.

(n) "Opium poppy" means the plant of the species Papaver somniferum l. except its seeds.

(o) "Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, association or any other legal entity.

(p) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(q) "Possession" means having joint or exclusive control over an item with knowledge of and intent to have such control or knowingly keeping some item in a place where the person has some measure of access and right of control.

(r) "School property" means property upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12. This definition shall not be construed as requiring that school be in session or that classes are actually being held at the time of the offense or that children must be present within the structure or on the property during the time of any alleged criminal act. If the structure or property meets the above definition, the actual use of that structure or property at the time alleged shall not be a defense to the crime charged or the sentence imposed.

(s) "Simulated controlled substance" means any product that identifies itself by a common name or slang term associated with a controlled substance and that indicates on its label or accompanying promotional material that the product simulates the effect of a controlled substance.

Sec. 2. K.S.A. 2021 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 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:

~~(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 ~~paragraph (1), (2) or (3), 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

(4)(5) industrial hemp as defined in K.S.A. 2021 Supp. 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. 3. K.S.A. 2021 Supp. 65-4105 is hereby amended to read as follows: 65-4105.

(a) The controlled substances listed in this section are included in schedule I and the number set forth opposite each drug or substance is the DEA controlled substances code that has been assigned to it.

(b) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

(1)	Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).....	9821
(2)	Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide).....	9815
(3)	Acetylmethadol.....	9601
(4)	Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide; acryloylfentanyl).....	9811

(5)	AH-7921 (3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl]benzamide).....	9551
(6)	Allylprodine.....	9602
(7)	Alphacetylmethadol.....	9603
	(except levo-alphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM)	
(8)	Alphameprodine.....	9604
(9)	Alphamethadol.....	9605
(10)	Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine).....	9814
(11)	Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).....	9832
(12)	Benzethidine.....	9606
(13)	Betacetylmethadol.....	9607
(14)	Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide).....	9830
(15)	Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide).....	9831
(16)	Beta-hydroxythiofentanyl (N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide).....	9836
(17)	Betameprodine.....	9608
(18)	Betamethadol.....	9609
(19)	Betaprodine.....	9611
(20)	Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide).....	9822
(21)	Clonitazene.....	9612
(22)	<u>Crotonyl fentanyl ((E)-N-(1-phenethylpiperidin-4-yl)-N-phenylbut-2-enamide)</u>	<u>9844</u>
(23)	<u>Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide)</u>	<u>9847</u>
(23) (24)	<u>Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide)</u>	<u>9845</u>
(24) (25)	Dextromoramide.....	9613
(25) (26)	Diampromide.....	9615
(26) (27)	Diethylthiambutene.....	9616
(27) (28)	Difenoxin.....	9168
(28) (29)	Dimenoxadol.....	9617
(29) (30)	Dimepheptanol.....	9618
(30) (31)	Dimethylthiambutene.....	9619
(31) (32)	Dioxaphetyl butyrate.....	9621
(32) (33)	Dipipanone.....	9622
(33) (34)	Ethylmethylthiambutene.....	9623
(34) (35)	Etonitazene.....	9624
(35) (36)	Etoxidine.....	9625
(36) (37)	Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide).....	9834

(37) (38)	Furethidine.....	9626
(38) (39)	Hydroxypethidine.....	9627
(39) (40)	<u>Isotonitazene (N,N-diethyl-2-(2-(4 isopropoxybenzyl)-5-nitro-1 H-benzimidazol-1-yl)ethan-1-amine; N,N-diethyl-2-[[4-(1-methylethoxy)phenyl]methyl]-5-nitro-1 H-benzimidazole-1-ethanamine).....</u>	<u>9614</u>
(41)	Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide).....	9827
(40) (42)	Ketobemidone.....	9628
(41) (43)	Levomoramide.....	9629
(42) (44)	Levophenacilmorphan.....	9631
(43) (45)	Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).....	9825
(44) (46)	3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide).....	9813
(45) (47)	3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).....	9833
(46) (48)	Morpheridine.....	9632
(47) (49)	<u>Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide).....</u>	<u>9838</u>
(48) (50)	O-desmethyltramadol Some trade or other names: 2-((dimethylamino)methyl-1-(3-hydroxyphenyl)cyclohexanol);3-(2-((dimethylamino)methyl)-1-hydroxycyclohexyl)phenol	
(49) (51)	MPPP (1-methyl-4-phenyl-4-propionoxypiperidine).....	9661
(50) (52)	<u>MT-45 (1-cychohexyl-4-(1,2-diphenylethyl)piperazine).....</u>	<u>9560</u>
(51) (53)	Noracymethadol.....	9633
(52) (54)	Norlevorphanol.....	9634
(53) (55)	Normethadone.....	9635
(54) (56)	Norpipanone.....	9636
(55) (57)	Ortho-fluorofentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide; 2-fluorofentanyl).....	9816
(56) (58)	<u>Para-chloroisobutyryl fentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide).....</u>	<u>9826</u>
(57) (59)	<u>Para-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide).....</u>	<u>9823</u>
(58) (60)	Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide).....	9812
(59) (61)	Para-fluoroisobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, 4-fluoroisobutyryl fentanyl).....	9824
(60) (62)	<u>Para-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide).....</u>	<u>9837</u>
(61) (63)	PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine).....	9663
(62) (64)	Phenadoxone.....	9637
(63) (65)	Phenampride.....	9638
(64) (66)	Phenomorphan.....	9647

(65) (67)	Phenoperidine.....	9641
(66) (68)	Piritramide.....	9642
(67) (69)	Proheptazine.....	9643
(68) (70)	Propерidine.....	9644
(69) (71)	Propiram.....	9649
(70) (72)	Racemoramide.....	9645
(71) (73)	Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide).....	9843
(72) (74)	Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide).....	9835
(73) (75)	Tilidine.....	9750
(74) (76)	Trimeperidine.....	9646
(75) (77)	U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide).....	9547
(76) (78)	Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide).....	9840

(c) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1)	Acetorphine.....	9319
(2)	Acetyldihydrocodeine.....	9051
(3)	Benzylmorphine.....	9052
(4)	<u>Brorphine.....</u>	<u>9098</u>
(5)	Codeine methylbromide.....	9070
(5) (6)	Codeine-N-Oxide.....	9053
(6) (7)	Cyprenorphine.....	9054
(7) (8)	Desomorphine.....	9055
(8) (9)	Dihydromorphine.....	9145
(9) (10)	Drotebanol.....	9335
(10) (11)	Etorphine (except hydrochloride salt).....	9056
(11) (12)	Heroin.....	9200
(12) (13)	Hydromorphenol.....	9301
(13) (14)	Methyldesorphine.....	9302
(14) (15)	Methyldihydromorphine.....	9304
(15) (16)	Morphine methylbromide.....	9305
(16) (17)	Morphine methylsulfonate.....	9306
(17) (18)	Morphine-N-Oxide.....	9307
(18) (19)	Myrophine.....	9308
(19) (20)	Nicocodeine.....	9309
(20) (21)	Nicomorphine.....	9312
(21) (22)	Normorphine.....	9313
(22) (23)	Pholcodine.....	9314
(23) (24)	Thebacon.....	9315

(d) Any material, compound, mixture or preparation that contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of

isomers is possible within the specific chemical designation:

- (1) Alpha-ethyltryptamine 7249 Some trade or other names: etryptamine; Monase; α -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; and AET.
- (2) 4-bromo-2,5-dimethoxy-amphetamine.....7391
Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA.
- (3) 2,5-dimethoxyamphetamine.....7396
Some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA.
- (4) 4-methoxyamphetamine.....7411
Some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA.
- (5) 5-methoxy-3,4-methylenedioxy-amphetamine.....7401
- (6) 4-methyl-2,5-dimethoxy-amphetamine.....7395
Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP".
- (7) 3,4-methylenedioxy amphetamine.....7400
- (8) 3,4-methylenedioxymethamphetamine (MDMA).....7405
- (9) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl MDA, MDE, and MDEA).....7404
- (10) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4-(methylenedioxy) phenethylamine, and N-hydroxy MDA).....7402
- (11) 3,4,5-trimethoxy amphetamine.....7390
- (12) Bufotenine.....7433
Some trade or other names: 3-(Beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine.
- (13) Diethyltryptamine.....7434
Some trade or other names: N,N-Diethyltryptamine; DET.
- (14) Dimethyltryptamine.....7435
Some trade or other names: DMT.
- (15) Ibogaine.....7260
Some trade or other names: 7-Ethyl-6,6 Beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2]azepino[5,4-b]indole; Tabernanthe iboga
- (16) Lysergic acid diethylamide.....7315
- (17) Marijuana.....7360
- (18) Mescaline.....7381
- (19) Parahexyl.....7374
Some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl.
- (20) Peyote.....7415
Meaning all parts of the plant presently classified botanically as *Lophophora williamsii* Lemaire, whether growing or not, the seeds

thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.

- (21) N-ethyl-3-piperidyl benzilate.....7482
- (22) N-methyl-3-piperidyl benzilate.....7484
- (23) Psilocybin.....7437
- (24) Psilocyn.....7438
Some trade or other names: Psilocin.
- (25) Ethylamine analog of phencyclidine.....7455
Some trade or other names: N-ethyl-1-phenyl-cyclo-hexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE.
- (26) Pyrrolidine analog of phencyclidine.....7458
Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; PHP.
- (27) Thiophene analog of phencyclidine.....7470
Some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP.
- (28) 1-[1-(2-thienyl)-cyclohexyl] pyrrolidine.....7473
Some other names: TCPy.
- (29) 2,5-dimethoxy-4-ethylamphetamine.....7399
Some trade or other names: DOET.
- (30) *Salvia divinorum* or *salvinorum A*; all parts of the plant presently classified botanically as *salvia divinorum*, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.
- (31) *Datura stramonium*, commonly known as gypsum weed or jimson weed; all parts of the plant presently classified botanically as *datura stramonium*, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.
- (32) N-benzylpiperazine.....7493
Some trade or other names: BZP.
- (33) 1-(3-[trifluoromethylphenyl])piperazine
Some trade or other names: TFMPP.
- (34) 4-Bromo-2,5-dimethoxyphenethylamine.....7392
- (35) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical isomers, salts and salts of optical isomers.....7348
- (36) Alpha-methyltryptamine (other name: AMT).....7432
- (37) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers, salts and salts of isomers.....7439
- (38) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).....7509
- (39) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).....7508
- (40) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).....7519
- (41) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).....7518
- (42) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2).....7385

(43)	2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4).....	7532
(44)	2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).....	7517
(45)	2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C-N).....	7521
(46)	2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).....	7524
(47)	5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT).....	7431
	Some trade or other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole.	
(48)	2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine.....	7538
	Some trade or other names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5.	
(49)	2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine.....	7537
	Some trade or other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82.	
(50)	2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine.....	7536
	Some trade or other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36.	
(51)	2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine	
	Some trade or other names: 25H-NBOMe.	
(52)	2-(2,5-dimethoxy-4-methylphenyl)-N-(2-methoxybenzyl)ethanamine	
	Some trade or other names: 25D-NBOMe; 2C-D-NBOMe.	
(53)	2-(2,5-dimethoxy-4-nitrophenyl)-N-(2-methoxybenzyl)ethanamine	
	Some trade or other names: 25N-NBOMe, 2C-N-NBOMe.	
(54)	<u>1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1 H-pyrrolo[2,3-b]pyridine-3-carboxamide (5F-CUMYL-P7AICA).....</u>	<u>7085</u>
(e) Any material, compound, mixture or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:		
(1)	Etizolam	
	Some trade or other names: (4-(2-chlorophenyl)-2-ethyl-9-methyl-6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine)	
(2)	Mecloqualone.....	2572
(3)	Methaqualone.....	2565
(4)	Gamma hydroxybutyric acid	
(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:		
(1)	Aminorex.....	1585
	Some other names: Aminoxaphen 2-amino-5-phenyl-2-oxazoline or 4,5-dihydro-5-phenyl-2-oxazolamine	
(2)	Fenethylamine.....	1503
(3)	N-ethylamphetamine.....	1475

- (4) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine).....1590
- (5) N,N-dimethylamphetamine (also known as N,N-alpha-trimethylbenzeneethanamine; N,N-alpha-trimethylphenethylamine).....1480
- (6) Cathinone (some other names: 2-amino-1-phenol-1-propanone, alpha-amino propiophenone, 2-amino propiophenone and norphedrone).....1235
- (7) Substituted cathinones

Any compound, except bupropion or compounds listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

- (A) By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;
- (B) by substitution at the 3-position with an acyclic alkyl substituent;
- (C) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or
- (D) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(g) Any material, compound, mixture or preparation that contains any quantity of the following substances:

- (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of isomers
- (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers

(h) Any of the following cannabinoids, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Tetrahydrocannabinols.....7370

Meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers Delta 3,4 cis or trans tetrahydrocannabinol, and its optical isomers (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.), except tetrahydrocannabinols in any of the following:

- (A) Industrial hemp, as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto;
- (B) solid waste, as defined in K.S.A. 65-3402, and amendments thereto, and hazardous waste, as defined in K.S.A. 65-3430, and

amendments thereto, if such waste is the result of the cultivation, production or processing of industrial hemp, as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto, and such waste contains a delta-9 tetrahydrocannabinol concentration of not more than 0.3%; or

(C) hemp products, as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto, unless otherwise deemed unlawful pursuant to K.S.A. 2021 Supp. 2-3908, and amendments thereto.

- (2) Naphthoylindoles
 Any compound containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the benzyl or naphthyl ring to any extent.
- (3) Naphthylmethylindoles
 Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring group by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in on the indole ring group to any extent and whether or not substituted in on the benzyl or naphthyl ring to any extent.
- (4)(3) Naphthoylpyrroles
 Any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring group by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in on the pyrrole ring group to any extent, whether or not substituted in on the benzyl or naphthyl ring to any extent.
- (5)(4) Naphthylmethylindenenes
 Any compound containing a naphthylideneindene naphthylmethylindene structure with substitution at the 3-position of the indene ring group by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in on the indene ring group to any extent, whether or not substituted in on the benzyl or naphthyl ring to any extent.
- (6) Phenylacetylindoles
 Any compound containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any extent, whether or not substituted in the benzyl or phenyl ring to any extent.

- (7)(5) Cyclohexylphenols
Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted ~~in~~ on the cyclohexyl ring to any extent.
- (8) ~~Benzoindoles~~
Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any extent and whether or not substituted in the benzyl or phenyl ring to any extent.
- (9)(6) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone.
Some trade or other names: WIN 55,212-2.
- (10)(7) 9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol
Some trade or other names: HU-210, HU-211.
- (11) ~~Tetramethylecyclopropanoylindoles~~
Any compound containing a 3-tetramethylecyclopropanoylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the benzyl or tetramethylecyclopropyl rings to any extent.
- (12)(8) Indole-3-carboxylate esters
Any compound containing a 1H-indole-3-carboxylate ester structure with the ester oxygen bearing a naphthyl, quinolinyl, isoquinolinyl or adamantyl group and substitution at the 1 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-piperidinylmethyl 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl or benzyl groups to any extent.
- (13)(9) Indazole-3-carboxamides
Any compound containing a 1H-indazole-3-carboxamide structure with substitution at the nitrogen of the carboxamide by a naphthyl, quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1 position of the indazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-piperidinylmethyl 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indazole ring to any extent and whether or not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl, 1-

amino-1-oxoalkan-2-yl, 1-alkoxy-1-oxoalkan-2-yl or benzyl groups to any extent.

~~(14)~~(10)

Indole-3-carboxamides

Any compound containing a 1H-indole-3-carboxamide structure with substitution at the nitrogen of the carboxamide by a naphthyl, quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-piperidinylmethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not further substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-oxoalkan-2-yl, 1-alkoxy-1-oxoalkan-2-yl or benzyl groups to any extent.

~~(15)~~(11)

(1H-indazol-3-yl)methanones

Any compound containing a (1H-indazol-3-yl)methanone structure with the carbonyl carbon bearing a naphthyl group and substitution at the 1 position of the indazole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-piperidinylmethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indazole ring to any extent and whether or not substituted on the naphthyl or benzyl groups to any extent.

(12)

(1H-indol-3-yl)methanones

Any compound containing a (1H-indol-3-yl)methanone structure with the carbonyl carbon bearing a naphthyl, quinolinyl, isoquinolinyl, adamantyl, phenyl, benzyl or tetramethylcyclopropyl group and substitution at the 1 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl, phenyl, benzyl or tetramethylcyclopropyl groups to any extent.

Sec. 4. K.S.A. 65-4107 is hereby amended to read as follows: 65-4107. (a) The controlled substances listed in this section are included in schedule II and the number set forth opposite each drug or substance is the DEA controlled substances code which has been assigned to it.

(b) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene, naloxone, 6β-naltrexol and naltrexone and their respective salts, but including the following:

(A)	Raw opium.....	9600
(B)	Opium extracts.....	9610
(C)	Opium fluid.....	9620
(D)	Powdered opium.....	9639
(E)	Granulated opium.....	9640
(F)	Tincture of opium.....	9630
(G)	Codeine.....	9050
(H)	Ethylmorphine.....	9190
(I)	Etorphine hydrochloride.....	9059
(J)	Hydrocodone.....	9193
(K)	Hydromorphone.....	9150
(L)	Metopon.....	9260
(M)	Morphine.....	9300
(N)	<u>Noroxymorphone.....</u>	<u>9668</u>
(O)	Oxycodone.....	9143
(P)	Oxymorphone.....	9652
(P) (Q)	Thebaine.....	9333
(Q) (R)	Dihydroetorphine.....	9334
(R) (S)	Oripavine.....	9330

(2) Any salt, compound, isomer, derivative or preparation thereof which 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 (9040) and any salt, compound, derivative or preparation of coca leaves, but not including decocainized coca leaves or extractions which do not contain cocaine (9041) or ecgonine (9180).

(5) Cocaine, its salts, isomers and salts of isomers (9041).

(6) Ecgonine, its salts, isomers and salts of isomers (9180).

(7) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy) (9670).

(c) Any of the following opiates, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation dextrorphan and levopropoxyphene excepted:

(1)	Alfentanil.....	9737
(2)	Alphaprodine.....	9010
(3)	Anileridine.....	9020
(4)	Bezitramide.....	9800
(5)	Bulk dextropropoxyphene (nondosage forms).....	9273
(6)	Carfentanil.....	9743
(7)	Dihydrocodeine.....	9120
(8)	Diphenoxylate.....	9170
(9)	Fentanyl.....	9801
(10)	Isomethadone.....	9226
(11)	Levomethorphan.....	9210

(12)	Levorphanol.....	9220
(13)	Metazocine.....	9240
(14)	Methadone.....	9250
(15)	Methadone-intermediate,4-cyano-2-dimethyl amino-4,4-diphenyl butane.....	9254
(16)	Moramide-intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid.....	9802
(17)	<u>Oliceridine (N-[(3-methoxythiophen-2-yl)methyl] ({2-[(9 R)-9-(pyridin-2-yl)-6-oxaspiro [4.5]decan-9-yl]ethyl } amine fumarate).....</u>	<u>9245</u>
(18)	Pethidine (meperidine).....	9230
(18) (19)	Pethidine-intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine.....	9232
(19) (20)	Pethidine-intermediate-B, ethyl-4-phenyl-piperidine-4-carboxylate.....	9233
(20) (21)	Pethidine-intermediate-C, 1-methyl-4-phenyl-piperidine-4-carboxylic acid.....	9234
(21) (22)	Phenazocine.....	9715
(22) (23)	Piminodine.....	9730
(23) (24)	Racemethorphan.....	9732
(24) (25)	Racemorphan.....	9733
(25) (26)	Sufentanil.....	9740
(26) (27)	Levo-alphaacetyl methadol.....	9648
	Some other names: levo-alpha-acetyl methadol, levomethadyl acetate or LAAM.	
(27) (28)	Remifentanil.....	9739
(28) (29)	Tapentadol.....	9780
(29) (30)	Thiafentanil.....	9729
	(d) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:	
(1)	Amphetamine, its salts, optical isomers and salts of its optical isomers..	1100
(2)	Phenmetrazine and its salts.....	1631
(3)	Methamphetamine, including its salts, isomers and salts of isomers.....	1105
(4)	Methylphenidate.....	1724
(5)	Lisdexamfetamine, its salts, isomers, and salts of its isomers.....	1205
	(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:	
(1)	Amobarbital.....	2125
(2)	Glutethimide.....	2550
(3)	Secobarbital.....	2315
(4)	Pentobarbital.....	2270
(5)	Phencyclidine.....	7471

(f) Any material, compound, mixture, or preparation which contains any quantity of the following substances:

- (1) Immediate precursor to amphetamine and methamphetamine:
 - (A) Phenylacetone.....8501
Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.
- (2) Immediate precursors to phencyclidine (PCP):
 - (A) 1-phenylcyclohexylamine.....7460
 - (B) 1-piperidinocyclohexanecarbonitrile (PCC).....8603
- (3) Immediate precursor to fentanyl:
 - (A) ~~4-anilino-N-phenethyl-4-piperidinephenethylpiperidine (ANPP).....8333~~
 - (B) N-phenyl-N-(piperidin-4-yl)propionamide (norfentanyl).....8366

(g) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substance, its salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Dronabinol [(-)-delta-9-trans tetrahydrocannabinol] in an oral solution in a drug product approved for marketing by the United States food and drug administration.....7365
- (2) Nabilone.....7379
[Another name for nabilone: (±)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one]

(h) Any material, compound, mixture or preparation containing any of the following narcotic drugs or any salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

- (1) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit with a fourfold or greater quantity of an isoquinoline alkaloid of opium 9805
- (2) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.....9806

Sec. 5. K.S.A. 65-4111 is hereby amended to read as follows: 65-4111. (a) The controlled substances listed in this section are included in schedule IV and the number set forth opposite each drug or substance is the DEA controlled substances code that has been assigned to it.

(b) Any material, compound, mixture or preparation that contains any quantity of the following substances including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation and having a potential for abuse associated with a depressant effect on the central nervous system:

(1)	Alprazolam.....	2882
(2)	Barbital.....	2145
(3)	<u>Brexanolone.....</u>	<u>2400</u>
(4)	Bromazepam.....	2748
(4) (5)	Camazepam.....	2749
(5) (6)	Carisoprodol.....	8192
(6) (7)	Chloral betaine.....	2460
(7) (8)	Chloral hydrate.....	2465
(8) (9)	Chlordiazepoxide.....	2744
(9) (10)	Clobazam.....	2751
(10) (11)	Clonazepam.....	2737
(11) (12)	Clorazepate.....	2768
(12) (13)	Clotiazepam.....	2752
(13) (14)	Cloxazolam.....	2753
(14) (15)	Delorazepam.....	2754
(15) (16)	Diazepam.....	2765
(16) (17)	Dichloralphenazone.....	2467
(17) (18)	Estazolam.....	2756
(18) (19)	Ethchlorvynol.....	2540
(19) (20)	Ethinamate.....	2545
(20) (21)	Ethyl loflazepate.....	2758
(21) (22)	Fludiazepam.....	2759
(22) (23)	Flunitrazepam.....	2763
(23) (24)	Flurazepam.....	2767
(24) (25)	Fospropofol.....	2138
(25) (26)	Halazepam.....	2762
(26) (27)	Haloxazolam.....	2771
(27) (28)	Ketazolam.....	2772
(28) (29)	<u>Lemborexant.....</u>	<u>2245</u>
(30)	Loprazolam.....	2773
(29) (31)	Lorazepam.....	2885
(30) (32)	Lormetazepam.....	2774
(31) (33)	Mebutamate.....	2800
(32) (34)	Medazepam.....	2836
(33) (35)	Meprobamate.....	2820
(34) (36)	Methohexital.....	2264
(35) (37)	Methylphenobarbital (mephobarbital).....	2250
(36) (38)	Midazolam.....	2884
(37) (39)	Nimetazepam.....	2837
(38) (40)	Nitrazepam.....	2834
(39) (41)	Nordiazepam.....	2838
(40) (42)	Oxazepam.....	2835
(41) (43)	Oxazolam.....	2839
(42) (44)	Paraldehyde.....	2585
(43) (45)	Petrichloral.....	2591
(44) (46)	Phenobarbital.....	2285
(45) (47)	Pinazepam.....	2883

(46)(48) Prazepam.....2764
 (47)(49) Quazepam.....2881
(48)(50) Remimazolam.....2846
 (51) Temazepam.....2925
 (49)(52) Tetrazepam.....2886
 (50)(53) Triazolam.....2887
 (51)(54) Zolpidem.....2783
 (52)(55) Zaleplon.....2781
 (53)(56) Zopiclone.....2784
 (54)(57) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts,
 optical and geometric isomers and salts of these isomers (including
 tramadol).....9752
 (55)(58) Alfaxalone.....2731
 (56)(59) Suvorexant.....2223

(c) Any material, compound, mixture, or preparation that contains any quantity of fenfluramine (1670), including its salts, isomers (whether optical, position or geometric) and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible. The provisions of this subsection (c) shall expire on the date fenfluramine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(d) Any material, compound, mixture or preparation that contains any quantity of lorcaserin (1625), including its salts, isomers and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Cathine ((+)-norpseudoephedrine).....1230
 (2) Diethylpropion.....1610
 (3) Fencamfamin.....1760
 (4) Fenproporex.....1575
 (5) Mazindol.....1605
 (6) Mefenorex.....1580
 (7) Pemoline (including organometallic complexes and chelates thereof)....1530
 (8) Phentermine.....1640

The provisions of this subsection (e)(8) shall expire on the date phentermine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(9) Pipradrol.....1750
 (10) SPA((-)-1-dimethylamino-1, 2-diphenylethane).....1635
 (11) Sibutramine.....1675
(12) Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol, beta-
amino-, carbamate (ester)).....1650
 (13) Mondafinil.....1680

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation that contains any quantity of the following, including salts thereof:

- (1) Pentazocine.....9709
- (2) Butorphanol (including its optical isomers).....9720
- (3) ~~Cannabidiol, when comprising the sole active ingredient of a drug product approved by the United States food and drug administration~~
Some other names for cannabidiol: 2-[[1R,6R)-3-Methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol
- (4) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl]][(1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid),(including its optical isomers) and its salts, isomers, and salts of isomers.....9725

(g) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

- (1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.....9167
- (2) Dextropropoxyphene (alpha-+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propion-oxybutane).....9278

(h) Butyl nitrite and its salts, isomers, esters, ethers or their salts.

(i) The board may except by rule and regulation any compound, mixture or preparation containing any depressant substance listed in subsection (b) from the application of all or any part of this act if the compound, mixture or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion or concentration that vitiate the potential for abuse of the substances that have a depressant effect on the central nervous system.

Sec. 6. K.S.A. 65-4113 is hereby amended to read as follows: 65-4113. (a) The controlled substances or drugs, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section are included in schedule V.

(b) Any compound, mixture or preparation containing limited quantities of any of the following narcotic drugs which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

- (1) Not more than 200 milligrams of codeine or any of its salts per 100 milliliters or per 100 grams.
- (2) Not more than 100 milligrams of dihydrocodeine or any of its salts per 100 milliliters or per 100 grams.
- (3) Not more than 100 milligrams of ethylmorphine or any of its salts per 100 milliliters or per 100 grams.

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

(6) Not more than .5 milligram of difenoxin (9168) and not less than 25 micrograms of atropine sulfate per dosage unit.

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Propylhexedrine (except when part of a compound used for nasal decongestion which is authorized to be sold lawfully over the counter without a prescription under the federal food, drug and cosmetic act, so long as it is used only for such purpose).....8161

(2) Pyrovalerone.....1485
(d) Any compound, mixture or preparation containing any detectable quantity of ephedrine, its salts or optical isomers, or salts of optical isomers.

(e) Any compound, mixture or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers.

(f) Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

(1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide) (some trade or other names BRV; UCB-34714; Briviact).....2710

(2) Cenobamate [(1R)-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl] carbamate.....2720

(3) Ezogabine N-[2-amino-4(4-fluorobenzylamino) -phenyl]-carbamic acid ethyl ester.....2779

~~(3)~~(4) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide].....2746

~~(4)~~(5) Lasmiditan [2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-carbonyl) pyridine-2-yl)-benzamide.....2790

(6) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].....2782

Sec. 7. K.S.A. 65-4107, 65-4111 and 65-4113 and K.S.A. 2021 Supp. 21-5701, 65-4101 and 65-4105 are hereby repealed.;

Also on page 1, in line 28, 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 all after "ACT"; by striking all in line 2; in line 3, by striking all before the period and inserting "concerning controlled substances; relating to substances included in schedules I, II, IV and V of the uniform controlled substances act; amending the definition of controlled substances in the Kansas criminal code; excluding certain drug products from the definition of marijuana; amending K.S.A. 65-4107, 65-4111 and 65-4113 and K.S.A. 2021 Supp. 21-5701, 65-4101 and 65-4105 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

Conferees on part of Senate

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

Senator Hilderbrand moved the Senate adopt the Conference Committee Report on **HB 2540**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

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

Absent or Not Voting: Warren.

The Conference Committee Report was adopted.

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

Announcing the House herewith transmits certificate of action by the House of Representatives on **Senate Bill 58**, AN ACT concerning education; relating to schools and school districts; establishing the parents' bill of rights.

The veto message from the Governor having been received, a motion was made that notwithstanding the Governor's objections to Senate Bill 58, the bill be passed. By a vote of 72 Yeas and 50 Nays, the motion not having received the required two-thirds majority of the members elected to the House of Representatives voting in the affirmative, the bill not pass and the veto was sustained.

Announcing the House herewith transmits certificate of action by the House of Representatives on **Senate Bill 160**, AN ACT concerning education; relating to student

athletes; enacting the fairness in women's sports act; restricting participation on women's teams to female students; providing a cause of action for violations.

The veto message from the Governor having been received, a motion was made that notwithstanding the Governor's objections to **Senate Bill 160**, the bill be passed. By a vote of 81 Yeas and 41 Nays, the motion not having received the required two-thirds majority of the members elected to the House of Representatives voting in the affirmative, the bill not pass and the veto was sustained.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 579, AN ACT concerning education; relating to scholarship programs; establishing the homegrown Kansas leadership scholarship program; providing scholarships for individuals seeking a teaching degree or master's degree in education, by Committee on Federal and State Affairs.

SB 580, AN ACT concerning education; relating to state educational institutions; requiring such institutions to establish an accelerated teacher training program, by Committee on Federal and State Affairs.

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.

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: **Sub SB 34**.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **H Sub SB 19**.

The House adopts the Conference Committee report on **SB 331**.

The House adopts the Conference Committee report on **HB 2510**.

The House adopts the Conference Committee report on **HB 2106**.

The House concurs in Senate amendments to **S Sub HB 2495**.

The House adopts the Conference Committee report on **Sub SB 34**.

Announcing adoption of **HCR 5037**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 34** 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 Amended by House Committee as follows:

On page 1, by striking all in lines 8 through 36;

By striking all on pages 2 through 6;

On page 7, by striking all in lines 1 through 33; following line 33, by inserting:

"New Section 1. (a) Notwithstanding any provision of law to the contrary, a

governmental entity or public official shall not order or otherwise require any individual to wear a face mask as a response to a contagious or infectious disease.

(b) A governmental entity or public official may recommend that any individual wear a face mask as a response to a contagious or infectious disease.

(c) The provisions of this section shall not apply to a governmental entity that is a medical care facility as defined in K.S.A. 65-425, and amendments thereto, or an adult care home as defined in K.S.A. 39-923, and amendments thereto.

New Sec. 2. (a) (1) Notwithstanding any provision of law to the contrary, a governmental entity or public official shall not:

(A) Issue a COVID-19 vaccination passport to any individual without such individual's consent;

(B) require any individual to use a COVID-19 vaccination passport within this state for any purpose; or

(C) deny housing to any individual or refuse access by any individual to a place accessible to the general public, or separate any individual from others in a place accessible to the general public, including entry, education, travel and services within this state, based on such individual's COVID-19 vaccination status.

(2) Nothing in this section shall prohibit a governmental entity or public official from instituting COVID-19 screening protocols in accordance with state and federal law to protect the public health.

(b) The provisions of this section shall not apply to a governmental entity that is a medical care facility as defined in K.S.A. 65-425, and amendments thereto, or an adult care home as defined in K.S.A. 39-923, and amendments thereto.

(c) As used in this section:

(1) "COVID-19 vaccination passport" means written or electronic documentation of an individual's COVID-19 vaccination status; and

(2) "screening protocol" means a non-invasive method to determine whether an individual has symptoms or other risk factors for developing COVID-19, including, but not limited to, temperature checks, self-reporting of exposure, self-reported vaccination status and questionnaires.

Sec. 3. K.S.A. 2021 Supp. 48-925 is hereby amended to read as follows: 48-925.

(a) During any state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, the governor shall be commander-in-chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the governor shall delegate or assign command authority by prior arrangement, embodied in appropriate executive orders or in rules and regulations of the adjutant general, but nothing shall restrict the authority of the governor to do so by executive orders issued at the time of a disaster.

(b) Under the provisions of this act and for the implementation of this act, the governor may issue executive orders to exercise the powers conferred by subsection (c) that have the force and effect of law during the period of a state of disaster emergency declared under K.S.A. 48-924(b), and amendments thereto, or as provided in K.S.A. 2021 Supp. 48-924b, and amendments thereto. The chairperson of the legislative coordinating council shall call a meeting of the council to occur within 24 hours of the issuance of an executive order issued pursuant to this section for the purposes of reviewing such order. Such executive orders shall be null and void after the period of a state of disaster emergency has ended. Such executive orders 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 orders may be revoked by the legislative coordinating council with the affirmative vote of five members thereof.

(c) Except as provided in K.S.A. 2021 Supp. 48-924b, and amendments thereto, during a state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, in addition to any other powers conferred upon the governor by law and subject to the provisions of subsections (d) and (e), the governor may:

(1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders or rules and regulations of any state agency which implements such statute, if strict compliance with the provisions of such statute, order or rule and regulation would prevent, hinder or delay in any way necessary action in coping with the disaster;

(2) utilize all available resources of the state government and of each political subdivision as reasonably necessary to cope with the disaster;

(3) transfer the supervision, personnel or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency management activities;

(4) subject to any applicable requirements for compensation under K.S.A. 48-933, and amendments thereto, commandeer or utilize any private property if the governor finds such action necessary to cope with the disaster;

(5) direct and compel the evacuation of all or part of the population from any area of the state stricken or threatened by a disaster, if the governor deems this action necessary for the preservation of life or other disaster mitigation, response or recovery;

(6) prescribe routes, modes of transportation and destinations in connection with such evacuation;

(7) control ingress and egress of persons and animals to and from a disaster area, the movement of persons and animals within the area and the occupancy by persons and animals of premises therein;

(8) suspend or limit the sale, dispensing or transportation of alcoholic beverages, explosives and combustibles;

(9) make provision for the availability and use of temporary emergency housing;

(10) require and direct the cooperation and assistance of state and local governmental agencies and officials; and

(11) perform and exercise such other functions, powers and duties in conformity with the constitution and the bill of rights of the state of Kansas and with the statutes of the state of Kansas, except any regulatory statute specifically suspended under the authority of subsection (c)(1), as are necessary to promote and secure the safety and protection of the civilian population.

(d) The governor shall not have the power or authority under the provisions of the Kansas emergency management act or any other law to:

(1) Limit or otherwise restrict the sale, purchase, transfer, ownership, storage, carrying or transporting of firearms or ammunition, or any component or combination thereof, including any components or combination thereof used in the manufacture of firearms or ammunition, or seize or authorize the seizure of any firearms or ammunition, or any component or combination thereto, except as otherwise permitted by state or federal law pursuant to subsection (c)(8) or any other executive authority;

~~(e) The governor shall not have the power under the provisions of the Kansas~~

~~emergency management act or the provisions of any other law to~~

(2) alter or modify any provisions of the election laws of the state including, but not limited to, the method by which elections are conducted or the timing of such elections;

or

(3) order or otherwise require any individual to wear a face mask as a response to a contagious or infectious disease.

(f) The governor shall exercise the powers conferred by subsection (c) by issuance of executive orders under subsection (b). Each executive order issued pursuant to the authority granted by subsection (b) shall specify the provision or provisions of subsection (c) by specific reference to each paragraph of subsection (c) that confers the power under which the executive order was issued. The adjutant general, subject to the direction of the governor, shall administer such executive orders.

(g) (1) Any party aggrieved by an executive order issued pursuant to this section that has the effect of substantially burdening or inhibiting the gathering or movement of individuals or the operation of any religious, civic, business or commercial activity, whether for-profit or not-for-profit, may file a civil action in the district court of the county in which such party resides or in the district court of Shawnee county, Kansas, within 30 days after the issuance of such executive order. Notwithstanding any order issued pursuant to K.S.A. 2021 Supp. 20-172(a), and amendments thereto, the court shall conduct a hearing within 72 hours after receipt of a petition in any such action. The court shall grant the request for relief unless the court finds such executive order is narrowly tailored to respond to the state of disaster emergency and uses the least restrictive means to achieve such purpose. The court shall issue an order on such petition within seven days without unreasonable delay after the hearing is conducted. ~~If the court does not issue an order on such petition within seven days, the relief requested in the petition shall be granted.~~

(2) Relief under this section shall not include a stay or injunction concerning the contested executive order that applies beyond the county in which the petition was filed.

(3) The supreme court may adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection, including, but not limited to, rules for consolidation of similar hearings.

(h) (1) The board of county commissioners of any county may issue an order relating to public health that includes provisions that are less stringent than the provisions of an executive order effective statewide issued by the governor. Any board of county commissioners issuing such an order must make the following findings and include such findings in the order:

(A) The board has consulted with the local health officer or other local health officials regarding the governor's executive order;

(B) following such consultation, implementation of the full scope of the provisions in the governor's executive order are not necessary to protect the public health and safety of the county; and

(C) all other relevant findings to support the board's decision.

(2) If the board of county commissioners of a county issues an order pursuant to paragraph (1), such order shall operate in the county in lieu of the governor's executive order.

Sec. 4. K.S.A. 2021 Supp. 48-932 is hereby amended to read as follows: 48-932.

(a) A state of local disaster emergency may be declared by the chairperson of the board

of county commissioners of any county, or by the mayor or other principal executive officer of each city of this state having a disaster emergency plan, upon a finding by such officer that a disaster has occurred or the threat thereof is imminent within such county or city. No state of local disaster emergency shall be continued for a period in excess of seven days or renewed, except with the consent of the board of county commissioners of such county or the governing body of such city. Any order or proclamation declaring, continuing or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed with the county clerk or city clerk. Any such declaration may be reviewed, amended or revoked by the board of county commissioners or the governing body of the city, respectively, at a meeting of such governing body.

(b) In the event of the absence of the chairperson of the board of county commissioners from the county or the incapacity of such chairperson, the board of county commissioners, by majority action of the remaining members thereof, may declare a state of local disaster emergency in the manner provided in and subject to the provisions of subsection (a). In the event of the absence of the mayor or other principal executive officer of a city from the city or the incapacity of such mayor or officer, the governing body of the city, by majority action of the remaining members thereof, may declare a state of local disaster emergency in the manner provided in and subject to the provisions of subsection (a). Any state of local disaster emergency and any actions taken pursuant to applicable local and interjurisdictional disaster emergency plans, under this subsection shall continue and have full force and effect as authorized by law unless modified or terminated in the manner prescribed by law.

(c) The declaration of a local disaster emergency shall activate the response and recovery aspects of any and all local and interjurisdictional disaster emergency plans which are applicable to such county or city, and shall initiate the rendering of aid and assistance thereunder.

(d) No interjurisdictional disaster agency or any official thereof may declare a local disaster emergency, unless expressly authorized by the agreement pursuant to which the agency functions. However, an interjurisdictional disaster agency shall provide aid and services in accordance with the agreement pursuant to which it functions in the case of a state of local disaster emergency declared under subsection (a).

(e)(1) A governmental entity or public official shall not have the power under the provisions of the Kansas emergency management act or any other law to order or otherwise require any individual to wear a face mask as a response to a contagious or infectious disease.

(2) The provisions of this subsection shall not apply to a governmental entity that is a medical care facility as defined in K.S.A. 65-425, and amendments thereto, or an adult care home as defined in K.S.A. 39-923, and amendments thereto.

(f)(1) Any party aggrieved by an action taken by a local unit of government pursuant to this section that has the effect of substantially burdening or inhibiting the gathering or movement of individuals or the operation of any religious, civic, business or commercial activity, whether for-profit or not-for-profit, may file a civil action in the district court of the county in which such action was taken within 30 days after such action is taken. Notwithstanding any order issued pursuant to K.S.A. 2021 Supp. 20-172(a), and amendments thereto, the court shall conduct a hearing within 72 hours after receipt of a petition in any such action. The court shall grant the request for relief unless

the court finds such action is narrowly tailored to respond to the state of local disaster emergency and uses the least restrictive means to achieve such purpose. The court shall issue an order on such petition ~~within seven days~~ without unreasonable delay after the hearing is conducted. ~~If the court does not issue an order on such petition within seven days, the relief requested in the petition shall be granted.~~

(2) Relief under this section shall not include a stay or injunction concerning the contested action that applies beyond the county in which the action was taken.

(3) The supreme court may adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection, including, but not limited to, rules for consolidation of similar hearings.

Sec. 5. 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) May issue an order requiring an individual who 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)~~(2) 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 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)~~(3) if a competent individual of 18 years of age or older or an emancipated minor refuses vaccination, medical examination, treatment or testing under this section, may require 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)~~(4) 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 the minor child or ward to go to and remain in a place of isolation or quarantine and must 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. 6. K.S.A. 2021 Supp. 65-201 is hereby amended to read as follows: 65-201. (a) The board of county commissioners of each county shall act as the county board of health for the county. Each county board shall appoint a person licensed to practice medicine and surgery, preference being given to persons who have training in public health, who shall serve as the local health officer and who shall act in an advisory capacity to the county board of health. The appointing authority of city-county, county or multicounty health units with less than 100,000 population may appoint a qualified local health program administrator as the local health officer if a person licensed to

practice medicine and surgery or person licensed to practice dentistry is designated as a consultant to direct the administrator on program and related medical and professional matters. The local health officer or local health program administrator shall hold office at the pleasure of the board.

(b) (1) Except as provided in paragraph (2), any order issued by the local health officer, including orders issued as a result of an executive order of the governor, may be reviewed, amended or revoked by the board of county commissioners of the county affected by such order at a meeting of the board. Any order reviewed or amended by the board shall include an expiration date set by the board and may be amended or revoked at an earlier date by a majority vote of the board.

(2) If a local health officer determines it is necessary to issue an order ~~mandating the wearing of face masks~~, limiting the size of gatherings of individuals, curtailing the operation of business, controlling the movement of the population of the county or limiting religious gatherings, the local health officer shall propose such an order to the board of county commissioners. At the next regularly scheduled meeting of the board or at a special meeting of the board, the board shall review such proposed order and may take any action related to the proposed order the board determines is necessary. The order shall become effective if approved by the board or, if the board is unable to meet, if approved by the chairperson of the board or the vice chairperson of the board in the chairperson's absence or disability.

(c) The board of county commissioners in any county having a population of less than 15,000 may contract with the governing body of any hospital located in such county for the purpose of authorizing such governing body of the hospital to supply services to a county board of health.

(d) (1) Any party aggrieved by an order issued pursuant to subsection (b)(2) may file a civil action in the district court of the county in which the order was issued within 30 days after such order is issued. Notwithstanding any order issued pursuant to K.S.A. 2021 Supp. 20-172(a), and amendments thereto, the court shall conduct a hearing within 72 hours after receipt of a petition in any such action. The court shall grant the request for relief unless the court finds such order is narrowly tailored to the purpose stated in the order and uses the least restrictive means to achieve such purpose. The court shall issue an order on such petition within seven days without unnecessary delay after the hearing is conducted. ~~If the court does not issue an order on such petition within seven days, the relief requested in the petition shall be granted.~~

(2) Relief under this section shall not include a stay or injunction concerning the contested action that applies beyond the county in which the action was taken.

(3) The supreme court may adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection, including, but not limited to, rules for consolidation of similar hearings.

Sec. 7. 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 test or inoculation shall not be deemed necessary by the secretary if such test or inoculation has not received full approval by the federal food and drug administration for the age of the student to whom the requirement applies.

(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 such that the tests or inoculations would seriously endanger the life or health of the child; or

(2) a written statement signed by one parent or guardian 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.

Sec. 8. K.S.A. 65-129b and 72-6262 and K.S.A. 2021 Supp. 48-925, 48-932 and 65-201 are hereby repealed.";

Also on page 7, in line 35, 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 4; in line 5, by striking all before the period and inserting "public health; prohibiting a governmental entity or public official from ordering or otherwise requiring any individual to wear a face mask as a response to a contagious or infectious disease; prohibiting a governmental entity or public official from issuing or requiring use of a COVID-19 vaccination passport or discriminating against any individual based upon COVID-19 vaccination status; limiting powers of the governor and other governmental entities under the Kansas emergency management act related to face masks; modifying judicial review provisions related to certain executive orders issued during a state of disaster emergency and certain actions taken by a local unit of government during a state of local disaster emergency; requiring court petitions challenging orders and similar actions by public officials relating to gathering limitations, business restrictions and religious gathering limitations to be ruled on without unreasonable delay; restricting the power of the secretary of health and environment and local health officers to order law enforcement to assist in execution or enforcement of orders related to isolation or quarantine; prohibiting the secretary of health and environment from requiring a test or inoculation for admission to and attendance at a school that has not received full approval by the federal food and drug administration for the student to whom the

requirement applies; amending K.S.A. 65-129b and 72-6262 and K.S.A. 2021 Supp. 48-925, 48-932 and 65-201 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

Conferees on part of Senate

Senator Hilderbrand moved the Senate adopt the Conference Committee Report on **Sub SB 34**.

On roll call, the vote was: Yeas 23; Nays 17; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Claeys, Erickson, Fagg, Gossage, Hilderbrand, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Kerschen, Longbine, McGinn, Pettey, Pittman, Sykes, Ware.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

Mr. President: While I support portions of CCR **SB 34** – I have worries about the bill due to questions from our agricultural community and Ag Secretary who is now dealing with Avian Influenza in the state. I also have concerns of removing local control which we granted in earlier sessions to deal with Government overreach during the pandemic. This bill deals with any contagious disease and not just Covid and deserves local decisions and not a state mandate.—ELAINE BOWERS

Senator Kerschen requests the record to show he concurs with the "Explanation of Vote" offered by Senator Bowers on **SB 34**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 84** 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 Further Amended by House Committee of the Whole, as follows:

On page 51, in line 32, by striking all before "manage";

On page 52, in line 14, after "(b)" by inserting "(1)"; in line 24, after "director" by inserting "shall issue a final decision regarding approval of an interactive sports wagering platform within 30 days after the date the request for approval was submitted and"; following line 28, by inserting:

"(2) On or before September 1, 2022, the executive director shall prescribe a process for submission of requests for approval and a process for approval of interactive sports wagering platforms and shall notify all lottery gaming facility managers of such processes.

(3) On or before August 1, 2022, the executive director of the Kansas racing and gaming commission shall prescribe a process for conducting background investigations of interactive sports wagering platforms and shall notify all lottery gaming facility managers of such process. The Kansas racing and gaming commission shall commence background investigations of interactive sports wagering platforms on or before August 15, 2022.";

Also on page 52, in line 30, by striking "one" and inserting "three"; also in line 30, by striking "interface" and inserting "interfaces"; in line 31, after "team" by inserting "or auto racetrack facility";

On page 54, in line 7, after "team" by inserting ", auto racetrack facility"; in line 10, after "team" by inserting ", auto racetrack facility"; in line 11, by striking all after "be"; in line 14, by striking "operation"; in line 15, by striking "or"; in line 18, after "team" by inserting ", auto racetrack facility"; in line 20, after "team" by inserting ", auto racetrack facility"; in line 26, after "team" by inserting "or auto racetrack facility"; in line 30, by striking "operating and"; in line 31, by striking "the" and inserting "such"; in line 33, after "team" by inserting ", auto racetrack facility"; in line 34, after "team" by inserting ", auto racetrack facility"; in line 38, by striking "operate and";

On page 55, in line 39, after "wagers" by inserting "with the manager at the manager's location or through the manager's interactive sports wagering platform;

(2) prohibit an interactive sports wagering platform, any director, officer, owner and employee of such platform and any relative living in the same household as such persons from placing any wager through such platform or at the manager's location, except that nothing in this paragraph shall be construed to prohibit any such person from placing any wager through a lottery gaming facility manager or interactive sports wagering platform with which such person has no affiliation";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 58, in line 2, by striking "Such records" and inserting "The records described in subsections (a)(1) through (a)(6)"; also in line 2, by striking "three" and inserting "two"; in line 3, after the period by inserting "Video recordings described in subsection (a)(7) shall be maintained for at least 30 days after the sporting event occurs.";

On page 59, following line 9, by inserting:

"(c) The executive director shall allow lottery gaming facility managers to carry over negative sports wagering revenues and apply such amounts to returns filed for subsequent weeks. Sports wagering revenues for a week will be considered negative if the sum of the winnings paid to patrons wagering on such manager's sports wagering plus all voided wagers and excise taxes on sports wagering paid pursuant to federal law, exceeds the manager's total bets accepted from sports wagering by patrons. The negative amount of sports wagering revenues shall not be applied back to an earlier week, and moneys previously received by the Kansas lottery will not be refunded unless the manager ceases to manage sports wagering and the last return reported negative sports wagering revenues.";

Also on page 59, in line 10, by striking "(c)" and inserting "(d)"; also in line 10, by striking "monthly" and inserting "weekly"; in line 19, by striking "At least once each month,"; in line 20, by striking "from" and inserting "remaining in";

On page 60, following line 12, by inserting:

"New Sec. 13. (a) There is hereby established in the state treasury the attracting professional sports to Kansas fund. The attracting professional sports to Kansas fund shall be administered by the secretary of commerce. 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 commerce, or the secretary's designee, for the purpose set forth in this section.

(b) The secretary of commerce is authorized to pledge all or a portion of the funds held in the attracting professional sports to Kansas fund or sports wagering revenues credited to or to be credited to the attracting professional sports to Kansas fund for the benefit of any professional sports team and used to pay the principal or interest on any bonds issued by the state or any municipality, including, but not limited to, bonds issued pursuant to K.S.A. 12-1740 et seq., 12-1770 et seq. or 12-17,160 et seq., and amendments thereto, which shall include any such financing structured as pay-as-you-go, issued to fund the construction, rehabilitation, revitalization or expansion of a professional sports team's primary facility or any other ancillary development to such primary facility.

(c) Each month, the secretary of commerce shall certify to the director of accounts and reports the amount of moneys held in the attracting professional sports to Kansas fund that are in excess of the amount necessary for the purposes described in subsection (b). Upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the attracting professional sports to Kansas fund to the lottery operating fund established in K.S.A. 74-8711, and amendments thereto.";

Also on page 60, in line 16, by striking "17" and inserting "18"; in line 24, by striking "operated and";

On page 61, in line 42, by striking "14" and inserting "15";

On page 62, in line 9, by striking "14" and inserting "15"; in line 12, by striking "14" and inserting "15";

On page 63, in line 12, by striking all after "(f)"; by striking all in lines 13 through 34; in line 35, striking "(g)(1)";

On page 64, by striking all in lines 2 through 12; in line 13, by striking "(h)" and inserting "(g)"; in line 15, by striking "14 and"; also in line 15, after "15" by inserting "and 16"; in line 17, by striking "14 and"; also in line 17, after "15" by inserting "and 16";

On page 69, following line 14, by inserting:

"Sec. 22. K.S.A. 2021 Supp. 21-6508 is hereby amended to read as follows: 21-6508. (a) Tampering with a sports contest is seeking to influence a sports participant or sports official, or tampering with any animal or equipment or other thing involved in the conduct or operation of a sports contest, in a manner known to be contrary to the rules and usages governing such contest and with intent to influence the outcome of such contest.

(b) Tampering with a sports contest is a severity level ~~9~~ 8, nonperson felony.";

Also on page 69, in line 17, by striking "17" and inserting "18"; in line 34, after "(b)" by inserting ""Auto racetrack facility" means the same as defined in K.S.A. 2021 Supp.

12-17,162, and amendments thereto, and that is located in Wyandotte county with a minimum investment of \$50,000,000 and is in operation on July 1, 2022.

(c)";

On page 70, in line 32, by striking all after "means"; by striking all in lines 33 through 35; in line 36, by striking all before the period and inserting "an integrated system of hardware, software and applications, including, but not limited to, mobile applications and servers, through which sports wagering may be made available to persons physically located within the state of Kansas at the time of submitting the wager to a sports wagering manager over the internet or wireless services as defined in K.S.A. 66-2019, and amendments thereto, including, but not limited to, through websites and mobile device applications";

On page 71, in line 35, by striking ", as of January 1, 2007,"; in line 36, by striking all after "at"; by striking all in line 37; in line 38, by striking all before the period and inserting "any licensed gaming facilities in the United States";

On page 77, in line 13, after "wagers" by inserting ", federal excise taxes, free plays or other promotional credits";

On page 79, in line 17, by striking "13" and inserting "14"; in line 23, by striking "and"; following line 25, by inserting:

"(D) permitting each lottery gaming facility manager, or such manager's contracted parties, including any approved interactive sports wagering platform, to have employees located outside the state of Kansas so that all job functions will conform with 18 U.S.C. § 1081 et seq.;

(E) permitting the establishment of online sports wagering accounts held by a lottery gaming facility manager as approved by the Kansas lottery and preestablished online accounts from other states to be accessed within the borders of Kansas so that revenue is recorded correctly and all other Kansas online rules are followed; and

(F) allowing lottery gaming facility managers to carry over negative amounts to returns filed for subsequent weeks when sports wagering revenues for a week are a negative number because the sum of the winnings paid to patrons wagering on the manager's sports wagering plus all voided wagers and excise taxes on sports wagering paid pursuant to federal law exceeds the manager's total bets accepted from sports wagering by patrons. The negative amounts of sports wagering revenues shall not be carried back to an earlier week, and moneys previously received by the lottery will not be refunded, except if the manager ceases to manage sports wagering and the last return reported negative adjusted gross receipts.";

On page 80, in line 32, by striking "and"; in line 33, after "(9)" by inserting "transfers to the attracting professional sports to Kansas fund of the department of commerce pursuant to subsection (h); and

(10)";

On page 81, following line 31, by inserting:

"(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 section 13, and amendments thereto.";

On page 83, in line 21, by striking "13" and inserting "14";

On page 88, in line 17, by striking "operating and"; in line 22, by striking all after "include"; in line 23, by striking all before "receive" and inserting "a provision for the state to"; also in line 23, by striking "20%" and inserting "10%"; in line 24, by striking all after "facility"; by striking all in lines 25 and 26; in line 27, by striking all before the period and inserting "manager";

On page 89, in line 31, by striking all after "to"; in line 36, by striking "operating and";

On page 91, in line 13, by striking all after "(3)"; by striking all in lines 14 through 26; in line 27, by striking all before the semicolon and inserting "(A) a certification requirement and enforcement procedure for:

(i) Employees of a lottery gaming facility manager or another entity owned by the lottery gaming facility manager's parent company that are directly involved in the management of sports wagering managed by such manager; and

(ii) those persons who propose to contract with a lottery gaming facility manager in an amount that exceeds \$250,000 per year for the provision of goods or services related to sports wagering, including any interactive sports wagering platform requested by a lottery gaming facility manager under section 2, and amendments thereto; and

(B) such certification requirement shall include compliance with such security, fitness and background investigations and standards as the executive director deems necessary to determine whether such person's reputation, habits or associations pose a threat to the public interest of the state or to the reputation of, or effective regulation and control of, sports wagering conducted by the lottery gaming facility. Such certification shall be valid for one year from the date of issuance";

On page 92, in line 12, by striking all after "(b)"; by striking all in lines 13 through 16; in line 17, by striking "(c)";

On page 93, following line 36, by inserting:

"Sec. 32. K.S.A. 74-8756 is hereby amended to read as follows: 74-8756. (a) Wagers shall be received only from a person at the location where the electronic gaming machine or lottery facility game is authorized pursuant to the Kansas expanded lottery act. No person present at such location shall place or attempt to place a wager on behalf of another person who is not present at such location.

(b) No employee or contractor of, or other person who has any legal affiliation with, a racetrack gaming facility manager shall loan money to or otherwise extend credit to patrons of the parimutuel licensee.

(c) (1) Except as otherwise provided, no employee or contractor of, or other person who has any legal affiliation with, a lottery gaming facility manager shall loan money to or otherwise extend credit to patrons of a lottery gaming facility.

(2) A patron of a lottery gaming facility may fund an account held by a lottery gaming facility manager for the payment of sports wagers and pay for sports wagers through the use of:

(A) Cash and cash equivalents;

(B) electronic bank transfers of money, including transfers through third parties;

(C) bank and wire transfers of money;

(D) debit and credit cards;

(E) online and mobile application payment systems that support online money transfers;

(F) promotional funds provided by a lottery gaming facility manager; and

(G) any other payment method approved by the Kansas lottery.

(3) Nothing in this subsection shall be construed to prohibit any lottery gaming facility manager from obtaining insurance or check guarantee services to protect against any loss as a result of any check that is returned or otherwise not honored due to a stop payment order or nonsufficient funds.

(d) Violation of this section is a class A nonperson misdemeanor upon a conviction for a first offense. Violation of this section is a severity level 9, nonperson felony upon conviction for a second or subsequent offense.";

On page 94, by striking all in line 24; in line 25, by striking "facility" and inserting "sports wager"; in line 28, by striking the second "or"; by striking all in lines 29 through 43;

On page 95, by striking all in lines 1 through 3; in line 4, by striking all before the period and inserting:

"(3) a lottery gaming facility manager, any director, officer, owner or employee of such manager or any relative living in the same household as such persons who places any wager with the manager at the manager's location or through the manager's interactive sports wagering platform;

(4) an interactive sports wagering platform, any director, officer, owner or employee of such platform or any relative living in the same household as such persons who places any wager with the manager through such platform or at the manager's location, except that nothing in this paragraph shall be construed to prohibit any such person from placing any wager through a lottery gaming facility manager or interactive sports wagering platform with which such person has no affiliation;

(5) any owner, officer, athlete, coach or other employee of a team or any person participating as an individual in any sporting event; or

(6) any director, officer or employee of a player or referee union";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 96, following line 14, by inserting:

"Sec. 36. K.S.A. 74-8772 is hereby amended to read as follows: 74-8772. On or before January 1, 2023, the Kansas racing and gaming commission shall adopt such permanent rules and regulations as the commission deems necessary to carry out the duties and functions of the commission pursuant to the Kansas expanded lottery act. Such Temporary rules and regulations may be adopted by the commission without being subject to the provisions and requirements of K.S.A. 77-415 through 77-438, and amendments thereto, but shall be subject to approval by the attorney general as to legality and shall be filed with the secretary of state and published in the Kansas register. Temporary and permanent rules and regulations shall include, but not be limited to, rules and regulations:

(a) Promoting the integrity of the gaming and finances of lottery gaming facilities and racetrack gaming facilities and shall meet or exceed industry standards for monitoring and controlling the gaming and finances of lottery gaming facility operations and racetrack gaming facility operations and shall give the Kansas racing and gaming commission sufficient authority to monitor and control the gaming operation and to ensure its integrity and security;

(b) prescribing the on-site security arrangements for lottery gaming facilities and racetrack gaming facilities;

(c) requiring reporting of information about any lottery gaming facility manager or racetrack gaming facility manager, and its employees, vendors and finances, necessary or desirable to ensure the security of lottery gaming facility and racetrack gaming facility operations. None of the information disclosed pursuant to this subsection shall be subject to disclosure under the Kansas open records act;

(d) requiring reporting and auditing of financial information of lottery gaming facility managers and racetrack gaming facility managers, including, but not limited to, the reporting of profits or losses incurred by lottery gaming facility managers and racetrack gaming facility managers and the reporting of such other information as the Kansas racing and gaming commission requires to determine compliance with the Kansas expanded lottery act and rules and regulations adopted hereunder. None of the information disclosed pursuant to this subsection shall be subject to disclosure under the Kansas open records act; and

(e) provisions for oversight of all lottery gaming facility operations and racetrack gaming facility operations, including, but not limited to, oversight of internal controls; oversight of security of facilities; performance of background investigations, determination of qualifications and credentialing of employees, contractors and agents of lottery gaming facility managers, ancillary lottery gaming facility operations and racetrack gaming facilities; auditing of lottery gaming facility revenues and net electronic gaming machine income of racetrack gaming facilities; enforcement of all state laws; and maintenance of the integrity of lottery gaming facility and racetrack gaming facility operations.";

On page 112, in line 23, after "(f)" by inserting "On or before January 15, 2023, and each January 15 thereafter, the secretary for aging and disability services shall prepare and submit a report on expenditures from the problem gambling and addictions grant fund to the standing committees on federal and state affairs of the senate and house of representatives.

(g)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 112, in line 42, after the fourth comma by inserting "74-8756,"; also in line 42, after the seventh comma by inserting "74-8772,";

On page 113, in line 1, by striking "and" and inserting a comma; also in line 1, after "21-6507" by inserting "and 21-6508";

And by renumbering sections accordingly;

On page 1, in the title, in line 10, after the second "the" by inserting "attracting professional sports to Kansas fund and the"; in line 11, by striking all after "fund": in line 12, by striking all before the semicolon; in line 14, after the seventh comma by inserting "74-8756,"; in line 15, after the third comma by inserting "74-8772,"; in line 16, by striking the third "and" and inserting a comma; in line 17, after "6507" by inserting "and 21-6508";

And your committee on conference recommends the adoption of this report.

JOHN BARKER
TORY MARIE ARNBERGER
LOUIS RUIZ

Conferees on part of House

ROB OLSON

MIKE PETERSEN

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

Senator Olson moved the Senate adopt the Conference Committee Report on **H Sub Sub SB 84**.

On roll call, the vote was: Yeas 21; Nays 13; Present and Passing 6; Absent or Not Voting 0.

Yeas: Bowers, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Longbine, O'Shea, Olson, Pettey, Pittman, Suellentrop, Sykes, Tyson, Ware, Wilborn.

Nays: Baumgardner, Billinger, Erickson, Gossage, Hilderbrand, McGinn, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson.

Present and Passing: Alley, Claeys, Kerschen, Kloos, Masterson, Warren.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

Mr. President: Kansans are already betting on sports, but many do it through illegal platforms that take money out of our state or they drive to other states from districts like mine on the border to do destination sports betting. Sports betting is not for everyone; some like games like texas hold em, some like slot machines, some like craps, this is just one other avenue for avid players and it is time for us to legalize sports betting in Kansas. I particularly like the ability of local VFW and American Legion halls to enter into marketing agreements to raise extra funds with sports betting. I'm excited to vote yes on **H Sub Sub SB 84**. And I will add that even with Hollywood Casino and the Speedway in my senate district 5, we still have enough space and infrastructure for a new professional football stadium.—JEFF PITTMAN

HCR 5037, A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2022 regular session of the legislature, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5037** was adopted by voice vote.

TRIBUTES

Committee on **Organization, Calendar, and Rules** authorizes the following tributes:

Senator Bowers: congratulating Joyce Campbell on receiving the 2022 Friends and Contributors of Phillipsburg Kids Wrestling Award, congratulating Rich Krause on being named the KRWA 2022 Public Works Director of the Year, congratulating Wes O'Bannon on receiving the 2022 Grain Elevator and Processing Society International Member of Distinction Award;

Senator Faust-Goudeau: honoring the life of Dr. Val Brown, Sr.;

Senator Hawk: congratulating Latoya Whitted-Witcher on being named the 2022 ANCOR Kansas Direct Support Professional of the Year;

Senator Masterson: congratulating Steven Parker on his retirement from the United States Air Force;

Senator O'Shea: celebrating David and Diane Appelhanz's 50th Wedding Anniversary;

Senator Petersen: congratulating Peyton R. Petersen on his academic achievements and also extending best wishes;

Senator Pittman: extending official recognition to Jermaine Wilson for his service to the Leavenworth Community, congratulating Esa Lozoya on achieving the rank of Eagle Scout;

Senator Warren: congratulating Harlan Jack Eitzmann on achieving the rank of Eagle Scout; and

Senator Bowers and Senator Petersen: congratulating Tom Whitaker on his retirement from the Kansas Motor Carriers Association.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Monday, May 23, 2022.

Journal of the Senate

FIFTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, May 23, 2022, 10:00 a.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 37 senators present.

Senators Doll, Hawk and Suellentrop were excused.

Invocation by Reverend Cecil T. Washington:

“No Day Set To Resume Busyness”
2 Corinthians 5:10; 3:13

Heavenly Father, as we look back, thanks for the time You have given us here, although we'll be leaving shortly. The Latin term sine-die means we're leaving with no specific date to be called together again. And Lord, that reminds me of how things of the present tend to parallel things of the future, how issues of time unfold in eternity, how the sine-die of today mirrors the one of the future.

Lord, You have established a final sine-die for all of us, a time when each one of us will individually leave here. But we haven't been told the day or the hour we'll be gathered together again. Yet, Your Word is clear! In 2 Cor. 5:10, You say we must all appear before the judgment seat of Christ so that each of us may receive what is due us for the things done while in the body, whether good or bad.

And in 1 Corinthians 3:13-14, You said the work we do on this side will be shown for what it is. Because its quality will be revealed on the other side. And finally Lord, by faith, let the good of the Christ be counted toward the good of Your people.

I conclude this prayer as we conclude this session, in the precious Name of Jesus, Amen

The Pledge of Allegiance was led by President Masterson.

MESSAGES FROM THE GOVERNOR

H Sub SB 261; SB 366 approved on May 5, 2022.

SB 84, SB 421 approved on May 12, 2022.

SB 313 approved on May 13, 2022.

COMMUNICATIONS FROM STATE OFFICERS

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

State of Kansas Office of the Attorney General FY 2021 Annual Report of the Crime Victims Compensation Board. (May 3, 2022)

Kansas State Board of Education Statewide Longitudinal Data System (SLDS) report. (May 13, 2022)

MESSAGE FROM THE HOUSE

Announcing the House herewith transmits certificate of action by the House of Representatives on **Senate Bill 199**, AN ACT concerning insurance; relating to health insurance; providing for short-term, limited duration health plans; amending K.S.A. 40-2,193 and repealing the existing section.

The veto message from the Governor having been received, members were given the opportunity to reconsider **Senate Bill 199**. No motion being made, the bill did not pass and the veto was sustained.

Announcing the House herewith transmits certificate of action by the House of Representatives on **Senate Bill 493**, AN ACT concerning cities and counties; prohibiting the regulation of plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages.

The veto message from the Governor having been received, members were given the opportunity to reconsider **Senate Bill 493**. No motion being made, the bill did not pass and the veto was sustained.

The Senate recessed to the sound of the gavel.

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

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 19**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2136** 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:

By striking all on pages 2 through 14;

On page 15, by striking all in lines 1 through 23; following line 23, by inserting:

"New Section 1. The provisions of sections 1 through 13, and amendments thereto, shall be known and may be cited as the COVID-19 retail storefront property tax relief act. The purpose of this act shall be to provide refunds to certain businesses impacted by COVID-19 related shutdowns and restrictions during tax years 2020 and 2021 based on a portion of property taxes accrued on retail storefront property.

New Sec. 2. As used in this act:

(a) "Act" means the COVID-19 retail storefront property tax relief act.

(b) (1) "Claimant" means a for-profit business, regardless of legal structure, who has filed a claim under the provisions of this act and who:

(A) Conducts a majority of its retail sales through customers' physical, on-site presence at a retail storefront property;

(B) was in operation on or prior to July 1, 2019, and filed a 2019 tax return;
 (C) had at least \$10,000 in annual revenues, including gross sales and receipts, in 2019;
 (D) received less gross revenue in 2020 or 2021, as applicable, compared to 2019;
 (E) was in active operations as of March 1, 2020; and
 (F) has not received more than a total of \$150,000 in prior COVID-19-related local, state or federal funding or any combination thereof.

(2) "Claimant" shall not include:

- (A) Grocery stores and pharmacies;
- (B) hardware stores and home improvement businesses;
- (C) retail liquor stores;
- (D) manufacturers and food processors;
- (E) schools, such as pre-kindergarten, kindergarten through grade 12, post-secondary, higher education, technical education and training;
- (F) hospitals and healthcare providers, including, but not limited to, physicians, surgeons, psychologists and psychoanalysts, but not including personal services providers such as massage therapists and chiropractors;
- (G) property management and real estate services, including owners or operators of short-term rental properties;
- (H) professional services, including, but not limited to, accounting, insurance, legal, financial services and firms, information technology, engineering and architecture;
- (I) agriculture and aquaculture producers, including farms, ranches and fisheries, but not including their retail storefronts used to conduct retail sales to customers;
- (J) hosts or operators of a vacation or short-term rental unit;
- (K) passive businesses, investment companies and investors who file a schedule E on their individual tax returns;
- (L) financial businesses primarily engaged in the business of lending, such as banks, finance companies and factoring companies;
- (M) cable companies, telephone companies, utilities and other similar businesses; and
- (N) energy production, generation and distribution companies.

(3) When a retail storefront is occupied by two or more businesses and more than one of the businesses is able to qualify as a claimant, the businesses may determine between them as to whom the claimant will be. If they are unable to agree, the matter shall be referred to the secretary of revenue whose decision shall be final.

(c) "Gross rent" means the rental paid at arm's length solely for the right of occupancy of a retail storefront paid to a landlord, as expressly set out in the rental agreement, exclusive of charges for any utilities, services, furniture and furnishings or personal property appliances furnished by the landlord as a part of the rental agreement, whether or not expressly set out in the rental agreement. Whenever the director of taxation finds that the landlord and tenant have not dealt with each other at arm's length and that the gross rent charge was excessive, the director may adjust the gross rent to a reasonable amount for the purpose of the claim.

(d) "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's retail storefront in 2020 or 2021, as applicable, by the state of Kansas and the political and

taxing subdivisions of the state. When a retail storefront is owned by two or more persons or entities as joint tenants or tenants in common and one or more of the persons or entities is not a part of claimant's business, "property taxes accrued" is that part of property taxes levied on the retail storefront that reflects the ownership percentage of the claimant's business. For purposes of this act, property taxes are "levied" when the tax roll is delivered to the local treasurer with the treasurer's warrant for collection. When a claimant owns its retail storefront part of a calendar year, "property taxes accrued" means only taxes levied on the retail storefront when both owned and occupied as a retail storefront by the claimant's business at the time of the levy, multiplied by the percentage of 12 months that the property was owned and occupied by the business as its retail storefront in the year. When a business owns and occupies two or more different retail storefronts in the same calendar year, property taxes accrued shall be the sum of the taxes allocable to those several properties while occupied by the business as its retail storefront during the year. Whenever a retail storefront is an integral part of a larger unit such as a multi-purpose or multi-retail storefront building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the retail storefront is of the total value. For the purpose of this act, the word "unit" refers to that parcel of property covered by a single tax statement of which the retail storefront is a part.

(e) "Rent constituting property taxes accrued" means 15% of the gross rent actually paid in cash or its equivalent in 2020 or 2021, as applicable, by a claimant solely for the right of occupancy of a retail storefront on which ad valorem property taxes were levied in full for that year. When a claimant occupies two or more different retail storefronts in the same calendar year, rent constituting property taxes accrued shall be computed by adding the rent constituting property taxes accrued for each property rented by the claimant while occupied by the claimant as its retail storefront during the year.

(f) "Retail storefront" means the real property in this state, whether owned or rented, that is occupied by the claimant's business and where the claimant conducts retail sales through customers' physical, on-site presence. "Retail storefront" may consist of a part of a multi-purpose or multi-retail storefront building. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

New Sec. 3. (a) For tax years 2020 and 2021, a claimant shall be eligible for a claim for refund under this act if the claimant's eligible business operated at the retail storefront was operationally shut down or restricted by a COVID-19-related order or action imposed by the state, a local unit of government or a local health officer, including, but not limited to, by an executive order issued by the governor pursuant to K.S.A. 48-925, and amendments thereto, or any action taken by a local unit of government related to a state of disaster emergency declared 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.

(b) The amount of refund under this act shall be equal to 33% of the COVID-19 qualifying sum. The COVID-19 qualifying sum shall be the sum of the COVID-19 ordered shutdown days gross rebate amount calculated pursuant to subsection (c) and the COVID-19 ordered restricted operations days gross rebate amount calculated pursuant to subsection (d).

(c) The COVID-19 ordered shutdown days gross rebate amount shall be the amount

of the claimant's property taxes accrued or rent constituting property taxes accrued for the tax year divided by the applicable factor set forth in the following schedule:

Number of ordered shutdown days	Divide property taxes accrued or rent constituting property taxes accrued by:
91 or more	3
61 to 90	4
31 to 60	6
1 to 30	12

(d) The COVID-19 ordered restricted operations days gross rebate amount shall be the amount of the claimant's property taxes accrued or rent constituting property taxes accrued for the tax year divided by the applicable factor set forth in the following schedule:

Number of ordered restricted operations days	Divide property taxes accrued or rent constituting property taxes accrued by:
211 or more	2
181 to 210	2.289
151 to 180	2.667
121 to 150	3.2
91 to 120	4
61 to 90	5.333
31 to 60	8
1 to 30	16

(e) For purposes of subsections (c) and (d), an eligible calendar day may be counted only once as either an ordered shutdown day or an ordered restricted operations day.

(f) A claimant with a qualifying business at a retail storefront that ceased operations after March 1, 2020, and before January 1, 2021, is eligible for a rebate only for tax year 2020.

(g) The maximum amount of a refund that may be claimed by a claimant in any single tax year pursuant to this act shall be \$5,000 per retail storefront.

New Sec. 4. A claimant may claim property tax relief under this act with respect to property taxes accrued or rent constituting property taxes accrued and, after audit by the director of taxation with respect to this act, the allowable amount of such claim shall be paid, except as otherwise provided in section 9, and amendments thereto, to the claimant from the American rescue plan-state fiscal relief-federal fund. Such payment shall be made upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation, but no warrant issued shall be drawn in an amount of less than \$5. No interest shall be allowed on any payment made to a claimant pursuant to this act.

New Sec. 5. Only one claimant per retail storefront per year shall be entitled to relief under this act.

New Sec. 6. For tax years 2020 and 2021, no claim shall be paid or allowed unless such claim is filed with and in the possession of the department of revenue on or before April 15, 2023, except that the director of taxation may extend the time for filing any claim or accept a claim filed after the filing deadline when good cause exists, if the

claim has been filed within four years of the deadline.

New Sec. 7. (a) In administering this act, the director of taxation shall make available suitable forms with instructions for claimants.

(b) 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 act.

New Sec. 8. (a) Every claimant under this act shall provide to the director of taxation, in support of a claim, reasonable proof of eligibility for the refund.

(b) Every claimant who is a retail storefront owner, or whose claim is based wholly or partly upon retail storefront ownership at some time during the calendar year, shall supply to the director of taxation, in support of a claim, the amount of property taxes levied upon the property claimed as a retail storefront and a statement that the property taxes accrued used for purposes of this act have been or will be paid by the claimant. Upon request by the director, such claimant shall provide a copy of the statement of property taxes levied upon the property claimed as a retail storefront.

(c) Every claimant who is a retail storefront renter, or whose claim is based wholly or partly upon retail storefront rental at some time during the calendar year, shall supply to the division, in support of a claim, a statement prescribed by the director certifying the amount of gross rent paid and that ad valorem property taxes were levied in full for that year on the property, all or a part of which was rented by the claimant.

(d) The information required to be furnished under subsection (b) or (c) shall be in addition to that required under subsection (a).

New Sec. 9. (a) The amount of any claim otherwise payable under this act may be applied by the director of taxation against any liability outstanding on the books of the department of revenue against the claimant in the year that the claim relates.

(b) If there are delinquent property taxes for tax year 2020 or 2021 on a retail storefront owned by the claimant, the refund shall be paid to the county treasurer of the county in which such retail storefront is located and applied to such delinquent property taxes.

New Sec. 10. If there are delinquent property taxes for a tax year commencing prior to January 1, 2020, on a retail storefront owned by the claimant, the claimant shall not be eligible for the refund pursuant to this act for such retail storefront.

New Sec. 11. In any case in which it is determined that a claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full, and, if the claim has been paid, the amount paid may be recovered by assessment as income taxes are assessed, and such assessment shall bear interest from the date of payment or credit of the claim, until recovered, at the rate of 1% per month. The claimant in such case and any person who assisted in the preparation or filing of such excessive claim or supplied information upon which such excessive claim was prepared, with fraudulent intent, shall be guilty of a class B misdemeanor. In any case in which it is determined that a claim is or was excessive and was negligently prepared, 10% of the corrected claim shall be disallowed, and, if the claim has been paid, the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed, and such assessment shall bear interest at the rate of 1% per month from the date of payment until recovered. In any case in which it is determined that a claim is or was excessive due to the fact that the claimant neglected to include certain income received during the year, the claim shall be corrected and the excess disallowed, and, if the claim has been paid, the proper portion of any amount paid shall be similarly recovered by assessment

as income taxes are assessed.

New Sec. 12. A claim shall be disallowed if the director of taxation finds that the claimant received title to such claimant's retail storefront primarily for the purpose of receiving benefits under this act.

New Sec. 13. To the extent applicable, the provisions of K.S.A. 79-3226, and amendments thereto, shall apply to claims for refunds allowable pursuant to this act that may become in dispute.

Sec. 14. K.S.A. 2021 Supp. 12-187, as amended by section 28 of 2021 House Bill No. 2239, 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, 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.

(I) 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 Wabaunsee 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 Wabaunsee 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.

(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. 15. K.S.A. 2021 Supp. 12-189, as amended by section 29 of 2021 House Bill No. 2239, 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 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%; ~~and~~

(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%.

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. 16. K.S.A. 2021 Supp. 12-192, as amended by section 30 of 2021 House Bill No. 2239, 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) ~~and~~, (33) ~~and~~ (34), 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. 17. K.S.A. 2021 Supp. 79-3602, as amended by section 44 of 2021 House Bill No. 2239, is hereby amended to read as follows: 79-3602. 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" 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) (i) prior to July 1, 2023, delivery charges; and
(ii) on and after July 1, 2023, delivery charges that are not separately stated on the invoice, bill of sale or similar document given to the purchaser; 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;

(E) 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) commencing on July 1, 2023, delivery charges that are separately stated on the invoice, bill of sale or similar document given to the purchaser.

(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, K.S.A. 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.

Sec. 18. K.S.A. 79-3607 is hereby amended to read as follows: 79-3607. (a) Retailers shall make returns to the director at the times prescribed by this section in the manner prescribed by the director, including electronic filing, upon forms or format prescribed by the director stating: (1) The name and address of the retailer; (2) the total amount of gross sales of all tangible personal property and taxable services rendered by the retailer during the period for which the return is made; (3) the total amount received during the period for which the return is made on charge and time sales of tangible personal property made and taxable services rendered prior to the period for which the return is made; (4) deductions allowed by law from such total amount of gross sales and from total amount received during the period for which the return is made on such charge and time sales; (5) receipts during the period for which the return is made from the total amount of sales of tangible personal property and taxable services rendered during such period in the course of such business, after deductions allowed by law have been made; (6) receipts during the period for which the return is made from charge and time sales of tangible personal property made and taxable services rendered prior to such period in the course of such business, after deductions allowed by law have been made; (7) gross receipts during the period for which the return is made from sales of tangible personal property and taxable services rendered in the course of such business upon the basis of which the tax is imposed. The return shall include such other pertinent information as the director may require. In making such return, the retailer shall determine the market value of any consideration, other than money, received in connection with the sale of any tangible personal property in the course of the business and shall include such value in the return. Such value shall be subject to review and revision by the director as hereinafter provided. Refunds made by the retailer during the period for which the return is made on account of tangible personal property returned to the retailer shall be allowed as a deduction under paragraph (4) ~~of this section~~ in case the retailer has theretofore included the receipts from such sale in a return made by such retailer and paid taxes therein imposed by this act. The retailer shall, at the time of making such return, pay to the director the amount of tax herein imposed, except as otherwise provided in this section. The director may extend the time for making returns and paying the tax required by this act for any period not to exceed 60 days under such rules and regulations as the secretary of revenue may prescribe.

(b) ~~(1)~~ When the total tax for which any retailer is liable under this act, does not exceed the sum of \$400 in any calendar year, the retailer shall file an annual return on or before January 25 of the following year. When the total tax liability does not exceed \$4,000 in any calendar year, the retailer shall file returns quarterly on or before the 25th day of the month following the end of each calendar quarter. When the total tax liability exceeds \$4,000 in any calendar year, the retailer shall file a return for each month on or

before the 25th day of the following month. ~~When the total tax liability exceeds \$40,000 in any calendar year, the retailer shall be required to pay the sales tax liability for the first 15 days of each month to the director on or before the 25th day of that month. Any such payment shall accompany the return filed for the preceding month. A retailer will be considered to have complied with the requirements to pay the first 15 days' liability for any month if, on or before the 25th day of that month, the retailer paid 90% of the liability for that fifteen day period, or 50% of such retailer's liability in the immediate preceding calendar year for the same month as the month in which the fifteen day period occurs computed at the rate applicable in the month in which the fifteen day period occurs, and, in either case, paid any underpayment with the payment required on or before the 25th day of the following month. Such retailers shall pay their sales tax liabilities for the remainder of each such month at the time of filing the return for such month. The provisions of this paragraph shall expire on December 31, 2023.~~

(2) On and after January 1, 2024, the retailer shall file:

(A) An annual return on or before January 25 of the following year when the total tax for which any retailer is liable under this act does not exceed the sum of \$1,000 in any calendar year;

(B) returns quarterly on or before the 25th day of the month following the end of each calendar quarter when the total tax liability does not exceed \$5,000 in any calendar year; or

(C) a return for each month on or before the 25th day of the following month when the total tax liability exceeds \$5,000 in any calendar year.

(3) Determinations of amounts of liability in a calendar year for purposes of determining filing requirements shall be made by the director upon the basis of amounts of liability by those retailers during the preceding calendar year or by estimates in cases of retailers having no previous sales tax histories. The director is hereby authorized to modify the filing schedule for any retailer when it is apparent that the original determination was inaccurate.

~~(b)(c)~~ All model 1, model 2 and model 3 sellers are required to file returns electronically. Any model 1, model 2 or model 3 seller may submit its sales and use tax returns in a simplified format approved by the director. Any seller that is registered under the agreement, which does not have a legal requirement to register in this state, and is not a model 1, model 2 or model 3 seller, may submit its sales and use tax returns as follows:

(1) Upon registration, the director shall provide to the seller the returns required;
 (2) seller shall file a return anytime within one year of the month of initial registration, and future returns are required on an annual basis in succeeding years; and

(3) in addition to the returns required in subsection ~~(b)(2)(c)(2)~~, sellers are required to submit returns in the month following any month in which they have accumulated state and local sales tax funds for this state in the amount of \$1,600 or more.

Sec. 19. K.S.A. 79-3607 and 79-3607, as amended by section 3 of chapter 83 of the 2021 Session Laws of Kansas, and K.S.A. 2021 Supp. 12-187, as amended by section 28 of 2021 House Bill No. 2239, 12-189, as amended by section 29 of 2021 House Bill No. 2239, 12-192, as amended by section 30 of 2021 House Bill No. 2239, and 79-3602, as amended by section 44 of 2021 House Bill No. 2239, are hereby repealed.";

Also on page 15, in line 25, 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 13; in line 14, by striking all before the period and inserting "taxation; relating to property tax; establishing the COVID-19 retail storefront property tax relief act to provide partial refunds to certain businesses impacted by COVID-19-related shutdowns and restrictions; relating to sales and compensating use tax; increasing thresholds for timing of returns and payments; discontinuing the first 15 days of the month remittance requirements for certain retailers; providing countywide retailers' sales tax authority for Atchison county; delaying implementation of exclusion of separately stated delivery charges from sales or selling price; amending K.S.A. 79-3607 and K.S.A. 2021 Supp. 12-187, as amended by section 28 of 2021 House Bill No. 2239, 12-189, as amended by section 29 of 2021 House Bill No. 2239, 12-192, as amended by section 30 of 2021 House Bill No. 2239, and 79-3602, as amended by section 44 of 2021 House Bill No. 2239, and repealing the existing sections; also repealing K.S.A. 79-3607, as amended by section 3 of chapter 83 of the 2021 Session Laws of Kansas";

And your committee on conference recommends the adoption of this report.

CARYN TYSON

VIRGIL PECK

Conferees on part of Senate

ADAM SMITH

LES MASON

Conferees on part of House

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2136**.

On roll call, the vote was: Yeas 35; Nays 0; Present and Passing 0; Absent or Not Voting 5.

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

Absent or Not Voting: Doll, Hawk, McGinn, Steffen, Suellentrop.

The Conference Committee Report was adopted.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Alley, Steffen and Thompson introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1734 –

A RESOLUTION disapproving the proposed amendments to the international health regulations of the World Health Organization offered by President Biden's administration.

WHEREAS, In March 2020, the World Health Organization (WHO) encouraged democratic nations to impose lockdowns, mandates, vaccine passports and digital "health" surveillance among other measures; and

WHEREAS, The WHO has openly stated that such measures like digital vaccine passports can be used for purposes other than healthcare, such as employment,

university education and international travel regulation; and

WHEREAS, On January 18, 2022, the administration of President Joe Biden proposed extensive amendments to the International Health Regulations of the WHO without any official statement or press conference; and

WHEREAS, If approved, such amendments would allow the WHO to unilaterally declare an international health emergency in a member nation, and such declaration could then be used to justify economic and financial actions against the targeted nation by other countries aligned with WHO that wish to harm or control the targeted nation; and

WHEREAS, The proposed amendments would reduce the time period for a nation to withdraw its approval of the amendments from 18 months to 6 months; and

WHEREAS, The proposed amendments were not made public until April 12, 2022; and

WHEREAS, During the week of May 22, 2022, the World Health Assembly is meeting to vote on the proposed amendments: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the amendments to the International Health Regulations of the WHO offered by the Biden administration are strongly disapproved as they will ultimately hand over the United States' national sovereignty and authority to the WHO and place our democratic nation in the control of an unelected international organization that is wholly unaccountable to the people of this country; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to United States President Joe Biden, the World Health Organization, the Governor and the Secretary of the Department of Health and Environment.

On emergency motion of Senator Thompson **SR 1734** was adopted by voice vote.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 19** 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. 19, as follows:

On page 1, in line 16, by striking "Crisis-receiving and" and inserting "Crisis"; in line 17, after "services" by inserting "of up to 72 hours";

On page 2, in line 34, by striking "crisis-receiving and" and inserting "crisis";

On page 3, in line 16, by striking all after "fund"; by striking all in line 17; in line 18, by striking all before the semicolon and inserting "payment for crisis stabilization services provided to an individual in direct response to a hotline center call if such individual is uninsured or such services are not covered by such individual's insurance"; in line 31, by striking "crisis-receiving and" and inserting "crisis";

On page 4, in line 3, by striking "crisis-receiving and" and inserting "crisis";

On page 5, in line 6, after "(c)" by inserting "(1)"; in line 8, by striking "(1)" and inserting "(A)"; in line 11 by striking "(2)" and inserting "(B)"; following line 17, by inserting:

"(2) Moneys credited to the fund shall not be used to pay expenses that are attributed to persons or entities who are domiciled outside of this state.";

Also on page 5, in line 31, by striking all after the period; by striking all in line 32;

On page 6, in line 36, by striking "15" and inserting "11"; in line 38, by striking "13" and inserting "Nine"; in line 39, by striking "Two members" and inserting "One member";

On page 7, in line 6, by striking all after "(vii)"; by striking all in line 7; in line 8, by striking "(viii)"; in line 10, by striking "two members" and inserting "one member"; in line 12, by striking "two members" and inserting "one member"; in line 25, by striking all after "(D)"; in line 26, by striking "(E)"; in line 28, after the semicolon by inserting "and"; by striking all in lines 29 through 32; in line 33 by striking "(I)" and inserting "(F)"; in line 37, by striking "13" and inserting "nine"; in line 38 by striking "five" and inserting "three"; in line 39, by striking "five" and inserting "three";

On page 8, following line 30, by inserting:

"(h) The provisions of this section shall expire on July 1, 2026.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

Conferees on part of Senate

Senator Hilderbrand moved the Senate adopt the Conference Committee Report on **H Sub SB 19**.

On roll call, the vote was: Yeas 25; Nays 2; Present and Passing 9; Absent or Not Voting 4.

Yeas: Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Fagg, Faust-Goudeau, Francisco, Haley, Hilderbrand, Holland, Holscher, Kloos, Longbine, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Ryckman, Sykes, Ware, Wilborn.

Nays: Straub, Thompson.

Present and Passing: Alley, Erickson, Gossage, Kerschen, Masterson, Peck, Pyle, Tyson, Warren.

Absent or Not Voting: Doll, Hawk, Steffen, Suellentrop.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

Mr. President: I personally know 6 persons who have taken their lives. They have been friends, co-workers, extended family members and classmates. I understand the impact suicide can have on everyone left behind. As such, I am very sensitive to the need to address suicide prevention. However, this bill goes far beyond that goal, and creates a massive new layer of bureaucracy that is costly and unnecessary. In addition, there were no hearings on this bill in the Senate, so we did not have a chance to weigh in with amendments that would have improved the bill and allow my fellow Senators the chance to fully understand what they were being asked to vote on. Federal grant

money has already been sent to counties to entice the to establish an infrastructure for the 988 hotline in advance of approval by the legislature. So, it already sets the stage for the state to be on the hook for more costs than the fiscal note indicated as the Federal grant money is set to expire this summer. This bill is a monstrosity that should have been pared significantly. Therefore, I vote "NO."—MIKE THOMPSON

MESSAGES FROM THE HOUSE

Announcing the House here with transmits the veto message from the Governor, together with the enrolled copy of **HB 2252**, AN ACT concerning elections; prohibiting the modification of election laws by agreement except as approved by the legislature; amending K.S.A. 25-125 and repealing the existing section, which was received on May 13, 2022 and read on May 23, 2022.

“Elected officials must be able to perform their job duties effectively and efficiently. By prohibiting executive branch officers, including the Governor, Secretary of State, and Attorney General, from entering into agreements regarding the enforcement of election law, this bill prevents the executive branch from fulfilling its constitutional duties. House Bill 2252 represents an overreach by the legislative branch that defies the separation of powers – a principle fundamental to a working democracy. If passed, it would also lead to costly litigation at the expense of Kansas taxpayers.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2252.”

THE GOVERNOR’S OFFICE

BY THE GOVERNOR

LAURA KELLY

Dated: May 13, 2022

A motion was made that **HB 2252** be passed notwithstanding the Governor's veto. By vote of 84 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.

Announcing the House here with transmits the veto message from the Governor, together with the enrolled copy of **HB 2387**, AN ACT concerning the executive branch; relating to actions by state agencies and the governor; prohibiting the issuance of a request for proposal or entering into a new contract for the administration and provision of benefits under the medical assistance program; relating to the Kansas emergency management act; removing the authority of the governor to prohibit attending or conducting certain religious services and worship services; amending K.S.A. 2021 Supp. 48-925 and repealing the existing section., which was received on May 13, 2022 and read on May 23, 2022

“Having a transparent, competitive bidding process is key to ensuring that our state contracts provide the most value to Kansas taxpayers while using the latest technology and best practices. This is not only good for the State of Kansas, but also for our current MCOs and the people they serve.

The language included in HB 2387 regarding the current MCO contracts is a product of closed-door dealings to push legislation that did not have a single proponent. There is little question that this effort is fraught with legal issues and jeopardizes our Medicaid program. HB 2387 prohibits the state Medicaid agency from pursuing the state’s independent procurement process and, by doing so, functionally provides the current MCOs with a no-bid, multi-billion-dollar contract.

We must favor transparency and fair competition over attempts to re-insert corruption into the state contracting process.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto HB 2387.”

THE GOVERNOR’S OFFICE

BY THE GOVERNOR

LAURA KELLY

Dated: May 13, 2022

A motion was made that **HB 2387** be passed notwithstanding the Governor's veto. By vote of 84 Yeas and 38 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 a line item veto message from the Governor, together with the enrolled copy of **HB 2510**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2022, 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; amending K.S.A. 2021 Supp. 76-1959 and repealing the existing section., received on May 16, 2022 and read on May 23, 2022.

House Bill 2510 represents additional progress toward fulfilling many of the priorities that I set forth in January and that have been made possible only through our bipartisan work together over the past four years. Building on House Substitute for Substitute for Senate Bill 267, this bill provides additional investments in higher education, economic development, mental health, senior services, and veterans while leaving sufficient funding to provide over \$1 billion in tax relief to Kansans through the legislation that I have signed to cut property taxes and axe the state’s sales tax on groceries.

Some of the key investments in this legislation include improved access to mental healthcare, increased funding for senior nutrition, expanded training opportunities to prevent child abuse, and measures that build on our successful work to reduce the number of children who enter the foster care system. This bill includes additional investments in our regional universities and community and technical colleges, which are critical to our efforts to expand our workforce in the state of Kansas. And this budget ensures that all state employees will receive a pay increase of at least 5% this year in recognition of their service to the state.

Finally, due to our strong economic growth and unprecedented ending balances, this budget will allow us to pay off over \$1 billion in debt over the next year.

Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return House Bill 2510 with my signature, except for the item enumerated below.

State Board of Regents—Proviso Allowing Universities to Raise Tuition

Section 36(b) has been vetoed in its entirety.

In my initial budget, I recommended \$45.7 million in operating grant funding to higher education with the understanding that universities would freeze tuition. In addition to that, I allocated \$23.9 million in funding for salaries. While the original operating grant funding has been reduced to an increase of \$37.5 million in the final passed budget, overall, higher education in the state of Kansas is set to receive \$1

billion this fiscal year. This is a historic investment that I am proud to support by approving the additional higher education funding included in HB 2510.

As a result of this significant infusion of new funding, I believe that the Regents institutions will be able to continue to hold tuition flat, making college more affordable for Kansans of all backgrounds. This is especially important if we, as a state, are going to provide the workforce needed to fully actualize the benefits and opportunities of our recent economic growth.

THE GOVERNOR'S OFFICE

BY THE GOVERNOR

LAURA KELLY

Dated: May 13, 2022

ACTION ON VETO MESSAGE

Senator Olson moved **S Sub HB 2252**, AN ACT concerning elections; prohibiting the modification of election laws by agreement except as approved by the legislature; amending K.S.A. 25-125 and repealing the existing section, be passed not withstanding the Governor's veto.

On roll call, the vote was: Yeas 27; Nays 10; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: Doll, Hawk, Suellentrop.

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

Senator Wilborn moved **HB 2387**, AN ACT concerning the executive branch; relating to actions by state agencies and the governor; prohibiting the issuance of a request for proposal or entering into a new contract for the administration and provision of benefits under the medical assistance program; relating to the Kansas emergency management act; removing the authority of the governor to prohibit attending or conducting certain religious services and worship services; amending K.S.A. 2021 Supp. 48-925 and repealing the existing section, be passed not withstanding the Governor's veto.

On roll call, the vote was: Yeas 27; Nays 10; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Sykes, Ware.

Absent or Not Voting: Doll, Hawk, Suellentrop.

Two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

EXPLANATION OF VOTE

Mr. President: I am surprised there was no mention of the thousands of Kansans that are on the wait-list during our veto override debate of CCR 2387. These are Kansans that are still waiting to receive services. Those of us that have served on our various interim and regular session meetings know that parents and individuals on the wait-list have not been contacted in at least four years to verify what the specific service needs still exist for wait-listed Kansans. I vote 'yes' – in part – because it will allow the leadership in KDADs and DCF to identify the real needs of wait-listed Kansans during the time that the RFP process is delayed.—MOLLY BAUMGARDNER

Mr President: **HB 2387** has a piece I could support with regard to symbolically clarifying one of our constitutional rights to religion, especially if it was a little more thoughtful. However the very questionable aspect of this bill is the restriction of the state contracts renegotiations for our Medicaid providers. By arbitrarily limiting the current administration ability in what has been a standard cycle of renegotiations to this point and with an administration that has four years of learnings, this bill functionally provides the current MCO's with effectively an extra year-long no-bid, multi-billion-dollar contract by restricting the ability to ask for other bids. **HB 2387** unnecessarily opens the contract process to partisan politics before a major gubernatorial election, giving at a minimum the appearance of potential corruption, major conflicts of interest and especially with the billions of dollars at stake, especially given the closed door dealings of how this legislation came to us today through a less than transparent process. I vote "NO."—JEFF PITTMAN

Senator Pettey requests the record to show she concurs with the "Explanation of Vote" offered by Senator Pittman on **HB 2387**.

Mr. President: We heard from people all across Kansas who were concerned about the loss of their First Amendment rights due to government overreach and the imposition of COVID-19 mandates. We must stand against any further government overreach and restrictions on First Amendment rights, particularly the free exercise of religion. I vote Yes. —KELLIE WARREN

ORIGINAL MOTION

Senator Tyson 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: **S Sub HB 2597**. On roll call the motion was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2597** 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. 2597, as follows:

On page 1, by striking all in lines 17 through 36;

By striking all on pages 2 through 9;

On page 10, by striking all in lines 1 through 17; following line 17, by inserting:

"New Section 1. The provisions of sections 1 through 13, and amendments thereto,

shall be known and may be cited as the COVID-19 retail storefront property tax relief act. The purpose of this act shall be to provide refunds to certain businesses impacted by COVID-19 related shutdowns and restrictions during tax years 2020 and 2021 based on a portion of property taxes accrued on retail storefront property.

New Sec. 2. As used in this act:

- (a) "Act" means the COVID-19 retail storefront property tax relief act.
- (b) (1) "Claimant" means a for-profit business, regardless of legal structure, who has filed a claim under the provisions of this act and who:
 - (A) Conducts a majority of its retail sales through customers' physical, on-site presence at a retail storefront property;
 - (B) was in operation on or prior to July 1, 2019, and filed a 2019 tax return;
 - (C) had at least \$10,000 in annual revenues, including gross sales and receipts, in 2019;
 - (D) received less gross revenue in 2020 or 2021, as applicable, compared to 2019;
 - (E) was in active operations as of March 1, 2020; and
 - (F) has not received more than a total of \$150,000 in prior COVID-19-related local, state or federal funding or any combination thereof.
- (2) "Claimant" shall not include:
 - (A) Grocery stores and pharmacies;
 - (B) hardware stores and home improvement businesses;
 - (C) retail liquor stores;
 - (D) manufacturers and food processors;
 - (E) schools, such as pre-kindergarten, kindergarten through grade 12, post-secondary, higher education, technical education and training;
 - (F) hospitals and healthcare providers, including, but not limited to, physicians, surgeons, psychologists and psychoanalysts, but not including personal services providers such as massage therapists and chiropractors;
 - (G) property management and real estate services, including owners or operators of short-term rental properties;
 - (H) professional services, including, but not limited to, accounting, insurance, legal, financial services and firms, information technology, engineering and architecture;
 - (I) agriculture and aquaculture producers, including farms, ranches and fisheries, but not including their retail storefronts used to conduct retail sales to customers;
 - (J) hosts or operators of a vacation or short-term rental unit;
 - (K) passive businesses, investment companies and investors who file a schedule E on their individual tax returns;
 - (L) financial businesses primarily engaged in the business of lending, such as banks, finance companies and factoring companies;
 - (M) cable companies, telephone companies, utilities and other similar businesses; and
 - (N) energy production, generation and distribution companies.
- (3) When a retail storefront is occupied by two or more businesses and more than one of the businesses is able to qualify as a claimant, the businesses may determine between them as to whom the claimant will be. If they are unable to agree, the matter shall be referred to the secretary of revenue whose decision shall be final.
- (c) "Gross rent" means the rental paid at arm's length solely for the right of

occupancy of a retail storefront paid to a landlord, as expressly set out in the rental agreement, exclusive of charges for any utilities, services, furniture and furnishings or personal property appliances furnished by the landlord as a part of the rental agreement, whether or not expressly set out in the rental agreement. Whenever the director of taxation finds that the landlord and tenant have not dealt with each other at arm's length and that the gross rent charge was excessive, the director may adjust the gross rent to a reasonable amount for the purpose of the claim.

(d) "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's retail storefront in 2020 or 2021, as applicable, by the state of Kansas and the political and taxing subdivisions of the state. When a retail storefront is owned by two or more persons or entities as joint tenants or tenants in common and one or more of the persons or entities is not a part of claimant's business, "property taxes accrued" is that part of property taxes levied on the retail storefront that reflects the ownership percentage of the claimant's business. For purposes of this act, property taxes are "levied" when the tax roll is delivered to the local treasurer with the treasurer's warrant for collection. When a claimant owns its retail storefront part of a calendar year, "property taxes accrued" means only taxes levied on the retail storefront when both owned and occupied as a retail storefront by the claimant's business at the time of the levy, multiplied by the percentage of 12 months that the property was owned and occupied by the business as its retail storefront in the year. When a business owns and occupies two or more different retail storefronts in the same calendar year, property taxes accrued shall be the sum of the taxes allocable to those several properties while occupied by the business as its retail storefront during the year. Whenever a retail storefront is an integral part of a larger unit such as a multi-purpose or multi-retail storefront building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the retail storefront is of the total value. For the purpose of this act, the word "unit" refers to that parcel of property covered by a single tax statement of which the retail storefront is a part.

(e) "Rent constituting property taxes accrued" means 15% of the gross rent actually paid in cash or its equivalent in 2020 or 2021, as applicable, by a claimant solely for the right of occupancy of a retail storefront on which ad valorem property taxes were levied in full for that year. When a claimant occupies two or more different retail storefronts in the same calendar year, rent constituting property taxes accrued shall be computed by adding the rent constituting property taxes accrued for each property rented by the claimant while occupied by the claimant as its retail storefront during the year.

(f) "Retail storefront" means the real property in this state, whether owned or rented, that is occupied by the claimant's business and where the claimant conducts retail sales through customers' physical, on-site presence. "Retail storefront" may consist of a part of a multi-purpose or multi-retail storefront building. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

New Sec. 3. (a) For tax years 2020 and 2021, a claimant shall be eligible for a claim for refund under this act if the claimant's eligible business operated at the retail storefront was operationally shut down or restricted by a COVID-19-related order or action imposed by the state, a local unit of government or a local health officer, including, but not limited to, by an executive order issued by the governor pursuant to

K.S.A. 48-925, and amendments thereto, or any action taken by a local unit of government related to a state of disaster emergency declared 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.

(b) The amount of refund under this act shall be equal to 33% of the COVID-19 qualifying sum. The COVID-19 qualifying sum shall be the sum of the COVID-19 ordered shutdown days gross rebate amount calculated pursuant to subsection (c) and the COVID-19 ordered restricted operations days gross rebate amount calculated pursuant to subsection (d).

(c) The COVID-19 ordered shutdown days gross rebate amount shall be the amount of the claimant's property taxes accrued or rent constituting property taxes accrued for the tax year divided by the applicable factor set forth in the following schedule:

Number of ordered shutdown days	Divide property taxes accrued or rent constituting property taxes accrued by:
91 or more	3
61 to 90	4
31 to 60	6
1 to 30	12

(d) The COVID-19 ordered restricted operations days gross rebate amount shall be the amount of the claimant's property taxes accrued or rent constituting property taxes accrued for the tax year divided by the applicable factor set forth in the following schedule:

Number of ordered restricted operations days	Divide property taxes accrued or rent constituting property taxes accrued by:
211 or more	2
181 to 210	2.289
151 to 180	2.667
121 to 150	3.2
91 to 120	4
61 to 90	5.333
31 to 60	8
1 to 30	16

(e) For purposes of subsections (c) and (d), an eligible calendar day may be counted only once as either an ordered shutdown day or an ordered restricted operations day.

(f) A claimant with a qualifying business at a retail storefront that ceased operations after March 1, 2020, and before January 1, 2021, is eligible for a rebate only for tax year 2020.

(g) The maximum amount of a refund that may be claimed by a claimant in any single tax year pursuant to this act shall be \$5,000 per retail storefront.

New Sec. 4. A claimant may claim property tax relief under this act with respect to property taxes accrued or rent constituting property taxes accrued and, after audit by the director of taxation with respect to this act, the allowable amount of such claim shall be paid, except as otherwise provided in section 9, and amendments thereto, to the claimant from the American rescue plan-state fiscal relief-federal fund. Such payment

shall be made upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation, but no warrant issued shall be drawn in an amount of less than \$5. No interest shall be allowed on any payment made to a claimant pursuant to this act.

New Sec. 5. Only one claimant per retail storefront per year shall be entitled to relief under this act.

New Sec. 6. For tax years 2020 and 2021, no claim shall be paid or allowed unless such claim is filed with and in the possession of the department of revenue on or before April 15, 2023, except that the director of taxation may extend the time for filing any claim or accept a claim filed after the filing deadline when good cause exists, if the claim has been filed within four years of the deadline.

New Sec. 7. (a) In administering this act, the director of taxation shall make available suitable forms with instructions for claimants.

(b) 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 act.

New Sec. 8. (a) Every claimant under this act shall provide to the director of taxation, in support of a claim, reasonable proof of eligibility for the refund.

(b) Every claimant who is a retail storefront owner, or whose claim is based wholly or partly upon retail storefront ownership at some time during the calendar year, shall supply to the director of taxation, in support of a claim, the amount of property taxes levied upon the property claimed as a retail storefront and a statement that the property taxes accrued used for purposes of this act have been or will be paid by the claimant. Upon request by the director, such claimant shall provide a copy of the statement of property taxes levied upon the property claimed as a retail storefront.

(c) Every claimant who is a retail storefront renter, or whose claim is based wholly or partly upon retail storefront rental at some time during the calendar year, shall supply to the division, in support of a claim, a statement prescribed by the director certifying the amount of gross rent paid and that ad valorem property taxes were levied in full for that year on the property, all or a part of which was rented by the claimant.

(d) The information required to be furnished under subsection (b) or (c) shall be in addition to that required under subsection (a).

New Sec. 9. (a) The amount of any claim otherwise payable under this act may be applied by the director of taxation against any liability outstanding on the books of the department of revenue against the claimant in the year that the claim relates.

(b) If there are delinquent property taxes for tax year 2020 or 2021 on a retail storefront owned by the claimant, the refund shall be paid to the county treasurer of the county in which such retail storefront is located and applied to such delinquent property taxes.

New Sec. 10. If there are delinquent property taxes for a tax year commencing prior to January 1, 2020, on a retail storefront owned by the claimant, the claimant shall not be eligible for the refund pursuant to this act for such retail storefront.

New Sec. 11. In any case in which it is determined that a claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full, and, if the claim has been paid, the amount paid may be recovered by assessment as income taxes are assessed, and such assessment shall bear interest from the date of payment or credit of the claim, until recovered, at the rate of 1% per month. The claimant in such case and any person who assisted in the preparation or filing of such excessive claim or supplied

information upon which such excessive claim was prepared, with fraudulent intent, shall be guilty of a class B misdemeanor. In any case in which it is determined that a claim is or was excessive and was negligently prepared, 10% of the corrected claim shall be disallowed, and, if the claim has been paid, the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed, and such assessment shall bear interest at the rate of 1% per month from the date of payment until recovered. In any case in which it is determined that a claim is or was excessive due to the fact that the claimant neglected to include certain income received during the year, the claim shall be corrected and the excess disallowed, and, if the claim has been paid, the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed.

New Sec. 12. A claim shall be disallowed if the director of taxation finds that the claimant received title to such claimant's retail storefront primarily for the purpose of receiving benefits under this act.

New Sec. 13. To the extent applicable, the provisions of K.S.A. 79-3226, and amendments thereto, shall apply to claims for refunds allowable pursuant to this act that may become in dispute.

Sec. 14. K.S.A. 2021 Supp. 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, 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.

(I) 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 Wabaunsee 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 Wabaunsee 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 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.

(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) 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) 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.

Sec. 15. K.S.A. 2021 Supp. 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 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%; ~~and~~

(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%; and

(hh) the board of county commissioners of Atchison 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 up to 1%.

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. 16. K.S.A. 2021 Supp. 12-189a is hereby amended to read as follows: 12-189a. The following sales shall be subject to the taxes levied and collected by all cities and counties under the provisions of K.S.A. 12-187 et seq., and amendments thereto:

(a) All sales of natural gas, electricity, heat and water delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises and all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes for agricultural use, except that effective January 1, 2006, the provisions of this subsection shall expire for sales of water pursuant to this subsection. The provisions of this subsection shall expire on June 30, 2023;

(b) 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; ~~and, The provisions of this subsection shall expire on June 30, 2023;~~

(c) on and after July 1, 2023, all sales of natural gas, electricity and heat delivered through mains, lines or pipes to any premises for any use by the occupant of such premises and all sales of natural gas, electricity and heat delivered through mains, lines or pipes for agricultural use;

(d) on and after July 1, 2023, all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for any use of an occupant of any premises; and

(e) all sales of intrastate telephone and telegraph services for noncommercial use.

Sec. 17. K.S.A. 2021 Supp. 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) ~~and~~, (32) and (33), 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. 18. K.S.A. 13-13a39 is hereby amended to read as follows: 13-13a39. ~~The following Sales subject to the countywide and city retailers' sales tax pursuant to K.S.A. 12-189a, and amendments thereto,~~ shall also be subject to the taxes levied by Washburn University of Topeka under the provisions of K.S.A. 13-13a38, and amendments thereto:

~~(a) All sales of natural gas, electricity, heat and water delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises and all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes for agricultural use;~~

~~(b) 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; and~~

~~(c) all sales of intrastate telephone and telegraph services for noncommercial use.~~

Sec. 19. K.S.A. 2021 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(c)(xv), and amendments thereto, 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 carry-forward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(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. The subtraction modifications provided by this paragraph for the work opportunity tax credit and the employee retention credit 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 (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

(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 10,000 for tax year 2023 and increases by 5,000 for each tax year thereafter.

(ii) "Threshold" is equal to \$85,000 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) (A) For all taxable years beginning after December 31, 2022, the amounts received by retired individuals under all retirement plans to the extent included in federal adjusted gross income not to exceed \$2,000, or \$4,000 for a married couple filing a joint return.

(B) In the case of all tax years commencing after December 31, 2023, 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.

(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.

(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. 20. K.S.A. 2021 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 all tax years commencing after December 31, 2022, 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.

Sec. 21. K.S.A. 79-32,190 is hereby amended to read as follows: 79-32,190. (a) Any taxpayer that pays for or provides child day care services, including the provision

of the service of locating such services, to its employees or that provides facilities and necessary equipment for child day care services shall be allowed a credit against the privilege or income tax imposed by articles 11 and 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, as follows:

(1) Thirty percent (A) For the taxable years commencing before January 1, 2022, 30% of the total amount expended in the state during the taxable year by a taxpayer for child day care services purchased to provide care for the dependent children of the taxpayer's employees or for the provision of the service of locating such services for such children;

(B) for all taxable years commencing after December 31, 2021, 50% of the total amount expended in the state during the taxable year by a taxpayer for child day care services purchased to provide care for the dependent children of the taxpayer's employees or for the provision of the service of locating such services for such children;

(2) (A) in the taxable year in which a facility providing child day care services in the state for use primarily by the dependent children of the taxpayer's employees is established, 50% of the total amount expended during such year by a taxpayer in the establishment and operation of such facility;

(B) (i) for the taxable years commencing before January 1, 2022, in the taxable years other than the taxable year to which paragraph (2)(A) applies, 30% of the amount equal to the total amount expended during the taxable year by a taxpayer for the operation of a facility described in paragraph (2)(A) less the amount of moneys received by the taxpayer for use of such facility for child day care services; and

(ii) for all taxable years commencing after December 31, 2021, in the taxable years other than the taxable year to which paragraph (2)(A) applies, 50% of the amount equal to the total amount expended during the taxable year by a taxpayer for the operation of a facility described in paragraph (2)(A) less the amount of moneys received by the taxpayer for use of such facility for child day care services;

(3) (A) in the taxable year in which a facility providing child day care services in the state for use primarily by the dependent children of the taxpayers' employees is established in conjunction with one or more other taxpayers, 50% of the total amount expended during such year by a taxpayer in the establishment and operation of such facility;

(B) (i) for the taxable years commencing before January 1, 2022, in the taxable years other than the taxable year to which paragraph (3)(A) applies, 30% of the amount equal to the total amount expended during the taxable year by a taxpayer for the operation of a facility described in paragraph (3)(A) less the amount of moneys received by the taxpayer for use of such facility for child day care services; and

(ii) for all taxable years commencing after December 31, 2021, in the taxable years other than the taxable year to which paragraph (3)(A) applies, 50% of the amount equal to the total amount expended during the taxable year by a taxpayer for the operation of a facility described in paragraph (3)(A) less the amount of moneys received by the taxpayer for use of such facility for child day care services; and

(4) for all taxable years commencing after December 31, 2021, 50% of the amount equal to the total amount expended during the taxable year by a taxpayer as payments to an organization providing access to available child day care services for the taxpayer's employees.

(b) No credit shall be allowed under this section unless the child day care facility or

provider is licensed or registered pursuant to Kansas law.

(c) The credit allowed by ~~paragraphs (1), (2)(B) and (3)(B)~~ of subsection (a)~~(1), (2)(B) and (3)(B)~~ shall not exceed \$30,000 for any taxpayer during any taxable year. The credit allowed by ~~paragraphs (2)(A) and (3)(A)~~ of subsection (a)~~(2)(A), (3)(A) and (4)~~ shall not exceed \$45,000 for any taxpayer during any taxable year. The amount of the credit which exceeds the tax liability for a taxable year shall be refunded to the taxpayer. If the taxpayer is a corporation having an election in effect under subchapter S of the federal internal revenue code or a partnership, the credit provided by this section shall be claimed by the shareholders of such corporation or the partners of such partnership in the same manner as such shareholders or partners account for their proportionate shares of the income or loss of the corporation or partnership.

(d) The aggregate amount of credits claimed under this act for any fiscal year shall not exceed \$3,000,000.

(e) For ~~tax-year years~~ 2013 and all tax years thereafter through 2021, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to ~~subsection (c)~~ of K.S.A. 79-32,110~~(c)~~, and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability.

Sec. 22. K.S.A. 2021 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 July 1, 2021, 16.154% of the 6.5% rate imposed 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)~~(1)~~ 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) (A)~~ The sale of a rural water district benefit unit; ~~(2) (B)~~ a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or ~~(3) (C)~~ connection or reconnection fees collected by a water supplier. The provisions of this paragraph shall expire on June 30, 2023; and

(2) on and after July 1, 2023, 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 for sales of gas, electricity and heat delivered through mains, lines or pipes to any premises for any 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 any use of an occupant of any premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (A) The sale of a rural water district benefit unit; (B) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (C) 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 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" shall mean 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" shall mean 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" shall mean 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" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean 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" shall mean 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; and

(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.

Sec. 23. K.S.A. 79-3607 is hereby amended to read as follows: 79-3607. (a) Retailers shall make returns to the director at the times prescribed by this section in the manner prescribed by the director, including electronic filing, upon forms or format prescribed by the director stating: (1) The name and address of the retailer; (2) the total amount of gross sales of all tangible personal property and taxable services rendered by the retailer during the period for which the return is made; (3) the total amount received during the period for which the return is made on charge and time sales of tangible personal property made and taxable services rendered prior to the period for which the return is made; (4) deductions allowed by law from such total amount of gross sales and from total amount received during the period for which the return is made on such charge and time sales; (5) receipts during the period for which the return is made from the total amount of sales of tangible personal property and taxable services rendered

during such period in the course of such business, after deductions allowed by law have been made; (6) receipts during the period for which the return is made from charge and time sales of tangible personal property made and taxable services rendered prior to such period in the course of such business, after deductions allowed by law have been made; (7) gross receipts during the period for which the return is made from sales of tangible personal property and taxable services rendered in the course of such business upon the basis of which the tax is imposed. The return shall include such other pertinent information as the director may require. In making such return, the retailer shall determine the market value of any consideration, other than money, received in connection with the sale of any tangible personal property in the course of the business and shall include such value in the return. Such value shall be subject to review and revision by the director as hereinafter provided. Refunds made by the retailer during the period for which the return is made on account of tangible personal property returned to the retailer shall be allowed as a deduction under paragraph (4) ~~of this section~~ in case the retailer has theretofore included the receipts from such sale in a return made by such retailer and paid taxes therein imposed by this act. The retailer shall, at the time of making such return, pay to the director the amount of tax herein imposed, except as otherwise provided in this section. The director may extend the time for making returns and paying the tax required by this act for any period not to exceed 60 days under such rules and regulations as the secretary of revenue may prescribe.

(b) (1) ~~When the total tax for which any retailer is liable under this act, does not exceed the sum of \$400 in any calendar year, the retailer shall file an annual return on or before January 25 of the following year. When the total tax liability does not exceed \$4,000 in any calendar year, the retailer shall file returns quarterly on or before the 25th day of the month following the end of each calendar quarter. When the total tax liability exceeds \$4,000 in any calendar year, the retailer shall file a return for each month on or before the 25th day of the following month. When the total tax liability exceeds \$40,000 in any calendar year, the retailer shall be required to pay the sales tax liability for the first 15 days of each month to the director on or before the 25th day of that month. Any such payment shall accompany the return filed for the preceding month. A retailer will be considered to have complied with the requirements to pay the first 15 days' liability for any month if, on or before the 25th day of that month, the retailer paid 90% of the liability for that fifteen-day period, or 50% of such retailer's liability in the immediate preceding calendar year for the same month as the month in which the fifteen-day period occurs, and, in either case, paid any underpayment with the payment required on or before the 25th day of the following month. Such retailers shall pay their sales tax liabilities for the remainder of each such month at the time of filing the return for such month. The provisions of this paragraph shall expire on December 31, 2023.~~

(2) On and after January 1, 2024, the retailer shall file:

(A) An annual return on or before January 25 of the following year when the total tax for which any retailer is liable under this act does not exceed the sum of \$1,000 in any calendar year;

(B) returns quarterly on or before the 25th day of the month following the end of each calendar quarter when the total tax liability does not exceed \$5,000 in any calendar year; or

(C) a return for each month on or before the 25th day of the following month when

the total tax liability exceeds \$5,000 in any calendar year.

(3) Determinations of amounts of liability in a calendar year for purposes of determining filing requirements shall be made by the director upon the basis of amounts of liability by those retailers during the preceding calendar year or by estimates in cases of retailers having no previous sales tax histories. The director is hereby authorized to modify the filing schedule for any retailer when it is apparent that the original determination was inaccurate.

~~(b)(c)~~ All model 1, model 2 and model 3 sellers are required to file returns electronically. Any model 1, model 2 or model 3 seller may submit its sales and use tax returns in a simplified format approved by the director. Any seller that is registered under the agreement, which does not have a legal requirement to register in this state, and is not a model 1, model 2 or model 3 seller, may submit its sales and use tax returns as follows:

- (1) Upon registration, the director shall provide to the seller the returns required;
- (2) seller shall file a return anytime within one year of the month of initial registration, and future returns are required on an annual basis in succeeding years; and
- (3) in addition to the returns required in subsection ~~(b)(2)(c)(2)~~, sellers are required to submit returns in the month following any month in which they have accumulated state and local sales tax funds for this state in the amount of \$1,600 or more.

Sec. 24. K.S.A. 13-13a39, 79-32,190, 79-3607 and 79-3607, as amended by section 3 of chapter 83 of the 2021 Session Laws of Kansas, and K.S.A. 2021 Supp. 12-187, 12-189, 12-189a, 12-192, 79-32,117, 79-32,119 and 79-3603 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking lines 2 through 13; in line 14, by striking all before the period and inserting "taxation; relating to income taxation; increasing the income limit to qualify for the subtraction modification for social security income; providing subtraction modifications for certain amounts received from retirement plans, for certain amounts of the federal work opportunity tax credit and the employee retention credit disallowances and to allow the carryforward of certain net operating losses for individuals; increasing the amount of certain child day care services assistance tax credits; providing a credit for employer payments to an organization providing access to employees for child day care services and expanding eligible taxpayers; increasing the Kansas standard deduction; relating to property taxation; establishing the COVID-19 retail storefront property tax relief act to provide partial refunds to certain businesses impacted by COVID-19-related shutdowns and restrictions; relating to sales and compensating use taxation; expanding the eligible uses for the 0% state rate for sales of certain utilities and providing for the levying of such tax by cities, counties and Washburn university of Topeka; increasing thresholds for timing of returns and payment; discontinuing the first 15 days of the month remittance requirements for certain retailers; providing countywide retailers' sales tax authority for Atchison county; amending K.S.A. 13-13a39, 79-32,190 and 79-3607 and K.S.A. 2021 Supp. 12-187, 12-189, 12-189a, 12-192, 79-32,117, 79-32,119 and 79-3603 and repealing the existing sections; also repealing K.S.A. 79-3607, as amended by section 3 of chapter 83 of the 2021 Session Laws of Kansas";

And your committee on conference recommends the adoption of this report.

CARYN TYSON
VIRGIL PECK
TOM HOLLAND

Conferees on part of Senate

ADAM SMITH
LES MASON
JIM GARTNER

Conferees on part of House

Senator Tyson moved the Senate adopt the Conference Committee Report on **S Sub HB 2597**.

Senator Tyson moved to call the question. Upon the showing of 10 hands the motion carried.

On roll call, the vote was: Yeas 27; Nays 0; Present and Passing 8; Absent or Not Voting 5.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Straub, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Sykes, Ware.

Absent or Not Voting: Doll, Hawk, McGinn, Steffen, Suellentrop.

The Conference Committee Report was adopted.

POINT OF PERSONAL PRIVILEGE

Senator Tyson rose on a point of personal privilege and submitted the following comments: Congratulations to Mark Simoneau for being named ABCA National Assistant Coach of the Year, 2021. Mark was selected for High School Division I Assistant Coach of the Year because of his coaching expertise, loyalty to the program, and respect for players and the game. These are just some of the criteria that ABCA examines when reviewing candidates for the award. Mark has been with the Topeka Seaman baseball team since he graduated from Washburn University. He was instrumental and a main contributor to one of the most winning records in Kansas baseball history. The Seaman Vikings have won regional tournaments for 18 consecutive years, qualifying for state tournaments. To quote a post from Seaman Baseball, "Mark is a huge part of why our program has been successful on the field and off the field. Mark goes above and beyond for all. If you know Mark, you are better for it." Mark is an amazing person. He is a committed teacher and a great example for students follow. Congratulations Mark for a well-deserved national recognition of your efforts on and off the field.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 581, 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.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **HB 2136**.

The House adopts the Conference Committee report on **HB 2540**.

Announcing adoption of **HCR 5038**

HCR 5038 A CONCURRENT RESOLUTION relating to the adjournment sine die of the Senate and House of Representative during the 2022 regular session of the legislature.

On emergency motion of Senator Alley, **HCR 5038** was adopted by voice vote.

VETO SUSTAINED

President Masterson announced the time had arrived for reconsideration of the veto on **Sub SB 34**, AN ACT concerning public health; prohibiting a governmental entity or public official from ordering or otherwise requiring any individual to wear a face mask as a response to a contagious or infectious disease; prohibiting a governmental entity or public official from issuing or requiring use of a COVID-19 vaccination passport or discriminating against any individual based upon COVID-19 vaccination status; limiting powers of the governor and other governmental entities under the Kansas emergency management act related to face masks; modifying judicial review provisions related to certain executive orders issued during a state of disaster emergency and certain actions taken by a local unit of government during a state of local disaster emergency; requiring court petitions challenging orders and similar actions by public officials relating to gathering limitations, business restrictions and religious gathering limitations to be ruled on without unreasonable delay; restricting the power of the secretary of health and environment and local health officers to order law enforcement to assist in execution or enforcement of orders related to isolation or quarantine; prohibiting the secretary of health and environment from requiring a test or inoculation for admission to and attendance at a school that has not received full approval by the federal food and drug administration for the student to whom the requirement applies; amending K.S.A. 65-129b and 72-6262 and K.S.A. 2021 Supp. 48-925, 48-932 and 65-201 and repealing the existing sections.

No motion having been offered to reconsider, President Masterson announced the Governor's veto on **Sub SB 34** was sustained.

REPORT ON ENROLLED BILLS

Sub SB 34; SB 84, SB 313, SB 421 reported correctly enrolled, properly signed and presented to the Governor on May 6, 2022.

As provided by **HCR 5038**, Senator Alley moved the Senate adjourn Sine Die. The motion prevailed.

President Masterson thereupon announced: "By virtue of the authority vested in me as the president of the Senate, I now declare the 2022 Session of the Kansas Senate adjourned Sine Die."

MESSAGE FROM THE HOUSE

The House announces the following bills and concurrent resolutions are hereby transmitted to the Senate with final disposition:

Senate Bills that died in House Committees: **SB 1, SB 20, SB 22, SB 23, SB 32, SB 51, SB 61, SB 68, SB 70, SB 72, SB 83, SB 85, Sub SB 100, SB 104, SB 116, SB 131, SB 145, SB 146, SB 155, SB 181, SB 185, SB 208, SB 265, SB 282, SB 290, SB 304, SB 327, SB 329, SB 340, SB 351, SB 362, SB 368, SB 373, SB 389, SB 390, SB 395, SB 403, SB 418, SB 425, SB 438, SB 439, SB 441, SB 443, Sub SB 444, SB 455, SB 457, SB 484, SB 489, SB 494, SB 496, SB 507, SB 523, SB 529, SB 541, SB 546, SB 577.**

Senate Concurrent Resolutions that died in House Committees: **SCR 1619.**

Senate Bills that died on House Calendar: **H Sub SB 49, SB 53, SB 71, H Sub SB 98, SB 119, SB 126, SB 147, SB 276, H Sub SB 318, SB 326, SB 382.**

Senate Concurrent Resolutions that died on House Calendar: **SCR 1623.**

Senate bills that died in conference: **SB 12.**

MESSAGE FROM THE GOVERNOR

H Sub SB 19 approved on June 2, 2022.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*



Tab Page

TITLE AND HISTORY
OF
SENATE BILLS
AND
SENATE RESOLUTIONS

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals
(2659))

TITLE AND HISTORY OF SENATE BILLS
CARRIED OVER FROM 2021 SESSION

- S 1** Bill by Senator McGinn
Authorizing the state fair board to use moneys in the state fair capital improvements fund for general operations for fiscal years 2021 and 2022.
- 01/11/2021 Senate—Prefiled for Introduction on Tuesday, December 8, 2020
01/11/2021 Senate—Introduced—SJ 28
01/12/2021 Senate—Referred to Committee on Ways and Means—SJ 41
01/21/2021 Senate—Hearing: Tuesday, January 26, 2021, 10:30 AM Room 548-S
01/28/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 121
02/04/2021 Senate—Consent Calendar Passed Yea: 37 Nay: 0—SJ 150
02/05/2021 House—Received and Introduced—HJ 174
02/08/2021 House—Referred to Committee on Appropriations—HJ 178
02/10/2021 House—Hearing: Wednesday, February 17, 2021, 9:00 AM Room 112-N
05/23/2022 House—Died in House Committee
- S 2** Bill by Senator McGinn
Allowing consumption of beer, wine or other alcoholic liquor on the Kansas state fairgrounds; increasing the number of temporary permits an applicant may receive from four to 12 permits per year; limiting what cities, counties or townships may charge for a temporary permit to not more than \$25 per day; crediting a portion of moneys collected from the liquor drink tax and the liquor enforcement tax to the state fair capital improvements fund; requiring that licensed farm wineries be issued a cereal malt beverage retailer license if the statutory requirements for such retailer license are satisfied; authorizing retail liquor stores to sell and deliver alcoholic liquor and cereal malt beverages to a caterer, public venue, club or drinking establishment located in any adjacent county any county with a corner located within two miles measured along the adjacent county boundary; Increasing the percentage of alcohol by volume allowed to not more than 16% for domestic table wine and the domestic fortified wine threshold to more than 16% alcohol by volume.
- 01/11/2021 Senate—Prefiled for Introduction on Thursday, December 10, 2020
01/11/2021 Senate—Introduced—SJ 28
01/12/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 41
02/17/2021 Senate—Hearing: Thursday, February 25, 2021, 10:30 AM Room 144-S
03/12/2021 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 330
03/23/2021 Senate—Committee of the Whole - Be passed—SJ 393
03/24/2021 Senate—Final Action - Passed; Yea: 31 Nay: 8
03/25/2021 House—Received and Introduced—HJ 550
03/26/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 572
01/27/2022 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Federal and State Affairs—HJ 1640

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 02/03/2022 House—Hearing: Wednesday, February 9, 2022, 9:00 AM Room 346-S
 02/21/2022 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 1740
 03/09/2022 House—Committee of the Whole - Be passed as amended—HJ 1801
 03/09/2022 House—Emergency Final Action - Passed as amended; Yea: 87 Nay: 31—HJ 1808
 03/09/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Olson, Senator Hilderbrand and Senator Faust-Goudeau as conferees—SJ 1645
 03/15/2022 House—Motion to accede adopted; Representative Barker, Representative Arnberger and Representative Ruiz, L. appointed as conferees—HJ 1825
 03/31/2022 House—Conference Committee Report was adopted; Yea: 86 Nay: 31—HJ 2516
 03/31/2022 Senate—Conference Committee Report was adopted; Yea: 31 Nay: 6—SJ 1881
 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—SJ 2379
 04/25/2022 Senate—Approved by Governor on Monday, April 18, 2022—SJ 2341
- S 3**
 Bill by Joint Corrections and Juvenile Justice Oversight
Creating a drug abuse treatment program for people on diversion and allowing county and district attorneys to enter into agreements with chief judges and community corrections for supervision.
 01/11/2021 Senate—Prefiled for Introduction on Thursday, December 31, 2020
 01/11/2021 Senate—Introduced—SJ 28
 01/12/2021 Senate—Referred to Committee on Judiciary—SJ 41
 01/19/2021 Senate—Hearing: Tuesday, January 26, 2021, 10:30 AM Room 346-S
 05/23/2022 Senate—Died in Committee
- S 5**
 Bill by Joint Corrections and Juvenile Justice Oversight
Aligning the felony loss thresholds for certain property crimes with theft.
 01/11/2021 Senate—Prefiled for Introduction on Thursday, December 31, 2020
 01/11/2021 Senate—Introduced—SJ 28
 01/12/2021 Senate—Referred to Committee on Judiciary—SJ 41
 01/19/2021 Senate—Hearing: Wednesday, January 27, 2021, 10:30 AM Room 346-S
 05/23/2022 Senate—Died in Committee
- S 6**
 Bill by Joint Corrections and Juvenile Justice Oversight
Counting any crime with a domestic violence designation as a prior conviction under domestic battery.
 01/11/2021 Senate—Prefiled for Introduction on Thursday, December 31, 2020
 01/11/2021 Senate—Introduced—SJ 28
 01/12/2021 Senate—Referred to Committee on Judiciary—SJ 41
 01/19/2021 Senate—Hearing: Wednesday, January 27, 2021, 10:30 AM Room 346-S
 05/23/2022 Senate—Died in Committee
- S 7**
 Bill by Joint Corrections and Juvenile Justice Oversight
Extending terminal medical release to inmates in the custody of the department of corrections with a condition likely to cause death within 120 days.
 01/11/2021 Senate—Prefiled for Introduction on Thursday, December 31, 2020

- 01/11/2021 Senate—Introduced—SJ 29
 01/12/2021 Senate—Referred to Committee on Judiciary—SJ 41
 01/19/2021 Senate—Hearing: Tuesday, January 26, 2021, 10:30 AM Room 346-S
 05/23/2022 Senate—Died in Committee
- S 9** Bill by Senator Faust-Goudeau
Requiring newly certified law enforcement officers to attend diversity meetings organized by the Kansas commission on peace officers' standards and training.
 01/11/2021 Senate—Prefiled for Introduction on Wednesday, January 6, 2021
 01/11/2021 Senate—Introduced—SJ 29
 01/12/2021 Senate—Referred to Committee on Judiciary—SJ 41
 05/23/2022 Senate—Died in Committee
- S 10** Bill by Senators Hilderbrand, Fagg, Steffen, Straub, Thompson, Wilborn
Enacting the right to earn a living act to minimize unnecessary occupational licensing and regulation.
 01/11/2021 Senate—Prefiled for Introduction on Wednesday, January 6, 2021
 01/11/2021 Senate—Introduced—SJ 29
 01/12/2021 Senate—Referred to Committee on Commerce—SJ 41
 01/20/2021 Senate—Hearing: Wednesday, January 27, 2021, 10:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 11** Bill by Senators Hilderbrand, Baumgardner, Claeys, Erickson, Fagg, Kloos, Peck, Steffen, Straub, Thompson, Wilborn
Prohibiting the altering or backdating of the postmarks of advance mail ballots.
 01/11/2021 Senate—Prefiled for Introduction on Wednesday, January 6, 2021
 01/11/2021 Senate—Introduced—SJ 29
 01/12/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 41
 02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 12** Bill by Senator Faust-Goudeau
Requiring the Kansas department for children and families to implement performance-based contracts.
 01/11/2021 Senate—Prefiled for Introduction on Thursday, January 7, 2021
 01/11/2021 Senate—Introduced—SJ 29
 01/12/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 41
 01/27/2021 Senate—Hearing: Wednesday, February 3, 2021, 8:30 AM Room 142-S
 02/09/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1518
 02/17/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1544
 02/17/2022 Senate—Emergency Final Action - Passed as amended; Yea: 34 Nay: 0—SJ 1544
 02/18/2022 House—Received and Introduced—HJ 1726
 02/21/2022 House—Referred to Committee on Children and Seniors—HJ 1739
 03/02/2022 House—Hearing: Tuesday, March 8, 2022, 1:30 PM Room 152-S
 03/21/2022 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 1877
 03/23/2022 House—Committee of the Whole - Be passed as amended—HJ 2278
 03/23/2022 House—Emergency Final Action - Passed as amended; Yea: 117 Nay: 5—HJ 2283

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/28/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Hilderbrand, Senator Gossage and Senator Pettey as conferees—SJ 1807
- 03/28/2022 House—Motion to accede adopted; Representative Concannon, Representative Esau and Representative Ousley appointed as conferees—HJ 2401
- 04/26/2022 House—Representative Barker, Representative Eplee, and Representative Highberger are appointed to replace Representative Concannon, Representative Esau, and Representative Ousley on the Conference Committee—HJ 3098
- 04/26/2022 Senate—Senator Olson, Senator Hilderbrand, and Senator Faust-Goudeau are appointed to replace Senator Hilderbrand, Senator Gossage, and Senator Pettey on the Conference Committee—SJ 2392
- 05/23/2022 Senate—Died in Conference
- S 17** Bill by Legislative Post Audit Committee
Prohibiting a public agency from charging a fee under the open records act for records requested for an audit by the legislative division of post audit.
- 01/12/2021 Senate—Introduced—SJ 39
- 01/13/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 45
- 01/21/2021 Senate—Hearing: Wednesday, January 27, 2021, 9:30 AM Room 142-S
- 05/23/2022 Senate—Died in Committee
- S 18** Bill by Transportation
Permitting United States and NATO country military surplus vehicles to register with the division of vehicles for road use.
- 01/12/2021 Senate—Introduced—SJ 39
- 01/13/2021 Senate—Referred to Committee on Transportation—SJ 45
- 01/21/2021 Senate—Hearing: Thursday, January 28, 2021, 8:30 AM Room 546-S
- 05/23/2022 Senate—Died in Committee
- S 19** Bill by Transportation
House Substitute for SB 19 by Committee on Energy, Utilities and Telecommunications - Implementing the 988 suicide prevention and mental health crisis hotline in Kansas.
- 01/12/2021 Senate—Introduced—SJ 39
- 01/13/2021 Senate—Referred to Committee on Transportation—SJ 45
- 02/17/2021 Senate—Hearing: Wednesday, February 24, 2021, 8:30 AM Room 546-S
- 02/25/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 251
- 03/02/2021 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 269
- 03/02/2021 House—Received and Introduced—HJ 357
- 03/03/2021 House—Hearing: Wednesday, March 10, 2021, 1:30 PM Room 582-N
- 03/03/2021 House—Referred to Committee on Transportation—HJ 361
- 03/07/2022 House—Withdrawn from Committee on Transportation; Referred to Committee on Energy, Utilities and Telecommunications—HJ 1787
- 03/07/2022 House—Hearing: Thursday, March 10, 2022, 9:00 AM Room 582-N
- 03/17/2022 House—Committee Report recommending substitute bill be passed by Committee on Energy, Utilities and Telecommunications—HJ 1858
- 03/21/2022 House—Committee of the Whole - Substitute bill be passed—HJ 1876
- 03/21/2022 House—Emergency Final Action - Substitute passed; Yea: 114 Nay: 8—HJ 1896

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/23/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Thompson, Senator Petersen and Senator Francisco as conferees—SJ 1764
- 03/28/2022 House—Motion to accede adopted; Representative Landwehr, Representative Eplee and Representative Ruiz, S. appointed as conferees—HJ 2401
- 03/31/2022 Senate—Senator Hilderbrand, Senator Gossage, and Senator Pettey are appointed to replace Senator Thompson, Senator Petersen, and Senator Francisco on the Conference Committee—SJ 1881
- 04/28/2022 House—Conference Committee Report was adopted; Yea: 112 Nay: 6—HJ 3185
- 05/23/2022 Senate—Conference Committee Report was adopted; Yea: 25 Nay: 2
- 05/23/2022 Senate—Enrolled and presented to Governor on Tuesday, May 24, 2022
- 05/23/2022 Senate—Approved by Governor on Thursday, June 2, 2022
- S 20** Bill by Transportation
Designating a portion of United States highway 69 as the Senator Dennis Wilson Memorial Highway.
- 01/12/2021 Senate—Introduced—SJ 39
- 01/13/2021 Senate—Referred to Committee on Transportation—SJ 45
- 02/10/2021 Senate—Hearing: Thursday, February 18, 2021, 8:30 AM Room 546-S
- 02/23/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 242
- 03/01/2021 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 260
- 03/02/2021 House—Received and Introduced—HJ 336
- 03/03/2021 House—Referred to Committee on Transportation—HJ 361
- 05/23/2022 House—Died in House Committee
- S 22** Bill by Assessment and Taxation
Providing income tax modifications for global intangible low-taxed income, business interest, capital contributions, FDIC premiums, business meals, payment protection program loans and expenses, social security benefits and amounts received from employer-sponsored retirement plans, expanding the expense deduction availability to income tax taxpayers and calculating the deduction amount, allowing an individual to itemize deductions in Kansas despite not itemizing on their federal return, exempting from income compensation attributable to identity fraud and increasing the Kansas standard deduction.
- 01/12/2021 Senate—Introduced—SJ 39
- 01/12/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 41
- 01/12/2021 Senate—Hearing: Wednesday, January 13, 2021, 9:30 AM Room 548-S
- 02/04/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 152
- 02/09/2021 Senate—Motion by Senator Pyle to divide the question into three parts.—SJ 165
- 02/09/2021 Senate—Part 1 was adopted. Yea: 36 Nay: 1—SJ 166
- 02/09/2021 Senate—Part 2 was adopted. Yea: 29 Nay: 0—SJ 166
- 02/09/2021 Senate—Part 3 was rejected. Yea: 1 Nay: 21—SJ 166
- 02/09/2021 Senate—Motion by Senator Tyson to divide the question into four parts.—SJ 189

02/09/2021 Senate—Part 1 was rejected. Yea: 11 Nay: 26—SJ 189
 02/09/2021 Senate—Part 2 was rejected. Yea: 5 Nay: 27—SJ 190
 02/09/2021 Senate—Part 3 was adopted. Yea: 38 Nay: 0—SJ 190
 02/09/2021 Senate—Part 4 was rejected. Yea: 9 Nay: 28—SJ 190
 02/09/2021 Senate—Committee of the Whole - Be passed as further amended—SJ 191

02/09/2021 Senate—Emergency Final Action - Passed as amended; Yea: 24 Nay: 15
 02/10/2021 House—Received and Introduced—HJ 192
 02/11/2021 House—Referred to Committee on Taxation—HJ 212
 03/15/2021 House—Hearing: Wednesday, March 17, 2021, 3:30 PM Room 346-S
 05/23/2022 House—Died in House Committee

S 23

Bill by Assessment and Taxation

Providing for abatement of property tax for certain buildings or improvements destroyed or substantially destroyed by natural disaster.

01/13/2021 Senate—Introduced—SJ 44
 01/14/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 47
 01/14/2021 Senate—Hearing: Thursday, January 21, 2021, 9:30 AM Room 548-S
 01/27/2021 Senate—Hearing: Tuesday, February 2, 2021, 9:30 AM Room 548-S
 02/25/2021 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 251

03/02/2021 Senate—Committee of the Whole - Be passed—SJ 276

03/03/2021 Senate—Final Action - Passed; Yea: 38 Nay: 1

03/03/2021 House—Received and Introduced—HJ 431

03/04/2021 House—Referred to Committee on Taxation—HJ 432

05/23/2022 House—Died in House Committee

S 28

Bill by Insurance

House Substitute for SB 28 by Committee on Insurance and Pensions -

Enacting the pharmacy benefits manager licensure act and requiring licensure rather than registration of such entities.

01/14/2021 Senate—Introduced—SJ 47

01/15/2021 Senate—Referred to Committee on Insurance—SJ 51

01/21/2021 Senate—Hearing: Wednesday, January 27, 2021, 9:30 AM Room 546-S

01/29/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Insurance—SJ 122

02/01/2021 Senate—Committee of the Whole - Be passed as amended—SJ 131

02/01/2021 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0

02/02/2021 House—Received and Introduced—HJ 157

02/03/2021 House—Referred to Committee on Insurance and Pensions—HJ 161

03/10/2021 House—Hearing: Monday, March 15, 2021, 3:30 PM Room 218-N

03/15/2022 House—Committee Report recommending substitute bill be passed by Committee on Insurance and Pensions—HJ 1829

03/21/2022 House—Committee of the Whole - Substitute bill be passed—HJ 1884

03/21/2022 House—Emergency Final Action - Substitute passed; Yea: 120 Nay: 2—HJ 1898

03/30/2022 Senate—Concurred with amendments; Yea: 39 Nay: 0—SJ 1848

04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340

04/25/2022 Senate—Approved by Governor on Monday, April 11, 2022—SJ 2341

- S 30** Bill by Insurance
Establishing the securities act victim restitution program.
 01/14/2021 Senate—Introduced—SJ 47
 01/15/2021 Senate—Referred to Committee on Insurance—SJ 51
 01/21/2021 Senate—Hearing: Tuesday, January 26, 2021, 9:30 AM Room 546-S
 01/29/2021 Senate—Withdrawn from Committee on Insurance; Referred to
 Committee on Financial Institutions and Insurance
 02/01/2021 Senate—Committee Report recommending bill be passed as amended
 by Committee on Financial Institutions and Insurance—SJ 134
 02/18/2021 Senate—Withdrawn from Calendar; Referred to Committee on
 Financial Institutions and Insurance—SJ 224
 05/23/2022 Senate—Died in Committee
- S 32** Bill by Education
**Authorizing school districts to pay the tuition for a student's dual or
 concurrent enrollment in a postsecondary educational institution and
 requiring a tuition waiver for foster children who are dually or
 concurrently enrolled.**
 01/14/2021 Senate—Introduced—SJ 47
 01/15/2021 Senate—Referred to Committee on Education—SJ 51
 01/22/2021 Senate—Hearing: Wednesday, January 27, 2021, 1:30 PM Room 144-S
 02/03/2021 Senate—Committee Report recommending bill be passed as amended
 by Committee on Education—SJ 140
 02/09/2021 Senate—Committee of the Whole - Be passed as amended—SJ 164
 02/09/2021 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0
 02/10/2021 House—Received and Introduced—HJ 192
 02/11/2021 House—Referred to Committee on Education—HJ 212
 03/10/2021 House—Hearing: Wednesday, March 17, 2021, 1:30 PM Room 218-N
 03/29/2021 House—Committee Report recommending bill be passed as amended
 by Committee on Education—HJ 603
 03/31/2021 House—Withdrawn from Calendar; Referred to Committee on
 Appropriations—HJ 646
 05/23/2022 House—Died in House Committee
- S 34** Bill by Federal and State Affairs
**Substitute for SB 34 by Committee on Federal and State Affairs - Prohibiting
 governmental entities and public officials from taking certain actions
 related to a contagious or infectious disease, limiting powers of the
 governor and other governmental entities under the Kansas
 emergency management act to require face masks, requiring judicial
 review of certain emergency actions to occur without unreasonable
 delay and limiting powers of the secretary of health and environment
 related to enforcement of quarantine and student inoculation
 requirements.**
 01/14/2021 Senate—Introduced—SJ 47
 01/15/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 51
 01/21/2021 Senate—Hearing: Tuesday, January 26, 2021, 10:30 AM Room 144-S
 02/14/2022 Senate—Committee Report recommending substitute bill be passed by
 Committee on Federal and State Affairs—SJ 1529
 02/23/2022 Senate—Committee of the Whole - Substitute bill be passed—SJ 1572
 02/23/2022 Senate—Emergency Final Action - Substitute passed; Yea: 32 Nay: 7—
 SJ 1573

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Federal and State Affairs—HJ 1779
 03/03/2022 House—Hearing: Wednesday, March 9, 2022, 9:00 AM Room 346-S
 03/17/2022 House—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—HJ 1858
 03/21/2022 House—Committee of the Whole - Be passed as amended—HJ 1884
 03/21/2022 House—Emergency Final Action - Passed as amended; Yea: 88 Nay: 34
 —HJ 1900
 03/28/2022 Senate—Nonconcurrent with amendments; Conference Committee
 requested; appointed Senator Olson, Senator Hilderbrand and Senator
 Faust-Goudeau as conferees—SJ 1807
 03/28/2022 House—Motion to accede adopted; Representative Barker,
 Representative Arnberger and Representative Ruiz, L. appointed as
 conferees—HJ 2401
 04/25/2022 Senate—Senator Hilderbrand, Senator Gossage, and Senator Petthey are
 appointed to replace Senator Olson, Senator Hilderbrand, and Senator
 Faust-Goudeau on the Conference Committee—SJ 2342
 04/26/2022 House—Representative Landwehr, Representative Eplee, and
 Representative Ruiz, S. are appointed to replace Representative Barker,
 Representative Arnberger, and Representative Ruiz, L. on the Conference
 Committee—HJ 3098
 04/28/2022 House—Substitute motion to not adopt and appoint a conference
 committee failed—HJ 3245
 04/28/2022 House—Conference Committee Report was adopted; Yea: 64 Nay: 53—
 HJ 3237
 04/28/2022 Senate—Conference Committee Report was adopted; Yea: 23 Nay: 17
 05/23/2022 Senate—Enrolled and presented to Governor on Friday, May 6, 2022
 05/23/2022 Senate—Vetoed by Governor; Returned to Senate on Friday, May 13,
 2022
 05/23/2022 Senate—No motion to reconsider vetoed bill; Veto sustained—SJ 2655
- S 35** Bill by Federal and State Affairs
**Removing the option of extension of the time for receipt of advance mail ballots
 after the third day following an election.**
 01/14/2021 Senate—Introduced—SJ 47
 01/15/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 51
 01/21/2021 Senate—Hearing: Tuesday, January 26, 2021, 10:30 AM Room 144-S
 01/26/2021 Senate—Hearing: Thursday, January 28, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 41** Bill by Federal and State Affairs
**Establishing a \$100 maximum out-of-pocket cost-share per month per covered
 person for prescription insulin drugs.**
 01/21/2021 Senate—Introduced—SJ 56
 01/22/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 68
 05/23/2022 Senate—Died in Committee
- S 42** Bill by Federal and State Affairs
**Concerning the study and investigation of maternal deaths in the state of
 Kansas.**
 01/21/2021 Senate—Introduced—SJ 56
 01/22/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 68

- 01/12/2022 Senate—Hearing: Thursday, January 20, 2022, 8:30 AM Room 142-S
05/23/2022 Senate—Died in Committee
- S 44**
Bill by Education
Expanding the low-income family postsecondary savings accounts incentive program to include military servicemembers and veterans and allowing contributions by charitable organizations.
01/21/2021 Senate—Introduced—SJ 56
01/22/2021 Senate—Referred to Committee on Ways and Means—SJ 68
01/22/2021 Senate—Withdrawn from Committee on Ways and Means; Referred to Committee on Education—SJ 70
05/23/2022 Senate—Died in Committee
- S 45**
Bill by Senator Holland
Providing for abatement of property tax for certain buildings or improvements destroyed or substantially destroyed by natural disaster.
01/21/2021 Senate—Introduced—SJ 56
01/22/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 68
05/23/2022 Senate—Died in Committee
- S 46**
Bill by Assessment and Taxation
Providing a Kansas income tax subtraction modification for certain amounts received under employer-sponsored retirement plans.
01/21/2021 Senate—Introduced—SJ 56
01/22/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 68
01/27/2021 Senate—Hearing: Tuesday, February 2, 2021, 9:30 AM Room 548-S
02/26/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 252
05/23/2022 Senate—Died on General Orders
- S 48**
Bill by Senator Sykes
Requiring certain insurance coverage for diagnostic examinations for breast cancer.
01/21/2021 Senate—Introduced—SJ 56
01/22/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 68
01/22/2021 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Insurance—SJ 70
01/27/2021 Senate—Hearing: Wednesday, February 3, 2021, 9:30 AM Room 546-S
01/29/2021 Senate—Withdrawn from Committee on Insurance; Referred to Committee on Financial Institutions and Insurance
05/23/2022 Senate—Died in Committee
- S 49**
Bill by Assessment and Taxation
House Substitute for SB 49 by Committee on Taxation - Authorizing continuation of the 20 mill statewide property tax levy for schools and the exemption of a portion of residential property from such levy.
01/21/2021 Senate—Introduced—SJ 57
01/22/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 68
01/22/2021 Senate—Hearing: Tuesday, January 26, 2021, 9:30 AM Room 548-S
02/11/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 206
02/18/2021 Senate—Committee of the Whole - Be passed as amended—SJ 220
02/18/2021 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0 —SJ 223

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

02/22/2021 House—Received and Introduced—HJ 260
 02/23/2021 House—Referred to Committee on Taxation—HJ 275
 03/11/2021 House—Hearing: Thursday, March 18, 2021, 3:30 PM Room 346-S
 03/29/2021 House—Committee Report recommending substitute bill be passed by
 Committee on Taxation—HJ 611
 05/23/2022 House—Died on House Calendar

S 50

Bill by Assessment and Taxation

Requiring marketplace facilitators to collect and remit sales, compensating use and transient guest taxes and prepaid wireless 911 fees, removing clickthrough nexus provisions, providing for addition and subtraction modifications for the treatment of global intangible low-taxed income, business interest, capital contributions, FDIC premiums and business meals, expanding the expense deduction for income taxpayers and calculating the deduction amount, providing the ability to elect to itemize for individuals, providing an exemption of unemployment compensation income attributable as a result of identity fraud, removing the line for reporting compensating use tax from individual tax returns, extending the dates when corporate tax returns are required to be filed, increasing the Kansas standard deduction and providing for an extension of the corporate net operating loss carryforward period.

01/21/2021 Senate—Introduced—SJ 57
 01/22/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 68
 01/27/2021 Senate—Hearing: Wednesday, February 3, 2021, 9:30 AM Room 548-S
 02/26/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 252
 03/11/2021 Senate—Committee of the Whole - Be passed as amended—SJ 327
 03/11/2021 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 3
 03/15/2021 House—Received and Introduced—HJ 468
 03/16/2021 House—Referred to Committee on Taxation—HJ 470
 03/26/2021 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 575
 03/29/2021 House—Committee of the Whole - Be passed as amended—HJ 602
 03/30/2021 House—Final Action - Passed as amended; Yea: 81 Nay: 43—HJ 621
 03/30/2021 Senate—Concurred with amendments; Yea: 30 Nay: 10—SJ 487
 04/06/2021 Senate—Enrolled and presented to Governor on Tuesday, April 6, 2021—SJ 613
 05/03/2021 Senate—Vetoed by Governor; Returned to Senate on Friday, April 16, 2021—SJ 1096
 05/03/2021 Senate—Motion to override veto prevailed; Yea: 30 Nay: 10—SJ 1098
 05/03/2021 House—Motion to override veto prevailed; Yea: 84 Nay: 39—HJ 1273

S 51

Bill by Education

Requiring the state department of education and the department for children and families to publish a Kansas foster care children academic report card.

01/21/2021 Senate—Introduced—SJ 57
 01/22/2021 Senate—Referred to Committee on Education—SJ 68
 01/27/2021 Senate—Hearing: Wednesday, February 3, 2021, 1:30 PM Room 144-S
 02/23/2021 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 242

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/01/2021 Senate—Committee of the Whole - Be passed—SJ 259
 03/02/2021 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 270
 03/02/2021 House—Received and Introduced—HJ 357
 03/03/2021 House—Referred to Committee on Education—HJ 361
 03/23/2021 House—Hearing: Wednesday, March 24, 2021, 1:30 PM Room 218-N
 03/25/2021 House—Committee Report recommending bill be passed by Committee on Education—HJ 562
 03/31/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 646
 05/23/2022 House—Died in House Committee
- S 53** Bill by Ways and Means
Establishing the membership of the Sedgwick county charter commission which, if created, will review and recommend changes regarding the structure of county government.
 01/21/2021 Senate—Introduced—SJ 57
 01/22/2021 Senate—Referred to Committee on Local Government—SJ 68
 01/22/2021 Senate—Hearing: Tuesday, January 26, 2021, 9:30 AM Room 142-S
 01/26/2021 Senate—Hearing continuation: Thursday, January 28, 2021, 9:30 AM Room 142-S
 01/28/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Local Government—SJ 121
 02/04/2021 Senate—Consent Calendar Passed Yea: 37 Nay: 0—SJ 150
 02/05/2021 House—Received and Introduced—HJ 174
 02/08/2021 House—Referred to Committee on Local Government—HJ 178
 03/10/2021 House—Hearing: Wednesday, March 17, 2021, 9:00 AM Room 281-N
 03/24/2021 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 546
 05/23/2022 House—Died on House Calendar
- S 54** Bill by Ways and Means
Authorizing judges to extend protection from abuse orders for more reasons and tolling time when subject of the order is in prison.
 01/21/2021 Senate—Introduced—SJ 57
 01/22/2021 Senate—Referred to Committee on Judiciary—SJ 68
 05/23/2022 Senate—Died in Committee
- S 57** Bill by Judiciary
Suspending statutory speedy trial rights until May 1, 2024, in all criminal cases filed prior to the effective date of this act and eliminating such rights in any criminal case filed on or after the effective date of this act.
 01/21/2021 Senate—Introduced—SJ 57
 01/22/2021 Senate—Referred to Committee on Judiciary—SJ 68
 01/27/2021 Senate—Hearing: Thursday, February 4, 2021, 10:30 AM Room 346-S
 02/04/2021 Senate—Hearing continuation: Friday, February 5, 2021, 10:30 AM Room 346-S
 02/19/2021 Senate—Hearing: Tuesday, February 23, 2021, 10:30 AM Room 346-S
 02/23/2021 Senate—Hearing continuation: Tuesday, February 23, 2021, 10:35 AM Room 346-S
 03/04/2021 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Federal and State Affairs—SJ 317

03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs;
Rereferred to Committee on Judiciary—SJ 320

05/23/2022 Senate—Died in Committee

S 58

Bill by Judiciary

Establishing the parents' bill of rights for parents of students attending elementary or secondary school in this state.

01/21/2021 Senate—Introduced—SJ 57

01/22/2021 Senate—Referred to Committee on Judiciary—SJ 68

01/27/2021 Senate—Hearing: Wednesday, February 3, 2021, 10:30 AM Room 346-S

02/04/2021 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 153

02/09/2021 Senate—Committee of the Whole - Be passed—SJ 164

02/09/2021 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0

02/10/2021 House—Received and Introduced—HJ 192

02/11/2021 House—Referred to Committee on Judiciary—HJ 212

03/10/2021 House—Hearing: Monday, March 15, 2021, 3:30 PM Room 582-N

03/22/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 517

03/24/2021 House—Committee of the Whole - Be passed as amended—HJ 540

03/25/2021 House—Final Action - Passed as amended; Yea: 122 Nay: 0

03/25/2021 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Haley as conferees—SJ 415

03/29/2021 House—Motion to accede adopted; Representative Patton, Representative Ralph and Representative Carmichael appointed as conferees—HJ 595

05/03/2021 Senate—Senator Corson is appointed to replace Senator Haley on the Conference Committee—SJ 1104

05/06/2021 Senate—Senator Alley, Senator Claeys, and Senator Holland are appointed to replace Senator Warren, Senator Wilborn, and Senator Corson on the Conference Committee—SJ 1257

05/06/2021 Senate—Senator Tyson and Senator Alley are appointed to replace Senator Alley and Senator Claeys on the Conference Committee—SJ 1258

05/07/2021 Senate—Senator Warren, Senator Wilborn, and Senator Haley are appointed to replace Senator Tyson, Senator Alley, and Senator Holland on the Conference Committee—SJ 1261

03/29/2022 House—Representative Williams, Representative Hoffman, and Representative Winn are appointed to replace Representative Patton, Representative Ralph, and Representative Carmichael on the Conference Committee—HJ 2407

03/29/2022 Senate—Senator Baumgardner is appointed to replace Senator Warren on the Conference Committee—SJ 1814

03/29/2022 Senate—Senator Erickson and Senator Sykes are appointed to replace Senator Wilborn and Senator Haley on the Conference Committee—SJ 1814

03/31/2022 House—Representative Ousley is appointed to replace Representative Winn on the Conference Committee—HJ 2515

04/01/2022 House—Conference Committee Report agree to disagree adopted; Representative Williams, Representative Hoffman and Representative

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- Ousley appointed as second conferees—HJ 2618
- 04/01/2022 Senate—Conference Committee Report agree to disagree adopted; Senator Baumgardner, Senator Erickson and Senator Sykes appointed as second conferees—SJ 1913
- 04/01/2022 House—Conference Committee Report was adopted; Yea: 67 Nay: 46—HJ 2978
- 04/01/2022 Senate—Conference Committee Report was adopted; Yea: 23 Nay: 15—SJ 2333
- 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—SJ 2379
- 04/25/2022 Senate—Vetoed by Governor; Returned to Senate on Friday, April 15, 2022—SJ 2379
- 04/26/2022 Senate—Motion to override veto prevailed; Yea: 27 Nay: 12—SJ 2383
- 04/28/2022 House—Motion to override veto failed; Veto sustained; Yea: 72 Nay: 50—HJ 3126

S 61

Bill by Education

Amending the tax credit for low income students scholarship program act to expand student eligibility.

- 01/25/2021 Senate—Introduced—SJ 89
- 01/25/2021 Senate—Referred to Committee on Education—SJ 92
- 02/04/2021 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 153
- 02/11/2021 Senate—Committee of the Whole - Be passed—SJ 202
- 02/11/2021 Senate—Emergency Final Action - Passed; Yea: 23 Nay: 14
- 02/12/2021 House—Received and Introduced—HJ 224
- 02/15/2021 House—Referred to Committee on K-12 Education Budget—HJ 229
- 02/22/2021 House—Hearing: Tuesday, February 23, 2021, 3:30 PM Room 546-S
- 05/23/2022 House—Died in House Committee

S 62

Bill by Education

Amending the standards for school-administered vision screenings for students, establishing the Kansas children's vision health and school readiness commission and relating to the powers and duties of the Kansas commission for the deaf and hard of hearing with regard to registration of interpreters, communication access services guidelines and adoption of rules and regulations.

- 01/25/2021 Senate—Introduced—SJ 90
- 01/26/2021 Senate—Referred to Committee on Education—SJ 94
- 01/27/2021 Senate—Hearing: Thursday, February 4, 2021, 1:30 PM Room 144-S
- 02/23/2021 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 242
- 03/01/2021 Senate—Committee of the Whole - Be passed—SJ 259
- 03/02/2021 Senate—Final Action - Passed; Yea: 35 Nay: 4
- 03/02/2021 House—Received and Introduced—HJ 357
- 03/03/2021 House—Referred to Committee on Education—HJ 361
- 03/05/2021 House—Hearing: Thursday, March 11, 2021, 1:30 PM Room 218-N
- 03/29/2021 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 603
- 03/31/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 646

- 01/31/2022 House—Withdrawn from Committee on Appropriations and re-referred to Committee of the Whole—HJ 1644
- 02/11/2022 House—Withdrawn from Calendar, Rereferred to Committee on Education—HJ 1687
- 02/16/2022 House—Committee Report recommending bill be further amended and be passed as amended by Committee on Education—HJ 1711
- 03/02/2022 House—Committee of the Whole - Be passed as further amended—HJ 1780
- 03/02/2022 House—Emergency Final Action - Passed as amended; Yea: 115 Nay: 6—HJ 1781
- 03/03/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Baumgardner, Senator Erickson and Senator Sykes as conferees—SJ 1620
- 03/08/2022 House—Motion to accede adopted; Representative Huebert, Representative Thomas and Representative Stogsdill appointed as conferees—HJ 1790
- 03/30/2022 House—Conference Committee Report was adopted; Yea: 121 Nay: 3—HJ 2416
- 03/30/2022 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 5—SJ 1831
- 04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340
- 04/25/2022 Senate—Approved by Governor on Monday, April 11, 2022—SJ 2341
- S 68** Bill by Transportation
Establishing a fee on firefighter distinctive license plates.
 01/25/2021 Senate—Introduced—SJ 90
 01/26/2021 Senate—Referred to Committee on Transportation—SJ 94
 01/27/2021 Senate—Hearing: Wednesday, February 3, 2021, 8:30 AM Room 546-S
 02/04/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 153
 02/11/2021 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 205
 02/12/2021 House—Received and Introduced—HJ 224
 02/15/2021 House—Referred to Committee on Transportation—HJ 229
 03/03/2021 House—Hearing: Wednesday, March 10, 2021, 1:30 PM Room 582-N
 05/23/2022 House—Died in House Committee
- S 70** Bill by Assessment and Taxation
Making exemption permanent for certain cash rebates on sales or leases of new motor vehicles and excluding discounts and coupons from the sales or selling price for sales tax purposes.
 01/25/2021 Senate—Introduced—SJ 90
 01/26/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 94
 01/27/2021 Senate—Hearing: Tuesday, February 2, 2021, 9:30 AM Room 548-S
 02/04/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Assessment and Taxation—SJ 153
 02/04/2021 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 153
 02/09/2021 Senate—Committee of the Whole - Be passed—SJ 164
 02/09/2021 Senate—Emergency Final Action - Passed; Yea: 26 Nay: 11
 02/10/2021 House—Received and Introduced—HJ 192

- 02/11/2021 House—Referred to Committee on Taxation—HJ 212
 03/23/2021 House—Hearing: Wednesday, March 24, 2021, 3:30 PM Room 346-S
 05/23/2022 House—Died in House Committee
- S 71** Bill by Assessment and Taxation
Establishing income tax and privilege tax credits for contributions to the Eisenhower foundation.
 01/25/2021 Senate—Introduced—SJ 90
 01/26/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 94
 02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 9:30 AM Room 548-S
 02/24/2021 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 245
 03/03/2021 Senate—Committee of the Whole - Be passed—SJ 307
 03/03/2021 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0
 03/04/2021 House—Received and Introduced—HJ 433
 03/05/2021 House—Referred to Committee on Taxation—HJ 456
 03/17/2021 House—Hearing: Wednesday, March 24, 2021, 3:30 PM Room 346-S
 03/29/2021 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 612
 05/23/2022 House—Died on House Calendar
- S 72** Bill by Assessment and Taxation
Requiring appraisal courses for county appraisers and members of the state board of tax appeals to be courses approved by the Kansas real estate appraisal board.
 01/25/2021 Senate—Introduced—SJ 90
 01/26/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 94
 01/27/2021 Senate—Hearing: Thursday, February 4, 2021, 9:30 AM Room 548-S
 02/26/2021 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 252
 03/03/2021 Senate—Committee of the Whole - Be passed—SJ 307
 03/03/2021 Senate—Emergency Final Action - Passed; Yea: 28 Nay: 11
 03/04/2021 House—Received and Introduced—HJ 433
 03/05/2021 House—Referred to Committee on Taxation—HJ 456
 03/17/2021 House—Hearing: Monday, March 22, 2021, 3:30 PM Room 346-S
 05/23/2022 House—Died in House Committee
- S 73** 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.
 01/26/2021 Senate—Introduced—SJ 93
 01/27/2021 Senate—Referred to Committee on Judiciary—SJ 110
 05/23/2022 Senate—Died in Committee
- S 74** Bill by Senator Holland
Requiring the attorney general to carry out certain duties related to investigating sexual abuse committed by a minister of religion.
 01/26/2021 Senate—Introduced—SJ 93
 01/27/2021 Senate—Referred to Committee on Judiciary—SJ 110
 05/23/2022 Senate—Died in Committee

- S 75** Bill by Senator Holland
Requiring a duly ordained minister of religion to report certain abuse and neglect of children.
 01/26/2021 Senate—Introduced—SJ 93
 01/27/2021 Senate—Referred to Committee on Judiciary—SJ 110
 05/23/2022 Senate—Died in Committee
- S 76** Bill by Senators Holland, Corson, Faust-Goudeau, Haley, Peck, Petersen, Pettey, Pittman, Ware
Establishing the golden years homestead property tax freeze act to provide a refund for certain increases in residential property taxes.
 01/26/2021 Senate—Introduced—SJ 93
 01/27/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 110
 03/04/2021 Senate—Hearing: Thursday, March 11, 2021, 9:30 AM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 79** Bill by Federal and State Affairs
Providing the state fire marshal with law enforcement powers and requiring an investigation of deaths resulting from fire.
 01/26/2021 Senate—Introduced—SJ 94
 01/27/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 110
 05/23/2022 Senate—Died in Committee
- S 80** Bill by Federal and State Affairs
Requiring changes to electric rates for transmission costs to be approved through an electric utility's general rate case proceedings.
 01/26/2021 Senate—Introduced—SJ 94
 01/27/2021 Senate—Referred to Committee on Utilities—SJ 110
 05/23/2022 Senate—Died in Committee
- S 81** Bill by Federal and State Affairs
Requiring the state corporation commission to provide the legislature with an annual report of the electric rates of electric public utilities in the region.
 01/26/2021 Senate—Introduced—SJ 94
 01/27/2021 Senate—Referred to Committee on Utilities—SJ 110
 02/10/2021 Senate—Hearing: Thursday, February 11, 2021, 1:30 PM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 82** Bill by Federal and State Affairs
Limiting utilization review conducted by health plans under certain circumstances involving the treatment of mental illness or substance abuse disorder.
 01/26/2021 Senate—Introduced—SJ 94
 01/27/2021 Senate—Referred to Committee on Insurance—SJ 110
 01/29/2021 Senate—Withdrawn from Committee on Insurance; Referred to Committee on Financial Institutions and Insurance
 05/23/2022 Senate—Died in Committee
- S 83** Bill by Public Health and Welfare
Allowing certain exceptions to the confidentiality of state child death review board documents.
 01/26/2021 Senate—Introduced—SJ 94
 01/27/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 110
 01/28/2021 Senate—Hearing: Tuesday, February 2, 2021, 8:30 AM Room 142-S

02/10/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 198
 03/01/2021 Senate—Committee of the Whole - Be passed as further amended—SJ 258
 03/02/2021 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0
 03/03/2021 House—Received and Introduced—HJ 431
 03/04/2021 House—Referred to Committee on Children and Seniors—HJ 432
 03/15/2021 House—Hearing: Wednesday, March 17, 2021, 1:30 PM Room 152-S
 05/23/2022 House—Died in House Committee
 Bill by Federal and State Affairs

S 84

House Substitute for Substitute for SB 84 by Committee on Federal and State Affairs - Authorizing sports wagering under the Kansas expanded lottery act and historical horse race machines under the Kansas parimutuel racing act.

01/26/2021 Senate—Introduced—SJ 94
 01/27/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 110
 02/03/2021 Senate—Hearing: Wednesday, February 10, 2021, 10:30 AM Room 144-S
 02/03/2021 Senate—Hearing continuation: Thursday, February 11, 2021, 10:30 AM Room 144-S
 02/04/2021 Senate—Hearing: (proponents) Wednesday, February 10, 2021, 10:30 AM Room 144-S
 03/01/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 264
 03/03/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 307
 03/03/2021 Senate—Emergency Final Action - Substitute passed as amended; Yea: 26 Nay: 12
 03/10/2021 House—Received and Introduced—HJ 459
 03/11/2021 House—Referred to Committee on Federal and State Affairs—HJ 464
 03/15/2021 House—Hearing: Thursday, March 18, 2021, 9:00 AM Room 346-S
 03/26/2021 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 573
 03/30/2021 House—Committee of the Whole - Motion to recommend favorably for passage failed—HJ 638
 03/17/2022 House—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs—HJ 1847
 03/29/2022 House—Withdrawn from Committee on Federal and State Affairs and referred to Committee of the Whole—HJ 2410
 03/30/2022 House—Committee of the Whole - Be passed as amended—HJ 2473
 03/30/2022 House—Emergency Final Action - Substitute passed as amended; Yea: 88 Nay: 36—HJ 2473
 03/30/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Olson, Senator Hilderbrand and Senator Faust-Goudeau as conferees—SJ 1831
 03/30/2022 House—Motion to accede adopted; Representative Barker, Representative Amberger and Representative Ruiz, L. appointed as conferees—HJ 2475
 04/01/2022 Senate—Senator Petersen is appointed to replace Senator Hilderbrand on the Conference Committee—SJ 1912

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 04/01/2022 House—Substitute motion to not adopt and appoint a conference committee failed Yea: 56 Nay: 56—HJ 3040
- 04/01/2022 House—Conference Committee Report was adopted; Yea: 63 Nay: 49—HJ 3047
- 04/27/2022 Senate—Conference Committee Report not adopted; Senator Olson, Senator Petersen and Senator Faust-Goudeau appointed as second conferees—SJ 2399
- 04/28/2022 House—Motion to accede adopted; Representative Barker, Representative Arnberger and Representative Ruiz, L. appointed as second conferees—HJ 3125
- 04/28/2022 House—Conference Committee Report was adopted; Yea: 73 Nay: 49—HJ 3129
- 04/28/2022 Senate—Conference Committee Report was adopted; Yea: 21 Nay: 13—SJ 2571
- 05/23/2022 Senate—Enrolled and presented to Governor on Friday, May 6, 2022
- 05/23/2022 Senate—Approved by Governor on Thursday, May 12, 2022
- S 85** Bill by Public Health and Welfare
Requiring notification to the governor and the legislature of missing foster care youth.
- 01/26/2021 Senate—Introduced—SJ 94
- 01/27/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 110
- 01/28/2021 Senate—Hearing: Tuesday, February 2, 2021, 8:30 AM Room 142-S
- 02/10/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 198
- 02/17/2021 Senate—Committee of the Whole - Be passed as amended—SJ 216
- 02/18/2021 Senate—Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 221
- 02/22/2021 House—Received and Introduced—HJ 260
- 02/23/2021 House—Referred to Committee on Children and Seniors—HJ 275
- 03/17/2021 House—Hearing: Monday, March 22, 2021, 1:30 PM Room 152-S
- 03/22/2021 House—Hearing: Wednesday, March 24, 2021, 1:30 PM Room 152-S
- 05/23/2022 House—Died in House Committee
- S 87** Bill by Assessment and Taxation
Discontinuing apportionment of countywide retailers' sales tax imposed for general purposes between the county and cities located therein.
- 01/27/2021 Senate—Introduced—SJ 110
- 01/28/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 116
- 02/03/2021 Senate—Hearing: Thursday, February 11, 2021, 9:30 AM Room 548-S
- 03/30/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 488
- 05/23/2022 Senate—Died on General Orders
- S 91** Bill by Commerce
House Substitute for SB 91 by Committee on Commerce, Labor and Economic Development - Providing liability protection for businesses, municipalities and educational institutions that participate in high school work-based learning programs and providing that schools are responsible for injuries to students participating in such programs.
- 01/28/2021 Senate—Introduced—SJ 113
- 01/29/2021 Senate—Referred to Committee on Commerce—SJ 122
- 02/03/2021 Senate—Hearing: Wednesday, February 10, 2021, 10:30 AM Room 546-S

- 02/11/2021 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 206
- 03/02/2021 Senate—Committee of the Whole - Be passed—SJ 276
- 03/03/2021 Senate—Final Action - Passed; Yea: 34 Nay: 5
- 03/03/2021 House—Received and Introduced—HJ 431
- 03/04/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 432
- 03/10/2021 House—Hearing: Wednesday, March 17, 2021, 1:30 PM Room 346-S
- 03/29/2021 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 603
- 03/31/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 646
- 04/06/2021 House—Withdrawn from Committee on Appropriations and re-referred to Committee of the Whole—HJ 651
- 04/08/2021 House—Committee of the Whole - Substitute bill be passed—HJ 695
- 04/08/2021 House—Emergency Final Action - Substitute passed; Yea: 123 Nay: 0—HJ 695
- 05/07/2021 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Olson, Senator Steffen and Senator Holland as conferees—SJ 1260
- 05/07/2021 House—Motion to accede adopted; Representative Tarwater, Representative Long and Representative Clayton appointed as conferees—HJ 1406
- 03/04/2022 Senate—Senator Erickson and Senator Dietrich are appointed to replace Senator Olson and Senator Steffen on the Conference Committee—SJ 1622
- 03/31/2022 House—Conference Committee Report was adopted; Yea: 116 Nay: 0—HJ 2559
- 04/01/2022 Senate—Motion to not adopt CCR and appoint a new conf. comm. Motion failed.
- 04/01/2022 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 2—SJ 1914
- 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—SJ 2379
- 04/25/2022 Senate—Approved by Governor on Wednesday, April 13, 2022—SJ 2341
- S 92** Bill by Commerce
Creating the Kansas equal access act to authorize the use of medical marijuana.
- 01/28/2021 Senate—Introduced—SJ 113
- 01/29/2021 Senate—Referred separately to Committee on Public Health and Welfare and Committee on Federal and State Affairs—SJ 122
- 05/23/2022 Senate—Died in Committee
- S 93** Bill by Education
Requiring the allocation of sufficient school district moneys to improve academic performance of underachieving students.
- 01/28/2021 Senate—Introduced—SJ 113
- 01/29/2021 Senate—Referred to Committee on Education—SJ 122
- 02/15/2021 Senate—Hearing: Friday, February 19, 2021, 1:30 PM Room 144-S

- 02/26/2021 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 253
- 03/04/2021 Senate—Withdrawn from Calendar; Referred to Committee on Federal and State Affairs—SJ 317
- 03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs and re-referred to Committee of the Whole—SJ 320
- 05/23/2022 Senate—Died on General Orders
- S 94** Bill by Federal and State Affairs
Requiring all voting systems for elections to use individual voter-verified paper ballots.
- 01/28/2021 Senate—Introduced—SJ 113
- 01/29/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 122
- 02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 10:30 AM Room 144-S
- 05/23/2022 Senate—Died in Committee
- S 96** Bill by Senator Peck
Repealing the provision of Kansas residency for purposes of tuition and fees at a postsecondary educational institution for individuals who are not lawfully present in the United States.
- 01/28/2021 Senate—Introduced—SJ 113
- 01/29/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 122
- 05/23/2022 Senate—Died in Committee
- S 97** Bill by Local Government
Defining "purposes of sepulture" for purposes of the laws governing cemetery corporations.
- 01/28/2021 Senate—Introduced—SJ 113
- 01/29/2021 Senate—Referred to Committee on Local Government—SJ 122
- 02/01/2021 Senate—Hearing: Thursday, February 4, 2021, 9:30 AM Room 142-S
- 02/08/2021 Senate—Hearing continuation: Thursday, February 11, 2021, 9:30 AM Room 142-S
- 05/23/2022 Senate—Died in Committee
- S 98** Bill by Assessment and Taxation
House Substitute for SB 98 by Committee on Financial Institutions and Rural Development - Enacting the technology-enabled fiduciary financial institution act, providing requirements, fiduciary powers, duties, functions and limitations for such financial institutions and the administration thereof by the state bank commissioner and creating an income and privilege tax credit for certain qualified distributions from technology-enabled fiduciary financial institutions.
- 01/28/2021 Senate—Introduced—SJ 113
- 01/29/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 122
- 02/10/2021 Senate—Hearing: Thursday, February 18, 2021, 9:30 AM Room 548-S
- 02/17/2021 Senate—Hearing: Wednesday, February 24, 2021, 9:30 AM Room 548-S
- 03/01/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 263
- 03/03/2021 Senate—Committee of the Whole - Be passed as amended—SJ 307
- 03/03/2021 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 1
- 03/10/2021 House—Received and Introduced—HJ 459
- 03/11/2021 House—Referred to Committee on Taxation—HJ 464
- 03/17/2021 House—Hearing: Monday, March 22, 2021, 3:30 PM Room 346-S

- 03/29/2021 House—Withdrawn from Committee on Taxation; Referred to Committee on Financial Institutions and Rural Development—HJ 616
- 03/30/2021 House—Committee Report recommending substitute bill be passed by Committee on Financial Institutions and Rural Development—HJ 643
- 05/23/2022 House—Died on House Calendar
- S 100** Bill by Transportation
Substitute for SB 100 by Committee on Transportation – Excluding the additional 90-day wait period driver’s license suspension for certain offenses.
- 01/28/2021 Senate—Introduced—SJ 113
- 01/29/2021 Senate—Referred to Committee on Transportation—SJ 122
- 02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 8:30 AM Room 546-S
- 03/01/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 265
- 03/02/2021 Senate—Withdrawn from Calendar; Referred to Committee on Federal and State Affairs—SJ 282
- 03/22/2021 Senate—Withdrawn from Committee on Federal and State Affairs; Rereferred to Committee on Transportation—SJ 388
- 03/25/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Transportation—SJ 428
- 03/30/2021 Senate—Committee of the Whole - Substitute bill be passed—SJ 482
- 03/31/2021 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0
- 04/06/2021 House—Received and Introduced—HJ 650
- 04/07/2021 House—Referred to Committee on Transportation—HJ 657
- 05/23/2022 House—Died in House Committee
- S 101** Bill by Transportation
House Substitute for SB 101 by Committee on Transportation - Approving the operation and use of electric-assisted bicycles and regulating the use thereof.
- 01/28/2021 Senate—Introduced—SJ 114
- 01/29/2021 Senate—Referred to Committee on Transportation—SJ 122
- 02/10/2021 Senate—Hearing: Wednesday, February 17, 2021, 8:30 AM Room 546-S
- 02/26/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 254
- 03/02/2021 Senate—Committee of the Whole - Be passed as amended—SJ 274
- 03/03/2021 Senate—Final Action - Passed as amended; Yea: 36 Nay: 3
- 03/10/2021 House—Received and Introduced—HJ 459
- 03/11/2021 House—Referred to Committee on Transportation—HJ 464
- 01/19/2022 House—Hearing: Tuesday, January 25, 2022, 1:30 PM Room 582-N
- 01/26/2022 House—Hearing: Tuesday, February 1, 2022, 1:30 PM Room 582-N
- 02/16/2022 House—Committee Report recommending substitute bill be passed by Committee on Transportation—HJ 1713
- 03/02/2022 House—Committee of the Whole - Substitute bill be passed as amended—HJ 1780
- 03/02/2022 House—Emergency Final Action - Substitute passed as amended; Yea: 86 Nay: 35—HJ 1781
- 03/02/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Petersen, Senator Claeys and Senator Hawk as conferees—SJ 1600

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/08/2022 House—Motion to accede adopted; Representative Proehl, Representative Delperdang and Representative Helgeson appointed as conferees—HJ 1790
- 03/29/2022 Senate—Concurred with amendments in conference; Yea: 37 Nay: 2—SJ 1815
- 04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340
- S 102 04/25/2022 Senate—Approved by Governor on Monday, April 11, 2022—SJ 2341
Bill by Judiciary
Requiring earlier notice of anticipated release from custody of a person who may be a sexually violent predator to the attorney general and a multidisciplinary team and specifying where such person will be detained during civil commitment proceedings.
- 01/28/2021 Senate—Introduced—SJ 114
- 01/29/2021 Senate—Referred to Committee on Judiciary—SJ 122
- 02/12/2021 Senate—Hearing: Wednesday, February 17, 2021, 10:30 AM Room 346-S
- 02/26/2021 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 253
- 03/02/2021 Senate—Committee of the Whole - Be passed—SJ 276
- 03/03/2021 Senate—Final Action - Passed; Yea: 39 Nay: 0
- 03/03/2021 House—Received and Introduced—HJ 431
- 03/04/2021 House—Referred to Committee on Judiciary—HJ 432
- 03/15/2021 House—Hearing: Tuesday, March 16, 2021, 3:30 PM Room 582-N
- 02/16/2022 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 1712
- S 104 03/23/2022 House—Stricken from Calendar by Rule 1507—HJ 2398
Bill by Judiciary
Requiring a court order be issued directing a child to remain in a present or future placement for certain children in need of care.
- 01/28/2021 Senate—Introduced—SJ 114
- 01/29/2021 Senate—Referred to Committee on Judiciary—SJ 122
- 02/02/2021 Senate—Hearing: Tuesday, February 9, 2021, 10:30 AM Room 346-S
- 02/26/2021 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 253
- 03/02/2021 Senate—Committee of the Whole - Be passed—SJ 276
- 03/03/2021 Senate—Final Action - Passed; Yea: 28 Nay: 9
- 03/03/2021 House—Received and Introduced—HJ 431
- 03/04/2021 House—Referred to Committee on Judiciary—HJ 432
- 05/23/2022 House—Died in House Committee
- S 108 Bill by Senator Pittman
Creating the veterans benefit lottery game fund and transferring moneys to veterans service programs.
- 01/28/2021 Senate—Introduced—SJ 114
- 01/29/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 122
- 02/11/2021 Senate—Hearing: Wednesday, February 17, 2021, 10:30 AM Room 144-S
- 05/23/2022 Senate—Died in Committee

- S 109** Bill by Senator Pittman
Requiring the Kansas commission on veterans affairs office to submit an initial application for a VA state veterans home construction grant.
 01/28/2021 Senate—Introduced—SJ 114
 01/29/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 122
 02/11/2021 Senate—Hearing: Wednesday, February 17, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 110** Bill by Senator Pittman
Authorizing the issuance of bonds for the construction of a state veterans home.
 01/28/2021 Senate—Introduced—SJ 115
 01/29/2021 Senate—Referred to Committee on Ways and Means—SJ 122
 05/23/2022 Senate—Died in Committee
- S 111** Bill by Senator Pittman
Allowing a Kansas itemized deduction for wagering losses for income tax purposes.
 01/28/2021 Senate—Introduced—SJ 115
 01/29/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 122
 05/23/2022 Senate—Died in Committee
- S 112** Bill by Senator Pittman
Providing a sales tax exemption for sales of farm products sold at farmers' markets.
 01/28/2021 Senate—Introduced—SJ 115
 01/29/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 122
 05/23/2022 Senate—Died in Committee
- S 113** Bill by Ways and Means
Creating the distracted driving violation and prohibiting the use of a wireless telecommunications device while operating a motor vehicle.
 01/28/2021 Senate—Introduced—SJ 115
 01/29/2021 Senate—Referred to Committee on Transportation—SJ 122
 05/23/2022 Senate—Died in Committee
- S 114** Bill by Insurance
Allowing governmental entities and self-insurers to reject uninsured motorist and personal injury coverage.
 02/01/2021 Senate—Introduced—SJ 125
 02/02/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 137
 05/23/2022 Senate—Died in Committee
- S 115** Bill by Senator Holland
Authorizing the county to abate or credit property tax when commercial property is negatively affected by temporary government restrictions on use during a state of disaster emergency.
 02/01/2021 Senate—Introduced—SJ 125
 02/02/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 137
 05/23/2022 Senate—Died in Committee
- S 116** Bill by Transportation
Decreasing the Eisenhower legacy transportation program alternate delivery project threshold, authorizing usage of federal stimulus funds and KDOT bonding authority.

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 02/01/2021 Senate—Introduced—SJ 125
 02/02/2021 Senate—Referred to Committee on Transportation—SJ 137
 02/10/2021 Senate—Hearing: Tuesday, February 16, 2021, 8:30 AM Room 546-S
 02/25/2021 Senate—Committee Report recommending bill be passed as amended
 by Committee on Transportation—SJ 251
 03/02/2021 Senate—Committee of the Whole - Be passed as amended—SJ 274
 03/03/2021 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0
 03/10/2021 House—Received and Introduced—HJ 459
 03/11/2021 House—Referred to Committee on Transportation—HJ 464
 05/23/2022 House—Died in House Committee
- S 117** Bill by Ways and Means
Enacting the Kansas electricity bill reduction bonds act and authorizing the state corporation commission to issue securitized ratepayer-backed KEBRA bonds for electric utility property.
 02/01/2021 Senate—Introduced—SJ 125
 02/02/2021 Senate—Referred to Committee on Ways and Means—SJ 137
 05/23/2022 Senate—Died in Committee
- S 119** Bill by Assessment and Taxation
Changing time to request full and complete opinion from the state board tax appeals, requiring the state board of tax appeals to serve orders and notices by electronic means if requested by the party, prohibiting valuation increases of certain property in appeals, establishing the burden of proof of judicial review in district court, extending the time a board member may continue to serve after such member's term expires, authorizing an appointment by the governor of a member pro tempore under certain conditions, requiring appraisal directives to require compliance with uniform standards of professional appraisal practice, providing for notice and opportunity to be heard prior to removal from county appraiser eligibility list and providing notification when person no longer holds office of county appraiser.
 02/01/2021 Senate—Introduced—SJ 125
 02/02/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 137
 02/10/2021 Senate—Hearing: Thursday, February 18, 2021, 9:30 AM Room 548-S
 02/17/2021 Senate—Hearing: Wednesday, February 24, 2021, 9:30 AM Room 548-S
 02/25/2021 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 251
 03/03/2021 Senate—Committee of the Whole - Be passed—SJ 307
 03/03/2021 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 1
 03/04/2021 House—Received and Introduced—HJ 433
 03/05/2021 House—Referred to Committee on Taxation—HJ 456
 03/17/2021 House—Hearing: Monday, March 22, 2021, 3:30 PM Room 346-S
 03/29/2021 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 613
 05/23/2022 House—Died on House Calendar
- S 121** Bill by Public Health and Welfare
Updating certain provisions of the Kansas dental practice act.
 02/01/2021 Senate—Introduced—SJ 125
 02/02/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 137

- 01/19/2022 Senate—Hearing: Tuesday, January 25, 2022, 8:30 AM Room 142-S
05/23/2022 Senate—Died in Committee
- S 123** Bill by Judiciary
Creating a process to terminate the parental rights of a person whose sexual assault of another has resulted in the conception of a child.
02/01/2021 Senate—Introduced—SJ 125
02/02/2021 Senate—Referred to Committee on Judiciary—SJ 137
02/02/2021 Senate—Hearing: Thursday, February 11, 2021, 10:30 AM Room 346-S
05/23/2022 Senate—Died in Committee
- S 125** Bill by Federal and State Affairs
Authorizing mail ballot elections for propositions to amend the constitution of the state of Kansas.
02/02/2021 Senate—Introduced—SJ 136
02/03/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 140
05/23/2022 Senate—Died in Committee
- S 126** Bill by Commerce
Authorizing the sale of alcoholic liquor by class A clubs at special events under the club and drinking establishment act.
02/02/2021 Senate—Introduced—SJ 136
02/03/2021 Senate—Referred to Committee on Commerce—SJ 140
02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 10:30 AM Room 546-S
02/24/2021 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 245
03/01/2021 Senate—Committee of the Whole - Be passed—SJ 259
03/02/2021 Senate—Final Action - Passed; Yea: 36 Nay: 1
03/02/2021 House—Received and Introduced—HJ 357
03/03/2021 House—Referred to Committee on Federal and State Affairs—HJ 361
03/04/2021 House—Hearing: Thursday, March 11, 2021, 9:00 AM Room 346-S
03/29/2021 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 604
05/23/2022 House—Died on House Calendar
- S 128** Bill by Public Health and Welfare
Prohibiting disparate treatment by pharmacy benefits managers of certain pharmacies and pharmaceutical services providers.
02/02/2021 Senate—Introduced—SJ 136
02/03/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 140
05/23/2022 Senate—Died in Committee
- S 129** Bill by Public Health and Welfare
Providing for the licensure of dental therapists.
02/02/2021 Senate—Introduced—SJ 136
02/03/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 140
02/10/2021 Senate—Hearing: Wednesday, February 17, 2021, 8:30 AM Room 142-S
05/23/2022 Senate—Died in Committee
- S 130** Bill by Senator Faust-Goudeau
Amending the definition of "race" in the Kansas act against discrimination to include traits historically associated with race, including hair texture and protective hairstyles.

- 02/02/2021 Senate—Introduced—SJ 136
 02/03/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 140
 03/07/2022 Senate—Hearing: Thursday, March 10, 2022, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 131** Bill by Senator Pittman
Regulating funeral processions and permitting funeral escorts to direct traffic for funeral processions.
 02/02/2021 Senate—Introduced—SJ 136
 02/03/2021 Senate—Referred to Committee on Transportation—SJ 140
 02/17/2021 Senate—Hearing: Wednesday, February 24, 2021, 8:30 AM Room 546-S
 02/25/2021 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 251
 03/02/2021 Senate—Committee of the Whole - Be passed—SJ 274
 03/03/2021 Senate—Final Action - Passed; Yea: 28 Nay: 9
 03/03/2021 House—Received and Introduced—HJ 431
 03/04/2021 House—Referred to Committee on Transportation—HJ 432
 05/23/2022 House—Died in House Committee
- S 132** Bill by Senator Pittman
Amending credits to on court-imposed fines for community service to the statutory minimum wage.
 02/02/2021 Senate—Introduced—SJ 137
 02/03/2021 Senate—Referred to Committee on Judiciary—SJ 140
 05/23/2022 Senate—Died in Committee
- S 133** Bill by Utilities
Exempting the retail sale of electricity by public utilities for electric vehicle charging stations from the jurisdiction of the state corporation commission.
 02/02/2021 Senate—Introduced—SJ 137
 02/03/2021 Senate—Hearing: Wednesday, February 10, 2021, 1:30 PM Room 548-S
 02/03/2021 Senate—Referred to Committee on Utilities—SJ 140
 05/23/2022 Senate—Died in Committee
- S 134** Bill by Senator Pittman
Requiring state agencies to draft and implement minimum staffing plans.
 02/03/2021 Senate—Introduced—SJ 139
 02/04/2021 Senate—Referred to Committee on Ways and Means—SJ 147
 05/23/2022 Senate—Died in Committee
- S 135** Bill by Senator Pittman
Providing membership in the KP&F retirement system for security officers of the department of corrections.
 02/03/2021 Senate—Introduced—SJ 139
 02/04/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 147
 02/10/2021 Senate—Hearing: Tuesday, February 16, 2021, 9:30 AM Room 546-S
 02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 9:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 136** Bill by Ways and Means
Abolishing the death penalty and creating the crime of aggravated murder.
 02/03/2021 Senate—Introduced—SJ 139

- 02/04/2021 Senate—Referred to Committee on Judiciary—SJ 147
05/23/2022 Senate—Died in Committee
- S 137** Bill by Commerce
Expanding the military spouse and service member’s expedited licensure law to all applicants who have established or intend to establish residency in Kansas, providing for licenses in an emergency declared by the legislature, allowing telemedicine by out-of-state healthcare providers and permitting the use of electronic credentials.
- 02/03/2021 Senate—Introduced—SJ 139
02/04/2021 Senate—Referred to Committee on Commerce—SJ 147
02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 10:30 AM Room 546-S
05/23/2022 Senate—Died in Committee
- S 138** Bill by Public Health and Welfare
Establishing certification and funding for certified community behavioral health clinics.
- 02/03/2021 Senate—Introduced—SJ 139
02/04/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 147
02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 8:30 AM Room 142-S
05/23/2022 Senate—Died in Committee
- S 139** Bill by Public Health and Welfare
Permitting the administration of certain tests, questionnaires, surveys and examinations regarding student beliefs and practices on an opt-out basis and providing conditions therefor.
- 02/03/2021 Senate—Introduced—SJ 139
02/04/2021 Senate—Referred to Committee on Education—SJ 147
05/23/2022 Senate—Died in Committee
- S 140** Bill by Senator McGinn
Updating membership and requirements of the Kansas state employees health care commission to better reflect the current population of individuals eligible to participate in the state healthcare benefits program.
- 02/04/2021 Senate—Introduced—SJ 141
02/05/2021 Senate—Referred to Committee on Ways and Means—SJ 154
05/23/2022 Senate—Died in Committee
- S 141** Bill by Judiciary
Enacting the Kansas uniform directed trust act.
- 02/04/2021 Senate—Introduced—SJ 141
02/05/2021 Senate—Referred to Committee on Judiciary—SJ 154
02/05/2021 Senate—Hearing: Monday, February 8, 2021, 10:30 AM Room 346-S
02/21/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1551
02/23/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1572
02/23/2022 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 1574
03/01/2022 House—Received and Introduced—HJ 1778
03/02/2022 House—Hearing: Wednesday, March 2, 2022, 3:30 PM Room 582-N
03/02/2022 House—Referred to Committee on Judiciary—HJ 1779
03/04/2022 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 1786
03/21/2022 House—Committee of the Whole - Be passed—HJ 1876
03/21/2022 House—Emergency Final Action - Passed; Yea: 122 Nay: 0—HJ 1894

- 03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
- S 144 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340
Bill by Education
Making the high-density at-risk student weighting of the Kansas school equity and enhancement act permanent by removing the sunset.
02/04/2021 Senate—Introduced—SJ 142
02/05/2021 Senate—Referred to Committee on Education—SJ 154
02/15/2021 Senate—Hearing: Friday, February 19, 2021, 1:30 PM Room 144-S
05/23/2022 Senate—Died in Committee
- S 145 Bill by Ways and Means
Authorizing the Kansas department of wildlife, parks and tourism to purchase land in Kingman county.
02/04/2021 Senate—Introduced—SJ 142
02/05/2021 Senate—Referred to Committee on Ways and Means—SJ 154
03/10/2021 Senate—Hearing: Monday, March 15, 2021, 10:30 AM Room 548-S
03/16/2021 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 360
03/25/2021 Senate—Committee of the Whole - Be passed—SJ 416
03/25/2021 Senate—Emergency Final Action - Passed; Yea: 33 Nay: 7
03/26/2021 House—Received and Introduced—HJ 573
03/29/2021 House—Referred to Committee on Appropriations—HJ 595
05/23/2022 House—Died in House Committee
- S 146 Bill by Transportation
Providing that the highway patrol will provide the administration and oversight of state certified ignition interlock manufacturers and their service providers.
02/04/2021 Senate—Introduced—SJ 142
02/05/2021 Senate—Referred to Committee on Transportation—SJ 154
03/04/2021 Senate—Withdrawn from Committee on Transportation; Referred to Committee on Federal and State Affairs—SJ 317
03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs; Rereferred to Committee on Transportation—SJ 320
03/18/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 381
03/23/2021 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 390
01/25/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1460
01/26/2022 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1467
01/27/2022 House—Received and Introduced—HJ 1640
01/28/2022 House—Referred to Committee on Transportation—HJ 1642
05/23/2022 House—Died in House Committee
- S 147 Bill by Assessment and Taxation
Defining and providing a sales tax exemption for nonprofit integrated community care organizations and providing a sales tax exemption for friends of hospice of Jefferson county.
02/04/2021 Senate—Introduced—SJ 142
02/05/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 154
02/17/2021 Senate—Hearing: Thursday, February 25, 2021, 9:30 AM Room 548-S

- 02/25/2021 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 251
- 03/03/2021 Senate—Committee of the Whole - Be passed—SJ 307
- 03/03/2021 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0
- 03/04/2021 House—Received and Introduced—HJ 433
- 03/05/2021 House—Referred to Committee on Taxation—HJ 456
- 03/10/2021 House—Hearing: Thursday, March 18, 2021, 3:30 PM Room 346-S
- 03/29/2021 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 615
- 05/23/2022 House—Died on House Calendar
- S 148** Bill by Assessment and Taxation
Exempting grocery stores from sales tax assessments for community improvement districts.
- 02/04/2021 Senate—Introduced—SJ 142
- 02/05/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 154
- 05/23/2022 Senate—Died in Committee
- S 149** Bill by Assessment and Taxation
Providing for reimbursement of property taxes from county government for business shutdown or capacity limitation caused by the county.
- 02/04/2021 Senate—Introduced—SJ 142
- 02/05/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 154
- 03/04/2021 Senate—Hearing: Thursday, March 11, 2021, 9:30 AM Room 548-S
- 05/23/2022 Senate—Died in Committee
- S 150** Bill by Judiciary
Defining and prohibiting certain deceptive lawsuit advertising practices and restricting the use or disclosure of protected health information to solicit individuals for legal services.
- 02/04/2021 Senate—Introduced—SJ 142
- 02/05/2021 Senate—Referred to Committee on Judiciary—SJ 154
- 02/09/2021 Senate—Hearing: Tuesday, February 16, 2021, 10:30 AM Room 346-S
- 03/04/2021 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Federal and State Affairs—SJ 317
- 03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs; Rereferred to Committee on Judiciary—SJ 320
- 01/20/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1437
- 02/23/2022 Senate—Committee of the Whole - Motion to rerefer to committee failed Yea: 12 Nay: 24—SJ 1572
- 02/23/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1572
- 02/23/2022 Senate—Emergency Final Action - Passed as amended; Yea: 24 Nay: 14—SJ 1574
- 03/01/2022 House—Received and Introduced—HJ 1778
- 03/02/2022 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1779
- 03/11/2022 House—Hearing: Monday, March 14, 2022, 1:30 PM Room 346-S
- 03/18/2022 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 1864
- 03/23/2022 House—Committee of the Whole - Be passed as amended—HJ 2278

- 03/23/2022 House—Emergency Final Action - Passed as amended; Yea: 75 Nay: 47—HJ 2285
- 03/28/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Haley as conferees—SJ 1807
- 03/29/2022 House—Motion to accede adopted; Representative Tarwater, Representative Long and Representative Clayton appointed as conferees—HJ 2407
- 03/29/2022 Senate—Senator Corson is appointed to replace Senator Haley on the Conference Committee—SJ 1814
- 04/01/2022 Senate—Concurred with amendments in conference; Yea: 27 Nay: 13—SJ 1914
- 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—SJ 2379
- 04/25/2022 Senate—Approved by Governor on Monday, April 18, 2022—SJ 2341
- S 151** Bill by Judiciary
Enacting limitations on contingency fee agreements in certain civil actions.
 02/04/2021 Senate—Introduced—SJ 142
 02/05/2021 Senate—Referred to Committee on Judiciary—SJ 154
 05/23/2022 Senate—Died in Committee
- S 152** 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.
 02/04/2021 Senate—Introduced—SJ 142
 02/05/2021 Senate—Referred to Committee on Judiciary—SJ 154
 02/09/2022 Senate—Hearing: Monday, February 14, 2022, 10:30 AM Room 346-S
 02/15/2022 Senate—Hearing continuation: Tuesday, February 15, 2022, 10:30 AM Room 346-S
 02/23/2022 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 1586
 03/01/2022 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 1598
 05/23/2022 Senate—Died in Committee
- S 153** Bill by Local Government
Establishing election procedures for the imposition of term limits on members of the board of county commissioners.
 02/04/2021 Senate—Introduced—SJ 142
 02/05/2021 Senate—Referred to Committee on Local Government—SJ 154
 02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 9:30 AM Room 142-S
 05/23/2022 Senate—Died in Committee
- S 154** Bill by Ways and Means
Increasing reimbursement rates for providers of home and community-based services under the intellectual or developmental disability waiver, making appropriations for such rates and providing for legislative review of the waiting list for such services.
 02/04/2021 Senate—Introduced—SJ 143
 02/05/2021 Senate—Referred to Committee on Ways and Means—SJ 154
 03/10/2021 Senate—Hearing: Wednesday, March 17, 2021, 10:30 AM Room 548-S

- 03/24/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 408
- 05/23/2022 Senate—Died on General Orders
- S 155** Bill by Ways and Means
Expanding newborn screening services and increasing transfers from the medical assistance fee fund to the Kansas newborn screening fund.
 02/04/2021 Senate—Introduced—SJ 143
 02/05/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 154
 02/23/2022 Senate—Hearing: Thursday, March 3, 2022, 8:30 AM Room 142-S
 03/16/2022 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 1687
 03/23/2022 Senate—Committee of the Whole - Be passed—SJ 1771
 03/23/2022 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 1783
 03/28/2022 House—Received and Introduced—HJ 2401
 03/29/2022 House—Referred to Committee on Health and Human Services—HJ 2406
- 05/23/2022 House—Died in House Committee
- S 156** Bill by Senator Holscher
Prohibiting the carrying of a concealed handgun in the state capitol.
 02/04/2021 Senate—Introduced—SJ 143
 02/05/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 154
- 05/23/2022 Senate—Died in Committee
- S 157** Bill by Senator Holscher
Requiring election commissioners currently appointed by the secretary of state to be elected.
 02/04/2021 Senate—Introduced—SJ 143
 02/05/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 154
- 05/23/2022 Senate—Died in Committee
- S 158** Bill by Transportation
House Substitute for SB 158 by Committee on Federal and State Affairs - Creating the Kansas medical marijuana regulation act.
 02/04/2021 Senate—Introduced—SJ 143
 02/05/2021 Senate—Referred to Committee on Transportation—SJ 154
 03/04/2021 Senate—Withdrawn from Committee on Transportation; Referred to Committee on Federal and State Affairs—SJ 317
 03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs; Rereferred to Committee on Transportation—SJ 320
 03/12/2021 Senate—Hearing: Wednesday, March 17, 2021, 8:30 AM Room 546-S
 03/18/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 380
 03/25/2021 Senate—Committee of the Whole - Be passed as amended—SJ 416
 03/25/2021 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0
 03/26/2021 House—Received and Introduced—HJ 573
 03/29/2021 House—Referred to Committee on Federal and State Affairs—HJ 595
 03/31/2021 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 647
 04/06/2021 House—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs
 05/05/2021 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 1308

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 05/06/2021 House—Committee of the Whole - Substitute bill be passed as amended—HJ 1399
- 05/06/2021 House—Emergency Final Action - Substitute passed as amended; Yea: 79 Nay: 42—HJ 1400
- 05/07/2021 Senate—Ruled materially changed and referred to Committee on Federal and State Affairs—SJ 1400
- 01/12/2022 Senate—Hearing: (proponents) Tuesday, January 18, 2022, 10:30 AM Room 144-S
- 01/12/2022 Senate—Hearing: (opponents) Wednesday, January 19, 2022, 10:30 AM Room 144-S
- 01/13/2022 Senate—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Interstate Cooperation—SJ 1420
- 05/23/2021 Senate—Died in Committee
- S 160** Bill by Agriculture and Natural Resources
- Enacting the fairness in women's sports act to require that student athletic teams only include members who are of the same biological sex unless designated as coed.**
- 02/08/2021 Senate—Introduced—SJ 156
- 02/09/2021 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 164
- 02/22/2021 Senate—Hearing: Wednesday, February 24, 2021, 8:30 AM Room 144-S
- 02/25/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture and Natural Resources—SJ 251
- 03/02/2021 Senate—Consent Calendar Passed Yea: 38 Nay: 1—SJ 270
- 03/03/2021 House—Received and Introduced—HJ 431
- 03/04/2021 House—Referred to Committee on Agriculture—HJ 432
- 03/17/2021 House—Hearing: Monday, March 22, 2021, 3:30 PM Room 112-N
- 03/24/2021 House—Committee Report recommending bill be passed as amended by Committee on Agriculture—HJ 540
- 03/25/2021 House—Committee of the Whole - Be passed as amended—HJ 556
- 03/25/2021 House—Emergency Final Action - Passed as amended; Yea: 120 Nay: 2
- 04/06/2021 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Kerschen, Senator Straub and Senator Ware as conferees—SJ 575
- 04/06/2021 House—Motion to accede adopted; Representative Rahjes, Representative Smith, E. and Representative Carlin appointed as conferees—HJ 652
- 05/06/2021 Senate—Senator Warren, Senator Wilborn, and Senator Haley are appointed to replace Senator Kerschen, Senator Straub, and Senator Ware on the Conference Committee—SJ 1256
- 03/29/2022 House—Representative Williams, Representative Hoffman, and Representative Winn are appointed to replace Representative Rahjes, Representative Smith, E., and Representative Carlin on the Conference Committee—HJ 2412
- 03/30/2022 Senate—Senator Baumgardner, Senator Erickson, and Senator Sykes are appointed to replace Senator Warren, Senator Wilborn, and Senator Haley on the Conference Committee—SJ 1849

- 04/01/2022 House—Conference Committee Report agree to disagree adopted; Representative Williams, Representative Hoffman and Representative Ousley appointed as second conferees—HJ 2617
- 04/01/2022 Senate—Conference Committee Report agree to disagree adopted; Senator Baumgardner, Senator Erickson and Senator Sykes appointed as second conferees—SJ 1913
- 04/01/2022 House—Conference Committee Report was adopted; Yea: 74 Nay: 39—HJ 2981
- 04/01/2022 Senate—Conference Committee Report was adopted; Yea: 25 Nay: 13—SJ 2335
- 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—SJ 2379
- 04/25/2022 Senate—Vetoed by Governor; Returned to Senate on Friday, April 15, 2022
- 04/26/2022 Senate—Motion to override veto prevailed; Yea: 28 Nay: 10—SJ 2384
- 04/28/2022 House—Motion to override veto failed; Veto sustained; Yea: 81 Nay: 41—HJ 3127

S 161

Bill by Commerce

Providing for the use of personal package delivery devices on sidewalks and crosswalks, exempting such devices from motor vehicle regulation and limiting additional municipal regulation.

- 02/08/2021 Senate—Introduced—SJ 156
- 02/09/2021 Senate—Referred to Committee on Commerce—SJ 164
- 02/17/2021 Senate—Hearing: Wednesday, February 24, 2021, 10:30 AM Room 546-S
- 03/04/2021 Senate—Withdrawn from Committee on Commerce; Referred to Committee on Federal and State Affairs—SJ 317
- 03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs; Rereferred to Committee on Commerce—SJ 320
- 03/19/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 382
- 02/22/2022 Senate—Committee of the Whole - Be passed as further amended—SJ 1562
- 02/23/2022 Senate—Final Action - Passed as amended; Yea: 24 Nay: 15—SJ 1575
- 03/01/2022 House—Received and Introduced—HJ 1778
- 03/02/2022 House—Referred to Committee on Transportation—HJ 1779
- 03/09/2022 House—Hearing: Tuesday, March 15, 2022, 1:30 PM Room 582-N
- 03/21/2022 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 1882
- 03/22/2022 House—Committee of the Whole - Be passed as amended—HJ 2259
- 03/23/2022 House—Final Action - Passed as amended; Yea: 75 Nay: 47—HJ 2273
- 03/29/2022 Senate—Concurred with amendments; Yea: 22 Nay: 17—SJ 1815
- 04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340
- 04/25/2022 Senate—Vetoed by Governor; Returned to Senate on Monday, April 11, 2022—SJ 2386
- 04/26/2022 Senate—No motion to reconsider vetoed bill; Veto sustained—SJ 2386

S 162

Bill by Commerce

Providing for an emergency expansion of the employment security board of review with a sunset of June 30, 2024.

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 02/08/2021 Senate—Introduced—SJ 156
 02/09/2021 Senate—Referred to Committee on Commerce—SJ 164
 05/23/2022 Senate—Died in Committee
- S 163** Bill by Commerce
Amending unemployment insurance disqualification provisions relating to dates disqualification begins, recovery from illness or injury and part-time employment for an educational institution.
- 02/08/2021 Senate—Introduced—SJ 156
 02/09/2021 Senate—Referred to Committee on Commerce—SJ 164
 02/17/2021 Senate—Hearing: Thursday, February 25, 2021, 10:30 AM Room 546-S
 03/17/2021 Senate—Hearing: Tuesday, March 23, 2021, 10:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 164** Bill by Senator Holland
Concerning an employer's maximum liability for permanent total disability compensation and requiring an employer to pay such disabled employee during the continuance of such disability from the date of maximum medical improvement for the lifetime of the employee at the weekly rate of the compensation in effect on the date of injury for which compensation is being made.
- 02/08/2021 Senate—Introduced—SJ 156
 02/09/2021 Senate—Referred to Committee on Commerce—SJ 164
 05/23/2022 Senate—Died in Committee
- S 165** Bill by Senator Corson
Removing the requirement of residency for election commissioners.
- 02/08/2021 Senate—Introduced—SJ 156
 02/09/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 164
 05/23/2022 Senate—Died in Committee
- S 166** Bill by Senator Corson
Authorizing county election officers to transmit advance voting ballots up to 40 days prior to the election.
- 02/08/2021 Senate—Introduced—SJ 156
 02/09/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 164
 05/23/2022 Senate—Died in Committee
- S 168** Bill by Ways and Means
Updating certain provisions of the prescription monitoring program act relating to program data, storage and access, increasing the membership of the advisory committee and providing for setup and annual maintenance fees for program data integration
- 02/08/2021 Senate—Introduced—SJ 156
 02/09/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 164
 02/01/2022 Senate—Hearing: Thursday, February 10, 2022, 8:30 AM Room 142-S
 02/15/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1537
 05/23/2022 Senate—Died on General Orders
- S 169** Bill by Ways and Means
Authorizing the legislative coordinating council to prohibit the carrying of concealed handguns in the state capitol.
- 02/08/2021 Senate—Introduced—SJ 157
 02/09/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 164
 05/23/2022 Senate—Died in Committee

- S 171 Bill by Ways and Means
Providing for adjusted sales tax rates for food and food ingredients.
 02/08/2021 Senate—Introduced—SJ 157
 02/09/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 164
 05/23/2022 Senate—Died in Committee
- S 173 Bill by Education
Extending the high-density at-risk student weighting, requiring certain transfers to the at-risk fund of a school district and establishing requirements for school district at-risk fund expenditures and for identification of students eligible to receive at-risk programs and services.
 02/08/2021 Senate—Introduced—SJ 157
 02/09/2021 Senate—Referred to Committee on Education—SJ 164
 02/15/2021 Senate—Hearing: Thursday, February 18, 2021, 1:30 PM Room 144-S
 03/01/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 263
 03/04/2021 Senate—Withdrawn from Calendar; Referred to Committee on Federal and State Affairs—SJ 317
 03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs and re-referred to Committee of the Whole—SJ 320
 05/23/2022 Senate—Died on General Orders
- S 174 Bill by Public Health and Welfare
Updating scope of practice requirements for advanced practice registered nurses without a supervising physician, imposing requirements therefor and updating certain licensure requirements.
 02/08/2021 Senate—Introduced—SJ 157
 02/09/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 164
 02/10/2021 Senate—Hearing: Thursday, February 18, 2021, 8:30 AM Room 142-S
 03/05/2021 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Federal and State Affairs—SJ 320
 03/10/2021 Senate—Withdrawn from Committee on Federal and State Affairs; Rereferred to Committee on Public Health and Welfare—SJ 324
 05/23/2022 Senate—Died in Committee
- S 176 Bill by Commerce
Enacting the Kansas home inspectors professional competence and financial responsibility act and providing for registration for home inspectors with oversight by the attorney general.
 02/09/2021 Senate—Introduced—SJ 161
 02/10/2021 Senate—Referred to Committee on Commerce—SJ 198
 02/17/2021 Senate—Hearing: Wednesday, February 24, 2021, 10:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 177 Bill by Commerce
Changing provisions of the employment security law including creation of the unemployment compensation modernization and improvement council, development of a new unemployment insurance information technology system, provision of tax information to claimants, publication of trust fund data, the maximum benefit period, the charging of employer accounts for benefits paid, employer contribution rate determination and schedules, abolishment of the

employment security interest assessment fund, crediting of employer accounts for fraudulent or erroneous payments, transfers from the state general fund to the unemployment insurance trust fund for improper benefit payments, changes to the shared work compensation program and other unemployment trust fund provisions.

- 02/09/2021 Senate—Introduced—SJ 161
 02/10/2021 Senate—Referred to Committee on Commerce—SJ 198
 02/10/2021 Senate—Hearing continuation: Wednesday, February 17, 2021, 10:30 AM Room 546-S
 02/10/2021 Senate—Hearing: (proponents) Monday, February 15, 2021, 10:30 AM Room 546-S
 02/12/2021 Senate—Hearing: (proponents) Tuesday, February 16, 2021, 10:30 AM Room 546-S
 02/15/2021 Senate—Hearing: (neutral) Thursday, February 18, 2021, 10:30 AM Room 546-S
 02/15/2021 Senate—Hearing: (proponents) Wednesday, February 17, 2021, 10:30 AM Room 546-S
 02/15/2021 Senate—Hearing: (opponents) Thursday, February 18, 2021, 10:30 AM Room 546-S
 03/04/2021 Senate—Withdrawn from Committee on Commerce; Referred to Committee on Federal and State Affairs—SJ 317
 03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs; Rereferred to Committee on Commerce—SJ 320
 05/23/2022 Senate—Died in Committee

S 179

Bill by Senator Pittman

Designating February 15 of each year as Susan B. Anthony Day in the state of Kansas.

- 02/09/2021 Senate—Introduced—SJ 162
 02/10/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 198
 01/26/2022 Senate—Hearing: Monday, January 31, 2022, 10:30 AM Room 144-S
 02/09/2022 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1517
 05/23/2022 Senate—Died on General Orders

S 180

Bill by Senators Peck, Bowers, Corson, Hilderbrand, Kloos, McGinn, Pittman, Steffen, Thompson

Providing a sales tax exemption for certain purchases by disabled veterans.

- 02/09/2021 Senate—Introduced—SJ 162
 02/10/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 198
 03/10/2021 Senate—Hearing: Thursday, March 18, 2021, 9:30 AM Room 548-S
 03/21/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1710
 05/23/2022 Senate—Died on General Orders

S 181

Bill by Federal and State Affairs

Creating the elevator safety act to require inspections of elevators and licensure for elevator installation and repair.

- 02/09/2021 Senate—Introduced—SJ 162
 02/10/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 198
 02/10/2021 Senate—Hearing: Thursday, February 18, 2021, 10:30 AM Room 144-S
 03/24/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 407

- 03/29/2021 Senate—Committee of the Whole - Be passed as further amended—SJ 440
- 03/30/2021 Senate—Final Action - Passed; Yea: 32 Nay: 7
- 04/06/2021 House—Received and Introduced—HJ 650
- 04/07/2021 House—Referred to Committee on Federal and State Affairs—HJ 657
- 01/12/2022 House—Hearing: Wednesday, January 19, 2022, 9:00 AM Room 346-S
- 02/01/2022 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 1649
- 03/17/2022 House—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs—HJ 1847
- 05/23/2022 House—Died in House Committee
- S 182** Bill by Federal and State Affairs
Requiring electronic filing of campaign reports by candidates for state office unless an exemption is granted for cause.
- 02/09/2021 Senate—Introduced—SJ 162
- 02/10/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 198
- 02/17/2021 Senate—Hearing: Wednesday, February 24, 2021, 9:30 AM Room 142-S
- 05/23/2022 Senate—Died in Committee
- S 183** Bill by Federal and State Affairs
Requiring equipment and other personal property purchased with campaign funds by a candidate terminating their candidacy be sold or purchased by the candidate for fair market value and the money disposed of in the same manner as residual funds.
- 02/09/2021 Senate—Introduced—SJ 162
- 02/10/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 198
- 05/23/2022 Senate—Died in Committee
- S 184** Bill by Senator Corson
Authorizing any registered voter to apply for permanent advance voting status.
- 02/09/2021 Senate—Introduced—SJ 162
- 02/10/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 198
- 05/23/2022 Senate—Died in Committee
- S 185** Bill by Education
Clarifying the authority of the Kansas commission for the deaf and hard of hearing with regard to registration of interpreters, establishing guidelines for communication access services and authorizing the adoption of rules and regulations.
- 02/09/2021 Senate—Introduced—SJ 162
- 02/10/2021 Senate—Referred to Committee on Education—SJ 198
- 02/25/2021 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 251
- 03/03/2021 Senate—Committee of the Whole - Be passed as amended—SJ 291
- 03/03/2021 Senate—Emergency Final Action - Passed; Yea: 24 Nay: 15
- 03/10/2021 House—Received and Introduced—HJ 459
- 03/11/2021 House—Referred to Committee on Education—HJ 464
- 03/17/2021 House—Hearing: Wednesday, March 24, 2021, 1:30 PM Room 218-N
- 03/25/2021 House—Committee Report recommending bill be passed by Committee on Education—HJ 562

- 03/31/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 646
- 05/23/2022 House—Died in House Committee
- S 186** Bill by Transportation
Permitting the secretary of transportation to contract with the Kansas turnpike authority to enforce toll payments and permitting the secretary of transportation to use tolls to support public transit and other improvements on a toll project.
- 02/09/2021 Senate—Introduced—SJ 162
- 02/10/2021 Senate—Referred to Committee on Transportation—SJ 198
- 05/23/2022 Senate—Died in Committee
- S 187** Bill by Senator Steffen
Prohibiting internet social media terms of service that permit censorship of speech.
- 02/09/2021 Senate—Introduced—SJ 163
- 02/10/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 198
- 03/17/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 144-S
- 05/23/2022 Senate—Died in Committee
- S 188** Bill by Senator Haley
Enacting the national popular vote interstate compact for electing the president of the United States.
- 02/09/2021 Senate—Introduced—SJ 163
- 02/10/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 198
- 05/23/2022 Senate—Died in Committee
- S 189** Bill by Senator Holland
Requiring use of the fourth edition of the AMA medical guide to determine impairment for awarding workers compensation benefits.
- 02/09/2021 Senate—Introduced—SJ 163
- 02/10/2021 Senate—Referred to Committee on Commerce—SJ 198
- 05/23/2022 Senate—Died in Committee
- S 190** Bill by Federal and State Affairs
Creating the Kansas protection of firearm rights act to restore the right to possess a firearm upon expungement of certain convictions.
- 02/09/2021 Senate—Introduced—SJ 163
- 02/10/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 198
- 02/12/2021 Senate—Hearing: Wednesday, February 17, 2021, 10:30 AM Room 144-S
- 05/23/2022 Senate—Died in Committee
- S 191** Bill by Transparency and Ethics
Providing for the appointment of election commissioners in the four largest counties by the board of county commissioners instead of the secretary of state.
- 02/09/2021 Senate—Introduced—SJ 163
- 02/10/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 198
- 05/23/2022 Senate—Died in Committee
- S 192** Bill by Senators Sykes, Corson, Faust-Goudeau, Francisco, Hawk, Holscher, Pettey, Ware
Requiring relinquishment of firearms pursuant to certain court orders related to domestic violence.
- 02/09/2021 Senate—Introduced—SJ 163

- 02/10/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 198
 02/22/2022 Senate—Hearing: Wednesday, March 2, 2022, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 193** Bill by Senator Holland
Expanding the definition of compensable personal injury in workers compensation law to include mental injuries suffered from physical injury, emotional shock or after a series of work-related events.
 02/09/2021 Senate—Introduced—SJ 163
 02/10/2021 Senate—Referred to Committee on Commerce—SJ 198
 05/23/2022 Senate—Died in Committee
- S 194** Bill by Commerce
Removing an employment security law restriction on leasing of certain employees by client lessees of lessor employing units.
 02/09/2021 Senate—Introduced—SJ 163
 02/10/2021 Senate—Referred to Committee on Commerce—SJ 198
 05/23/2022 Senate—Died in Committee
- S 195** 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 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.
 02/09/2021 Senate—Introduced—SJ 163
 02/10/2021 Senate—Referred to Committee on Judiciary—SJ 198
 05/23/2022 Senate—Died in Committee
- S 196** Bill by Senator Haley
Requiring courts to order a defendant to pay certain restitution when the defendant's offense resulted in the incapacitation or death of a victim who has a minor child or children.
 02/09/2021 Senate—Introduced—SJ 163
 02/10/2021 Senate—Referred to Committee on Judiciary—SJ 198
 05/23/2022 Senate—Died in Committee
- S 197** Bill by Senator Haley
Requiring law enforcement agencies to increase data collection and reporting on racial profiling and other biased policing.
 02/09/2021 Senate—Introduced—SJ 163
 02/10/2021 Senate—Referred to Committee on Judiciary—SJ 198
 05/23/2022 Senate—Died in Committee
- S 198** Bill by Senator Haley
Amending Kansas open records act provisions regarding access to certain law enforcement audio and video recordings and enacting the police and citizen protection act regarding use of body cameras by law enforcement officers.
 02/09/2021 Senate—Introduced—SJ 164
 02/10/2021 Senate—Referred to Committee on Judiciary—SJ 198
 05/23/2022 Senate—Died in Committee
- S 199** Bill by Public Health and Welfare
Providing for short-term, limited-duration health plans.
 02/10/2021 Senate—Introduced—SJ 196

- 02/11/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 202
- 03/04/2021 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Federal and State Affairs—SJ 317
- 03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs; Rereferred to Committee on Financial Institutions and Insurance—SJ 320
- 03/17/2021 Senate—Hearing: Thursday, March 18, 2021, 9:30 AM Room 546-S
- 03/23/2021 Senate—Hearing continuation: Thursday, March 25, 2021, 9:30 AM Room 546-S
- 03/26/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 434
- 03/31/2021 Senate—Committee of the Whole - Be passed as amended
- 03/31/2021 Senate—Emergency Final Action - Passed as amended; Yea: 27 Nay: 6
- 04/06/2021 House—Received and Introduced—HJ 650
- 04/07/2021 House—Referred to Committee on Insurance and Pensions—HJ 657
- 02/03/2022 House—Hearing: Monday, February 7, 2022, 3:30 PM Room 218-N
- 02/22/2022 House—Committee Report recommending bill be passed as amended by Committee on Insurance and Pensions—HJ 1750
- 03/22/2022 House—Committee of the Whole - Be passed as amended—HJ 2259
- 03/23/2022 House—Final Action - Passed as amended; Yea: 73 Nay: 49—HJ 2274
- 03/29/2022 Senate—Concurred with amendments; Yea: 28 Nay: 11—SJ 1815
- 04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340
- 04/25/2022 Senate—Vetoed by Governor; Returned to Senate on Monday, April 11, 2022—SJ 2387
- 04/26/2022 Senate—Motion to override veto prevailed; Yea: 28 Nay: 9—SJ 2384
- 04/28/2022 House—No motion to reconsider vetoed bill; Veto sustained—HJ 3245
- S 200** Bill by Public Health and Welfare
- Expanding the pharmacist scope of practice to include initiation of therapy for certain conditions, updating provisions of the prescription monitoring program act relating to program data, storage and access and increasing the membership of the advisory committee.**
- 02/10/2021 Senate—Introduced—SJ 196
- 02/11/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 202
- 02/17/2021 Senate—Hearing: Thursday, February 25, 2021, 8:30 AM Room 142-S
- 02/04/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1493
- 02/15/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1532
- 02/15/2022 Senate—Emergency Final Action - Passed as amended; Yea: 37 Nay: 2—SJ 1532
- 02/16/2022 House—Received and Introduced—HJ 1708
- 02/17/2022 House—Referred to Committee on Health and Human Services—HJ 1716
- 03/09/2022 House—Hearing: Monday, March 14, 2022, 1:30 PM Room 112-N
- 03/15/2022 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 1829
- 03/21/2022 House—Committee of the Whole - Be passed as amended—HJ 1876
- 03/21/2022 House—Emergency Final Action - Passed as amended; Yea: 119 Nay: 3—HJ 1891

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/28/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Hilderbrand, Senator Gossage and Senator Pettey as conferees—SJ 1807
- 03/28/2022 House—Motion to accede adopted; Representative Landwehr, Representative Eplee and Representative Ruiz, S. appointed as conferees—HJ 2401
- 04/01/2022 House—Conference Committee Report was adopted; Yea: 112 Nay: 2—HJ 2599
- 04/01/2022 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 3—SJ 1985
- 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—SJ 2379
- 04/25/2022 Senate—Approved by Governor on Monday, April 18, 2022—SJ 2341
- S 201** Bill by Senator Corson
Authorizing voter registration for individuals 16 years of age or older.
 02/10/2021 Senate—Introduced—SJ 196
 02/11/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 202
 05/23/2022 Senate—Died in Committee
- S 202** Bill by Senators Holland, Alley, Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holscher, Olson, Pettey, Pittman, Sykes, Ware
Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
 02/10/2021 Senate—Introduced—SJ 196
 02/11/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 202
 05/23/2022 Senate—Died in Committee
- S 203** Bill by Senator Sykes
Allowing injured employees to designate their healthcare provider and requiring the employer to pay for the services of such healthcare provider with regard to workers compensation.
 02/10/2021 Senate—Introduced—SJ 196
 02/11/2021 Senate—Referred to Committee on Commerce—SJ 202
 05/23/2022 Senate—Died in Committee
- S 205** Bill by Judiciary
Enacting the uniform partition of heirs property act to prescribe procedures and requirements for partition of certain real property.
 02/10/2021 Senate—Introduced—SJ 196
 02/11/2021 Senate—Referred to Committee on Judiciary—SJ 202
 05/23/2022 Senate—Died in Committee
- S 206** Bill by Judiciary
Enacting the fairness in condemnation act to require the condemning authority to provide the property owner notice of a planned condemnation proceeding, an offer for purchase and a court review of compliance with this act.
 02/10/2021 Senate—Introduced—SJ 196
 02/11/2021 Senate—Referred to Committee on Judiciary—SJ 202

- 03/04/2021 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Federal and State Affairs—SJ 317
- 03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs; Rereferred to Committee on Judiciary—SJ 320
- 05/23/2022 Senate—Died in Committee
- S 207** Bill by Senator Steffen
Providing additional regulation and restrictions for out-of-state doctors to practice telemedicine in the state of Kansas.
- 02/10/2021 Senate—Introduced—SJ 197
- 02/11/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 202
- 05/23/2022 Senate—Died in Committee
- S 208** Bill by Federal and State Affairs
Creating the fairness in women's sports act to require that female student athletic teams only include members who are biologically female.
- 02/10/2021 Senate—Introduced—SJ 197
- 02/11/2021 Senate—Referred to Committee on Education—SJ 202
- 02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 1:30 PM Room 144-S
- 03/16/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 358
- 03/17/2021 Senate—Committee of the Whole - Be passed as amended—SJ 364
- 03/17/2021 Senate—Emergency Final Action - Passed as amended; Yea: 24 Nay: 10
- 03/19/2021 House—Received and Introduced—HJ 514
- 03/22/2021 House—Referred to Committee on Education—HJ 515
- 05/23/2022 House—Died in House Committee
- S 209** Bill by Federal and State Affairs
Restrictions on third party solicitations to registered voters to file an application for an advance voting ballot.
- 02/10/2021 Senate—Introduced—SJ 197
- 02/11/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 202
- 02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 10:30 AM Room 144-S
- 05/23/2022 Senate—Died in Committee
- S 210** Bill by Federal and State Affairs
Reducing the number of members of the house of representatives to 120.
- 02/10/2021 Senate—Introduced—SJ 197
- 02/11/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 202
- 05/23/2022 Senate—Died in Committee
- S 211** Bill by Senators Steffen, Erickson
Allowing physicians to have patients sign a liability waiver for off-label use of prescription drugs.
- 02/10/2021 Senate—Introduced—SJ 197
- 02/11/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 202
- 05/23/2022 Senate—Died in Committee
- S 212** Bill by Senator Steffen
Granting civil immunity for exposing another to infectious disease due to a lack of immunization, prohibiting an employer from taking adverse employment action based on an employee's immunization status, prohibiting the secretary of health and environment from requiring additional immunizations to attend a child care facility or school.
- 02/10/2021 Senate—Introduced—SJ 197
- 02/11/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 202

- 03/04/2021 Senate—Withdrawn from Committee on Public Health and Welfare;
Referred to Committee on Federal and State Affairs—SJ 317
- 03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs;
Rereferred to Committee on Public Health and Welfare—SJ 320
- 03/17/2021 Senate—Hearing: Monday, March 22, 2021, 8:30 AM Room 142-S
- 03/29/2021 Senate—Committee Report recommending bill be passed as amended
by Committee on Public Health and Welfare—SJ 450
- 05/23/2022 Senate—Died on General Orders
- S 213** Bill by Senator Steffen
Prohibiting an employer from taking any adverse employment against an employee because of the employee's vaccination status.
- 02/10/2021 Senate—Introduced—SJ 197
- 02/11/2021 Senate—Referred to Committee on Commerce—SJ 202
- 02/17/2021 Senate—Hearing: Thursday, February 25, 2021, 10:30 AM Room 546-S
- 03/04/2021 Senate—Withdrawn from Committee on Commerce; Referred to
Committee on Federal and State Affairs—SJ 317
- 03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs;
Rereferred to Committee on Commerce—SJ 320
- 05/23/2022 Senate—Died in Committee
- S 214** Bill by Senator Thompson
Making it a crime for a physician to perform gender reassignment surgery or hormone replacement therapy on certain children.
- 02/10/2021 Senate—Introduced—SJ 197
- 02/11/2021 Senate—Referred to Committee on Judiciary—SJ 202
- 05/23/2022 Senate—Died in Committee
- S 215** Bill by Education
Transferring the authority for postsecondary driver's education programs and driver training schools to the department of revenue and authorizing the board of education of a school district to contract with transportation network companies to provide certain transportation services.
- 02/10/2021 Senate—Introduced—SJ 197
- 02/11/2021 Senate—Referred to Committee on Education—SJ 202
- 01/19/2022 Senate—Hearing: Thursday, January 27, 2022, 1:30 PM Room 144-S
- 02/21/2022 Senate—Committee Report recommending bill be passed as amended
by Committee on Education—SJ 1551
- 02/23/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1572
- 02/23/2022 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0
—SJ 1575
- 03/01/2022 House—Received and Introduced—HJ 1778
- 03/02/2022 House—Referred to Committee on Education—HJ 1779
- 03/09/2022 House—Hearing: Wednesday, March 16, 2022, 1:30 PM Room 218-N
- 03/17/2022 House—Committee Report recommending bill be passed as amended
by Committee on Education—HJ 1857
- 03/21/2022 House—Committee of the Whole - Be passed as amended—HJ 1884
- 03/21/2022 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0
—HJ 1898
- 03/22/2022 Senate—Nonconcurrent with amendments; Conference Committee
requested; appointed Senator Baumgardner, Senator Erickson and Senator
Sykes as conferees—SJ 1761

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- 03/23/2022 House—Motion to accede adopted; Representative Huebert, Representative Thomas and Representative Stogsdill appointed as conferees—HJ 2288
- 03/31/2022 House—Conference Committee Report was adopted; Yea: 117 Nay: 0—HJ 2499
- 03/31/2022 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 1895
- 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—SJ 2379
- 04/25/2022 Senate—Approved by Governor on Monday, April 18, 2022—SJ 2341
- S 216** Bill by Assessment and Taxation
Extending the eligible time period for rural opportunity zones loan repayment program and income tax credit.
 02/10/2021 Senate—Introduced—SJ 197
 02/11/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 202
 05/23/2022 Senate—Died in Committee
- S 217** Bill by Assessment and Taxation
Adding certain counties to the list of eligible rural opportunity zone counties.
 02/10/2021 Senate—Introduced—SJ 197
 02/11/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 202
 05/23/2022 Senate—Died in Committee
- S 218** Bill by Federal and State Affairs
Providing restrictions, lender reporting and other requirements for alternative small installment loans made under the UCCC.
 02/11/2021 Senate—Introduced—SJ 200
 02/12/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 208
 05/23/2022 Senate—Died in Committee
- S 219** Bill by Commerce
Changing law pertaining to real estate brokers and salespersons including the definition of broker, licensure, actions that require licensing, exemptions, application of licensure provisions to trusts, Kansas real estate commission administrative fines, cease and desist orders and subpoena authority.
 02/11/2021 Senate—Introduced—SJ 200
 02/12/2021 Senate—Referred to Committee on Commerce—SJ 208
 02/17/2021 Senate—Hearing: Wednesday, February 24, 2021, 10:30 AM Room 546-S
 03/03/2021 Senate—Hearing: Thursday, March 11, 2021, 10:30 AM Room 546-S
 03/04/2021 Senate—Withdrawn from Committee on Commerce; Referred to Committee on Federal and State Affairs—SJ 317
 03/05/2021 Senate—Withdrawn from Committee on Federal and State Affairs; Rereferred to Committee on Commerce—SJ 320
 05/23/2022 Senate—Died in Committee
- S 220** Bill by Judiciary
Increasing the penalty for battery committed against a utility worker.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Judiciary—SJ 208
 02/17/2021 Senate—Hearing: Friday, February 19, 2021, 10:30 AM Room 346-S
 05/23/2022 Senate—Died in Committee

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- S 221** Bill by Education
Establishing the follow the student tax credit that would allow an income tax credit for taxpayers with eligible dependent children not enrolled in public school.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Education—SJ 208
 05/23/2022 Senate—Died in Committee
- S 222** Bill by Ways and Means
Excluding hypothetical leased fee when determining fair market value for property taxation purposes.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 208
 05/23/2022 Senate—Died in Committee
- S 223** Bill by Ways and Means
Allowing the exercise of eminent domain for the purpose of conducting carbon dioxide in pipes.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Utilities—SJ 209
 05/23/2022 Senate—Died in Committee
- S 224** Bill by Ways and Means
Establishing maximum length for trains to operate in Kansas and providing for penalties for violations.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Transportation—SJ 209
 05/23/2022 Senate—Died in Committee
- S 225** Bill by Ways and Means
Providing affiliation with the Kansas police and firemen's retirement system by the Kansas department of wildlife, parks and tourism for membership of certain law enforcement officers and employees.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 208
 02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 9:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 226** Bill by Ways and Means
Providing a sales tax exemption for area agencies on aging for certain purchases of tangible personal property and services.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 208
 03/18/2021 Senate—Hearing: Monday, March 22, 2021, 9:30 AM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 227** Bill by Public Health and Welfare
Providing dental benefits for medicaid enrollees and making technical updates to the dental practices act.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 208
 05/23/2022 Senate—Died in Committee
- S 228** Bill by Assessment and Taxation
Allowing retailer to retain the state rate of sales and compensating use tax from movie ticket sales and concession sales.

- 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 208
 03/22/2021 Senate—Hearing: Thursday, March 25, 2021, 9:30 AM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 229** Bill by Judiciary
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 oyster and criminal proceedings as warranted.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Judiciary—SJ 208
 05/23/2022 Senate—Died in Committee
- S 230** Bill by Judiciary
Creating the crime of deprivation of rights under color of law and providing a civil action for victims.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Judiciary—SJ 208
 05/23/2022 Senate—Died in Committee
- S 231** Bill by Judiciary
Increasing criminal penalties for hate crimes.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Judiciary—SJ 208
 05/23/2022 Senate—Died in Committee
- S 232** Bill by Education
Providing for COVID-19 hazard pay for teachers.
 02/11/2021 Senate—Introduced—SJ 201
 02/12/2021 Senate—Referred to Committee on Ways and Means—SJ 209
 05/23/2022 Senate—Died in Committee
- S 233** Bill by Assessment and Taxation
Increasing sales tax collection thresholds relating to time frames for filing returns and paying sales tax by certain retailers.
 02/11/2021 Senate—Introduced—SJ 202
 02/12/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 208
 03/23/2021 Senate—Hearing: Thursday, March 25, 2021, 9:30 AM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 234** Bill by Assessment and Taxation
Requiring same appraisal methodology for real and personal property residential mobile homes for property taxation purposes.
 02/11/2021 Senate—Introduced—SJ 202
 02/12/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 208
 03/10/2021 Senate—Hearing: Tuesday, March 16, 2021, 9:30 AM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 236** Bill by Ways and Means
Establishing the Kansas commission for the United States sesquicentennial.
 02/12/2021 Senate—Introduced—SJ 207
 02/15/2021 Senate—Referred to Committee on Commerce—SJ 210
 05/23/2022 Senate—Died in Committee
- S 237** Bill by Public Health and Welfare
Requiring the secretary of health and environment to establish a task force to study and report on uncompensated healthcare.

- 02/12/2021 Senate—Introduced—SJ 207
 02/15/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 210
 05/23/2022 Senate—Died in Committee
- S 239** Bill by Public Health and Welfare
Authorizing the secretary for children and families to request a waiver from certain limitations under the food assistance program.
- 02/12/2021 Senate—Introduced—SJ 207
 02/15/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 210
 05/23/2022 Senate—Died in Committee
- S 240** Bill by Public Health and Welfare
Requiring drug rebate revenues associated with medical assistance enrollees to be deposited into the state general fund and monthly reporting thereof.
- 02/12/2021 Senate—Introduced—SJ 207
 02/15/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 210
 05/23/2022 Senate—Died in Committee
- S 241** Bill by Public Health and Welfare
Allowing a child placed up for adoption following termination of parental rights to remain eligible for state-provided health insurance.
- 02/12/2021 Senate—Introduced—SJ 207
 02/15/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 210
 05/23/2022 Senate—Died in Committee
- S 242** Bill by Financial Institutions and Insurance
Consolidating certain mortgage lending provisions, removing duplicate provisions from the uniform consumer credit code and incorporating such provisions into the Kansas mortgage business act.
- 02/12/2021 Senate—Introduced—SJ 208
 02/15/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 210
 02/17/2021 Senate—Hearing: Wednesday, February 17, 2021, 9:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 243** Bill by Financial Institutions and Insurance
Enacting the peer-to-peer vehicle sharing act to provide insurance, liability, recordkeeping and consumer protection requirements for peer-to-peer vehicle sharing.
- 02/12/2021 Senate—Introduced—SJ 208
 02/15/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 210
 05/23/2022 Senate—Died in Committee
- S 244** Bill by Financial Institutions and Insurance
Providing for enhanced regulation of pharmacy benefits managers and requiring licensure rather than registration of such entities.
- 02/12/2021 Senate—Introduced—SJ 208
 02/15/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 210
 05/23/2022 Senate—Died in Committee
- S 245** Bill by Financial Institutions and Insurance
Providing for the financing of electrical corporations through the issuance of securitization bonds.

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 02/12/2021 Senate—Introduced—SJ 208
 02/15/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 210
 02/17/2021 Senate—Hearing: Thursday, February 18, 2021, 9:30 AM Room 546-S
 02/24/2021 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Federal and State Affairs—SJ 245
 03/12/2021 Senate—Withdrawn from Committee on Federal and State Affairs; Rereferred to Committee on Financial Institutions and Insurance—SJ 330
 03/15/2021 Senate—Hearing continuation: Thursday, March 18, 2021, 9:30 AM Room 546-S
 03/15/2021 Senate—Hearing: Wednesday, March 17, 2021, 9:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 246** Bill by Judiciary
Providing statutory procedures and limitations related to forensic evidence collection and clarifying liability for unlawful conduct under the Kansas tort claims act.
 02/12/2021 Senate—Introduced—SJ 208
 02/15/2021 Senate—Referred to Committee on Judiciary—SJ 210
 05/23/2022 Senate—Died in Committee
- S 247** Bill by Judiciary
Enacting criminal justice reform measures related to hiring, firearms certification and psychological testing of law enforcement officers
 02/12/2021 Senate—Introduced—SJ 208
 02/15/2021 Senate—Referred to Committee on Judiciary—SJ 210
 05/23/2022 Senate—Died in Committee
- S 248** Bill by Ways and Means
Updating certain definitions, referral to specialty services and coordination of care provisions in the Kansas telemedicine act.
 02/16/2021 Senate—Introduced—SJ 211
 02/17/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 215
 05/23/2022 Senate—Died in Committee
- S 249** Bill by Ways and Means
Creating additional reporting requirements for all state agencies for certain information technology projects.
 02/16/2021 Senate—Introduced—SJ 211
 02/17/2021 Senate—Referred to Committee on Ways and Means—SJ 215
 05/23/2022 Senate—Died in Committee
- S 250** Bill by Ways and Means
Amending the Kansas cybersecurity act to require security training for all state agencies and provide for certain information to be provided to the joint committee on information technology.
 02/16/2021 Senate—Introduced—SJ 211
 02/17/2021 Senate—Referred to Committee on Ways and Means—SJ 215
 05/23/2022 Senate—Died in Committee
- S 251** Bill by Ways and Means
Updating statutes relating to the powers, duties and functions of the state board of pharmacy.
 02/16/2021 Senate—Introduced—SJ 211
 02/17/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 215
 05/23/2022 Senate—Died in Committee

- S 252** Bill by Federal and State Affairs
Creating fulfillment house licenses to authorize storage and shipping services provided to winery special order shipping licensees.
 02/16/2021 Senate—Introduced—SJ 211
 02/17/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 215
 02/17/2021 Senate—Hearing: Thursday, February 25, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 253** Bill by Federal and State Affairs
Allowing a farm winery licensee to transfer and receive bulk wine and produce fortified wine.
 02/16/2021 Senate—Introduced—SJ 211
 02/17/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 215
 02/17/2021 Senate—Hearing: Thursday, February 25, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 254** Bill by Federal and State Affairs
Authorizing certain licensees under the Kansas liquor control act and the club and drinking establishment act to sell and serve cereal malt beverages.
 02/16/2021 Senate—Introduced—SJ 211
 02/17/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 215
 02/17/2021 Senate—Hearing: Thursday, February 25, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 255** Bill by Federal and State Affairs
Allowing the director of alcoholic beverage control to suspend or revoke a license under the Kansas liquor control act or the club and drinking establishment act.
 02/16/2021 Senate—Introduced—SJ 212
 02/17/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 215
 03/03/2021 Senate—Hearing: Wednesday, March 10, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 256** Bill by Federal and State Affairs
Changing the start time for Sunday sales of alcoholic liquor from 12 noon to 10 a.m. and removing restrictions on sales on certain holidays.
 02/16/2021 Senate—Introduced—SJ 212
 02/17/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 215
 03/11/2021 Senate—Hearing: Monday, March 15, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 257** Bill by Federal and State Affairs
Allowing clubs and drinking establishments to sell beer and cereal malt beverage for consumption off the licensed premises.
 02/16/2021 Senate—Introduced—SJ 212
 02/17/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 215
 03/10/2021 Senate—Hearing: Friday, March 12, 2021, 10:30 AM Room 144-S
 03/11/2021 Senate—Hearing: Monday, March 15, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 258** Bill by Federal and State Affairs
Clarifying the license terms and electronic submission of tax payments, reports and documentation for holders of a special order shipping license.
 02/16/2021 Senate—Introduced—SJ 212
 02/17/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 215

- 03/03/2021 Senate—Hearing: Wednesday, March 10, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 259** Bill by Ways and Means
Providing that the testimony of an examining healthcare provider may be submitted in evidence by the provider's medical report in workers compensation cases.
- 02/17/2021 Senate—Introduced—SJ 215
 02/18/2021 Senate—Referred to Committee on Commerce—SJ 219
 03/22/2021 Senate—Hearing: Thursday, March 25, 2021, 10:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 260** Bill by Ways and Means
Requiring an elected office holder or candidate for office to remove endorsements from social media within 90 days of a written request by an individual or organization.
- 02/17/2021 Senate—Introduced—SJ 215
 02/18/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 219
 05/23/2022 Senate—Died in Committee
- S 261** Bill by Ways and Means
Substitute for SB 261 by Committee on Agriculture -- Prohibiting the use of identifiable meat terms on the labels of meat analogs when such labels do not include proper qualifying language to indicate that such products do not contain meat.
- 02/17/2021 Senate—Introduced—SJ 215
 02/18/2021 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 219
 02/24/2021 Senate—Hearing: Thursday, February 25, 2021, 8:30 AM Room 144-S
 02/25/2021 Senate—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—SJ 250
 03/01/2021 Senate—Committee of the Whole - Be passed as amended—SJ 259
 03/02/2021 Senate—Final Action - Passed as amended; Yea: 38 Nay: 1
 03/03/2021 House—Received and Introduced—HJ 431
 03/04/2021 House—Referred to Committee on Agriculture—HJ 432
 03/17/2022 House—Committee Report recommending substitute bill be passed by Committee on Agriculture—HJ 1850
 03/21/2022 House—Committee of the Whole - Substitute bill be passed—HJ 1876
 03/21/2022 House—Emergency Final Action - Substitute passed; Yea: 96 Nay: 26—HJ 1889
 03/22/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Kerschen, Senator Ryckman and Senator Ware as conferees—SJ 1761
 03/23/2022 House—Motion to accede adopted; Representative Rahjes, Representative Smith, E. and Representative Carlin appointed as conferees—HJ 2288
 04/01/2022 House—Conference Committee Report was adopted; Yea: 113 Nay: 0—HJ 3039
 04/25/2022 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 2342
 04/27/2022 Senate—Enrolled and presented to Governor on Wednesday, April 27, 2022—SJ 2460
 05/23/2022 Senate—Approved by Governor on Thursday, May 5, 2022

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- S 262** Bill by Federal and State Affairs
Authorizing a vote in Sedgwick county to allow the operation of electronic gaming machines at a racetrack gaming facility and prohibiting betting on greyhound races.
 02/18/2021 Senate—Introduced—SJ 218
 02/19/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 234
 03/24/2021 Senate—Hearing: Monday, March 29, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 263** Bill by Ways and Means
Eliminating the reduction of child day care services assistance tax credit in subsequent years and limitations on eligible corporations and providing a credit for employer payments to organizations for child day care services access.
 02/18/2021 Senate—Introduced—SJ 219
 02/19/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 234
 03/19/2021 Senate—Hearing: Monday, March 22, 2021, 9:30 AM Room 548-S
 03/29/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 440
 05/23/2022 Senate—Died on General Orders
- S 264** Bill by Ways and Means
Enacting the Kansas fights addiction act to establish a grant program for the purpose of preventing, reducing, treating and mitigating the effects of substance abuse and addiction.
 02/22/2021 Senate—Introduced—SJ 236
 02/23/2021 Senate—Referred to Committee on Ways and Means—SJ 240
 03/18/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 548-S
 03/30/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 547
 05/23/2022 Senate—Died on General Orders
- S 265** Bill by Ways and Means
Providing a KPERS death and long-term disability employer contribution moratorium.
 02/22/2021 Senate—Introduced—SJ 236
 02/23/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 240
 03/11/2021 Senate—Hearing: Tuesday, March 16, 2021, 9:30 AM Room 546-S
 03/18/2021 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 380
 03/30/2021 Senate—Committee of the Whole - Be passed—SJ 479
 03/31/2021 Senate—Final Action - Passed; Yea: 39 Nay: 1
 04/06/2021 House—Received and Introduced—HJ 650
 04/07/2021 House—Referred to Committee on Insurance and Pensions—HJ 657
 05/23/2022 House—Died in House Committee
- S 266** Bill by Ways and Means
Amortizing the state and school KPERS unfunded actuarial liability over a 24-year period and eliminating certain level-dollar employer contribution payments.
 02/22/2021 Senate—Introduced—SJ 236
 02/23/2021 Senate—Referred to Committee on Ways and Means—SJ 240
 05/23/2022 Senate—Died in Committee

- S 267** Bill by Ways and Means
House Substitute for Substitute for SB 267 by Committee on Appropriations - Appropriations for FY 2022, FY 2023, FY 2024, FY 2025, FY 2026 and FY 2027 for various state agencies.
 02/22/2021 Senate—Introduced—SJ 236
 02/23/2021 Senate—Referred to Committee on Ways and Means—SJ 240
 03/03/2021 Senate—Hearing: Wednesday, March 10, 2021, 10:30 AM Room 548-S
 03/15/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 332
 03/16/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 355
 03/17/2021 Senate—Final Action - Substitute passed as amended; Yea: 24 Nay: 13
 03/19/2021 House—Received and Introduced—HJ 514
 03/22/2021 House—Referred to Committee on Appropriations—HJ 515
 03/21/2022 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 1877
 03/22/2022 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2254
 03/23/2022 House—Final Action - Substitute passed as amended; Yea: 73 Nay: 49—HJ 2274
 03/28/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Billinger, Senator Claeys and Senator Hawk as conferees—SJ 1807
 03/28/2022 House—Motion to accede adopted; Representative Waymaster, Representative Hoffman and Representative Wolfe Moore appointed as conferees—HJ 2401
 04/01/2022 House—Conference Committee Report was adopted; Yea: 104 Nay: 12—HJ 2619
 04/01/2022 Senate—Conference Committee Report was adopted; Yea: 33 Nay: 5—SJ 2055
 04/25/2022 Senate—Enrolled and presented to Governor on Monday, April 11, 2022—SJ 2379
 04/25/2022 Senate—Approved by Governor except line item veto of Sections 43(d), 109(a) on Tuesday, April 19, 2022
 04/26/2022 Senate—No motion to reconsider line item vetoes; Vetoes sustained—SJ 2389
- S 268** Bill by Ways and Means
Making supplemental appropriations for fiscal years 2021 through 2032 for various state agencies and revising the pooled money investment portfolio repayment schedule.
 02/23/2021 Senate—Introduced—SJ 238
 02/24/2021 Senate—Referred to Committee on Ways and Means—SJ 244
 03/03/2021 Senate—Hearing: Wednesday, March 10, 2021, 10:30 AM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 269** Bill by Federal and State Affairs
Prohibiting the sale, slaughter and acquisition of live dangerous regulated animals, including nonhuman primates and wolves as dangerous regulated animals and requiring sufficient distance and barriers between dangerous regulated animals and the public.
 02/23/2021 Senate—Introduced—SJ 238

- 02/24/2021 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 244
- 03/19/2021 Senate—Hearing: Wednesday, March 24, 2021, 8:30 AM Room 144-S
- 05/23/2022 Senate—Died in Committee
- S 270** Bill by Federal and State Affairs
Prohibiting the hiring of certain law enforcement officers with history of serious misconduct allegations and making certain law enforcement disciplinary records public records.
- 02/23/2021 Senate—Introduced—SJ 239
- 02/24/2021 Senate—Referred to Committee on Judiciary—SJ 244
- 05/23/2022 Senate—Died in Committee
- S 271** Bill by Federal and State Affairs
Extending the time that victims of childhood sexual abuse have to bring a cause of action.
- 02/23/2021 Senate—Introduced—SJ 239
- 02/24/2021 Senate—Referred to Committee on Judiciary—SJ 244
- 05/23/2022 Senate—Died in Committee
- S 272** Bill by Federal and State Affairs
Requiring sexual assault evidence collection procedures to include a urinalysis test to determine the presence of controlled substances that may have been used to commit the alleged sexual assault.
- 02/23/2021 Senate—Introduced—SJ 239
- 02/24/2021 Senate—Referred to Committee on Judiciary—SJ 244
- 05/23/2022 Senate—Died in Committee
- S 273** Bill by Federal and State Affairs
House Substitute for Substitute for SB 273 by Committee on Judiciary - Enacting the COVID-19 small business relief act to provide funds for impacted small businesses, create the COVID-19 small business relief fund of the legislative coordinating council and the COVID-19 small business relief claims board, require certain counties to establish and administer a county COVID-19 small business relief fund and certain cities to establish and administer a city COVID-19 small business relief fund, require a study by the legislative division of post audit and prohibit compensation for intangible losses related to the COVID-19 public health emergency under the Kansas emergency management act.
- 02/23/2021 Senate—Introduced—SJ 239
- 02/23/2021 Senate—Referred to Committee on Judiciary—SJ 240
- 02/23/2021 Senate—Hearing continuation: Thursday, February 25, 2021, 10:30 AM Room 346-S
- 02/23/2021 Senate—Hearing: Wednesday, February 24, 2021, 10:30 AM Room 346-S
- 02/26/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 253
- 03/01/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 260
- 03/01/2021 Senate—Emergency Final Action - Passed as amended; Yea: 27 Nay: 12
- 03/02/2021 House—Received and Introduced—HJ 357
- 03/03/2021 House—Referred to Committee on Judiciary—HJ 361

- 03/26/2021 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 575
- 03/29/2021 House—Committee of the Whole - Substitute bill be passed—HJ 611
- 03/30/2021 House—Final Action - Substitute passed; Yea: 123 Nay: 1—HJ 627
- 03/30/2021 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Haley as conferees—SJ 487
- 04/06/2021 House—Motion to accede adopted; Representative Patton, Representative Ralph and Representative Carmichael appointed as conferees—HJ 650
- 05/07/2021 House—Motion to suspend rule 1502 adopted;—HJ 1543
- 05/07/2021 House—Substitute motion to not adopt and appoint a conference committee failed Yea: 42 Nay: 65—HJ 1540
- 05/07/2021 House—Conference Committee Report was adopted; Yea: 68 Nay: 42—HJ 1540
- 05/07/2021 Senate—Motion to suspend Joint Rule 3(f) - 30 Minute Rule adopted—SJ 1384
- 05/07/2021 Senate—Conference Committee Report was adopted; Yea: 24 Nay: 14—SJ 1393
- 05/26/2021 Senate—Enrolled and presented to Governor on Friday, May 14, 2021
- 05/26/2021 Senate—Vetoed by Governor; Returned to Senate on Friday, May 21, 2021
- 05/26/2021 Senate—No motion to reconsider vetoed bill; Veto sustained
- S 274** Bill by Assessment and Taxation
Amending the scope of practice, discipline by the board, and license renewal procedures for naturopathic doctors.
- 02/23/2021 Senate—Introduced—SJ 239
- 02/24/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 244
- 03/02/2022 Senate—Hearing: Wednesday, March 9, 2022, 8:30 AM Room 142-S
- 05/23/2022 Senate—Died in Committee
- S 275** Bill by Assessment and Taxation
Allowing naturopathic doctors to engage in the corporate practice of medicine.
- 02/23/2021 Senate—Introduced—SJ 239
- 02/24/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 244
- 03/02/2022 Senate—Hearing: Wednesday, March 9, 2022, 8:30 AM Room 142-S
- 05/23/2022 Senate—Died in Committee
- S 276** Bill by Federal and State Affairs
Providing considerations in family law, adoption, foster care, guardianship and child in need of care proceedings for a parent or prospective parent who is blind.
- 02/24/2021 Senate—Introduced—SJ 243
- 02/25/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 247
- 01/26/2022 Senate—Hearing: Tuesday, February 1, 2022, 8:30 AM Room 142-S
- 02/14/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1529
- 03/07/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1624
- 03/07/2022 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1628
- 03/08/2022 House—Received and Introduced—HJ 1795
- 03/09/2022 House—Hearing: Tuesday, March 15, 2022, 1:30 PM Room 152-S

- 03/09/2022 House—Referred to Committee on Children and Seniors—HJ 1798
 03/21/2022 House—Committee Report recommending bill be passed by Committee on Children and Seniors—HJ 1877
 05/23/2022 House—Died on House Calendar
- S 277** Bill by Ways and Means
Authorizing continuation of the 20 mill statewide property tax levy for schools and the exemption of a portion of residential property from such levy.
 02/24/2021 Senate—Introduced—SJ 243
 02/25/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 247
 05/23/2022 Senate—Died in Committee
- S 278** Bill by Ways and Means
Requiring recipients of a distinctive license plate fee to file a report detailing money received and expenditures.
 02/24/2021 Senate—Introduced—SJ 243
 02/25/2021 Senate—Referred to Committee on Transportation—SJ 247
 05/23/2022 Senate—Died in Committee
- S 279** Bill by Federal and State Affairs
Establishing the wind generation permit and property protection act and imposing certain requirements on the siting of wind turbines.
 02/24/2021 Senate—Introduced—SJ 243
 02/25/2021 Senate—Referred to Committee on Utilities—SJ 247
 03/17/2021 Senate—Hearing: Monday, March 22, 2021, 10:30 AM Room 346-S
 03/18/2021 Senate—Hearing: Monday, March 22, 2021, 1:30 PM Room 548-S
 03/18/2021 Senate—Hearing: Tuesday, March 23, 2021, 1:30 PM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 280** Bill by Ways and Means
Modifying the distribution of the levy on fire insurance business premiums to the state fire marshal fee fund, the emergency medical services operating fund and the fire service training program fund.
 02/25/2021 Senate—Introduced—SJ 247
 02/26/2021 Senate—Referred to Committee on Ways and Means—SJ 252
 05/23/2022 Senate—Died in Committee
- S 281** Bill by Ways and Means
Changing unemployment insurance disqualification provisions for fraud, part-time employment for educational institutions and receipt of pensions.
 02/25/2021 Senate—Introduced—SJ 247
 02/26/2021 Senate—Referred to Committee on Commerce—SJ 252
 03/17/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 282** Bill by Assessment and Taxation
Providing income tax credits for aerospace and aviation program graduates and their employers and a credit for school and classroom supplies purchased by teachers, enacting the Kansas affordable housing tax credit act and the Kansas housing investor tax credit act, providing homestead property tax refunds to certain persons based on the increase in property tax over the base year property tax amount and increasing the extent of the property tax exemption for residential property from the statewide school levy.
 02/25/2021 Senate—Introduced—SJ 247
 02/26/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 252

- 03/18/2021 Senate—Hearing: Monday, March 22, 2021, 9:30 AM Room 548-S
 03/30/2021 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 488
 03/03/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1619
 03/07/2022 Senate—Final Action - Passed as amended; Yea: 33 Nay: 4—SJ 1628
 03/08/2022 House—Received and Introduced—HJ 1795
 03/09/2022 House—Referred to Committee on Taxation—HJ 1798
 03/11/2022 House—Hearing: Wednesday, March 16, 2022, 3:30 PM Room 346-S
 05/23/2022 House—Died in House Committee
- S 284** Bill by Federal and State Affairs
Amending the Kansas emergency management act to authorize a state of disaster emergency to continue for no longer than 21 days unless ratified by concurrent resolution of the legislature and provide for extensions for specified periods not to exceed 30 days each.
- 03/02/2021 Senate—Introduced—SJ 281
 03/03/2021 Senate—Referred to Committee on Judiciary—SJ 283
 05/23/2022 Senate—Died in Committee
- S 285** Bill by Federal and State Affairs
Providing for the alpha kappa alpha distinctive license plate.
- 03/02/2021 Senate—Introduced—SJ 282
 03/03/2021 Senate—Referred to Committee on Transportation—SJ 284
 05/23/2022 Senate—Died in Committee
- S 286** Bill by Assessment and Taxation
House Substitute for Substitute for SB 286 - Continuing the governmental response to the COVID-19 pandemic in Kansas by extending the expanded use of telemedicine, the suspension of certain requirements related to medical care facilities and immunity from civil liability for certain healthcare providers, certain persons conducting business in this state and covered facilities for COVID-19 claims until January 20, 2023, creating the crime of interference with the conduct of a hospital and increasing the criminal penalties for battery of a healthcare provider.
- 03/02/2021 Senate—Introduced—SJ 282
 03/03/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 283
 03/29/2021 Senate—Withdrawn from Committee on Assessment and Taxation; Referred to Committee on Judiciary—SJ 436
 05/03/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 1105
 05/04/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1116
 05/04/2021 Senate—Emergency Final Action - Substitute passed as amended; Yea: 26 Nay: 13—SJ 1118
 05/05/2021 House—Received and Introduced—HJ 1306
 05/06/2021 House—Referred to Committee on Judiciary—HJ 1386
 02/18/2022 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 1737
 03/09/2022 House—Committee of the Whole - Substitute bill be passed as amended—HJ 1808
 03/09/2022 House—Emergency Final Action - Substitute passed as amended; Yea: 102 Nay: 17—HJ 1810

- 03/14/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Haley as conferees—SJ 1660
- 03/15/2022 House—Motion to accede adopted; Representative Patton, Representative Ralph and Representative Carmichael appointed as conferees—HJ 1825
- 03/28/2022 Senate—Senator Corson is appointed to replace Senator Haley on the Conference Committee—SJ 1809
- 03/31/2022 House—Conference Committee Report agree to disagree adopted; Representative Patton, Representative Ralph and Representative Carmichael appointed as second conferees—HJ 2590
- 03/31/2022 Senate—Conference Committee Report agree to disagree adopted; Senator Warren, Senator Wilborn and Senator Corson appointed as second conferees—SJ 1909
- 04/01/2022 House—Substitute motion to not adopt and appoint a conference committee failed—HJ 2614
- 04/01/2022 House—Conference Committee Report was adopted; Yea: 64 Nay: 51—HJ 2614
- 04/01/2022 Senate—Conference Committee Report was adopted; Yea: 24 Nay: 16—SJ 1991
- 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—SJ 2379
- 04/25/2022 Senate—Vetoed by Governor; Returned to Senate on Friday, April 15, 2022
- 04/26/2022 Senate—No motion to reconsider vetoed bill; Veto sustained—SJ 2390
- S 287** Bill by Federal and State Affairs
Enacting the Kansas medical marijuana regulation act and enacting the Kansas innovative solutions for affordable healthcare act to expand medical assistance eligibility.
- 03/05/2021 Senate—Introduced—SJ 319
- 03/10/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 323
- 05/23/2022 Senate—Died in Committee
- S 288** Bill by Ways and Means
Enacting the technology-enabled trust bank act, providing requirements, fiduciary powers, duties, functions and limitations for trust banks and the administration thereof by the bank commissioner and creating an income and privilege tax credit for certain qualified distributions from trust banks.
- 03/10/2021 Senate—Introduced—SJ 322
- 03/11/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 326
- 03/24/2021 Senate—Hearing continuation: Tuesday, March 30, 2021, 9:30 AM Room 546-S
- 03/24/2021 Senate—Hearing: Monday, March 29, 2021, 9:30 AM Room 546-S
- 05/23/2022 Senate—Died in Committee
- S 289** Bill by Ways and Means
Enacting the frontline service pay act to provide additional compensation to Kansas employees at high risk of exposure to COVID-19 and who are engaged in essential work for the state of Kansas.
- 03/10/2021 Senate—Introduced—SJ 323

- 03/11/2021 Senate—Referred to Committee on Ways and Means—SJ 326
 05/23/2022 Senate—Died in Committee
- S 290** Bill by Ways and Means
Increasing healthcare stabilization fund minimum professional liability insurance coverage requirements, changing the membership of the board of governors of such fund and adding options and increasing time for service of process thereon.
 03/11/2021 Senate—Introduced—SJ 325
 03/12/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 330
 03/23/2021 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 394
 03/29/2021 Senate—Committee of the Whole - Be passed—SJ 440
 03/30/2021 Senate—Final Action - Passed; Yea: 30 Nay: 10
 03/30/2021 House—Received and Introduced—HJ 644
 03/31/2021 House—Referred to Committee on Insurance and Pensions—HJ 646
 05/23/2022 House—Died in House Committee
- S 291** Bill by Ways and Means
Increasing the minimum wage by \$1 per year to \$15 an hour by 2027.
 03/11/2021 Senate—Introduced—SJ 325
 03/12/2021 Senate—Referred to Committee on Commerce—SJ 330
 05/23/2022 Senate—Died in Committee
- S 292** Bill by Federal and State Affairs
Limiting who may return an advance voting ballot and the number of such ballots a person may return.
 03/11/2021 Senate—Introduced—SJ 326
 03/12/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 330
 03/12/2021 Senate—Hearing: Tuesday, March 16, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 293** Bill by Federal and State Affairs
Creating the transparency in revenues underwriting elections act to criminalize the receipt and expenditure of private moneys by election officials.
 03/11/2021 Senate—Introduced—SJ 326
 03/12/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 330
 03/12/2021 Senate—Hearing: Tuesday, March 16, 2021, 10:30 AM Room 144-S
 03/16/2021 Senate—Hearing: Wednesday, March 17, 2021, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 294** Bill by Federal and State Affairs
Creating the Roy'Ale Spencer firearms safety act to require firearms to be safely secured and establishing criminal penalties for violations of the act.
 03/11/2021 Senate—Introduced—SJ 326
 03/12/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 330
 05/23/2022 Senate—Died in Committee
- S 295** Bill by Federal and State Affairs
Giving counties the authority to adopt prioritized COVID-19 vaccination plans separate from state guidelines.
 03/11/2021 Senate—Introduced—SJ 326
 03/12/2021 Senate—Hearing: Monday, March 15, 2021, 8:30 AM Room 142-S
 03/12/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 330

- 03/17/2021 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 371
- 05/23/2022 Senate—Died on General Orders
- S 296** Bill by Federal and State Affairs
Adjusting the rate of sales and compensating use tax on food and food ingredients and implementing additional formulaic adjustments to tax rate.
- 03/15/2021 Senate—Introduced—SJ 331
- 03/16/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 334
- 03/18/2021 Senate—Hearing: Tuesday, March 23, 2021, 9:30 AM Room 548-S
- 05/23/2022 Senate—Died in Committee
- S 297** Bill by Assessment and Taxation
Prohibiting cities from collecting solid waste fees against vacant lots or other vacant property and prohibiting cities and counties that establish annual fees from billing these fees on the ad valorem tax statement.
- 03/15/2021 Senate—Introduced—SJ 331
- 03/16/2021 Senate—Referred to Committee on Local Government—SJ 334
- 05/23/2022 Senate—Died in Committee
- S 298** Bill by Federal and State Affairs
Updates to the controlled substances act.
- 03/16/2021 Senate—Introduced—SJ 333
- 03/17/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 362
- 03/18/2021 Senate—Hearing: Friday, March 26, 2021, 8:30 AM Room 142-S
- 05/23/2022 Senate—Died in Committee
- S 299** Bill by Ways and Means
Increasing the compensation of members of the state banking board.
- 03/17/2021 Senate—Introduced—SJ 361
- 03/18/2021 Senate—Referred to Committee on Ways and Means—SJ 373
- 05/23/2022 Senate—Died in Committee
- S 300** Bill by Federal and State Affairs
Substitute for SB 300 by Committee on Judiciary - Amending the Kansas racketeer influenced and corrupt organization act to add a person who has engaged in identity theft or identity fraud to the definition of "covered person" and add identity theft and identity fraud to the definition of "racketeering activity."
- 03/18/2021 Senate—Introduced—SJ 373
- 03/19/2021 Senate—Referred to Committee on Judiciary—SJ 382
- 01/19/2022 Senate—Hearing: Wednesday, January 26, 2022, 10:30 AM Room 346-S
- 01/31/2022 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 1484
- 02/10/2022 Senate—Committee of the Whole - Substitute bill be passed—SJ 1521
- 02/10/2022 Senate—Emergency Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 1522
- 02/14/2022 House—Received and Introduced—HJ 1696
- 02/15/2022 House—Referred to Committee on Judiciary—HJ 1700
- 02/23/2022 House—Hearing: Tuesday, March 1, 2022, 3:30 PM Room 582-N
- 03/04/2022 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 1786
- 03/21/2022 House—Committee of the Whole - Be passed—HJ 1876

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/21/2022 House—Emergency Final Action - Passed; Yea: 121 Nay: 1—HJ 1888
 03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
- S 301** 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340
 Bill by Federal and State Affairs
Establishing the office of the child advocate within the office of the attorney general and the joint committee on child welfare system oversight.
 03/18/2021 Senate—Introduced—SJ 373
 03/19/2021 Senate—Referred to Committee on Judiciary—SJ 382
 03/19/2021 Senate—Hearing: Tuesday, March 23, 2021, 10:30 AM Room 346-S
 05/23/2022 Senate—Died in Committee
- S 302** Bill by Assessment and Taxation
Authorizing counties to impose an earnings tax.
 03/22/2021 Senate—Introduced—SJ 386
 03/23/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 390
 05/23/2022 Senate—Died in Committee
- S 303** Bill by Federal and State Affairs
Prohibiting boards of county commissioners, boards of trustees or employees from restricting visitors of residents of a county home for the aged or patients in a county hospital and permitting such residents and patients to waive state, city or federal restrictions on right to receive visitors.
 03/22/2021 Senate—Introduced—SJ 386
 03/23/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 390
 03/25/2021 Senate—Hearing: Monday, March 29, 2021, 8:30 AM Room 142-S
 05/23/2022 Senate—Died in Committee
- S 304** Bill by Federal and State Affairs
Removing the sunset provision in the COVID-19 contact tracing privacy act.
 03/23/2021 Senate—Introduced—SJ 389
 03/23/2021 Senate—Referred to Committee on Judiciary—SJ 393
 03/24/2021 Senate—Hearing: Friday, March 26, 2021, 10:30 AM Room 346-S
 03/29/2021 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 450
 03/30/2021 Senate—Committee of the Whole - Be passed—SJ 479
 03/31/2021 Senate—Final Action - Passed; Yea: 26 Nay: 14
 04/06/2021 House—Received and Introduced—HJ 650
 04/07/2021 House—Referred to Committee on Judiciary—HJ 657
 05/23/2022 House—Died in House Committee
- S 305** Bill by Ways and Means
Requiring each law enforcement agency that utilizes automated license plate recognition systems to adopt and maintain a detailed, written policy relating to the use and operation of such systems and prescribing restrictions and requirements relating to the collection, storage and sharing of captured license plate data.
 03/23/2021 Senate—Introduced—SJ 389
 03/23/2021 Senate—Referred to Committee on Transportation—SJ 393
 03/23/2021 Senate—Hearing: Thursday, March 25, 2021, 8:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee

- S 306** Bill by Assessment and Taxation
Providing a sales tax exemption for certain purchases by county ambulance service districts.
 03/25/2021 Senate—Introduced—SJ 409
 03/26/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 434
 05/23/2022 Senate—Died in Committee
- S 307** Bill by Federal and State Affairs
Requiring that advance voting ballots be returned to the county election office by the day of the election.
 03/25/2021 Senate—Introduced—SJ 409
 03/26/2021 Senate—Hearing: Friday, March 26, 2021, 1:00 PM Room 144-S
 03/26/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 434
 05/23/2022 Senate—Died in Committee
- S 308** Bill by Federal and State Affairs
Providing for the right of individuals to not wear face coverings in places of public accommodation, refuse vaccinations and access off-label medications.
 03/25/2021 Senate—Introduced—SJ 410
 03/26/2021 Senate—Referred to Committee on Judiciary—SJ 434
 05/23/2022 Senate—Died in Committee
- S 309** Bill by Federal and State Affairs
Designating a portion of United States highway 69 as the AMM2c Walter Scott Brown memorial highway.
 03/30/2021 Senate—Introduced—SJ 472
 03/31/2021 Senate—Referred to Committee on Transportation—SJ 550
 02/10/2022 Senate—Hearing: Wednesday, February 16, 2022, 8:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 310** Bill by Federal and State Affairs
Establishing the Kansas reapportionment commission to propose reapportionment plans for congressional, senate, representative and board of education districts and imposing requirements for enactment of such plans.
 04/07/2021 Senate—Introduced—SJ 580
 04/08/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 615
 05/23/2022 Senate—Died in Committee
- S 311** Bill by Assessment and Taxation
Substitute for SB 311 by Committee on Assessment and Taxation – Providing a sales tax exemption for certain purchases and sales by the Johnson county Christmas bureau association.
 04/07/2021 Senate—Introduced—SJ 580
 04/08/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 615
 03/09/2022 Senate—Committee Report recommending substitute bill be passed by Committee on Assessment and Taxation—SJ 1652
 05/23/2022 Senate—Died on General Orders
- S 312** Bill by Federal and State Affairs
Changing election law regarding bond law elections, eliminating the requirement that county commissioners reside in the county, clarifying mail ballot provisions and repealing obsolete election laws relating to the presidential preference primary and certain elections-related

corporate contribution restrictions.

04/08/2021 Senate—Introduced—SJ 614

04/09/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 752

05/23/2022 Senate—Died in Committee

S 313

Bill by Federal and State Affairs

Providing for the use and regulation of autonomous motor vehicles and establishing the autonomous vehicle advisory committee.

05/03/2021 Senate—Introduced—SJ 1094

05/04/2021 Senate—Referred to Committee on Transportation—SJ 1107

02/10/2022 Senate—Hearing: Tuesday, February 15, 2022, 8:30 AM Room 546-S

02/17/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 1547

02/23/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1572

02/23/2022 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0 —SJ 1575

03/01/2022 House—Received and Introduced—HJ 1778

03/02/2022 House—Referred to Committee on Transportation—HJ 1779

03/03/2022 House—Hearing: Tuesday, March 8, 2022, 1:30 PM Room 582-N

03/14/2022 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 1822

03/21/2022 House—Committee of the Whole - Be passed as amended—HJ 1876

03/21/2022 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0 —HJ 1887

03/22/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Petersen, Senator Claeys and Senator Hawk as conferees—SJ 1761

03/23/2022 House—Motion to accede adopted; Representative Proehl, Representative Delperdang and Representative Helgerson appointed as conferees—HJ 2288

03/29/2022 Senate—Senator Bowers is appointed to replace Senator Claeys on the Conference Committee—SJ 1827

04/25/2022 Senate—Senator Claeys is appointed to replace Senator Bowers on the Conference Committee—SJ 2342

04/26/2022 House—Conference Committee Report agree to disagree adopted; Representative Proehl, Representative Delperdang and Representative Helgerson appointed as second conferees—HJ 3098

04/26/2022 Senate—Conference Committee Report agree to disagree adopted; Senator Petersen, Senator Claeys and Senator Hawk appointed as second conferees—SJ 2391

04/27/2022 House—Conference Committee Report was adopted; Yea: 75 Nay: 44—HJ 3108

04/27/2022 Senate—Conference Committee Report was adopted; Yea: 23 Nay: 17

05/23/2022 Senate—Enrolled and presented to Governor on Friday, May 6, 2022

05/23/2022 Senate—Approved by Governor on Friday, May 13, 2022

S 314

Bill by Ways and Means

Reconciling conflicting amendments to certain statutes.

05/05/2021 Senate—Introduced—SJ 1121

05/05/2021 Senate—Referred to the Committee of the Whole.—SJ 1255

05/23/2022 Senate—Died on General Orders

- S 315** Bill by Ways and Means
Creating the Kansas medical marijuana regulation act to regulate the production, distribution, sale and possession of medical marijuana.
 05/07/2021 Senate—Introduced—SJ 1259
 05/26/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 1401
 05/23/2022 Senate—Died in Committee
- S 316** Bill by Senator Faust-Goudeau
Authorizing municipalities to adopt local zoning regulations that establish a minimum distance between group homes in single family residential zones.
 01/10/2022 Senate—Prefiled for Introduction on Monday, January 3, 2022—SJ 1409
 01/10/2022 Senate—Introduced—SJ 1409
 01/11/2022 Senate—Referred to Committee on Local Government—SJ 1415
 01/26/2022 Senate—Hearing: Tuesday, February 1, 2022, 9:30 AM Room 142-S
 05/23/2022 Senate—Died in Committee
- S 317** Bill by Senator Faust-Goudeau
Authorizing certain individuals with revoked licenses to be eligible for restricted driving privileges.
 01/10/2022 Senate—Prefiled for Introduction on Tuesday, January 4, 2022—SJ 1409
 01/10/2022 Senate—Introduced—SJ 1409
 01/11/2022 Senate—Referred to Committee on Judiciary—SJ 1415
 05/23/2022 Senate—Died in Committee
- S 318** Bill by Senators Bowers, Billinger, Tyson
House Substitute for SB 318 by Committee on Taxation – Providing a sales tax exemption for purchases to reconstruct, repair or replace certain fencing damaged or destroyed by natural disasters.
 01/10/2022 Senate—Prefiled for Introduction on Wednesday, January 5, 2022—SJ 1409
 01/10/2022 Senate—Introduced—SJ 1409
 01/11/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1415
 01/14/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1423
 01/20/2022 Senate—Committee of the Whole - Be passed as further amended—SJ 1436
 01/20/2022 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 0—SJ 1436
 01/24/2022 House—Received and Introduced—HJ 1606
 01/25/2022 House—Referred to Committee on Taxation—HJ 1609
 01/26/2022 House—Hearing: Tuesday, February 1, 2022, 3:30 PM Room 346-S
 02/17/2022 House—Committee Report recommending substitute bill be passed by Committee on Taxation—HJ 1719
 05/23/2022 House—Died on House Calendar
- S 319** Bill by Senator Haley
Requiring judicial foreclosure tax sales by public auction to be held in person at a physical location in the county.
 01/10/2022 Senate—Prefiled for Introduction on Friday, January 7, 2022—SJ 1409
 01/10/2022 Senate—Introduced—SJ 1409

- 01/11/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1415
 03/11/2022 Senate—Hearing: Monday, March 14, 2022, 9:30 AM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 320** Bill by Joint Corrections and Juvenile Justice Oversight
Making and concerning appropriations for fiscal year 2022 for the department of corrections; appropriating moneys that had been lapsed in fiscal year 2021 in the evidence-based programs account.
 01/10/2022 Senate—Introduced—SJ 1409
 01/11/2022 Senate—Referred to Committee on Ways and Means—SJ 1415
 05/23/2022 Senate—Died in Committee
- S 321** Bill by Joint Corrections and Juvenile Justice Oversight
Prohibiting the use of restraints during hearings under the revised Kansas juvenile justice code and authorizing exceptions if the court holds a hearing and makes certain findings on the record.
 01/10/2022 Senate—Introduced—SJ 1409
 01/11/2022 Senate—Referred to Committee on Judiciary—SJ 1415
 01/19/2022 Senate—Hearing: Wednesday, January 26, 2022, 10:30 AM Room 346-S
 05/23/2022 Senate—Died in Committee
- S 322** Bill by Joint Pensions, Investments and Benefits
Eliminating the crediting to the Kansas public employees retirement fund of 80% of the proceeds from the sale of state surplus real estate.
 01/10/2022 Senate—Introduced—SJ 1409
 01/11/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1415
 01/19/2022 Senate—Hearing: Wednesday, January 26, 2022, 9:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 323** Bill by Utilities
Establishing requirements for instruments that convey a wind or solar lease or easement and requiring that certain disclosures be provided to landowners.
 01/12/2022 Senate—Introduced—SJ 1416
 01/13/2022 Senate—Referred to Committee on Utilities—SJ 1420
 01/19/2022 Senate—Hearing: Wednesday, January 26, 2022, 1:30 PM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 324** Bill by Utilities
Establishing procedures that may be used to void or terminate leases or easements for electricity generation using wind or solar energy resources.
 01/12/2022 Senate—Introduced—SJ 1416
 01/13/2022 Senate—Referred to Committee on Utilities—SJ 1420
 01/19/2022 Senate—Hearing: Thursday, January 27, 2022, 1:30 PM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 325** Bill by Utilities
Establishing requirements relating to zoning and recordation of wind and solar energy resource easements and leases.
 01/12/2022 Senate—Introduced—SJ 1416
 01/13/2022 Senate—Referred to Committee on Local Government—SJ 1420
 01/19/2022 Senate—Hearing: (opponents) Thursday, January 27, 2022, 9:30 AM Room 142-S

- 01/19/2022 Senate—Hearing: (proponents) Tuesday, January 25, 2022, 9:30 AM Room 142-S
- 05/23/2022 Senate—Died in Committee
- S 326** Bill by Assessment and Taxation
Providing an income tax credit for qualified railroad track maintenance expenditures of short line railroads and associated rail siding owners or lessees.
- 01/12/2022 Senate—Introduced—SJ 1416
- 01/13/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1420
- 01/13/2022 Senate—Hearing: Tuesday, January 18, 2022, 9:30 AM Room 548-S
- 02/04/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1492
- 03/03/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1620
- 03/07/2022 Senate—Final Action - Passed as amended; Yea: 29 Nay: 7—SJ 1630
- 03/08/2022 House—Received and Introduced—HJ 1795
- 03/09/2022 House—Referred to Committee on Taxation—HJ 1798
- 03/09/2022 House—Hearing: Wednesday, March 16, 2022, 3:30 PM Room 346-S
- 03/21/2022 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 1881
- 05/23/2022 House—Died on House Calendar
- S 327** Bill by Assessment and Taxation
Excluding separately stated delivery charges from the sales or selling price for sales tax purposes.
- 01/12/2022 Senate—Introduced—SJ 1416
- 01/13/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1420
- 01/19/2022 Senate—Hearing: Thursday, January 27, 2022, 9:30 AM Room 548-S
- 02/04/2022 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Assessment and Taxation—SJ 1493
- 02/10/2022 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1521
- 02/14/2022 House—Received and Introduced—HJ 1696
- 02/15/2022 House—Referred to Committee on Taxation—HJ 1700
- 02/23/2022 House—Hearing: Tuesday, March 1, 2022, 3:30 PM Room 346-S
- 05/23/2022 House—Died in House Committee
- S 328** Bill by Assessment and Taxation
Providing an income tax rate of 4.75% for individuals.
- 01/12/2022 Senate—Introduced—SJ 1416
- 01/13/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1420
- 05/23/2022 Senate—Died in Committee
- S 329** Bill by Financial Institutions and Insurance
Authorizing the state treasurer to determine account owners and designated beneficiaries for an ABLÉ savings account, adding who may open such an account and requiring compliance with the federal internal revenue code.
- 01/12/2022 Senate—Introduced—SJ 1416
- 01/13/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1420
- 01/14/2022 Senate—Hearing: Wednesday, January 19, 2022, 9:30 AM Room 546-S
- 01/20/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1437
- 02/01/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1487

- 02/01/2022 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1488
- 02/03/2022 House—Received and Introduced—HJ 1651
- 02/04/2022 House—Referred to Committee on Financial Institutions and Rural Development—HJ 1653
- 03/01/2022 House—Withdrawn from Committee on Financial Institutions and Rural Development; Referred to Committee on Children and Seniors—HJ 1777
- 03/02/2022 House—Hearing: Tuesday, March 8, 2022, 1:30 PM Room 152-S
- 05/23/2022 House—Died in House Committee
- S 330** Bill by Senators Longbine, Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Pittman, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn
- Authorizing the construction of a memorial honoring Kansas gold star families.**
- 01/12/2022 Senate—Introduced—SJ 1416
- 01/13/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1420
- 01/19/2022 Senate—Hearing: Tuesday, January 25, 2022, 10:30 AM Room 144-S
- 01/26/2022 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1471
- 02/01/2022 Senate—Committee of the Whole - Be passed—SJ 1487
- 02/01/2022 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1488
- 02/03/2022 House—Received and Introduced—HJ 1651
- 02/04/2022 House—Referred to Committee on Veterans and Military—HJ 1653
- 03/16/2022 House—Hearing: Thursday, March 17, 2022, 9:00 AM Room 281-N
- 03/17/2022 House—Committee Report recommending bill be passed by Committee on Veterans and Military—HJ 1861
- 03/21/2022 House—Committee of the Whole - Be passed—HJ 1883
- 03/21/2022 House—Emergency Final Action - Passed; Yea: 122 Nay: 0—HJ 1901
- 03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
- 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340
- S 331** Bill by Financial Institutions and Insurance
- Updating the version of risk-based capital instructions in effect.**
- 01/12/2022 Senate—Introduced—SJ 1417
- 01/13/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1420
- 01/19/2022 Senate—Hearing: Wednesday, January 26, 2022, 9:30 AM Room 546-S
- 02/08/2022 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1510
- 02/15/2022 Senate—Committee of the Whole - Be passed—SJ 1532
- 02/15/2022 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 1533
- 02/16/2022 House—Received and Introduced—HJ 1708
- 02/17/2022 House—Referred to Committee on Insurance and Pensions—HJ 1716
- 03/01/2022 House—Hearing: Wednesday, March 2, 2022, 3:30 PM Room 218-N
- 03/08/2022 House—Committee Report recommending bill be passed as amended by Committee on Insurance and Pensions—HJ 1793

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/21/2022 House—Committee of the Whole - Be passed as amended—HJ 1884
 03/21/2022 House—Emergency Final Action - Passed as amended; Yea: 121 Nay: 1
 —HJ 1901
- 03/22/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 1761
- 03/23/2022 House—Motion to accede adopted; Representative S. Johnson, Representative Croft and Representative Neighbor appointed as conferees—HJ 2288
- 04/27/2022 Senate—Senator Tyson, Senator Peck, and Senator Holland are appointed to replace Senator Longbine, Senator Fagg, and Senator Holscher on the Conference Committee—SJ 2398
- 04/27/2022 House—Representative Smith, A., Representative Mason, and Representative Gartner are appointed to replace Representative S. Johnson, Representative Croft, and Representative Neighbor on the Conference Committee—HJ 3120
- 04/28/2022 House—Conference Committee Report agree to disagree adopted; Representative Smith, A., Representative Mason and Representative Gartner appointed as second conferees—HJ 3129
- 04/28/2022 Senate—Conference Committee Report agree to disagree adopted; Senator Tyson, Senator Peck and Senator Holland appointed as second conferees—SJ 2512
- 04/28/2022 House—Conference Committee Report was adopted; Yea: 91 Nay: 26—HJ 3186
- 05/23/2022 Senate—Died in Conference
- S 332** Bill by Transportation
Prohibiting the use of a mobile telephone while operating in school or construction zone or by individuals less than 18 years of age.
 01/12/2022 Senate—Introduced—SJ 1417
 01/13/2022 Senate—Referred to Committee on Transportation—SJ 1420
 01/19/2022 Senate—Hearing: Tuesday, January 25, 2022, 8:30 AM Room 546-S
 01/27/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 1480
- S 333** Bill by Transportation
Requiring the secretary of transportation to study the use of zipper merges on highways.
 01/12/2022 Senate—Introduced—SJ 1417
 01/13/2022 Senate—Referred to Committee on Transportation—SJ 1420
 01/19/2022 Senate—Hearing: Thursday, January 27, 2022, 8:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 334** Bill by Financial Institutions and Insurance
Amending provisions of the technology-enabled fiduciary financial institutions act relating to procedures when undercapitalized or insolvent, fees and assessments, applications, examinations, insurance and capital requirements and disclosures to consumers and requiring such institutions to be mandatory reporters for purposes of elder abuse.
 01/13/2022 Senate—Introduced—SJ 1418

- 01/14/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1422
- 05/23/2022 Senate—Died in Committee
- S 335** Bill by Financial Institutions and Insurance
Exempting certain business entities that provide health insurance in the state but are not subject to the jurisdiction of the commissioner of insurance from payment of the annual premium tax.
- 01/13/2022 Senate—Introduced—SJ 1419
- 01/14/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1422
- 01/14/2022 Senate—Hearing: Thursday, January 20, 2022, 9:30 AM Room 546-S
- 02/08/2022 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1510
- 02/17/2022 Senate—Committee of the Whole - Be passed—SJ 1544
- 02/17/2022 Senate—Emergency Final Action - Passed; Yea: 34 Nay: 0—SJ 1544
- 02/18/2022 House—Received and Introduced—HJ 1726
- 02/21/2022 House—Referred to Committee on Insurance and Pensions—HJ 1739
- 03/01/2022 House—Hearing: Wednesday, March 2, 2022, 3:30 PM Room 218-N
- 03/08/2022 House—Committee Report recommending bill be passed by Committee on Insurance and Pensions—HJ 1793
- 03/16/2022 House—Committee of the Whole - Be passed—HJ 1837
- 03/17/2022 House—Final Action - Passed; Yea: 120 Nay: 0—HJ 1846
- 03/21/2022 Senate—Enrolled and presented to Governor on Monday, March 21, 2022—SJ 1744
- 03/29/2022 Senate—Approved by Governor on Tuesday, March 29, 2022—SJ 1814
- S 336** Bill by Financial Institutions and Insurance
Updating certain investment limitation requirements to provide increased options for Kansas domiciled life insurance companies investing in equity interests and preferred stock.
- 01/13/2022 Senate—Introduced—SJ 1419
- 01/14/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1422
- 01/19/2022 Senate—Hearing: Tuesday, January 25, 2022, 9:30 AM Room 546-S
- 02/08/2022 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1510
- 02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1557
- 02/23/2022 Senate—Final Action - Passed; Yea: 38 Nay: 2—SJ 1576
- 03/01/2022 House—Received and Introduced—HJ 1778
- 03/02/2022 House—Referred to Committee on Insurance and Pensions—HJ 1779
- 03/08/2022 House—Hearing: Wednesday, March 9, 2022, 3:30 PM Room 218-N
- 03/11/2022 House—Committee Report recommending bill be passed by Committee on Insurance and Pensions—HJ 1813
- 03/21/2022 House—Committee of the Whole - Be passed—HJ 1876
- 03/21/2022 House—Emergency Final Action - Passed; Yea: 121 Nay: 1—HJ 1892
- 03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
- 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340

- S 337** Bill by Financial Institutions and Insurance
Converting the conditional charter issued for the pilot program under the technology-enabled fiduciary financial institutions act to a full fiduciary financial institution charter.
 01/13/2022 Senate—Introduced—SJ 1419
 01/14/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1422
 01/14/2022 Senate—Hearing: Wednesday, January 19, 2022, 9:30 AM Room 546-S
 01/20/2022 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1437
 01/25/2022 Senate—Committee of the Whole - Be passed—SJ 1460
 01/26/2022 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 1467
 01/27/2022 House—Received and Introduced—HJ 1640
 01/28/2022 House—Referred to Committee on Financial Institutions and Rural Development—HJ 1642
 02/03/2022 House—Hearing: Monday, February 7, 2022, 9:00 AM Room 218-N
 02/09/2022 House—Committee Report recommending bill be passed by Committee on Financial Institutions and Rural Development—HJ 1675
 02/15/2022 House—Committee of the Whole - Be passed—HJ 1702
 02/16/2022 House—Final Action - Passed; Yea: 119 Nay: 1—HJ 1709
 02/18/2022 Senate—Enrolled and presented to Governor on Friday, February 18, 2022—SJ 1554
 03/01/2022 Senate—Approved by Governor on Friday, February 25, 2022—SJ 1598
- S 338** Bill by Local Government
Restricting property and sales tax exemptions on property leased by the Kansas city area transportation authority to a private developer.
 01/13/2022 Senate—Introduced—SJ 1419
 01/14/2022 Senate—Referred to Committee on Local Government—SJ 1422
 05/23/2022 Senate—Died in Committee
- S 339** Bill by Assessment and Taxation
Providing a 0% state rate for sales and use taxes for sales of food and food ingredients, providing for the levying of taxes by cities and counties and discontinuing the nonrefundable food sales tax credit.
 01/13/2022 Senate—Introduced—SJ 1419
 01/14/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1422
 02/15/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1534
 05/23/2022 Senate—Died on General Orders
- S 340** Bill by Education
Amending the Kansas promise scholarship act by clarifying the responsibilities of the state board of regents and postsecondary educational institutions and authorizing designation of additional programs and fields of study.
 01/13/2022 Senate—Introduced—SJ 1419
 01/14/2022 Senate—Referred to Committee on Education—SJ 1422
 02/01/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 1489
 02/23/2022 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1586

- 03/11/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 1657
- 03/21/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1708
- 03/22/2022 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1748
- 03/22/2022 House—Received and Introduced—HJ 2267
- 03/23/2022 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2268
- 05/23/2022 House—Died in House Committee
- S 341** Bill by Education
Removing federal impact aid from the determination of local foundation aid in the Kansas school equity and enhancement act and removing excluding Fort Leavenworth school district and virtual school students from the capital improvement state aid determination.
- 01/13/2022 Senate—Introduced—SJ 1419
- 01/14/2022 Senate—Referred to Committee on Education—SJ 1422
- 01/26/2022 Senate—Hearing: Tuesday, February 1, 2022, 1:30 PM Room 144-S
- 02/22/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 1564
- 02/23/2022 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1586
- 05/23/2022 Senate—Died in Committee
- S 342** Bill by Senators Sykes, Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Pittman, Ware
Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.
- 01/13/2022 Senate—Introduced—SJ 1419
- 01/14/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1422
- 04/27/2022 Senate—Motion to withdraw from committee. Motion failed. Yea: 14 Nay: 23—SJ 2460
- 05/23/2022 Senate—Died in Committee
- S 343** Bill by Public Health and Welfare
Providing considerations for in family law, adoption, foster care, guardianship and child in need of care proceedings for parents or prospective parents who are blind and updating the term "hearing impaired" to "hard of hearing" in statutes related to persons with hearing loss.
- 01/13/2022 Senate—Introduced—SJ 1419
- 01/14/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1422
- 01/19/2022 Senate—Hearing: Thursday, January 27, 2022, 8:30 AM Room 142-S
- 02/09/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1518
- 02/15/2022 Senate—Committee of the Whole - Be passed as further amended—SJ 1532
- 02/15/2022 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1533
- 02/16/2022 House—Received and Introduced—HJ 1708

- 02/17/2022 House—Referred to Committee on Health and Human Services—HJ 1716
- 03/02/2022 House—Hearing: Monday, March 7, 2022, 1:30 PM Room 112-N
- 03/08/2022 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 1793
- 03/21/2022 House—Committee of the Whole - Be passed as amended—HJ 1883
- 03/21/2022 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 1895
- 03/22/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Hilderbrand, Senator Gossage and Senator Pettey as conferees—SJ 1762
- 03/23/2022 House—Motion to accede adopted; Representative Landwehr, Representative Eplee and Representative Ruiz, S. appointed as conferees—HJ 2288
- 04/01/2022 House—Conference Committee Report was adopted; Yea: 115 Nay: 0—HJ 2606
- 04/01/2022 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0
- 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—SJ 2379
- 04/25/2022 Senate—Approved by Governor on Monday, April 18, 2022—SJ 2341
- S 344** Bill by Judiciary
Providing an exception to criminal liability when a defendant has a mental disease or defect so as not to know the nature of the act or that such act was wrong.
- 01/13/2022 Senate—Introduced—SJ 1420
- 01/14/2022 Senate—Referred to Committee on Judiciary—SJ 1422
- 05/23/2022 Senate—Died in Committee
- S 345** Bill by Agriculture and Natural Resources
Authorizing the animal health commissioner to impose a civil penalty for violations related to transporting animals into the state.
- 01/14/2022 Senate—Introduced—SJ 1422
- 01/18/2022 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1426
- 02/01/2022 Senate—Hearing: Friday, February 11, 2022, 8:30 AM Room 144-S
- 02/15/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—SJ 1534
- 05/23/2022 Senate—Died on General Orders
- S 346** Bill by Agriculture and Natural Resources
Allowing for the on-farm retail sale of milk and milk products, authorizing the secretary of agriculture to declare an imminent health hazard, extending certain milk and dairy license fees and establishing certain standards for milk.
- 01/14/2022 Senate—Introduced—SJ 1422
- 01/18/2022 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1426
- 01/18/2022 Senate—Hearing: Thursday, January 20, 2022, 8:30 AM Room 144-S
- 01/31/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—SJ 1484
- 02/10/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1521

- 02/10/2022 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 1522
- 02/14/2022 House—Received and Introduced—HJ 1696
- 02/15/2022 House—Referred to Committee on Agriculture—HJ 1700
- 03/02/2022 House—Hearing: Monday, March 7, 2022, 3:30 PM Room 112-N
- 03/17/2022 House—Committee Report recommending bill be passed as amended by Committee on Agriculture—HJ 1850
- 03/21/2022 House—Committee of the Whole - Be passed as amended—HJ 1876
- 03/21/2022 House—Emergency Final Action - Passed as amended; Yea: 119 Nay: 3—HJ 1893
- 03/30/2022 Senate—Concurred with amendments; Yea: 27 Nay: 12—SJ 1829
- 04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340
- 04/25/2022 Senate—Approved by Governor on Monday, April 11, 2022—SJ 2341
- S 347** Bill by Commerce
House Substitute for SB 347 by Committee on Commerce, Labor and Economic Development - Enacting the attracting powerful economic expansion act to provide for tax and other incentives for projects in specified industries, or for national corporate headquarters, that involve a significant capital investment, including a refundable tax credit for a portion of the investment, reimbursement of certain payroll costs and training costs, retention of certain payroll withholding taxes and a sales tax exemption for project construction.
- 01/18/2022 Senate—Introduced—SJ 1426
- 01/18/2022 Senate—Referred to Committee on Commerce—SJ 1427
- 01/19/2022 Senate—Hearing continuation: Thursday, January 20, 2022, 10:30 AM Room 546-S
- 01/26/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 1467
- 01/27/2022 Senate—Committee of the Whole - Be passed as further amended—SJ 1478
- 01/27/2022 Senate—Emergency Final Action - Passed as amended; Yea: 32 Nay: 7—SJ 1478
- 01/28/2022 House—Received and Introduced—HJ 1642
- 01/28/2022 House—Hearing: Monday, January 31, 2022, 1:30 PM Room 346-S
- 01/31/2022 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1643
- 02/07/2022 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 1657
- 02/08/2022 House—Committee of the Whole - Substitute bill be passed as amended—HJ 1663
- 02/08/2022 House—Emergency Final Action - Substitute passed as amended; Yea: 80 Nay: 41—HJ 1664
- 02/09/2022 Senate—Senator Erickson moved to concur.—SJ 1516
- 02/09/2022 Senate—Substitute motion to non-concur and appoint a conference committee. Motion failed.—SJ 1516
- 02/09/2022 Senate—Concurred with amendments; Yea: 31 Nay: 9—SJ 1516
- 02/10/2022 Senate—Enrolled and presented to Governor on Thursday, February 10, 2022—SJ 1523

- 02/10/2022 Senate—Approved by Governor on Thursday, February 10, 2022—SJ 1521
- S 348** Bill by Public Health and Welfare
Exempting the practice of threading from the practice of cosmetology.
 01/19/2022 Senate—Introduced—SJ 1428
 01/20/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1434
 01/26/2022 Senate—Hearing: Wednesday, February 2, 2022, 8:30 AM Room 142-S
 02/01/2022 Senate—Hearing: Monday, February 7, 2022, 8:30 AM Room 142-S
 02/09/2022 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 1518
 02/22/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1563
 02/23/2022 Senate—Final Action - Passed as amended; Yea: 34 Nay: 6—SJ 1576
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Health and Human Services—HJ 1779
 03/02/2022 House—Hearing: Monday, March 7, 2022, 1:30 PM Room 112-N
 03/08/2022 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 1793
 03/16/2022 House—Committee of the Whole - Be passed as amended—HJ 1838
 03/17/2022 House—Final Action - Passed as amended; Yea: 110 Nay: 10—HJ 1846
 03/17/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Hilderbrand, Senator Gossage and Senator Pettey as conferees—SJ 1692
 03/21/2022 House—Motion to accede adopted; Representative Landwehr, Representative Eplee and Representative Ruiz, S. appointed as conferees—HJ 1872
 03/28/2022 Senate—Concurred with amendments in conference; Yea: 32 Nay: 6—SJ 1808
 04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340
 04/25/2022 Senate—Approved by Governor on Monday, April 11, 2022—SJ 2341
- S 349** Bill by Utilities
Limiting increases on electric retail rates and providing certain exceptions.
 01/19/2022 Senate—Introduced—SJ 1428
 01/20/2022 Senate—Referred to Committee on Utilities—SJ 1434
 02/09/2022 Senate—Hearing: Tuesday, February 15, 2022, 1:30 PM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 350** Bill by Utilities
Allowing rate recovery by electric public utilities for certain electric generating facilities.
 01/19/2022 Senate—Introduced—SJ 1428
 01/20/2022 Senate—Referred to Committee on Utilities—SJ 1434
 05/23/2022 Senate—Died in Committee
- S 351** Bill by Federal and State Affairs
Providing for the use of electronic poll books in elections and the approval of such books by the secretary of state, making fraudulent use of electronic poll books a crime, prohibiting electronic voting systems or electronic poll books from having the capability of connecting to the internet, requiring election judges to check for any such connection

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

and providing a deadline for post-election voting equipment testing and for notice of such testing on county websites.

01/19/2022 Senate—Introduced—SJ 1429
 01/20/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1434
 02/09/2022 Senate—Hearing: Monday, February 14, 2022, 10:30 AM Room 144-S
 03/21/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs
 03/22/2022 Senate—Committee of the Whole - Be passed as further amended—SJ 1760
 03/23/2022 Senate—Final Action - Passed as amended; Yea: 29 Nay: 10—SJ 1784
 03/28/2022 House—Received and Introduced—HJ 2401
 03/29/2022 House—Referred to Committee on Federal and State Affairs—HJ 2406
 05/23/2022 House—Died in House Committee

S 352 Bill by Federal and State Affairs

Enacting the community defense and human trafficking reduction act to regulate sexually orientated businesses and human trafficking and to impose criminal penalties for violations.

01/19/2022 Senate—Introduced—SJ 1429
 01/20/2022 Senate—Referred to Committee on Judiciary—SJ 1434
 05/23/2022 Senate—Died in Committee

S 353 Bill by Utilities

Establishing certain setback and construction requirements for wind energy facilities and certain operating conditions for existing wind energy facilities.

01/19/2022 Senate—Introduced—SJ 1429
 01/20/2022 Senate—Referred to Committee on Utilities—SJ 1434
 02/01/2022 Senate—Hearing: (opponents) Thursday, February 10, 2022, 1:30 PM Room 548-S
 02/01/2022 Senate—Hearing: (proponents) Wednesday, February 9, 2022, 1:30 PM Room 548-S
 05/23/2022 Senate—Died in Committee

S 354 Bill by Assessment and Taxation

Excluding discounts and coupons from the sales or selling price for sales tax purposes.

01/19/2022 Senate—Introduced—SJ 1429
 01/20/2022 Senate—Hearing: Thursday, January 27, 2022, 9:30 AM Room 548-S
 01/20/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1434
 02/04/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1493
 05/23/2022 Senate—Died on General Orders

S 355 Bill by Redistricting

Substitute for SB 355 by Committee on Redistricting - Proposing congressional redistricting map ad astra two.

01/20/2022 Senate—Introduced—SJ 1432
 01/20/2022 Senate—Referred to Committee on Redistricting—SJ 1437
 01/20/2022 Senate—Committee Report recommending substitute bill be passed by Committee on Redistricting—SJ 1437
 01/21/2022 Senate—Committee of the Whole - Motion to refer to committee failed Yea: 8 Nay: 26 Committee on Redistricting—SJ 1440

- 01/21/2022 Senate—Motion to reconsider previous action to return the bill to committee. Motion failed. Yea: 16 Nay: 18—SJ 1450
- 01/21/2022 Senate—Committee of the Whole - Substitute bill be passed—SJ 1440
- 01/21/2022 Senate—Emergency Final Action - Passed; Yea: 26 Nay: 9—SJ 1450
- 01/24/2022 House—Received and Introduced—HJ 1606
- 01/24/2022 House—Referred to Committee of the Whole—HJ 1607
- 01/25/2022 House—Committee of the Whole - Be passed—HJ 1630
- 01/26/2022 House—Final Action - Passed; Yea: 79 Nay: 37—HJ 1635
- 01/27/2022 Senate—Enrolled and presented to Governor on Thursday, January 27, 2022—SJ 1480
- 02/04/2022 Senate—Vetoed by Governor; Returned to Senate on Thursday, February 3, 2022
- 02/07/2022 Senate—Motion to override veto failed; Veto sustained; Yea: 24 Nay: 15—SJ 1504
- 02/08/2022 Senate—Motion to reconsider was adopted. Yea: 28 Nay: 11—SJ 1509
- 02/08/2022 Senate—Motion to override veto prevailed; Yea: 27 Nay: 11—SJ 1509
- 02/09/2022 House—Motion to override veto prevailed; Yea: 85 Nay: 37—HJ 1672
- 02/09/2022 House—Motion to Reconsider Failed—HJ 1672
- S 356** Bill by Redistricting
Proposing congressional redistricting map united.
 01/20/2022 Senate—Introduced—SJ 1433
 01/20/2022 Senate—Referred to Committee on Redistricting—SJ 1437
 05/23/2022 Senate—Died in Committee
- S 357** Bill by Redistricting
Proposing congressional redistricting map blue stem.
 01/20/2022 Senate—Introduced—SJ 1433
 01/20/2022 Senate—Referred to Committee on Redistricting—SJ 1437
 05/23/2022 Senate—Died in Committee
- S 358** Bill by Agriculture and Natural Resources
Amending the public water supply project loan program's definition of "project" to remove the definition's current exclusion of projects that are related to the diversion or transportation of water acquired through a water transfer.
 01/20/2022 Senate—Introduced—SJ 1433
 01/21/2022 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1440
 01/24/2022 Senate—Hearing: Wednesday, January 26, 2022, 8:30 AM Room 144-S
 01/27/2022 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture and Natural Resources—SJ 1480
 02/01/2022 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1487
 02/03/2022 House—Received and Introduced—HJ 1651
 02/04/2022 House—Referred to Committee on Water—HJ 1653
 02/09/2022 House—Hearing: Tuesday, February 15, 2022, 9:00 AM Room 152-S
 02/15/2022 House—Committee Report recommending bill be passed by Committee on Water—HJ 1702
 03/02/2022 House—Committee of the Whole - Be passed—HJ 1780
 03/02/2022 House—Emergency Final Action - Passed; Yea: 121 Nay: 0—HJ 1780
 03/04/2022 Senate—Enrolled and presented to Governor on Friday, March 4, 2022—SJ 1633

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/11/2022 Senate—Approved by Governor on Wednesday, March 9, 2022—SJ 1654
- S 359** Bill by Assessment and Taxation
Expanding the eligible uses for the 0% state rate for sales tax for certain utilities and the levying of sales tax on such sales by cities and counties and authorizing cities and counties to exempt such sales from such city or county taxes.
 01/20/2022 Senate—Introduced—SJ 1433
 01/21/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1440
 05/23/2022 Senate—Died in Committee
- S 360** Bill by Transparency and Ethics
Enacting the Kansas assistance animals in housing act.
 01/20/2022 Senate—Introduced—SJ 1433
 01/21/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1440
 01/26/2022 Senate—Hearing: Monday, January 31, 2022, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 361** Bill by Federal and State Affairs
Concerning an employer's maximum liability for permanent total disability compensation and requiring an employer to pay such disabled employee during the continuance of such disability from the date of maximum medical improvement for the lifetime of the employee at the weekly rate of the compensation in effect on the date of injury for which compensation is being made.
 01/20/2022 Senate—Introduced—SJ 1433
 01/21/2022 Senate—Referred to Committee on Commerce—SJ 1440
 03/03/2022 Senate—Hearing: Tuesday, March 8, 2022, 10:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 362** Bill by Education
Requiring local boards of education to document and consider the school needs assessment and state assessments in the budget process.
 01/20/2022 Senate—Introduced—SJ 1433
 01/21/2022 Senate—Referred to Committee on Education—SJ 1440
 01/26/2022 Senate—Hearing: Wednesday, February 2, 2022, 1:30 PM Room 144-S
 02/01/2022 Senate—Hearing: Thursday, February 10, 2022, 1:30 PM Room 144-S
 02/22/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 1569
 02/23/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1572
 02/23/2022 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 3 —SJ 1577
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on K-12 Education Budget—HJ 1779
 03/03/2022 House—Hearing: Monday, March 7, 2022, 3:30 PM Room 546-S
 05/23/2022 House—Died in House Committee
- S 363** Bill by Education
Requiring school districts to annually publish on the internet a list of training materials and activities used for student instruction and teacher professional development at each school of the school district.
 01/20/2022 Senate—Introduced—SJ 1433
 01/21/2022 Senate—Referred to Committee on Education—SJ 1440

- 02/09/2022 Senate—Hearing: Thursday, February 17, 2022, 1:30 PM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 364** Bill by Judiciary
Modifying the rules of evidence to require courts to allow certain persons with specialized training to testify on the issue of impairment.
 01/20/2022 Senate—Introduced—SJ 1433
 01/21/2022 Senate—Referred to Committee on Judiciary—SJ 1440
 05/23/2022 Senate—Died in Committee
- S 365** Bill by Judiciary
Requiring courts to order domestic violence offender assessments for first-time offenders convicted of domestic battery and requiring courts and prosecutors to provide relevant documents to the certified batterer intervention programs completing such assessments when assessments are ordered or required under the Kansas criminal code or the Kansas family law code.
 01/20/2022 Senate—Introduced—SJ 1433
 01/21/2022 Senate—Referred to Committee on Judiciary—SJ 1440
 05/23/2022 Senate—Died in Committee
- S 366** Bill by Judiciary
Creating a mechanism to seek relief from the Kansas offender registration act requirements for drug offenders, allowing expungement of offenses when such relief is granted and requiring registration as a sex offender for certain violations of the crimes of breach of privacy, internet trading in child pornography and aggravated internet trading in child pornography.
 01/20/2022 Senate—Introduced—SJ 1433
 01/21/2022 Senate—Referred to Committee on Judiciary—SJ 1440
 01/26/2022 Senate—Hearing: Monday, January 31, 2022, 10:30 AM Room 346-S
 02/10/2022 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1523
 02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1557
 02/23/2022 Senate—Final Action - Passed; Yea: 39 Nay: 1—SJ 1577
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1779
 03/02/2022 House—Hearing: Monday, March 7, 2022, 1:30 PM Room 546-S
 03/14/2022 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1815
 03/17/2022 House—Committee of the Whole - Be passed as amended—HJ 1847
 03/17/2022 House—Emergency Final Action - Passed as amended; Yea: 120 Nay: 0—HJ 1849
 03/17/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Haley as conferees—SJ 1692
 03/21/2022 House—Motion to accede adopted; Representative Owens, Representative Smith, E. and Representative Highberger appointed as conferees—HJ 1872
 03/31/2022 House—Conference Committee Report was adopted; Yea: 116 Nay: 0—HJ 2571
 04/25/2022 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 3

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 04/27/2022 Senate—Enrolled and presented to Governor on Wednesday, April 27, 2022—SJ 2460
- S 367 05/23/2022 Senate—Approved by Governor on Thursday, May 5, 2022
Bill by Judiciary
Requiring officers to file copies of receipts with the court when property is seized under a search warrant and providing requirements and procedures for destruction or disposition of dangerous drugs and return or disposition of weapons.
- 01/20/2022 Senate—Introduced—SJ 1434
01/21/2022 Senate—Referred to Committee on Judiciary—SJ 1440
01/26/2022 Senate—Hearing: Monday, January 31, 2022, 10:30 AM Room 346-S
02/10/2022 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1523
02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1557
02/23/2022 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1577
03/01/2022 House—Received and Introduced—HJ 1778
03/02/2022 House—Referred to Committee on Judiciary—HJ 1779
03/02/2022 House—Hearing: Tuesday, March 8, 2022, 3:30 PM Room 582-N
03/16/2022 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 1840
03/22/2022 House—Committee of the Whole - Be passed—HJ 2259
03/23/2022 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 2276
03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
- S 368 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340
Bill by Judiciary
Requiring registration as a sex offender for violations of the crime of internet trading in child pornography or aggravated internet trading in child pornography.
- 01/20/2022 Senate—Introduced—SJ 1434
01/21/2022 Senate—Referred to Committee on Judiciary—SJ 1440
01/26/2022 Senate—Hearing: Wednesday, February 2, 2022, 10:30 AM Room 346-S
02/03/2022 Senate—Hearing: Monday, February 7, 2022, 10:30 AM Room 346-S
02/10/2022 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1523
02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1562
02/23/2022 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1578
03/01/2022 House—Received and Introduced—HJ 1778
03/02/2022 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1779
03/02/2022 House—Hearing: Tuesday, March 8, 2022, 1:30 PM Room 546-S
05/23/2022 House—Died in House Committee
- S 369 Bill by Federal and State Affairs
Establishing the Kansas affordable housing tax credit act providing income, privilege and premium tax credits for qualified low-income housing projects.
- 01/21/2022 Senate—Introduced—SJ 1439
01/24/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1454
01/26/2022 Senate—Hearing: Thursday, February 3, 2022, 10:30 AM Room 144-S

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 02/01/2022 Senate—Hearing: Wednesday, February 9, 2022, 10:30 AM Room 144-S
- 05/23/2022 Senate—Died in Committee
- S 370** Bill by Federal and State Affairs
Creating the defend the guard act to establish when the Kansas national guard may be released into active duty combat and to prohibit COVID-19 vaccination requirements for national guard members.
- 01/21/2022 Senate—Introduced—SJ 1439
- 01/24/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1454
- 01/26/2022 Senate—Hearing: Monday, January 31, 2022, 10:30 AM Room 144-S
- 05/23/2022 Senate—Died in Committee
- S 371** Bill by Federal and State Affairs
Revoking authority to suspend driving privileges for the nonpayment of fines from traffic citations.
- 01/21/2022 Senate—Introduced—SJ 1439
- 01/24/2022 Senate—Referred to Committee on Transportation—SJ 1454
- 01/27/2022 Senate—Withdrawn from Committee on Transportation; Referred to Committee on Judiciary—SJ 1476
- 05/23/2022 Senate—Died in Committee
- S 372** Bill by Federal and State Affairs
Prohibiting the state school for the deaf from dismissing or transferring any student who gains access to hearing.
- 01/21/2022 Senate—Introduced—SJ 1440
- 01/24/2022 Senate—Referred to Committee on Education—SJ 1454
- 05/23/2022 Senate—Died in Committee
- S 373** Bill by Public Health and Welfare
Making appropriations to the university of Kansas medical center for fiscal years 2022, 2023 and 2024 for conducting COVID-19 clinical trials at the midwest stem cell therapy center.
- 01/21/2022 Senate—Introduced—SJ 1440
- 01/24/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1454
- 02/09/2022 Senate—Hearing: Wednesday, February 16, 2022, 8:30 AM Room 142-S
- 02/21/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1553
- 02/22/2022 Senate—Committee of the Whole - Be passed as further amended—SJ 1557
- 02/23/2022 Senate—Final Action - Passed as amended; Yea: 23 Nay: 17—SJ 1578
- 03/01/2022 House—Received and Introduced—HJ 1778
- 03/02/2022 House—Referred to Committee on Appropriations—HJ 1779
- 05/23/2022 House—Died in House Committee
- S 374** Bill by Federal and State Affairs
Discontinuing the property tax exemption for new developments of renewable energy resources.
- 01/24/2022 Senate—Introduced—SJ 1453
- 01/25/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1458
- 03/09/2022 Senate—Hearing: Tuesday, March 15, 2022, 9:30 AM Room 548-S
- 05/23/2022 Senate—Died in Committee

- S 375** Bill by Federal and State Affairs
Enacting the Kansas housing investor tax credit act and expanding Kansas housing programs to facilitate economic development by providing tax credits for investment in residential housing projects in underserved rural and urban communities to accommodate new employees and support business growth.
 01/24/2022 Senate—Introduced—SJ 1453
 01/25/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1458
 02/01/2022 Senate—Hearing: Monday, February 7, 2022, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 376** Bill by Federal and State Affairs
Expanding Kansas housing programs to facilitate economic development by broadening the Kansas rural housing incentive district act to allow use of bond proceeds for construction of residential dwellings and buildings and to include the city of Topeka, increasing availability of loans or grants to rural communities for moderate income housing, establishing a program for urban communities for moderate income housing and permitting housing developments to include manufactured or modular housing.
 01/24/2022 Senate—Introduced—SJ 1453
 01/25/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1458
 02/01/2022 Senate—Hearing: Monday, February 7, 2022, 10:30 AM Room 144-S
 02/17/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1546
 05/23/2022 Senate—Died on General Orders
- S 377** Bill by Financial Institutions and Insurance
Authorizing technology-enabled fiduciary financial institution insurance companies within the captive insurance act and providing for the requirements and operations thereof.
 01/24/2022 Senate—Introduced—SJ 1453
 01/25/2022 Senate—Hearing: Thursday, January 27, 2022, 9:30 AM Room 546-S
 01/25/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1458
 02/09/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1517
 02/15/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1532
 02/15/2022 Senate—Emergency Final Action - Passed as amended; Yea: 36 Nay: 3—SJ 1533
 02/16/2022 House—Received and Introduced—HJ 1708
 02/17/2022 House—Referred to Committee on Financial Institutions and Rural Development—HJ 1716
 03/02/2022 House—Withdrawn from Committee on Financial Institutions and Rural Development; Referred to Committee on Insurance and Pensions—HJ 1782
 03/03/2022 House—Hearing: Wednesday, March 9, 2022, 3:30 PM Room 218-N
 03/17/2022 House—Committee Report recommending bill be passed as amended by Committee on Insurance and Pensions—HJ 1858
 03/23/2022 House—Stricken from Calendar by Rule 1507—HJ 2398

- S 378** Bill by Assessment and Taxation
Regulating the retail sale of fireworks all year and extending the time period for seasonal retail sale of fireworks.
 01/24/2022 Senate—Introduced—SJ 1453
 01/25/2022 Senate—Referred to Committee on Commerce—SJ 1458
 01/26/2022 Senate—Hearing: Tuesday, February 1, 2022, 10:30 AM Room 546-S
 02/10/2022 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 1523
 03/03/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1605
 03/07/2022 Senate—Final Action - Not passed; Yea: 2 Nay: 34—SJ 1630
- S 379** Bill by Transportation
Providing for the use and regulation of autonomous motor vehicles.
 01/24/2022 Senate—Introduced—SJ 1453
 01/25/2022 Senate—Referred to Committee on Transportation—SJ 1459
 01/26/2022 Senate—Hearing: Wednesday, February 2, 2022, 8:30 AM Room 546-S
 01/26/2022 Senate—Hearing: Tuesday, February 1, 2022, 8:30 AM Room 546-S
 02/01/2022 Senate—Hearing continuation: Tuesday, February 8, 2022, 8:30 AM Room 546-S
 02/08/2022 Senate—Hearing continuation: Thursday, February 10, 2022, 8:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 380** Bill by Public Health and Welfare
Revising certain definitions relating to exceptional children by replacing emotional disturbance with emotional disability.
 01/24/2022 Senate—Introduced—SJ 1453
 01/25/2022 Senate—Referred to Committee on Education—SJ 1458
 05/23/2022 Senate—Died in Committee
- S 381** Bill by Public Health and Welfare
Allowing for the prescribing and dispensing of medications for off-label use to prevent and treat COVID-19 infections.
 01/24/2022 Senate—Introduced—SJ 1454
 01/25/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1458
 05/23/2022 Senate—Died in Committee
- S 382** Bill by Federal and State Affairs
Applying licensure provisions for real estate brokers and salespersons to trusts and authorizing the Kansas real estate commission to issue cease and desist orders.
 01/24/2022 Senate—Introduced—SJ 1454
 01/25/2022 Senate—Referred to Committee on Commerce—SJ 1458
 02/01/2022 Senate—Hearing: Thursday, February 10, 2022, 10:30 AM Room 546-S
 02/15/2022 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 1537
 02/23/2022 Senate—Committee of the Whole - Be passed—SJ 1572
 02/23/2022 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 2—SJ 1578
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1779
 03/03/2022 House—Hearing: Tuesday, March 8, 2022, 1:30 PM Room 346-S

- 03/18/2022 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 1864
- 05/23/2022 House—Died on House Calendar
- S 383** Bill by Utilities
Establishing the Kansas property value protection act to provide for compensation to nonparticipating landowners near wind and solar farms for diminution of real property value under certain conditions.
- 01/24/2022 Senate—Introduced—SJ 1454
 01/25/2022 Senate—Referred to Committee on Utilities—SJ 1459
 05/23/2022 Senate—Died in Committee
- S 384** Bill by Senator Hilderbrand
Providing an income tax credit for certain qualified property taxes levied on homesteads.
- 01/25/2022 Senate—Introduced—SJ 1456
 01/26/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1462
 03/03/2022 Senate—Hearing: Tuesday, March 8, 2022, 9:30 AM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 385** Bill by Senators Warren, Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hilderbrand, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Ware, Wilborn
Requiring registration as a sex offender for certain violations of the crimes of breach of privacy, internet trading in child pornography and aggravated internet trading in child pornography.
- 01/25/2022 Senate—Introduced—SJ 1456
 01/26/2022 Senate—Referred to Committee on Judiciary—SJ 1462
 02/03/2022 Senate—Hearing: Tuesday, February 8, 2022, 10:30 AM Room 346-S
 02/14/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1529
 02/22/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1562
 02/23/2022 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1579
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1779
 03/02/2022 House—Hearing: Tuesday, March 8, 2022, 1:30 PM Room 546-S
 03/14/2022 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1815
 03/23/2022 House—Stricken from Calendar by Rule 1507—HJ 2398
- S 386** Bill by Ways and Means
Limiting fees for copying and staff time under the Kansas open records act and providing for waiver or reduction of such fees.
- 01/25/2022 Senate—Introduced—SJ 1456
 01/26/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1462
 02/09/2022 Senate—Hearing: Monday, February 14, 2022, 9:30 AM Room 142-S
 03/03/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Transparency and Ethics—SJ 1621
 05/23/2022 Senate—Died on General Orders

- S 387** Bill by Public Health and Welfare
Reinstating social worker applicant option for board-approved postgraduate supervised experience and allowing master's and clinical level licensees to take baccalaureate addiction counselor test.
 01/25/2022 Senate—Introduced—SJ 1456
 01/26/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1462
 02/01/2022 Senate—Hearing: Wednesday, February 9, 2022, 8:30 AM Room 142-S
 02/14/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1529
 05/23/2022 Senate—Died on General Orders
- S 388** Bill by Senator Hilderbrand
Requiring the use of the United States postal service when returning an advance ballot by mail.
 01/25/2022 Senate—Introduced—SJ 1456
 01/26/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1462
 02/01/2022 Senate—Hearing: Thursday, February 10, 2022, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 389** Bill by Senator Hilderbrand
Requiring all voting systems for elections to use individual voter-verified paper ballots with a distinctive watermark.
 01/25/2022 Senate—Introduced—SJ 1456
 01/26/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1462
 02/01/2022 Senate—Hearing: Thursday, February 10, 2022, 10:30 AM Room 144-S
 02/22/2022 Senate—Hearing: Tuesday, March 1, 2022, 10:30 AM Room 144-S
 03/08/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1636
 03/14/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1661
 03/15/2022 Senate—Final Action - Passed as amended; Yea: 27 Nay: 11—SJ 1665
 03/16/2022 House—Received and Introduced—HJ 1834
 03/17/2022 House—Referred to Committee on Elections—HJ 1844
 05/23/2022 House—Died in House Committee
- S 390** Bill by Senator Hilderbrand
Requiring the secretary of state and local election officers to develop an affidavit to be signed by election workers regarding handling of completed ballots.
 01/25/2022 Senate—Introduced—SJ 1457
 01/26/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1462
 02/09/2022 Senate—Hearing: Monday, February 14, 2022, 10:30 AM Room 144-S
 03/08/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1636
 03/16/2022 Senate—Committee of the Whole - Motion to rerefer to committee failed—SJ 1674
 03/16/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1674
 03/17/2022 Senate—Final Action - Passed as amended; Yea: 27 Nay: 10—SJ 1690
 03/21/2022 House—Received and Introduced—HJ 1872
 03/22/2022 House—Referred to Committee on Elections—HJ 1906
 05/23/2022 House—Died in House Committee

- S 391** Bill by Senator Hilderbrand
Requiring the secretary of state and county election officers to develop a ballot system showing the number of years an incumbent has served in the office.
 01/25/2022 Senate—Introduced—SJ 1457
 01/26/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1462
 02/09/2022 Senate—Hearing: Wednesday, February 16, 2022, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 392** Bill by Financial Institutions and Insurance
Terminating the transfer of remaining unencumbered moneys in the securities act fee fund exceeding \$50,000 to the state general fund.
 01/26/2022 Senate—Introduced—SJ 1462
 01/27/2022 Senate—Hearing: Wednesday, February 2, 2022, 9:30 AM Room 546-S
 01/27/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1476
 01/28/2022 Senate—Hearing: Tuesday, February 1, 2022, 9:30 AM Room 546-S
 02/08/2022 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1510
 02/17/2022 Senate—Committee of the Whole - Be passed—SJ 1544
 02/17/2022 Senate—Emergency Final Action - Passed; Yea: 34 Nay: 0—SJ 1544
 02/18/2022 House—Received and Introduced—HJ 1726
 02/21/2022 House—Referred to Committee on Insurance and Pensions—HJ 1739
 03/02/2022 House—Hearing: Monday, March 7, 2022, 3:30 PM Room 218-N
 03/08/2022 House—Committee Report recommending bill be passed by Committee on Insurance and Pensions—HJ 1793
 03/16/2022 House—Committee of the Whole - Be passed—HJ 1837
 03/17/2022 House—Final Action - Passed; Yea: 120 Nay: 0—HJ 1847
 03/21/2022 Senate—Enrolled and presented to Governor on Monday, March 21, 2022—SJ 1744
 03/29/2022 Senate—Approved by Governor on Tuesday, March 29, 2022—SJ 1814
- S 393** Bill by Senators Tyson, Claeys, Kerschen, Kloos, Peck, Steffen, Thompson
Requiring school districts to annually publish on the internet a list of learning materials and activities used for student instruction at each school of the school district and providing a penalty for violations thereof.
 01/26/2022 Senate—Introduced—SJ 1462
 01/27/2022 Senate—Referred to Committee on Education—SJ 1476
 02/09/2022 Senate—Hearing: Thursday, February 17, 2022, 1:30 PM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 394** Bill by Federal and State Affairs
Requiring all advanced voting ballots be returned by 7 p.m. on election day.
 01/26/2022 Senate—Introduced—SJ 1462
 01/27/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1476
 02/09/2022 Senate—Hearing: Tuesday, February 15, 2022, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 395** Bill by Federal and State Affairs
Protecting private property from unauthorized access by certain government officials and unauthorized surveillance.
 01/26/2022 Senate—Introduced—SJ 1462
 01/27/2022 Senate—Referred to Committee on Judiciary—SJ 1476

- 01/31/2022 Senate—Hearing: Tuesday, February 1, 2022, 10:30 AM Room 346-S
 02/15/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1537
 02/22/2022 Senate—Committee of the Whole - Motion to rerefer to committee failed—SJ 1563
 02/22/2022 Senate—Committee of the Whole - Be passed as further amended—SJ 1563
 02/23/2022 Senate—Final Action - Passed as amended; Yea: 30 Nay: 9—SJ 1579
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Judiciary—HJ 1779
 03/02/2022 House—Hearing: Monday, March 7, 2022, 3:30 PM Room 582-N
 05/23/2022 House—Died in House Committee
- S 396** 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.
 01/26/2022 Senate—Introduced—SJ 1462
 01/27/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1476
 05/23/2022 Senate—Died in Committee
- S 397** Bill by Federal and State Affairs
Creating a procedure for appointment of delegates to a convention under Article V of the Constitution of the United States and prescribing duties and responsibilities therefor.
 01/26/2022 Senate—Introduced—SJ 1462
 01/27/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1476
 05/23/2022 Senate—Died in Committee
- S 398** Bill by Public Health and Welfare
Requiring child care facilities and schools to grant religious exemptions from vaccination requirements without inquiring into the sincerity of the religious beliefs.
 01/27/2022 Senate—Introduced—SJ 1472
 01/28/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1481
 05/23/2022 Senate—Died in Committee
- S 399** Bill by Financial Institutions and Insurance
Adding maternity centers to the definition of healthcare provider for purposes of the healthcare insurance provider availability act.
 01/27/2022 Senate—Introduced—SJ 1473
 01/28/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1481
 02/14/2022 Senate—Hearing: Wednesday, February 16, 2022, 9:30 AM Room 546-S
 02/17/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1546
 02/22/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1557
 02/23/2022 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1579
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Insurance and Pensions—HJ 1779
 03/09/2022 House—Hearing: Monday, March 14, 2022, 3:30 PM Room 218-N

- 03/15/2022 House—Committee Report recommending bill be passed by Committee on Insurance and Pensions—HJ 1829
- 03/23/2022 House—Stricken from Calendar by Rule 1507—HJ 2398
- S 400** Bill by Financial Institutions and Insurance
Substitute for SB 400 by Committee on Financial Institutions and Insurance - Updating certain requirements and conditions relating to the creation, modification and termination of trusts in the Kansas uniform trust code and updating the definition of resident trust for tax purposes.
- 01/27/2022 Senate—Introduced—SJ 1473
- 01/28/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1481
- 01/28/2022 Senate—Hearing: Wednesday, February 2, 2022, 9:30 AM Room 546-S
- 02/01/2022 Senate—Hearing: Tuesday, February 8, 2022, 9:30 AM Room 546-S
- 02/17/2022 Senate—Committee Report recommending substitute bill be passed by Committee on Financial Institutions and Insurance—SJ 1546
- 02/22/2022 Senate—Committee of the Whole - Substitute bill be passed—SJ 1557
- 02/23/2022 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 1580
- 03/01/2022 House—Received and Introduced—HJ 1778
- 03/02/2022 House—Referred to Committee on Financial Institutions and Rural Development—HJ 1779
- 03/02/2022 House—Hearing: Monday, March 7, 2022, 9:00 AM Room 218-N
- 03/08/2022 House—Committee Report recommending bill be passed by Committee on Financial Institutions and Rural Development—HJ 1793
- 03/17/2022 House—Committee of the Whole - Be passed—HJ 1847
- 03/17/2022 House—Emergency Final Action - Passed; Yea: 120 Nay: 0—HJ 1849
- 03/21/2022 Senate—Enrolled and presented to Governor on Monday, March 21, 2022—SJ 1744
- S 401** 03/29/2022 Senate—Approved by Governor on Tuesday, March 29, 2022—SJ 1814
 Bill by Financial Institutions and Insurance
Providing an annual KPERS cost-of-living adjustment (COLA) on the occurrence of certain investment returns and increases to the consumer price index as certified by the KPERS board or executive director as designated by the board.
- 01/27/2022 Senate—Introduced—SJ 1473
- 01/28/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1481
- 05/23/2022 Senate—Died in Committee
- S 402** Bill by Financial Institutions and Insurance
Providing a post-retirement cost-of-living adjustment for certain KPERS retirees.
- 01/27/2022 Senate—Introduced—SJ 1473
- 01/28/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1481
- 05/23/2022 Senate—Died in Committee
- S 403** Bill by Assessment and Taxation
Providing sales tax authority for Wilson county.
- 01/27/2022 Senate—Introduced—SJ 1473
- 01/28/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1481
- 03/01/2022 Senate—Hearing: Thursday, March 3, 2022, 9:30 AM Room 548-S

- 03/08/2022 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Assessment and Taxation—SJ 1636
- 03/14/2022 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 1661
- 03/15/2022 House—Received and Introduced—HJ 1825
- 03/16/2022 House—Referred to Committee on Taxation—HJ 1833
- 05/23/2022 House—Died in House Committee
- S 404** Bill by Federal and State Affairs
Authorizing a vote in Sedgwick county to allow the operation of electronic gaming machines at a racetrack gaming facility and authorizing the operation of historical horse race machines by parimutuel licensees.
- 01/27/2022 Senate—Introduced—SJ 1473
- 01/28/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1481
- 01/31/2022 Senate—Hearing: Wednesday, February 2, 2022, 10:30 AM Room 144-S
- 02/09/2022 Senate—Hearing: Wednesday, February 16, 2022, 10:30 AM Room 144-S
- 05/23/2022 Senate—Died in Committee
- S 405** Bill by Federal and State Affairs
Authorizing the state historical society to convey certain real property to the Shawnee Tribe.
- 01/27/2022 Senate—Introduced—SJ 1473
- 01/28/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1481
- 02/01/2022 Senate—Hearing: Tuesday, February 8, 2022, 10:30 AM Room 144-S
- 02/10/2022 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1523
- 02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1557
- 02/23/2022 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1580
- 03/01/2022 House—Received and Introduced—HJ 1778
- 03/02/2022 House—Referred to Committee on Federal and State Affairs—HJ 1779
- 03/09/2022 House—Hearing: Monday, March 14, 2022, 9:00 AM Room 346-S
- 03/21/2022 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 1881
- 03/23/2022 House—Committee of the Whole - Be passed as amended—HJ 2278
- 03/23/2022 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 2287
- 03/28/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Olson, Senator Hilderbrand and Senator Faust-Goudeau as conferees—SJ 1808
- 03/29/2022 House—Motion to accede adopted; Representative Barker, Representative Arnberger and Representative Ruiz, L. appointed as conferees—HJ 2407
- 03/31/2022 Senate—Concurred with amendments in conference; Yea: 39 Nay: 0—SJ 1853
- 04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340
- 04/25/2022 Senate—Approved by Governor on Monday, April 11, 2022—SJ 2341
- S 406** Bill by Federal and State Affairs
Creating the back the blue act to authorize the issuance of protective orders to prohibit the acquisition and possession of firearms in order to reduce law enforcement officer deaths.

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 01/27/2022 Senate—Introduced—SJ 1473
 01/28/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1481
 05/23/2022 Senate—Died in Committee
- S 407**
 Bill by Ways and Means
Updating income eligibility requirements for the state children's health insurance program.
 01/27/2022 Senate—Introduced—SJ 1473
 01/28/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1481
 02/09/2022 Senate—Hearing: Thursday, February 17, 2022, 8:30 AM Room 142-S
 02/23/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1587
 05/23/2022 Senate—Died on General Orders
- S 408**
 Bill by Judiciary
Increasing the criminal penalties for multiple thefts of mail; specifying that the crime of burglary includes, without authority, entering into or remaining within any locked or secured portion of any dwelling, building or other structure, with intent to commit another crime therein; providing guidance to determine how offenders under the supervision of two or more supervision agencies can have supervision consolidated into one agency; requiring an offender who raises error in such offender's criminal history calculation for the first time on appeal to show prejudicial error and authorizing the court to correct an illegal sentence while a direct appeal is pending; and transferring the responsibility to certify drug abuse treatment providers that participate in the certified drug abuse treatment program from the department of corrections to the Kansas sentencing commission.
 01/27/2022 Senate—Introduced—SJ 1473
 01/28/2022 Senate—Referred to Committee on Judiciary—SJ 1481
 01/31/2022 Senate—Hearing: Thursday, February 3, 2022, 10:30 AM Room 346-S
 02/03/2022 Senate—Hearing: Tuesday, February 8, 2022, 10:30 AM Room 346-S
 02/10/2022 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1523
 02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1557
 02/23/2022 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1581
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1779
 03/02/2022 House—Hearing: Monday, March 7, 2022, 1:30 PM Room 546-S
 03/14/2022 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1816
 03/17/2022 House—Committee of the Whole - Be passed as amended—HJ 1847
 03/17/2022 House—Emergency Final Action - Passed as amended; Yea: 117 Nay: 3—HJ 1848
 03/17/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Haley as conferees—SJ 1692
 03/21/2022 House—Motion to accede adopted; Representative Owens, Representative Smith, E. and Representative Highberger appointed as conferees—HJ 1872

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/31/2022 House—Conference Committee Report was adopted; Yea: 114 Nay: 2—
HJ 2562
- 04/01/2022 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0
- 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—
SJ 2379
- 04/25/2022 Senate—Approved by Governor on Monday, April 18, 2022—SJ 2341
- S 409** Bill by Judiciary
Prohibiting certain restrictions on freedom of worship by governmental entities and public officials, limiting related state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities and limiting related powers of the secretary of health and environment and local health officers.
- 01/27/2022 Senate—Introduced—SJ 1474
- 01/28/2022 Senate—Referred to Committee on Judiciary—SJ 1481
- 05/23/2022 Senate—Died in Committee
- S 410** Bill by Judiciary
Requiring the state capitol and legislative meetings to be open to the public.
- 01/27/2022 Senate—Introduced—SJ 1474
- 01/28/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1481
- 05/23/2022 Senate—Died in Committee
- S 411** Bill by Judiciary
Prohibiting certain restrictions on the operation of private businesses by governmental entities and public officials, limiting related state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities and limiting related powers of the secretary of health and environment and local health officers.
- 01/27/2022 Senate—Introduced—SJ 1474
- 01/28/2022 Senate—Referred to Committee on Judiciary—SJ 1481
- 05/23/2022 Senate—Died in Committee
- S 412** Bill by Judiciary
Increasing the criminal penalties for violation of a protective order.
- 01/27/2022 Senate—Introduced—SJ 1474
- 01/28/2022 Senate—Referred to Committee on Judiciary—SJ 1481
- 05/23/2022 Senate—Died in Committee
- S 413** Bill by Judiciary
Authorizing staggered sentencing for certain offenders convicted of domestic battery.
- 01/27/2022 Senate—Introduced—SJ 1474
- 01/28/2022 Senate—Referred to Committee on Judiciary—SJ 1481
- 05/23/2022 Senate—Died in Committee
- S 414** Bill by Judiciary
Authorizing staggered sentencing for certain offenders convicted of driving under the influence.
- 01/27/2022 Senate—Introduced—SJ 1474
- 01/28/2022 Senate—Referred to Committee on Judiciary—SJ 1481
- 05/23/2022 Senate—Died in Committee
- S 415** Bill by Judiciary
Defining "primary aggressor" for domestic violence purposes in the Kansas criminal code, the Kansas code of criminal procedure and the protection from abuse act.

- 01/27/2022 Senate—Introduced—SJ 1474
 01/28/2022 Senate—Referred to Committee on Judiciary—SJ 1481
 05/23/2022 Senate—Died in Committee
- S 416**
 Bill by Judiciary
Requiring law enforcement officers investigating alleged domestic violence to conduct a lethality assessment.
 01/27/2022 Senate—Introduced—SJ 1474
 01/28/2022 Senate—Referred to Committee on Judiciary—SJ 1481
 05/23/2022 Senate—Died in Committee
- S 417**
 Bill by Agriculture and Natural Resources
Establishing minimum and maximum permit renewal fees for certain solid waste disposal areas and processing facilities.
 01/27/2022 Senate—Introduced—SJ 1474
 01/28/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1481
 01/31/2022 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Agriculture and Natural Resources—SJ 1484
 02/01/2022 Senate—Hearing: Friday, February 11, 2022, 8:30 AM Room 144-S
 02/15/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—SJ 1534
 02/22/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1557
 02/23/2022 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 1581
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Agriculture—HJ 1779
 03/02/2022 House—Withdrawn from Committee on Agriculture; Referred to Committee on Energy, Utilities and Telecommunications—HJ 1780
 03/03/2022 House—Hearing: Thursday, March 10, 2022, 9:00 AM Room 582-N
 03/16/2022 House—Committee Report recommending bill be passed by Committee on Energy, Utilities and Telecommunications—HJ 1838
 03/21/2022 House—Committee of the Whole - Be passed—HJ 1876
 03/21/2022 House—Emergency Final Action - Passed; Yea: 120 Nay: 2—HJ 1889
 03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
- S 418**
 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340
 Bill by Federal and State Affairs
Prohibiting the modification of election laws by agreement except as approved by the legislative coordinating council.
 01/27/2022 Senate—Introduced—SJ 1474
 01/28/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1481
 03/07/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1632
 02/17/2022 Senate—Hearing: Tuesday, February 15, 2022, 10:30 AM Room 144-S
 03/09/2022 Senate—Committee of the Whole - Motion to rerefer to committee failed—SJ 1647
 03/09/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1647
 03/09/2022 Senate—Emergency Final Action - Passed as amended; Yea: 28 Nay: 12—SJ 1649
 03/11/2022 House—Received and Introduced—HJ 1812
 03/14/2022 House—Referred to Committee on Federal and State Affairs—HJ 1815
 05/23/2022 House—Died in House Committee

- S 419** Bill by Judiciary
Allowing certain employees from the department of corrections to attend the Kansas law enforcement training center and including special agents of the department of corrections in the definition of law enforcement officer under the Kansas law enforcement training act.
 01/28/2022 Senate—Introduced—SJ 1481
 01/31/2022 Senate—Referred to Committee on Judiciary—SJ 1484
 02/03/2022 Senate—Hearing: Thursday, February 10, 2022, 10:30 AM Room 346-S
 02/14/2022 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1529
 02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1557
 02/23/2022 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1581
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Judiciary—HJ 1779
 03/09/2022 House—Hearing: Tuesday, March 15, 2022, 3:30 PM Room 582-N
 03/17/2022 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 1858
 03/21/2022 House—Committee of the Whole - Be passed—HJ 1883
 03/21/2022 House—Emergency Final Action - Passed; Yea: 122 Nay: 0—HJ 1899
 03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340
- S 420** Bill by Federal and State Affairs
Allowing 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.
 01/31/2022 Senate—Introduced—SJ 1483
 02/01/2022 Senate—Referred to Committee on Judiciary—SJ 1487
 05/23/2022 Senate—Died in Committee
- S 421** Bill by Ways and Means
Transferring a total of \$1,125,000,000 from the state general fund to the Kansas public employees retirement fund during FY 2022 and FY 2023, allowing the state finance council to stop such FY 2023 transfers and eliminating certain level-dollar KPERs employer contribution payments.
 02/01/2022 Senate—Introduced—SJ 1485
 02/03/2022 Senate—Hearing: Wednesday, February 9, 2022, 10:30 AM Room 548-S
 02/03/2022 Senate—Referred to Committee on Ways and Means—SJ 1491
 02/14/2022 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 1530
 02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1557
 02/23/2022 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1581
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Insurance and Pensions—HJ 1779
 03/03/2022 House—Hearing: Monday, March 7, 2022, 3:30 PM Room 218-N
 03/08/2022 House—Committee Report recommending bill be passed as amended by Committee on Insurance and Pensions—HJ 1793
 03/09/2022 House—Committee of the Whole - Be passed as amended—HJ 1803

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/09/2022 House—Emergency Final Action - Passed as amended; Yea: 113 Nay: 5
—HJ 1809
- 03/09/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Billinger, Senator Claeys and Senator Hawk as conferees—SJ 1645
- 03/15/2022 House—Motion to accede adopted; Representative S. Johnson, Representative Croft and Representative Neighbor appointed as conferees—HJ 1825
- 03/31/2022 House—Conference Committee Report was adopted; Yea: 106 Nay: 10
—HJ 2560
- 04/28/2022 Senate—Conference Committee Report was adopted; Yea: 26 Nay: 10
- 05/23/2022 Senate—Enrolled and presented to Governor on Friday, May 6, 2022
- 05/23/2022 Senate—Approved by Governor on Thursday, May 12, 2022
- S 422** Bill by Ways and Means
Appropriations for FY 2023, FY 2024 and FY 2025 for various state agencies.
02/01/2022 Senate—Introduced—SJ 1486
02/03/2022 Senate—Referred to Committee on Ways and Means—SJ 1491
02/09/2022 Senate—Hearing: Wednesday, February 16, 2022, 10:30 AM Room 548-S
- 05/23/2022 Senate—Died in Committee
- S 423** Bill by Federal and State Affairs
Modifying how reasonable allowance for use is calculated for nonconforming vehicle warranty refunds.
02/01/2022 Senate—Introduced—SJ 1486
02/03/2022 Senate—Referred to Committee on Transportation—SJ 1491
02/23/2022 Senate—Hearing: Tuesday, March 1, 2022, 8:30 AM Room 546-S
05/23/2022 Senate—Died in Committee
- S 424** Bill by Federal and State Affairs
Requiring independent investigations and reports for incidents of law enforcement officer-involved deaths and use of aggressive force.
02/01/2022 Senate—Introduced—SJ 1486
02/03/2022 Senate—Referred to Committee on Judiciary—SJ 1490
05/23/2022 Senate—Died in Committee
- S 425** Bill by Public Health and Welfare
Directing the Kansas department for children and families to share certain information with investigating law enforcement agencies.
02/01/2022 Senate—Introduced—SJ 1486
02/03/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1491
02/09/2022 Senate—Hearing: Tuesday, February 15, 2022, 8:30 AM Room 142-S
02/17/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1546
02/22/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1557
02/23/2022 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1582
03/01/2022 House—Received and Introduced—HJ 1778
03/02/2022 House—Hearing: Thursday, March 3, 2022, 3:30 PM Room 582-N
03/02/2022 House—Referred to Committee on Judiciary—HJ 1779
05/23/2022 House—Died in House Committee

- S 426** Bill by Senator Sykes
Eliminating the reduction of child day care services assistance tax credit in subsequent years following facility establishment and limitations on eligible corporations and providing a credit for employer payments to organizations for child day care services access.
 02/01/2022 Senate—Introduced—SJ 1486
 02/03/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1490
 05/23/2022 Senate—Died in Committee
- S 427** Bill by Local Government
Making technical amendments to the campaign finance act, extending the time frame for investigative hearings before the governmental ethics commission, and allowing federal officials to assist commission investigations.
 02/01/2022 Senate—Introduced—SJ 1486
 02/03/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1491
 02/09/2022 Senate—Hearing: Monday, February 14, 2022, 9:30 AM Room 142-S
 02/14/2022 Senate—Hearing: Tuesday, February 15, 2022, 9:30 AM Room 142-S
 02/21/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Transparency and Ethics—SJ 1554
 05/23/2022 Senate—Died on General Orders
- S 428** Bill by Local Government
Extending the time frame for governmental ethics commission hearings once probable cause is found and allowing federal officials to assist commission investigations.
 02/01/2022 Senate—Introduced—SJ 1486
 02/03/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1491
 02/09/2022 Senate—Hearing: Monday, February 14, 2022, 9:30 AM Room 142-S
 02/14/2022 Senate—Hearing: Tuesday, February 15, 2022, 9:30 AM Room 142-S
 02/21/2022 Senate—Committee Report recommending bill be passed by Committee on Transparency and Ethics—SJ 1554
 05/23/2022 Senate—Died on General Orders
- S 429** Bill by Local Government
Requiring electronic filing of campaign reports by candidates for state office unless an exemption is granted for cause.
 02/01/2022 Senate—Introduced—SJ 1486
 02/03/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1491
 02/09/2022 Senate—Hearing: Monday, February 14, 2022, 9:30 AM Room 142-S
 02/14/2022 Senate—Hearing: Tuesday, February 15, 2022, 9:30 AM Room 142-S
 02/21/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Transparency and Ethics—SJ 1554
 05/23/2022 Senate—Died on General Orders
- S 430** Bill by Assessment and Taxation
Allowing income tax net operating loss carryback from sale of certain historic hotels.
 02/01/2022 Senate—Introduced—SJ 1486
 02/03/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1490
 02/11/2022 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Assessment and Taxation—SJ 1525

- 02/14/2022 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 1528
- 05/23/2022 Senate—Died on General Orders
- S 431** Bill by Assessment and Taxation
Increasing extent of property tax exemption from the statewide school levy for residential property to \$100,000 of its appraised valuation.
 02/01/2022 Senate—Introduced—SJ 1486
 02/03/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1490
 02/17/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1545
 05/23/2022 Senate—Died on General Orders
- S 432** Bill by Assessment and Taxation
Providing a back-to-school sales tax holiday for sales of certain school supplies, computers and clothing.
 02/01/2022 Senate—Introduced—SJ 1487
 02/03/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1490
 02/17/2022 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 1545
 05/23/2022 Senate—Died on General Orders
- S 433** Bill by Assessment and Taxation
Establishing a property tax exemption for antique utility trailers.
 02/01/2022 Senate—Introduced—SJ 1487
 02/03/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1490
 03/09/2022 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Assessment and Taxation—SJ 1652
 03/11/2022 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 1654
 05/23/2022 Senate—Died on General Orders
- S 434** Bill by Judiciary
Creating exemptions in the open records act for records that contain captured license plate data or that pertain to the location of an automated license plate recognition system.
 02/01/2022 Senate—Introduced—SJ 1487
 02/03/2022 Senate—Hearing: Wednesday, February 9, 2022, 10:30 AM Room 346-S
 02/03/2022 Senate—Referred to Committee on Judiciary—SJ 1490
 02/14/2022 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1529
 02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1562
 02/23/2022 Senate—Final Action - Passed; Yea: 39 Nay: 1—SJ 1582
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Judiciary—HJ 1779
 03/02/2022 House—Hearing: Tuesday, March 8, 2022, 3:30 PM Room 582-N
 03/16/2022 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 1840
 03/23/2022 House—Committee of the Whole - Be passed—HJ 2278
 03/23/2022 House—Emergency Final Action - Passed; Yea: 122 Nay: 0—HJ 2281

- 04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340
- S 435 04/25/2022 Senate—Approved by Governor on Monday, April 11, 2022—SJ 2341
Bill by Judiciary
Expanding law enforcement officers' jurisdiction to include situations when an illegal act is observed that the officer reasonably believes will jeopardize the safety of any person without immediate action.
- 02/01/2022 Senate—Introduced—SJ 1487
- 02/03/2022 Senate—Hearing: Wednesday, February 9, 2022, 10:30 AM Room 346-S
- 02/03/2022 Senate—Referred to Committee on Judiciary—SJ 1490
- 02/14/2022 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1529
- 02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1557
- 02/23/2022 Senate—Final Action - Passed; Yea: 38 Nay: 1—SJ 1582
- 03/01/2022 House—Received and Introduced—HJ 1778
- 03/02/2022 House—Referred to Committee on Judiciary—HJ 1779
- 03/02/2022 House—Hearing: Tuesday, March 8, 2022, 3:30 PM Room 582-N
- 03/16/2022 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 1840
- S 436 03/23/2022 House—Stricken from Calendar by Rule 1507—HJ 2398
Bill by Public Health and Welfare
Ensuring a right to in-person visitation at medical care facilities and adult care homes, prohibiting certain public health orders related to isolation and quarantine, stay-at-home orders, curfews and face masks, limiting isolation or quarantine orders to recommendations and providing criminal penalties for certain violations, limiting state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities related to stay-at-home orders, curfews and face masks and limiting powers of the secretary of health and environment and local health officers.
- 02/03/2022 Senate—Introduced—SJ 1490
- 02/04/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1492
- 05/23/2022 Senate—Died in Committee
- S 437 Bill by Public Health and Welfare
Prohibiting certain acts by business entities, governmental entities or public officials based upon a person's vaccination status or possession of an immunity passport, amending the Kansas act against discrimination to define unlawful employment practices related to vaccination status or possession of an immunity passport and limiting powers of the secretary of health and environment and local health officers.
- 02/03/2022 Senate—Introduced—SJ 1490
- 02/04/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1492
- 05/23/2022 Senate—Died in Committee
- S 438 Bill by Judiciary
Requiring audits of any federal, statewide or state legislative race that is within 1% of the total votes cast and requiring randomized audits of elections procedures used in four counties in even-numbered years.

02/04/2022 Senate—Introduced—SJ 1492
 02/07/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1503
 02/16/2022 Senate—Hearing: Monday, February 21, 2022, 10:30 AM Room 144-S
 03/07/2022 Senate—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—SJ 1632
 03/22/2022 Senate—Committee of the Whole - Be passed as further amended—SJ
 1759

03/23/2022 Senate—Final Action - Passed as amended; Yea: 38 Nay: 1—SJ 1784
 03/28/2022 House—Received and Introduced—HJ 2401
 03/29/2022 House—Referred to Committee on Federal and State Affairs—HJ 2406
 05/23/2022 House—Died in House Committee

S 439

Bill by Judiciary

**Requiring a county election officer to send a confirmation of address when
 there is no election-related activity for any four calendar year period.**

02/04/2022 Senate—Introduced—SJ 1492
 02/07/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1503
 02/16/2022 Senate—Hearing: Monday, February 21, 2022, 10:30 AM Room 144-S
 03/02/2022 Senate—Committee Report recommending bill be passed by Committee
 on Federal and State Affairs—SJ 1602
 03/09/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1647
 03/09/2022 Senate—Emergency Final Action - Passed as amended; Yea: 33 Nay: 6
 —SJ 1649

03/11/2022 House—Received and Introduced—HJ 1812
 03/14/2022 House—Referred to Committee on Elections—HJ 1815

S 440

Bill by Public Health and Welfare

**Establishing when an occupational therapist may treat a patient without
 referral from a physician and requiring occupational therapists to
 maintain professional liability insurance.**

02/08/2022 Senate—Introduced—SJ 1506
 02/09/2022 Senate—Referred to Committee on Public Health and Welfare—SJ
 1514
 02/09/2022 Senate—Hearing: Thursday, February 17, 2022, 8:30 AM Room 142-S
 02/21/2022 Senate—Committee Report recommending bill be passed by Committee
 on Public Health and Welfare—SJ 1553
 02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1562
 02/23/2022 Senate—Final Action - Passed; Yea: 37 Nay: 2—SJ 1583
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Health and Human Services—HJ
 1779
 03/02/2022 House—Hearing: Wednesday, March 9, 2022, 1:30 PM Room 112-N
 03/09/2022 House—Hearing: (proponents) Wednesday, March 9, 2022, 1:30 PM
 Room 112-N
 03/09/2022 House—Hearing: (neutral) Wednesday, March 9, 2022, 1:30 PM Room
 112-N
 03/14/2022 House—Committee Report recommending bill be passed by Committee
 on Health and Human Services—HJ 1817
 03/21/2022 House—Committee of the Whole - Be passed—HJ 1883
 03/21/2022 House—Emergency Final Action - Passed; Yea: 121 Nay: 0—HJ 1899

- 03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
- S 441** 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340
Bill by Public Health and Welfare
Enacting the biological laboratory accident transparency act.
02/08/2022 Senate—Introduced—SJ 1506
02/09/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1514
02/09/2022 Senate—Hearing: Wednesday, February 16, 2022, 8:30 AM Room 142-S
02/21/2022 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 1553
02/22/2022 Senate—Committee of the Whole - Be passed—SJ 1562
02/23/2022 Senate—Final Action - Passed; Yea: 21 Nay: 19—SJ 1583
03/01/2022 House—Received and Introduced—HJ 1778
03/02/2022 House—Referred to Committee on Health and Human Services—HJ 1779
- S 442** 05/23/2022 House—Died in House Committee
Bill by Public Health and Welfare
Requiring wireless communication vendors activate push notifications from a minor's wireless communication device to a parent's wireless communication device when a minor's wireless communication device downloads an application.
02/08/2022 Senate—Introduced—SJ 1506
02/09/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1514
05/23/2022 Senate—Died in Committee
- S 443** Bill by Ways and Means
Making appropriations to the department of administration in fiscal year 2022 for the purpose of legally defeasing or cash redeeming certain bonds at their first optional redemption date.
02/08/2022 Senate—Introduced—SJ 1506
02/09/2022 Senate—Hearing: Tuesday, February 15, 2022, 10:30 AM Room 548-S
02/09/2022 Senate—Referred to Committee on Ways and Means—SJ 1514
02/15/2022 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 1537
02/23/2022 Senate—Committee of the Whole - Be passed—SJ 1572
02/23/2022 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1584
03/01/2022 House—Received and Introduced—HJ 1778
03/02/2022 House—Referred to Committee on Appropriations—HJ 1779
03/14/2022 House—Hearing: Thursday, March 17, 2022, 9:00 AM Room 112-N
05/23/2022 House—Died in House Committee
- S 444** Bill by Ways and Means
Substitute for SB 444 by Committee on Ways and Means - Appropriations for FY 2022, FY 2023, FY 2024, FY 2025, FY 2026 and FY 2027 for various state agencies.
02/08/2022 Senate—Introduced—SJ 1506
02/09/2022 Senate—Hearing: Wednesday, February 16, 2022, 10:30 AM Room 548-S
02/09/2022 Senate—Referred to Committee on Ways and Means—SJ 1514

- 03/11/2022 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 1657
- 03/15/2022 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1668
- 03/16/2022 Senate—Final Action - Substitute passed as amended; Yea: 23 Nay: 14—SJ 1672
- 03/17/2022 House—Received and Introduced—HJ 1844
- 03/18/2022 House—Referred to Committee on Appropriations—HJ 1863
- 05/23/2022 House—Died in House Committee
- S 445** Bill by Federal and State Affairs
Prohibiting the use of additional ballot boxes for the return of advance voting ballots.
- 02/08/2022 Senate—Introduced—SJ 1506
- 02/09/2022 Senate—Hearing: Thursday, February 17, 2022, 10:30 AM Room 144-S
- 02/09/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1514
- 05/23/2022 Senate—Died in Committee
- S 446** Bill by Federal and State Affairs
Allowing restricted driver's license holders beginning at age 15 to drive to and from religious activities held by any religious organization and providing for the electronic renewal of nondriver's identification card.
- 02/08/2022 Senate—Introduced—SJ 1506
- 02/09/2022 Senate—Referred to Committee on Transportation—SJ 1514
- 02/10/2022 Senate—Hearing: Tuesday, February 15, 2022, 8:30 AM Room 546-S
- 02/16/2022 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 1540
- 02/23/2022 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1573
- 03/01/2022 House—Received and Introduced—HJ 1778
- 03/02/2022 House—Referred to Committee on Transportation—HJ 1779
- 03/03/2022 House—Hearing: Tuesday, March 8, 2022, 1:30 PM Room 582-N
- 03/14/2022 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 1822
- 03/21/2022 House—Committee of the Whole - Be passed as amended—HJ 1876
- 03/21/2022 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 1895
- 03/22/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Petersen, Senator Claeys and Senator Hawk as conferees—SJ 1762
- 03/23/2022 House—Motion to accede adopted; Representative Proehl, Representative Delperdang and Representative Helgerson appointed as conferees—HJ 2289
- 03/29/2022 Senate—Senator Bowers is appointed to replace Senator Claeys on the Conference Committee—SJ 1827
- 03/31/2022 House—Conference Committee Report was adopted; Yea: 87 Nay: 30—HJ 2492
- 03/31/2022 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 1898
- 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—SJ 2379
- 04/25/2022 Senate—Approved by Governor on Monday, April 18, 2022—SJ 2341

- S 447 Bill by Assessment and Taxation
Designating a bridge on K-126 as the Dennis and Jane Crain overpass.
 02/08/2022 Senate—Introduced—SJ 1507
 02/09/2022 Senate—Referred to Committee on Transportation—SJ 1514
 05/23/2022 Senate—Died in Committee
- S 448 Bill by Financial Institutions and Insurance
Adopting the national association of insurance commissioner's amendments to the unfair trade practices act excluding commercial property and casualty insurance producers, brokers and insurers from prohibitions on giving rebates as an inducement to sales.
 02/08/2022 Senate—Introduced—SJ 1507
 02/08/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1510
 02/17/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1546
 02/22/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1557
 02/23/2022 Senate—Final Action - Passed as amended; Yea: 36 Nay: 1—SJ 1584
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Insurance and Pensions—HJ 1779
 03/04/2022 House—Hearing: Wednesday, March 9, 2022, 3:30 PM Room 218-N
 03/15/2022 House—Committee Report recommending bill be passed by Committee on Insurance and Pensions—HJ 1829
 03/21/2022 House—Committee of the Whole - Be passed—HJ 1876
 03/21/2022 House—Emergency Final Action - Passed; Yea: 122 Nay: 0—HJ 1887
 03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340
- S 449 Bill by Financial Institutions and Insurance
Providing for an exemption from continuing education licensure requirements for certain insurance producers.
 02/08/2022 Senate—Introduced—SJ 1507
 02/09/2022 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1514
 05/23/2022 Senate—Died in Committee
- S 450 Bill by Financial Institutions and Insurance
Sub for SB 450 by Committee on Financial Institutions and Insurance:
Eliminating the crediting to the Kansas public employees retirement fund of 80% of the proceeds from the sale of surplus real estate, authorizing state educational institutions to sell and convey real property given to such state educational institutions as an endowment, bequest or gift and authorizing the state board of regents to adopt policies relating to such sale and conveyance.
 02/08/2022 Senate—Introduced—SJ 1507
 02/09/2022 Senate—Referred to Committee on Ways and Means—SJ 1514
 02/09/2022 Senate—Withdrawn from Committee on Ways and Means; Referred to Committee on Financial Institutions and Insurance—SJ 1515
 02/10/2022 Senate—Hearing: Tuesday, February 15, 2022, 9:30 AM Room 546-S
 02/17/2022 Senate—Committee Report recommending substitute bill be passed by Committee on Financial Institutions and Insurance—SJ 1546
 02/22/2022 Senate—Committee of the Whole - Substitute bill be passed—SJ 1557

- 02/23/2022 Senate—Final Action - Substitute passed; Yea: 38 Nay: 2—SJ 1584
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Insurance and Pensions—HJ 1779
 03/09/2022 House—Hearing: Wednesday, March 16, 2022, 3:30 PM Room 218-N
 03/17/2022 House—Committee Report recommending bill be passed by Committee on Insurance and Pensions—HJ 1858
 03/23/2022 House—Committee of the Whole - Be passed—HJ 2278
 03/23/2022 House—Emergency Final Action - Passed; Yea: 117 Nay: 5—HJ 2285
 03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
- S 451** 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340
 Bill by Agriculture and Natural Resources
Requiring an individual to maintain enrollment on a tribal membership roll to receive a free permanent hunting license.
 02/08/2022 Senate—Introduced—SJ 1507
 02/09/2022 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1513
 02/14/2022 Senate—Hearing: Thursday, February 17, 2022, 8:30 AM Room 144-S
 02/17/2022 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture and Natural Resources—SJ 1545
 02/23/2022 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1573
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Agriculture—HJ 1779
 03/09/2022 House—Hearing: Tuesday, March 15, 2022, 3:30 PM Room 112-N
 03/16/2022 House—Committee Report recommending bill be passed as amended by Committee on Agriculture—HJ 1838
 03/21/2022 House—Committee of the Whole - Be passed as amended—HJ 1884
 03/21/2022 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 1902
 03/28/2022 Senate—Concurred with amendments; Yea: 38 Nay: 0—SJ 1808
 04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340
- S 452** 04/25/2022 Senate—Approved by Governor on Monday, April 11, 2022—SJ 2341
 Bill by Education
Including those who receive a high school equivalency (HSE) credentials for performance-based payments for certain postsecondary educational institutions.
 02/08/2022 Senate—Introduced—SJ 1507
 02/09/2022 Senate—Referred to Committee on Education—SJ 1513
 05/23/2022 Senate—Died in Committee
- S 453** Bill by Public Health and Welfare
Requiring unlicensed employees in adult care homes to complete certain training requirements, reinstating the social worker applicant option for board-approved postgraduate supervised experience, allowing master's and clinical level licensees to take the baccalaureate addiction counselor test and requiring the behavioral sciences regulatory board to accept a master of social work degree from Fort Hays state university as from an accredited college or university.

- 02/08/2022 Senate—Introduced—SJ 1507
 02/09/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1514
 02/09/2022 Senate—Hearing: Tuesday, February 15, 2022, 8:30 AM Room 142-S
 02/22/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1569
 02/23/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1572
 02/23/2022 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1585
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Health and Human Services—HJ 1779
 03/02/2022 House—Hearing: Tuesday, March 8, 2022, 1:30 PM Room 112-N
 03/16/2022 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 1838
 03/21/2022 House—Committee of the Whole - Be passed as amended—HJ 1884
 03/21/2022 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 1900
 03/22/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Hilderbrand, Senator Gossage and Senator Pettey as conferees—SJ 1762
 03/23/2022 House—Motion to accede adopted; Representative Landwehr, Representative Eplee and Representative Ruiz, S. appointed as conferees—HJ 2289
 04/01/2022 House—Conference Committee Report was adopted; Yea: 116 Nay: 0—HJ 2608
 04/01/2022 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0
 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—SJ 2379
 04/25/2022 Senate—Approved by Governor on Monday, April 18, 2022—SJ 2341
- S 454** Bill by Public Health and Welfare
Amending the advanced practice registered nurse authorized scope of practice to permit the prescribing of drugs without a supervising physician.
 02/08/2022 Senate—Introduced—SJ 1507
 02/09/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1514
 05/23/2022 Senate—Died in Committee
- S 455** Bill by Education
Allowing K-12 students to transfer to and attend school in any school district in the state.
 02/08/2022 Senate—Introduced—SJ 1507
 02/09/2022 Senate—Referred to Committee on Education—SJ 1513
 02/23/2022 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 1586
 03/01/2022 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 1598
 03/01/2022 Senate—Hearing: Tuesday, March 8, 2022, 1:30 PM Room 144-S
 03/01/2022 Senate—Hearing: Wednesday, March 9, 2022, 1:30 PM Room 144-S
 03/18/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 1702

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 03/21/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1708
 03/22/2022 Senate—Final Action - Passed as amended; Yea: 23 Nay: 16—SJ 1748
 03/22/2022 House—Received and Introduced—HJ 2267
 03/23/2022 House—Referred to Committee on K-12 Education Budget—HJ 2268
 05/23/2022 House—Died in House Committee
- S 456** Bill by Education
Regarding the teacher service scholarship program; making and concerning appropriations for the program for fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027, for the state board of regents to fund such scholarships.
 02/08/2022 Senate—Introduced—SJ 1507
 02/09/2022 Senate—Referred to Committee on Ways and Means—SJ 1514
 05/23/2022 Senate—Died in Committee
- S 457** Bill by Judiciary
Requiring a waiver of extradition proceedings as a condition of bond.
 02/08/2022 Senate—Introduced—SJ 1507
 02/09/2022 Senate—Referred to Committee on Judiciary—SJ 1514
 02/14/2022 Senate—Hearing: Wednesday, February 16, 2022, 10:30 AM Room 346-S
 02/21/2022 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1551
 02/23/2022 Senate—Committee of the Whole - Be passed—SJ 1572
 02/23/2022 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1585
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Judiciary—HJ 1779
 03/02/2022 House—Hearing: Monday, March 7, 2022, 3:30 PM Room 582-N
 05/23/2022 House—Died in House Committee
- S 458** Bill by Transparency and Ethics
Requiring precinct committeemen and committeewomen to report certain personal contact information to the county clerk.
 02/08/2022 Senate—Introduced—SJ 1508
 02/09/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1514
 05/23/2022 Senate—Died in Committee
- S 459** Bill by Federal and State Affairs
Providing for the order of the eastern star distinctive license plate.
 02/08/2022 Senate—Introduced—SJ 1508
 02/09/2022 Senate—Referred to Committee on Transportation—SJ 1514
 03/02/2022 Senate—Hearing: Thursday, March 10, 2022, 8:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 460** Bill by Assessment and Taxation
Requiring a forensic medical evaluation of an alleged victim of child abuse or neglect as part of an investigation, creating a program in the department of health and environment to provide training and payment and defining child abuse review and evaluation providers, networks and examinations and child abuse medical resource centers.
 02/08/2022 Senate—Introduced—SJ 1508
 02/09/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1514
 02/23/2022 Senate—Hearing: Tuesday, March 1, 2022, 8:30 AM Room 142-S

- 03/17/2022 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 1696
- 05/23/2022 Senate—Died on General Orders
- S 461** Bill by Assessment and Taxation
Enacting the delivery service liability act and assigning liability when delivery drivers cause damage to the property of others while carrying out their duties.
- 02/08/2022 Senate—Introduced—SJ 1508
- 02/09/2022 Senate—Referred to Committee on Commerce—SJ 1513
- 05/23/2022 Senate—Died in Committee
- S 462** Bill by Assessment and Taxation
Substitute for SB 462 by Committee on Assessment and Taxation - Eliminating the prohibition of a surcharge when purchases are made with a credit or debit card and requiring notice of surcharge for use of credit cards.
- 02/08/2022 Senate—Introduced—SJ 1508
- 02/09/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1513
- 03/03/2022 Senate—Hearing: Tuesday, March 8, 2022, 9:30 AM Room 548-S
- 03/21/2022 Senate—Committee Report recommending substitute bill be passed by Committee on Assessment and Taxation—SJ 1708
- 05/23/2022 Senate—Died on General Orders
- S 463** Bill by Assessment and Taxation
Providing a remittance credit to retailers for the collection of sales and compensating use tax.
- 02/08/2022 Senate—Introduced—SJ 1508
- 02/09/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1513
- 02/15/2022 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Assessment and Taxation—SJ 1537
- 02/16/2022 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 1539
- 05/23/2022 Senate—Died on General Orders
- S 464** 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 from the state general fund.
- 02/08/2022 Senate—Introduced—SJ 1508
- 02/09/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1513
- 02/17/2022 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 1545
- 05/23/2022 Senate—Died on General Orders
- S 465** Bill by Senator Holscher
Enacting the responsible gun ownership act and creating the crime of unlawful storage of a firearm.
- 02/08/2022 Senate—Introduced—SJ 1508
- 02/09/2022 Senate—Referred to Committee on Judiciary—SJ 1514
- 05/23/2022 Senate—Died in Committee
- S 466** Bill by Federal and State Affairs
Prohibiting certain acts by places of public accommodations based upon a person's vaccination status or possession of an immunity passport and prohibiting governing bodies of any city or county, public officials of any city or county and local health officers from requiring that a

- person wear a face mask based on an epidemic or other public health reason.**
 02/08/2022 Senate—Introduced—SJ 1508
 02/09/2022 Senate—Referred to Committee on Judiciary—SJ 1514
 02/14/2022 Senate—Hearing: Friday, February 18, 2022, 10:30 AM Room 346-S
 05/23/2022 Senate—Died in Committee
- S 467** Bill by Senators Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Holscher, Pettey, Sykes, Ware
Enacting the making work pay act to increase the Kansas minimum wage.
 02/09/2022 Senate—Introduced—SJ 1511
 02/10/2022 Senate—Referred to Committee on Commerce—SJ 1520
 05/23/2022 Senate—Died in Committee
- S 468** 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.
 02/09/2022 Senate—Introduced—SJ 1511
 02/10/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1520
 05/23/2022 Senate—Died in Committee
- S 469** Bill by Senator Sykes
Permitting certain persons convicted of a felony to be eligible for food assistance.
 02/09/2022 Senate—Introduced—SJ 1512
 02/10/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1520
 05/23/2022 Senate—Died in Committee
- S 470** Bill by Senator Sykes
Requiring a prevailing wage for state public works construction contracts by state agencies and permitting cities and counties to require a prevailing for such contracts.
 02/09/2022 Senate—Introduced—SJ 1512
 02/10/2022 Senate—Referred to Committee on Commerce—SJ 1520
 05/23/2022 Senate—Died in Committee
- S 471** Bill by Senator Sykes
Imposing certain health insurance coverage requirements for screening and diagnostic examinations for breast cancer, expanding eligibility for medicaid postpartum coverage to 12 months and requiring children's health insurance coverage eligibility to be tied to current federal poverty income guidelines.
 02/09/2022 Senate—Introduced—SJ 1512
 02/10/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1520
 05/23/2022 Senate—Died in Committee
- S 472** Bill by Senator Sykes
Expanding medical assistance eligibility and providing requirements therefor.
 02/09/2022 Senate—Introduced—SJ 1512
 02/10/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1520
 05/23/2022 Senate—Died in Committee

- S 473** Bill by Senator Straub
Increasing criminal penalties for escape from custody and aiding escape involving sexually violent predators.
 02/09/2022 Senate—Introduced—SJ 1512
 02/10/2022 Senate—Referred to Committee on Judiciary—SJ 1520
 05/23/2022 Senate—Died in Committee
- S 474** Bill by Senator Straub
Permitting an ambulance to operate with one emergency medical service provider in rural counties.
 02/09/2022 Senate—Introduced—SJ 1512
 02/10/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1520
 05/23/2022 Senate—Died in Committee
- S 475** Bill by Education
Establishing the Kansas hope scholarship program to provide educational savings accounts for students.
 02/09/2022 Senate—Introduced—SJ 1512
 02/10/2022 Senate—Referred to Committee on Education—SJ 1520
 05/23/2022 Senate—Died in Committee
- S 476** Bill by Utilities
Restricting the amount of fees on a utility bill for a board of public utilities.
 02/09/2022 Senate—Introduced—SJ 1512
 02/10/2022 Senate—Referred to Committee on Utilities—SJ 1520
 05/23/2022 Senate—Died in Committee
- S 477** Bill by Utilities
Requiring the state corporation commission to provide certain information upon request to customers of a board of public utilities.
 02/09/2022 Senate—Introduced—SJ 1512
 02/10/2022 Senate—Referred to Committee on Utilities—SJ 1520
 05/23/2022 Senate—Died in Committee
- S 478** Bill by Utilities
Establishing requirements for wind energy conversion system obstruction lighting to mitigate the visual impact of such lighting systems.
 02/09/2022 Senate—Introduced—SJ 1512
 02/10/2022 Senate—Referred to Committee on Utilities—SJ 1520
 02/23/2022 Senate—Withdrawn from Committee on Utilities; Referred to Committee on Ways and Means—SJ 1586
 03/01/2022 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Utilities—SJ 1598
 03/02/2022 Senate—Hearing: (proponents) Wednesday, March 9, 2022, 1:30 PM Room 548-S
 03/08/2022 Senate—Hearing: (opponents) Wednesday, March 9, 2022, 1:30 PM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 479** Bill by Senators Bowers, Alley, Baumgardner, Billinger, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Petersen, Pettey, Pittman, Pyle, Ryckman, Straub, Suellentrop, Sykes, Thompson, Tyson, Ware, Warren, Wilborn

Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.

- 02/09/2022 Senate—Introduced—SJ 1512
 02/10/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1520
 02/22/2022 Senate—Hearing: Tuesday, March 1, 2022, 10:30 AM Room 144-S
 03/01/2022 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 1598
 03/07/2022 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1627
 03/08/2022 House—Received and Introduced—HJ 1795
 03/09/2022 House—Hearing: Monday, March 14, 2022, 9:00 AM Room 346-S
 03/09/2022 House—Referred to Committee on Federal and State Affairs—HJ 1798
 03/17/2022 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 1858
 03/21/2022 House—Committee of the Whole - Be passed as amended—HJ 1884
 03/21/2022 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 1902
 03/23/2022 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Olson, Senator Hilderbrand and Senator Faust-Goudeau as conferees—SJ 1764
 03/28/2022 House—Motion to accede adopted; Representative Barker, Representative Arnberger and Representative Ruiz, L. appointed as conferees—HJ 2401
 03/31/2022 Senate—Concurred with amendments in conference; Yea: 39 Nay: 0—SJ 1853
 04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340
 04/25/2022 Senate—Approved by Governor on Monday, April 11, 2022—SJ 2341

S 480

Prohibiting public utilities from recovering any dues, donations or contributions to any charitable or social organization or entity through customer rates.

- 02/09/2022 Senate—Introduced—SJ 1513
 02/10/2022 Senate—Referred to Committee on Utilities—SJ 1520
 05/23/2022 Senate—Died in Committee

S 481

Establishing construction, notification and health and safety requirements for commercial-scale and limited-scale solar energy conversion systems.

- 02/09/2022 Senate—Introduced—SJ 1513
 02/10/2022 Senate—Referred to Committee on Utilities—SJ 1520
 05/23/2022 Senate—Died in Committee

S 482

Enacting the firearm industry nondiscrimination act to prohibit certain government contracts with companies that discriminate against firearm entities and firearm trade associations.

- 02/09/2022 Senate—Introduced—SJ 1513
 02/10/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1520
 02/16/2022 Senate—Hearing: Monday, February 21, 2022, 10:30 AM Room 144-S

- 03/02/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1602
- 05/23/2022 Senate—Died on General Orders
- S 483** Bill by Judiciary
Increasing criminal penalties for theft and criminal damage to property involving remote service units such as automated cash dispensing machines and automated teller machines.
- 02/09/2022 Senate—Introduced—SJ 1513
- 02/10/2022 Senate—Referred to Committee on Judiciary—SJ 1520
- 02/14/2022 Senate—Hearing: Tuesday, February 15, 2022, 10:30 AM Room 346-S
- 02/21/2022 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1551
- 02/23/2022 Senate—Committee of the Whole - Be passed—SJ 1572
- 02/23/2022 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1586
- 03/01/2022 House—Received and Introduced—HJ 1778
- 03/02/2022 House—Referred to Committee on Judiciary—HJ 1779
- 03/02/2022 House—Hearing: Monday, March 7, 2022, 3:30 PM Room 582-N
- 03/16/2022 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 1840
- 03/21/2022 House—Committee of the Whole - Be passed—HJ 1876
- 03/21/2022 House—Emergency Final Action - Passed; Yea: 122 Nay: 0—HJ 1896
- 03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
- 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340
- S 484** Bill by Education
Enacting the fairness in women's sports act to require that student athletic teams only include members who are of the same biological sex unless designated as coed.
- 02/09/2022 Senate—Introduced—SJ 1513
- 02/10/2022 Senate—Referred to Committee on Education—SJ 1520
- 02/23/2022 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 1586
- 03/01/2022 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 1598
- 03/01/2022 Senate—Hearing: Monday, March 7, 2022, 1:30 PM Room 144-S
- 03/14/2022 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 1661
- 03/21/2022 Senate—Committee of the Whole - Be passed—SJ 1708
- 03/22/2022 Senate—Final Action - Passed; Yea: 27 Nay: 12—SJ 1749
- 03/22/2022 House—Received and Introduced—HJ 2267
- 03/23/2022 House—Referred to Committee on Education—HJ 2268
- 05/23/2022 House—Died in House Committee
- S 485** Bill by Federal and State Affairs
Expanding the scope of uses of campaign contribution moneys under the campaign finance act to include family caregiving services.
- 02/09/2022 Senate—Introduced—SJ 1513
- 02/10/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1520
- 03/02/2022 Senate—Hearing: Wednesday, March 9, 2022, 9:30 AM Room 142-S

- 03/17/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Transparency and Ethics—SJ 1696
- 05/23/2022 Senate—Died on General Orders
- S 486** Bill by Federal and State Affairs
Expanding the scope of the campaign finance act to include candidates for board membership for school districts and community colleges in certain counties.
- 02/09/2022 Senate—Introduced—SJ 1513
- 02/10/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1520
- 05/23/2022 Senate—Died in Committee
- S 487** Bill by Federal and State Affairs
Proposing congressional redistricting map jayhawk two.
- 02/09/2022 Senate—Introduced—SJ 1513
- 02/10/2022 Senate—Referred to Committee on Redistricting—SJ 1520
- 05/23/2022 Senate—Died in Committee
- S 488** Bill by Ways and Means
Eliminating the division of vehicles modernization surcharge.
- 02/10/2022 Senate—Introduced—SJ 1519
- 02/11/2022 Senate—Referred to Committee on Ways and Means—SJ 1525
- 05/23/2022 Senate—Died in Committee
- S 489** Bill by Public Health and Welfare
Removing certain regulatory authority concerning infectious or contagious diseases from the secretary of health and environment.
- 02/10/2022 Senate—Introduced—SJ 1519
- 02/11/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1525
- 02/14/2022 Senate—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Public Health and Welfare—SJ 1528
- 03/02/2022 Senate—Hearing: Tuesday, March 8, 2022, 8:30 AM Room 142-S
- 03/03/2022 Senate—Hearing: Tuesday, March 8, 2022, 8:30 AM Room 548-S
- 03/16/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1687
- 03/23/2022 Senate—Committee of the Whole - Be passed as further amended
- 03/23/2022 Senate—Emergency Final Action - Passed as amended; Yea: 24 Nay: 15 —SJ 1784
- 03/28/2022 House—Received and Introduced—HJ 2401
- 03/29/2022 House—Referred to Committee on Health and Human Services—HJ 2406
- 05/23/2022 House—Died in House Committee
- S 490** Bill by Judiciary
Expanding options for legal surrender of an infant to include infant refuge cribs.
- 02/10/2022 Senate—Introduced—SJ 1519
- 02/11/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1525
- 05/23/2022 Senate—Died in Committee
- S 491** Bill by Judiciary
Permitting workers compensation benefits for first responders who suffer from post-traumatic stress disorder.
- 02/10/2022 Senate—Introduced—SJ 1519
- 02/11/2022 Senate—Referred to Committee on Commerce—SJ 1525

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 02/17/2022 Senate—Hearing: Monday, February 21, 2022, 10:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 492** Bill by Federal and State Affairs
Providing immunity from civil liability for the person who files a citizen-initiated grand jury petition and requiring such person to be the first witness called by such grand jury.
- 02/10/2022 Senate—Introduced—SJ 1519
 02/11/2022 Senate—Referred to Committee on Judiciary—SJ 1525
 02/15/2022 Senate—Hearing: Thursday, February 17, 2022, 10:30 AM Room 346-S
 05/23/2022 Senate—Died in Committee
- S 493** Bill by Federal and State Affairs
Prohibiting cities and counties from regulating plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages.
- 02/10/2022 Senate—Introduced—SJ 1519
 02/11/2022 Senate—Referred to Committee on Commerce—SJ 1525
 02/14/2022 Senate—Hearing: Thursday, February 17, 2022, 10:30 AM Room 546-S
 02/21/2022 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 1551
 02/23/2022 Senate—Committee of the Whole - Be passed—SJ 1572
 02/23/2022 Senate—Emergency Final Action - Passed; Yea: 27 Nay: 13—SJ 1586
 03/01/2022 House—Received and Introduced—HJ 1778
 03/02/2022 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1779
 03/03/2022 House—Hearing: Wednesday, March 9, 2022, 1:30 PM Room 346-S
 03/17/2022 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 1855
 03/22/2022 House—Committee of the Whole - Be passed as amended—HJ 2259
 03/23/2022 House—Final Action - Passed as amended; Yea: 74 Nay: 48—HJ 2276
 03/28/2022 Senate—Concurred with amendments; Yea: 26 Nay: 12—SJ 1808
 04/01/2022 Senate—Enrolled and presented to Governor on Friday, April 1, 2022—SJ 2340
 04/25/2022 Senate—Vetoed by Governor; Returned to Senate on Monday, April 11, 2022
 04/26/2022 Senate—Motion to override veto prevailed; Yea: 27 Nay: 12—SJ 2390
 04/28/2022 House—No motion to reconsider vetoed bill; Veto sustained—HJ 3245
- S 494** Bill by Federal and State Affairs
Providing that the employment status of a driver of a motor carrier does not change as a result of the inclusion of safety improvements on a vehicle.
- 02/10/2022 Senate—Introduced—SJ 1519
 02/11/2022 Senate—Referred to Committee on Transportation—SJ 1525
 02/14/2022 Senate—Hearing: Thursday, February 17, 2022, 8:30 AM Room 546-S
 03/07/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 1632
 03/14/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1661
 03/15/2022 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1665
 03/16/2022 House—Received and Introduced—HJ 1834
 03/17/2022 House—Referred to Committee on Transportation—HJ 1844
 05/23/2022 House—Died in House Committee

- S 495** Bill by Assessment and Taxation
Establishing the salt parity act to allow pass-through entities to elect to pay state income tax at the entity level.
 02/10/2022 Senate—Introduced—SJ 1519
 02/11/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1525
 03/03/2022 Senate—Hearing: Thursday, March 10, 2022, 9:30 AM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 496** Bill by Education
Establishing the parents' bill of rights for parents of students attending elementary or secondary school in this state.
 02/10/2022 Senate—Introduced—SJ 1520
 02/11/2022 Senate—Referred to Committee on Education—SJ 1525
 02/14/2022 Senate—Hearing: Wednesday, February 16, 2022, 1:30 PM Room 144-S
 02/23/2022 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 1586
 03/01/2022 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 1598
 03/08/2022 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 1636
 03/21/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1708
 03/22/2022 Senate—Final Action - Passed as amended; Yea: 24 Nay: 15—SJ 1752
 03/22/2022 House—Received and Introduced—HJ 2267
 03/23/2022 House—Referred to Committee on K-12 Education Budget—HJ 2268
 05/23/2022 House—Died in House Committee
- S 497** Bill by Judiciary
Authorizing the attorney general to coordinate training regarding a multidisciplinary team approach to intervention in reports involving alleged human trafficking for law enforcement agencies and requiring training on human trafficking awareness and identification for certain child welfare agencies, juvenile justice agencies, mental health professionals and school personnel.
 02/11/2022 Senate—Introduced—SJ 1524
 02/14/2022 Senate—Hearing: Wednesday, February 16, 2022, 10:30 AM Room 346-S
 02/14/2022 Senate—Referred to Committee on Judiciary—SJ 1528
 02/21/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1553
 05/23/2022 Senate—Died on General Orders
- S 498** Bill by Agriculture and Natural Resources
Establishing the animal facilities inspection program under the supervision of the secretary of agriculture.
 02/11/2022 Senate—Introduced—SJ 1524
 02/14/2022 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1528
 05/23/2022 Senate—Died in Committee
- S 499** Bill by Education
Requiring a second student count for virtual school enrollment, increasing certain virtual school state aid amounts and providing for additional state aid for certain students who transfer to virtual schools.

- 02/11/2022 Senate—Introduced—SJ 1524
 02/14/2022 Senate—Referred to Committee on Education—SJ 1528
 02/16/2022 Senate—Hearing: Monday, February 21, 2022, 1:30 PM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 500** Bill by Public Health and Welfare
Permitting the creation of long term care facilities for children in continued crisis.
 02/11/2022 Senate—Introduced—SJ 1524
 02/14/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1528
 05/23/2022 Senate—Died in Committee
- S 501** Bill by Public Health and Welfare
Requiring able-bodied adults without dependents to complete an employment and training program in order to receive food assistance, requiring state agencies to conduct cross-checks to verify public assistance recipient eligibility and to receive public assistance, requiring the department for health and environment seek approval to eliminate mandatory hospital presumptive eligibility, requiring hospitals to follow standards established for presumptive eligibility determinations and requiring state agencies to make data from fraud investigations into food assistance and medical assistance publicly available on such agencies' websites.
 02/11/2022 Senate—Introduced—SJ 1524
 02/14/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1528
 02/23/2022 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 1586
 03/01/2022 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 1598
 03/02/2022 Senate—Hearing: Thursday, March 10, 2022, 8:30 AM Room 142-S
 05/23/2022 Senate—Died in Committee
- S 502** Bill by Public Health and Welfare
Providing for separate licensure authority for maternity centers.
 02/11/2022 Senate—Introduced—SJ 1525
 02/14/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1528
 05/23/2022 Senate—Died in Committee
- S 503** Bill by Federal and State Affairs
Providing requirements for judicial tax lien foreclosure sales and expanding costs that may be included as redemption fees.
 02/14/2022 Senate—Introduced—SJ 1527
 02/15/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1532
 05/23/2022 Senate—Died in Committee
- S 504** Bill by Federal and State Affairs
Providing that worker's compensation benefit reductions due to retirement benefits funded by the employer shall apply to retirement benefits that the employee begins receiving after the injury to reduce permanent disability benefits and exempting benefits under the federal social security act.
 02/14/2022 Senate—Introduced—SJ 1527

- 02/15/2022 Senate—Referred to Committee on Commerce—SJ 1532
 05/23/2022 Senate—Died in Committee
- S 505** Bill by Federal and State Affairs
Enacting the protect home-based work act prohibiting the enactment or enforcement of zoning regulations that are barriers to home-based work.
 02/14/2022 Senate—Introduced—SJ 1528
 02/15/2022 Senate—Referred to Committee on Commerce—SJ 1532
 03/02/2022 Senate—Hearing: Thursday, March 10, 2022, 10:30 AM Room 546-S
 03/09/2022 Senate—Hearing: Monday, March 14, 2022, 10:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 506** Bill by Federal and State Affairs
Providing for the north central Kansas down syndrome society distinctive license plate.
 02/14/2022 Senate—Introduced—SJ 1528
 02/15/2022 Senate—Referred to Committee on Transportation—SJ 1532
 02/23/2022 Senate—Hearing: Tuesday, March 1, 2022, 8:30 AM Room 546-S
 03/07/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 1633
 03/09/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1647
 03/09/2022 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1650
 03/11/2022 House—Received and Introduced—HJ 1812
 03/14/2022 House—Referred to Committee on Transportation—HJ 1815
 03/14/2022 House—Hearing: Wednesday, March 16, 2022, 1:30 PM Room 582-N
 03/21/2022 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 1881
 03/23/2022 House—Committee of the Whole - Be passed—HJ 2278
 03/23/2022 House—Emergency Final Action - Passed; Yea: 117 Nay: 5—HJ 2281
 03/28/2022 Senate—Enrolled and presented to Governor on Monday, March 28, 2022—SJ 1809
- S 507** 04/01/2022 Senate—Approved by Governor on Friday, April 1, 2022—SJ 2340
 Bill by Federal and State Affairs
Continuing in existence certain exceptions to the disclosure of public records under the open records act.
 02/14/2022 Senate—Introduced—SJ 1528
 02/15/2022 Senate—Referred to Committee on Judiciary—SJ 1532
 03/02/2022 Senate—Hearing: Wednesday, March 9, 2022, 10:30 AM Room 346-S
 03/09/2022 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—SJ 1652
 03/14/2022 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 1661
 03/15/2022 House—Received and Introduced—HJ 1825
 03/16/2022 House—Referred to Committee on Judiciary—HJ 1833
 05/23/2022 House—Died in House Committee
- S 508** Bill by Ways and Means
Eliminating certain level-dollar KPERS employer contribution payments.
 02/14/2022 Senate—Introduced—SJ 1528
 02/15/2022 Senate—Referred to Committee on Ways and Means—SJ 1532
 05/23/2022 Senate—Died in Committee

- S 509** Bill by Ways and Means
Providing a refund of state sales tax paid on certain purchases to reconstruct, repair or replace buildings and improvements damaged by certain disasters.
 02/14/2022 Senate—Introduced—SJ 1528
 02/15/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1532
 03/01/2022 Senate—Hearing: Wednesday, March 2, 2022, 9:30 AM Room 548-S
 03/18/2022 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 1702
 05/23/2022 Senate—Died on General Orders
- S 510** Bill by Federal and State Affairs
Enacting the Kansas vacant property act to prohibit municipalities from imposing any fees or registration requirements on unoccupied residential or commercial property.
 02/15/2022 Senate—Introduced—SJ 1531
 02/16/2022 Senate—Referred to Committee on Local Government—SJ 1539
 02/23/2022 Senate—Hearing: Thursday, March 3, 2022, 9:30 AM Room 142-S
 05/23/2022 Senate—Died in Committee
- S 511** Bill by Federal and State Affairs
Providing public employees and professional employees certain rights with respect to withholding of public employee organization and professional employee organization dues.
 02/15/2022 Senate—Introduced—SJ 1531
 02/16/2022 Senate—Referred to Committee on Commerce—SJ 1539
 03/09/2022 Senate—Hearing: Tuesday, March 15, 2022, 10:30 AM Room 546-S
 05/23/2022 Senate—Died in Committee
- S 512** Bill by Assessment and Taxation
Eliminating the division of vehicles modernization surcharge.
 02/15/2022 Senate—Introduced—SJ 1531
 02/16/2022 Senate—Referred to Committee on Ways and Means—SJ 1539
 05/23/2022 Senate—Died in Committee
- S 513** Bill by Assessment and Taxation
Allowing certain property used as a thrift store to qualify for a property tax exemption.
 02/15/2022 Senate—Introduced—SJ 1531
 02/16/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1539
 05/23/2022 Senate—Died in Committee
- S 514** Bill by Assessment and Taxation
Establishing the Kansas historic site fund checkoff.
 02/15/2022 Senate—Introduced—SJ 1531
 02/16/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1539
 03/01/2022 Senate—Hearing: Thursday, March 3, 2022, 9:30 AM Room 548-S
 03/21/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation
 05/23/2022 Senate—Died on General Orders
- S 515** Bill by Assessment and Taxation
Requiring nondiscrimination in school district classroom instruction, public access to learning materials and removal of inherently divisive concepts from state board of education policies, guidelines and other materials.

- 02/15/2022 Senate—Introduced—SJ 1531
 02/16/2022 Senate—Referred to Committee on Education—SJ 1539
 05/23/2022 Senate—Died in Committee
- S 516** Bill by Assessment and Taxation
Providing for sales tax exemption for hygiene products.
 02/15/2022 Senate—Introduced—SJ 1532
 02/16/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1539
 05/23/2022 Senate—Died in Committee
- S 517** Bill by Federal and State Affairs
Requiring public agencies to allow certain persons to listen to audio recordings or to view video recordings made at a juvenile detention facility or juvenile intake and assessment services facility and that relate to an incident in which a juvenile was seriously injured or died while in such facility.
 02/16/2022 Senate—Introduced—SJ 1539
 02/17/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1542
 05/23/2022 Senate—Died in Committee
- S 518** Bill by Assessment and Taxation
Enacting the Kansas reliable energy investment protection act, requiring the KPERS board to divest from investments with entities boycotting energy companies and prohibiting state contracts with companies boycotting energy companies.
 02/16/2022 Senate—Introduced—SJ 1539
 02/17/2022 Senate—Referred to Committee on Ways and Means—SJ 1542
 05/23/2022 Senate—Died in Committee
- S 519** Bill by Assessment and Taxation
Increasing the Kansas standard deduction for income tax purposes.
 02/16/2022 Senate—Introduced—SJ 1539
 02/17/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1542
 02/21/2022 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 1551
 05/23/2022 Senate—Died on General Orders
- S 520** Bill by Assessment and Taxation
Providing an income tax credit for school supply expenditures by teachers.
 02/16/2022 Senate—Introduced—SJ 1539
 02/17/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1542
 02/21/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1551
 05/23/2022 Senate—Died on General Orders
- S 521** Bill by Federal and State Affairs
Prohibiting motorcycle profiling by law enforcement agencies.
 02/17/2022 Senate—Introduced—SJ 1542
 02/18/2022 Senate—Referred to Committee on Judiciary—SJ 1548
 05/23/2022 Senate—Died in Committee
- S 522** Bill by Federal and State Affairs
Standardizing firearm safety education programs in school districts.
 02/17/2022 Senate—Introduced—SJ 1542
 02/18/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1548
 03/03/2022 Senate—Hearing: Monday, March 7, 2022, 10:30 AM Room 144-S
 03/09/2022 Senate—Hearing: Monday, March 14, 2022, 10:30 AM Room 144-S

- 03/21/2022 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1726
- 05/23/2022 Senate—Died on General Orders
- S 523** Bill by Ways and Means
Authorizing certain transfers from the state general fund to the Kansas public employees retirement fund in fiscal years 2022 and 2023 and requiring state finance council approval for such fiscal year 2023 transfers.
- 02/17/2022 Senate—Introduced—SJ 1542
- 02/18/2022 Senate—Referred to Committee on Ways and Means—SJ 1548
- 02/23/2022 Senate—Hearing: Thursday, March 3, 2022, 10:30 AM Room 548-S
- 03/08/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 1637
- 03/09/2022 Senate—Committee of the Whole - Motion to rerefer to committee failed Yea: 13 Nay: 27—SJ 1649
- 03/09/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1648
- 03/09/2022 Senate—Emergency Final Action - Passed as amended; Yea: 28 Nay: 12—SJ 1650
- 03/11/2022 House—Received and Introduced—HJ 1812
- 03/14/2022 House—Referred to Committee on Insurance and Pensions—HJ 1815
- 03/15/2022 House—Hearing: Wednesday, March 16, 2022, 3:30 PM Room 218-N
- 05/23/2022 House—Died in House Committee
- S 524** Bill by Ways and Means
Providing membership in the KP&F retirement system for certain security officers of the department of corrections and for certain law enforcement officers and employees of the Kansas department of wildlife and parks.
- 02/17/2022 Senate—Introduced—SJ 1542
- 02/18/2022 Senate—Referred to Committee on Ways and Means—SJ 1548
- 05/23/2022 Senate—Died in Committee
- S 525** Bill by Assessment and Taxation
Requiring at least 65% of moneys provided by the state to be expended in the classroom or for instruction.
- 02/17/2022 Senate—Introduced—SJ 1542
- 02/18/2022 Senate—Referred to Committee on Education—SJ 1548
- 05/23/2022 Senate—Died in Committee
- S 526** Bill by Assessment and Taxation
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.
- 02/17/2022 Senate—Introduced—SJ 1542
- 02/18/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1548
- 05/23/2022 Senate—Died in Committee
- S 527** Bill by Assessment and Taxation
Providing a sales tax exemption for certain purchases and sales by certain nonprofit organizations that provide substance use disorder treatment or support to foster children and licensed foster families.
- 02/17/2022 Senate—Introduced—SJ 1542
- 02/18/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1548
- 05/23/2022 Senate—Died in Committee

- S 528** Bill by Assessment and Taxation
Requiring school districts to provide a reimbursement to teachers for classroom supplies.
 02/21/2022 Senate—Introduced—SJ 1550
 02/22/2022 Senate—Referred to Committee on Education—SJ 1557
 03/01/2022 Senate—Hearing: Thursday, March 10, 2022, 1:30 PM Room 144-S
 03/09/2022 Senate—Hearing: Monday, March 14, 2022, 1:30 PM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 529** Bill by Federal and State Affairs
Providing for the electronic renewal of nondriver's identification cards.
 02/21/2022 Senate—Introduced—SJ 1550
 02/22/2022 Senate—Referred to Committee on Transportation—SJ 1557
 03/02/2022 Senate—Hearing: Wednesday, March 9, 2022, 8:30 AM Room 546-S
 03/15/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 1670
 03/17/2022 Senate—Committee of the Whole - Be passed as amended—SJ 1693
 03/17/2022 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 1693
 03/21/2022 House—Received and Introduced—HJ 1872
 03/22/2022 House—Referred to Committee on Transportation—HJ 1906
 05/23/2022 House—Died in House Committee
- S 530** Bill by Ways and Means
Establishing the Kansas rail safety improvement act providing for safety requirements for railroad operations and crossings.
 02/21/2022 Senate—Introduced—SJ 1550
 02/22/2022 Senate—Referred to Committee on Transportation—SJ 1557
 05/23/2022 Senate—Died in Committee
- S 531** Bill by Federal and State Affairs
Enacting the massage therapist licensure act to provide for regulation and licensing of massage therapists.
 02/22/2022 Senate—Introduced—SJ 1556
 02/23/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1572
 03/09/2022 Senate—Hearing: Tuesday, March 15, 2022, 8:30 AM Room 142-S
 05/23/2022 Senate—Died in Committee
- S 532** Bill by Federal and State Affairs
Allowing candidates for nonpartisan offices to have such candidate's political party provided with the candidate's name on the ballot.
 02/22/2022 Senate—Introduced—SJ 1556
 02/23/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1572
 03/03/2022 Senate—Hearing: Wednesday, March 9, 2022, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 533** Bill by Federal and State Affairs
Increasing the period of time that a person is disqualified from driving a commercial motor vehicle for certain violations and prohibiting prosecuting attorneys from concealing certain traffic violations from the CDLIS driver report for holders of commercial driver's licenses and commercial learner's permits.
 02/22/2022 Senate—Introduced—SJ 1557
 02/23/2022 Senate—Referred to Committee on Judiciary—SJ 1572

- 03/17/2022 Senate—Hearing: Friday, March 18, 2022, 10:30 AM Room 346-S
05/23/2022 Senate—Died in Committee
- S 534** Bill by Federal and State Affairs
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.
02/22/2022 Senate—Introduced—SJ 1557
02/23/2022 Senate—Referred to Committee on Judiciary—SJ 1572
03/02/2022 Senate—Hearing: Tuesday, March 8, 2022, 10:30 AM Room 346-S
03/15/2022 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1669
05/23/2022 Senate—Died on General Orders
- S 535** Bill by Federal and State Affairs
Requiring law enforcement agencies to determine whether applicants have been employed in law enforcement and examine certain records.
02/22/2022 Senate—Introduced—SJ 1557
02/23/2022 Senate—Referred to Committee on Judiciary—SJ 1572
05/23/2022 Senate—Died in Committee
- S 536** Bill by Federal and State Affairs
Requiring the attorney general to investigate allegations of misconduct by a prosecuting attorney that may have contributed to a wrongful conviction and, if the evidence warrants, prosecute any appropriate criminal charges and commence ouster proceedings against such prosecuting attorney.
02/22/2022 Senate—Introduced—SJ 1557
02/23/2022 Senate—Referred to Committee on Judiciary—SJ 1572
05/23/2022 Senate—Died in Committee
- S 537** Bill by Federal and State Affairs
Requiring state agencies, political subdivisions, state contractors and vendors to disclose certain contracts, gifts or grants received from foreign sources and state educational institutions to screen certain foreign applicants seeking employment in certain research positions, prohibiting agreements with or accepting grants from certain foreign countries of concern and establishing research integrity offices and international travel and approval programs at state educational institutions.
02/23/2022 Senate—Introduced—SJ 1571
03/01/2022 Senate—Referred to Committee on Judiciary—SJ 1597
03/02/2022 Senate—Hearing: Wednesday, March 9, 2022, 10:30 AM Room 346-S
05/23/2022 Senate—Died in Committee
- S 538** Bill by Assessment and Taxation
Eliminating the local ad valorem tax reduction fund.
02/23/2022 Senate—Introduced—SJ 1572
03/01/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1597
05/23/2022 Senate—Died in Committee
- S 539** Bill by Federal and State Affairs
Permitting naturopathic doctors and acupuncturists to engage in the corporate practice of medicine.
02/23/2022 Senate—Introduced—SJ 1572

- 03/01/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1597
- 05/23/2022 Senate—Died in Committee
- S 540** Bill by Assessment and Taxation
Expanding the selective assistance for effective senior relief (SAFESR) income tax credit for certain residential property taxes paid.
- 03/01/2022 Senate—Introduced—SJ 1588
- 03/02/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1600
- 03/03/2022 Senate—Hearing: Tuesday, March 8, 2022, 9:30 AM Room 548-S
- 05/23/2022 Senate—Died in Committee
- S 541** Bill by Federal and State Affairs
Prohibiting a governmental entity or public official from ordering or otherwise requiring a person to wear a face mask as a response to a contagious or infectious disease and from restricting worship services or activities; providing that orders and similar actions by public officials relating to gathering limitations and business restrictions shall not exceed 30 days in duration at a time before being renewed or allowed to expire; prohibiting school officials from issuing or requiring use of a COVID-19 vaccination passport or discriminating against a student based upon COVID-19 vaccination status; requiring schools to recognize exemptions from vaccination requirements; prescribing powers, duties and functions of the board of education of each school district, the governing body of each community college and the governing body of each technical college related to contagious or infectious disease and modifying judicial review provisions related thereto; and removing the sunset provision in the COVID-19 contact tracing privacy act.
- 03/01/2022 Senate—Introduced—SJ 1589
- 03/02/2022 Senate—Referred to Committee on Judiciary—SJ 1600
- 03/02/2022 Senate—Hearing: Monday, March 7, 2022, 10:30 AM Room 346-S
- 03/11/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1655
- 03/22/2022 Senate—Committee of the Whole - Be passed as further amended—SJ 1760
- 03/23/2022 Senate—Final Action - Passed as amended; Yea: 24 Nay: 14—SJ 1785
- 03/28/2022 House—Received and Introduced—HJ 2401
- 03/29/2022 House—Referred to Committee on Judiciary—HJ 2406
- 05/23/2022 House—Died in House Committee
- S 542** Bill by Assessment and Taxation
Establishing a property tax revenue neutral rate complaint process, authorizing the county clerk to limit the amount of ad valorem taxes to be levied in certain circumstances, establishing a deadline for budgets to be filed with the director of accounts and reports and requiring roll call votes and publication of information.
- 03/02/2022 Senate—Introduced—SJ 1599
- 03/03/2022 Senate—Hearing: Wednesday, March 9, 2022, 9:30 AM Room 548-S
- 03/03/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1605
- 05/23/2022 Senate—Died in Committee

- S 543** Bill by Assessment and Taxation
Allowing the carryforward of certain net operating losses for individuals for Kansas income tax purposes.
 03/02/2022 Senate—Introduced—SJ 1599
 03/03/2022 Senate—Hearing: Thursday, March 10, 2022, 9:30 AM Room 548-S
 03/03/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1605
 05/23/2022 Senate—Died in Committee
- S 544** Bill by Federal and State Affairs
Requiring state legislators to spend a week volunteering at a public school or consult with a teaching team prior to requesting a bill that impacts curriculum or school finance and prohibiting state legislators who have children in a nonpublic school from requesting a bill that diverts state funding from school districts to nonpublic schools.
 03/03/2022 Senate—Introduced—SJ 1604
 03/07/2022 Senate—Referred to Committee on Interstate Cooperation—SJ 1624
 05/23/2022 Senate—Died in Committee
- S 545** Bill by Federal and State Affairs
Requiring nonpublic schools to participate in certain assessments and publish on their website performance accountability reports and longitudinal achievement reports.
 03/03/2022 Senate—Introduced—SJ 1604
 03/04/2022 Senate—Referred to Committee on Education—SJ 1622
 05/23/2022 Senate—Died in Committee
- S 546** Bill by Federal and State Affairs
Providing for the use and regulation of autonomous motor vehicles and establishing the autonomous vehicle advisory committee.
 03/07/2022 Senate—Introduced—SJ 1623
 03/08/2022 Senate—Referred to Committee on Transportation—SJ 1635
 03/08/2022 Senate—Hearing: Thursday, March 10, 2022, 8:30 AM Room 546-S
 03/21/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation
 03/22/2022 Senate—Committee of the Whole - Be passed as further amended—SJ 1759
 03/23/2022 Senate—Final Action - Passed as amended; Yea: 24 Nay: 12—SJ 1785
 03/28/2022 House—Received and Introduced—HJ 2401
 03/28/2022 House—Hearing: Tuesday, March 29, 2022, 8:00 AM Room 582-N
 03/29/2022 House—Referred to Committee on Transportation—HJ 2406
 05/23/2022 House—Died in House Committee
- S 547** Bill by Federal and State Affairs
Exempting broadcast satellite service and providers of streaming content from the video competition act and providing requirements relating to audits of video service provider franchise fees.
 03/07/2022 Senate—Introduced—SJ 1623
 03/08/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1635
 03/08/2022 Senate—Withdrawn from Committee on Assessment and Taxation; Referred to Committee on Federal and State Affairs—SJ 1635
 03/09/2022 Senate—Hearing: Monday, March 14, 2022, 10:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee

- S 548** Bill by Federal and State Affairs
Excepting matters relating to the administration or processing of individual water rights and applications from the advice and assistance that groundwater management districts may provide.
 03/07/2022 Senate—Introduced—SJ 1624
 03/08/2022 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1635
 03/09/2022 Senate—Hearing: Monday, March 14, 2022, 8:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 549** Bill by Federal and State Affairs
Allowing certain water right holders to withdraw from a groundwater management district under certain circumstances.
 03/07/2022 Senate—Introduced—SJ 1624
 03/08/2022 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1635
 03/09/2022 Senate—Hearing: Monday, March 14, 2022, 8:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 550** Bill by Federal and State Affairs
Authorizing certain individuals with revoked driver's licenses to be eligible for restricted driving privileges.
 03/08/2022 Senate—Introduced—SJ 1634
 03/09/2022 Senate—Referred to Committee on Judiciary—SJ 1644
 05/23/2022 Senate—Died in Committee
- S 551** Bill by Ways and Means
Establishing the division of pet animal facilities inspection within the department of agriculture under the administration of the pet animal facilities director.
 03/09/2022 Senate—Introduced—SJ 1643
 03/10/2022 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1653
 03/11/2022 Senate—Hearing: Thursday, March 17, 2022, 8:30 AM Room 144-S
 05/23/2022 Senate—Died in Committee
- S 552** Bill by Federal and State Affairs
Enacting the modernization of recovery through website outreach act to authorize the state treasurer to publish information regarding real property that counties have foreclosed for nonpayment of taxes.
 03/09/2022 Senate—Introduced—SJ 1644
 03/10/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1653
 05/23/2022 Senate—Died in Committee
- S 553** 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.
 03/09/2022 Senate—Introduced—SJ 1644
 03/10/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1653
 03/11/2022 Senate—Hearing: Wednesday, March 16, 2022, 9:30 AM Room 548-S
 03/21/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation
 05/23/2022 Senate—Died on General Orders

- S 554** Bill by Assessment and Taxation
Amending the definition of land devoted to agricultural use for property tax purposes to include incidental agritourism activity and zoos.
 03/09/2022 Senate—Introduced—SJ 1644
 03/10/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1653
 03/11/2022 Senate—Hearing: Monday, March 14, 2022, 9:30 AM Room 548-S
 05/23/2022 Senate—Died in Committee
- S 555** Bill by Assessment and Taxation
Allowing for the proration of value for property tax purposes when certain personal property is acquired or sold prior to September 1 of any tax year and discontinuing the collection of unpaid municipal utility fees using the property tax roll.
 03/09/2022 Senate—Introduced—SJ 1644
 03/10/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1653
 05/23/2022 Senate—Died in Committee
- S 556** Bill by Assessment and Taxation
Providing for a Kansas income tax subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowance.
 03/09/2022 Senate—Introduced—SJ 1644
 03/10/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1653
 03/11/2022 Senate—Hearing: Monday, March 14, 2022, 9:30 AM Room 548-S
 03/18/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1702
 05/23/2022 Senate—Died on General Orders
- S 557** Bill by Federal and State Affairs
Changing the scope of crimes that may be expunged to exempt an individual from the crime of criminal possession of a weapon by a convicted felon.
 03/09/2022 Senate—Introduced—SJ 1644
 03/10/2022 Senate—Referred to Committee on Judiciary—SJ 1653
 05/23/2022 Senate—Died in Committee
- S 558** Bill by Federal and State Affairs
Establishing a procedure for a petition for restoration of a person's firearms rights by a person whose prior conviction prohibited the possession of firearms and that has been expunged.
 03/11/2022 Senate—Introduced—SJ 1654
 03/14/2022 Senate—Referred to Committee on Judiciary—SJ 1660
 05/23/2022 Senate—Died in Committee
- S 559** Bill by Federal and State Affairs
Limiting the liability of optometrists and ophthalmologists who report information to the division of vehicles relating to a person's vision.
 03/11/2022 Senate—Introduced—SJ 1654
 03/14/2022 Senate—Hearing: Thursday, March 17, 2022, 8:30 AM Room 546-S
 03/14/2022 Senate—Referred to Committee on Transportation—SJ 1660
 05/23/2022 Senate—Died in Committee
- S 560** Bill by Federal and State Affairs
Enacting the medical marijuana regulation act to regulate the cultivation, processing, distribution, sale and use of medical marijuana.
 03/11/2022 Senate—Introduced—SJ 1654

- 03/14/2022 Senate—Referred to Committee on Federal and State Affairs—SJ 1660
 03/15/2022 Senate—Hearing continuation: Friday, March 18, 2022, 10:30 AM
 Room 144-S
 03/15/2022 Senate—Hearing: Wednesday, March 16, 2022, 10:30 AM Room 144-S
 03/15/2022 Senate—Hearing continuation: Thursday, March 17, 2022, 10:30 AM
 Room 144-S
 05/23/2022 Senate—Died in Committee
- S 561** Bill by Federal and State Affairs
Proposing the state senatorial redistricting plan Eisenhower.
 03/14/2022 Senate—Introduced—SJ 1659
 03/14/2022 Senate—Referred to Committee on Redistricting—SJ 1661
 05/23/2022 Senate—Died in Committee
- S 562** Bill by Federal and State Affairs
Proposing the state senatorial redistricting map bluestem.
 03/14/2022 Senate—Introduced—SJ 1659
 03/14/2022 Senate—Referred to Committee on Redistricting—SJ 1661
 05/23/2022 Senate—Died in Committee
- S 563** Bill by Ways and Means
Substitute for SB 563 by Committee on Redistricting - Proposing state senatorial redistricting plan liberty three, state representative redistricting plan free state 3F and state board of education redistricting plan apple seven.
 03/14/2022 Senate—Introduced—SJ 1659
 03/14/2022 Senate—Referred to Committee on Redistricting—SJ 1661
 03/15/2022 Senate—Committee Report recommending substitute bill be passed by
 Committee on Redistricting—SJ 1670
 03/16/2022 Senate—Committee of the Whole - Substitute bill be passed—SJ 1674
 03/17/2022 Senate—Final Action - Substitute passed; Yea: 28 Nay: 8—SJ 1690
 03/21/2022 House—Received and Introduced—HJ 1872
 03/22/2022 House—Referred to Committee of the Whole—HJ 2291
 03/23/2022 House—Committee of the Whole - Be passed as amended—HJ 2396
 03/23/2022 House—Emergency Final Action - Passed as amended; Yea: 112 Nay: 9
 —HJ 2396
 03/28/2022 Senate—Nonconcurrent with amendments; Conference Committee
 requested; appointed Senator Wilborn, Senator Masterson and Senator
 Sykes as conferees—SJ 1808
 03/29/2022 House—Motion to accede adopted; Representative Croft,
 Representative Ralph and Representative Burroughs appointed as
 conferees—HJ 2407
 03/30/2022 House—Conference Committee Report was adopted; Yea: 83 Nay: 40—
 HJ 2476
 03/30/2022 Senate—Motion to suspend Joint Rule 3(f) adopted
 03/30/2022 Senate—Conference Committee Report was adopted; Yea: 29 Nay: 11
 —SJ 1849
 04/25/2022 Senate—Enrolled and presented to Governor on Friday, April 8, 2022—
 SJ 2379
 04/25/2022 Senate—Approved by Governor on Friday, April 15, 2022—SJ 2341

- S 564** Bill by Assessment and Taxation
Requiring lobbyists to disclose any pending or current litigation against a client that would affect proposed legislation when discussing such legislation with a legislator or when testifying before a committee.
 03/14/2022 Senate—Introduced—SJ 1660
 03/15/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1664
 05/23/2022 Senate—Died in Committee
- S 565** Bill by Assessment and Taxation
Substitute for SB 565 by Committee on Assessment and Taxation - Providing an income tax rate of 4.75% for individuals.
 03/14/2022 Senate—Introduced—SJ 1660
 03/15/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1664
 03/15/2022 Senate—Hearing: Thursday, March 17, 2022, 9:30 AM Room 548-S
 03/21/2022 Senate—Committee Report recommending substitute bill be passed by Committee on Assessment and Taxation—SJ 1709
 05/23/2022 Senate—Died on General Orders
- S 566** Bill by Federal and State Affairs
Proposing state senatorial redistricting plan freedom.
 03/14/2022 Senate—Introduced—SJ 1660
 03/14/2022 Senate—Referred to Committee on Redistricting—SJ 1661
 05/23/2022 Senate—Died in Committee
- S 567** Bill by Federal and State Affairs
Allowing restricted driver's license holders to drive to and from worship services held by any religious organizations at age 15.
 03/15/2022 Senate—Introduced—SJ 1663
 03/16/2022 Senate—Referred to Committee on Transportation—SJ 1672
 05/23/2022 Senate—Died in Committee
- S 568** Bill by Federal and State Affairs
Proposing state senatorial redistricting plan free state one.
 03/15/2022 Senate—Introduced—SJ 1663
 03/16/2022 Senate—Referred to Committee on Redistricting—SJ 1672
 05/23/2022 Senate—Died in Committee
- S 569** Bill by Ways and Means
Updating references and corresponding changes related to 2021 Executive Reorganization Order No. 48 and the transfer of the division of tourism from the department of wildlife and parks to the department of commerce.
 03/16/2022 Senate—Introduced—SJ 1671
 03/17/2022 Senate—Referred to Committee on Ways and Means—SJ 1690
 05/23/2022 Senate—Died in Committee
- S 570** Bill by Federal and State Affairs
Delaying the effective date of the secretary of state's new biennial business entity filing provisions enacted in 2021 House Bill No. 2391 from January 1, 2023, to January 1, 2024.
 03/17/2022 Senate—Introduced—SJ 1688
 03/18/2022 Senate—Referred to Committee on Transparency and Ethics—SJ 1702
 05/23/2022 Senate—Died in Committee
- S 571** Bill by Federal and State Affairs
Providing for the appointment of members of standing, special and select committees of the legislature by a committee on organization of the

- senate and a committee on organization of the house of representatives.**
- 03/18/2022 Senate—Introduced—SJ 1702
 03/21/2022 Senate—Referred to Committee on Interstate Cooperation—SJ 1707
 05/23/2022 Senate—Died in Committee
- S 572** Bill by Federal and State Affairs
Enacting the covert firearms act and establishing criminal penalties for the possession, manufacture, distribution, transportation, shipping or receiving of certain firearms or components.
 03/21/2022 Senate—Introduced—SJ 1706
 03/22/2022 Senate—Referred to Committee on Judiciary—SJ 1746
 05/23/2022 Senate—Died in Committee
- S 573** Bill by Federal and State Affairs
Proposing state senatorial district plan free state five.
 03/21/2022 Senate—Introduced—SJ 1706
 03/22/2022 Senate—Referred to Committee on Redistricting—SJ 1746
 05/23/2022 Senate—Died in Committee
- S 574** Bill by Federal and State Affairs
Proposing state senatorial district plan free state four.
 03/21/2022 Senate—Introduced—SJ 1707
 03/22/2022 Senate—Referred to Committee on Redistricting—SJ 1746
 05/23/2022 Senate—Died in Committee
- S 575** Bill by Federal and State Affairs
Creating a presumption that joint legal custody and maximized parenting time in temporary parenting plans are in the best interests of a child and defining related terms under the Kansas family law code.
 03/21/2022 Senate—Introduced—SJ 1707
 03/22/2022 Senate—Referred to Committee on Judiciary—SJ 1746
 05/23/2022 Senate—Died in Committee
- S 576** Bill by Ways and Means
Proposing state board of education redistricting plan little jerusalem badlands.
 03/22/2022 Senate—Introduced—SJ 1746
 03/23/2022 Senate—Referred to Committee on Redistricting—SJ 1763
 05/23/2022 Senate—Died in Committee
- S 577** Bill by Ways and Means
Proposing state board of education redistricting plan apple.
 03/22/2022 Senate—Introduced—SJ 1746
 03/23/2022 Senate—Referred to Committee on Redistricting—SJ 1763
 03/23/2022 Senate—Hearing: Monday, March 28, 2022, 1:30 PM Room 546-S
 03/29/2022 Senate—Committee Report recommending bill be passed as amended by Committee on Redistricting—SJ 1816
 03/29/2022 Senate—Motion to advance to Final Action subject to amendment, debate, and roll call. Motion carried.—SJ 1816
 03/29/2022 Senate—Emergency Final Action - Passed as amended; Yea: 31 Nay: 8 —SJ 1816
 03/30/2022 House—Received and Introduced—HJ 2414
 03/31/2022 House—Referred to Committee on Redistricting—HJ 2482
 05/23/2022 House—Died in House Committee
- S 578** Bill by Ways and Means
Reconciling conflicting amendments to certain statutes.

(SJ & HJ Nos. refer to 2021 and 2022 Senate and House Journals)

- 04/26/2022 Senate—Introduced—SJ 2381
 04/26/2022 Senate—Referred to Committee on Ways and Means—SJ 2382
 05/23/2022 Senate—Died in Committee
- S 579** Bill by Federal and State Affairs
Establishing the homegrown Kansas leadership program to provide tuition assistance for individuals who earn a teaching degree or a master's degree in education and agree to teach in Kansas after earning such degree.
- 04/28/2022 Senate—Introduced—SJ 2563
 05/23/2022 Senate—Died on Calendar
- S 580** Bill by Federal and State Affairs
Establishing an accelerated teacher training program.
- 04/28/2022 Senate—Introduced—SJ 2563
 05/23/2022 Senate—Died on Calendar
- S 581** 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.
- 05/23/2022 Senate—Introduced
 05/23/2022 Senate—Died on Calendar

TITLE AND HISTORY OF SENATE CONCURRENT RESOLUTIONS
INCLUDES SENATE CONCURRENT RESOLUTIONS
CARRIED OVER FROM 2021 SESSION

- S 1603** Concurrent Resolution by Senator Hilderbrand
Amending the Constitution of the State of Kansas to eliminate transfers from the state highway fund.
01/25/2021 Senate—Introduced—SJ 91
01/26/2021 Senate—Referred to Committee on Transportation—SJ 94
05/23/2022 Senate—Died in Committee
- S 1604** Concurrent Resolution by Judiciary
A constitutional amendment allowing for a voter petition process to call the legislature into special session during a state of disaster emergency.
01/28/2021 Senate—Introduced—SJ 115
01/29/2021 Senate—Referred to Committee on Judiciary—SJ 122
05/23/2022 Senate—Died in Committee
- S 1605** Concurrent Resolution by Senators Holland, Haley, Pittman
Constitutional amendment reserving the powers of initiative and referendum to the people.
02/01/2021 Senate—Introduced—SJ 126
02/02/2021 Senate—Referred to Committee on Judiciary—SJ 137
05/23/2022 Senate—Died in Committee
- S 1606** Concurrent Resolution by Local Government
A constitutional amendment to grant counties home rule powers.
02/04/2021 Senate—Introduced—SJ 143
02/05/2021 Senate—Referred to Committee on Local Government—SJ 154
02/17/2021 Senate—Hearing: Tuesday, February 23, 2021, 9:30 AM Room 142-S
05/23/2022 Senate—Died in Committee
- S 1607** Concurrent Resolution by Senator Pyle
Proposing a constitutional amendment providing that locally elected school boards are the only governmental entity with the authority to close schools.
02/04/2021 Senate—Introduced—SJ 146
02/05/2021 Senate—Referred to Committee on Judiciary—SJ 154
05/23/2022 Senate—Died in Committee
- S 1608** Concurrent Resolution by Judiciary
Proposing to amend section 3 of the Kansas bill of rights regarding the right to petition the government for the redress of grievances, including by citizen-initiated grand jury.
02/08/2021 Senate—Introduced—SJ 158
02/09/2021 Senate—Referred to Committee on Judiciary—SJ 164
03/10/2021 Senate—Hearing: Friday, March 12, 2021, 10:30 AM Room 346-S
05/23/2022 Senate—Died in Committee
- S 1609** Concurrent Resolution by Ways and Means
Proposing a constitutional amendment that provides for legislative oversight of rules and regulations adopted by executive branch agencies and officials.
02/24/2021 Senate—Introduced—SJ 243

- 02/25/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 247
 05/23/2022 Senate—Died in Committee
- S 1614** Concurrent Resolution by Senator Hilderbrand
Calling for the creation of a national federalism task force to restore and maintain divisions between national and state governments.
- 05/07/2021 Senate—Introduced—SJ 1260
 05/26/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 1401
 05/23/2022 Senate—Died in Committee
- S 1615** Concurrent Resolution by Senator Pyle
Proposing to amend section 13 of article 2 of the constitution of the state of Kansas regarding vote requirements for passage of bills or concurrent resolutions.
- 05/07/2021 Senate—Introduced—SJ 1307
 05/26/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 1401
 05/23/2022 Senate—Died in Committee
- S 1617** Concurrent Resolution by Senator Hilderbrand
Constitutional amendment deleting the power of the governor to call special sessions of the legislature or two-thirds of the legislature to require the governor to call a special session and requiring the legislature meet on a monthly basis following adjournment of the regular session.
- 01/25/2022 Senate—Introduced—SJ 1457
 01/26/2022 Senate—Referred to Committee on Judiciary—SJ 1462
 05/23/2022 Senate—Died in Committee
- S 1618** Concurrent Resolution by Judiciary
Proposing a constitutional amendment that provides for legislative authority to revoke or suspend rules and regulations adopted by executive branch agencies and officials.
- 01/27/2022 Senate—Introduced—SJ 1475
 01/28/2022 Senate—Referred to Committee on Judiciary—SJ 1481
 02/14/2022 Senate—Hearing: Wednesday, February 16, 2022, 10:30 AM Room 346-S
 05/23/2022 Senate—Died in Committee
- S 1619** Concurrent Resolution by Assessment and Taxation
Urging the adoption of the conclusions and recommendations of the 2021 Special Committee on Taxation regarding the fiscal future of Kansas.
- 02/08/2022 Senate—Introduced—SJ 1508
 02/09/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1513
 03/03/2022 Senate—Hearing: Thursday, March 10, 2022, 9:30 AM Room 548-S
 03/11/2022 Senate—Committee Report recommending resolution be adopted by Committee on Assessment and Taxation—SJ 1655
 03/22/2022 Senate—Committee of the Whole - Be adopted—SJ 1754
 03/23/2022 Senate—Final Action - Adopted; Yea: 28 Nay: 11—SJ 1798
 03/28/2022 House—Received and Introduced—HJ 2401
 03/29/2022 House—Referred to Committee on Taxation—HJ 2406
 05/23/2022 House—Died in House Committee
- S 1620** Concurrent Resolution by Assessment and Taxation
Proposing a constitutional amendment to require a supermajority for passage of certain bills containing new or increased state taxes.
- 03/01/2022 Senate—Introduced—SJ 1589
 03/02/2022 Senate—Referred to Committee on Assessment and Taxation—SJ 1600

- 03/03/2022 Senate—Hearing: Thursday, March 10, 2022, 9:30 AM Room 548-S
 03/11/2022 Senate—Committee Report recommending resolution be adopted by Committee on Assessment and Taxation—SJ 1655
 03/14/2022 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1660
 03/15/2022 Senate—Committee Report recommending resolution be adopted as amended by Committee on Assessment and Taxation—SJ 1669
 03/22/2022 Senate—Committee of the Whole - Be adopted as amended—SJ 1759
 03/23/2022 Senate—Final Action - Not adopted; Yea: 25 Nay: 14—SJ 1798
- S 1621** Concurrent Resolution by Federal and State Affairs
Proposing a constitutional amendment to provide that the governor will appoint supreme court justices subject to senate confirmation and to eliminate the supreme court nominating commission.
 03/01/2022 Senate—Introduced—SJ 1590
 03/02/2022 Senate—Referred to Committee on Judiciary—SJ 1600
 03/03/2022 Senate—Hearing: Friday, March 4, 2022, 10:30 AM Room 346-S
 03/09/2022 Senate—Committee Report recommending resolution be adopted by Committee on Judiciary—SJ 1652
 03/22/2022 Senate—Committee of the Whole - Be adopted—SJ 1754
 03/23/2022 Senate—Final Action - Not adopted; Yea: 26 Nay: 13—SJ 1799
- S 1622** Concurrent Resolution by Federal and State Affairs
Proposing a constitutional amendment to provide for partisan, statewide election of justices of the supreme court and abolish the supreme court nominating commission.
 03/01/2022 Senate—Introduced—SJ 1594
 03/02/2022 Senate—Referred to Committee on Judiciary—SJ 1600
 03/03/2022 Senate—Hearing: Friday, March 4, 2022, 10:30 AM Room 346-S
 03/09/2022 Senate—Committee Report recommending resolution be adopted by Committee on Judiciary—SJ 1652
 05/23/2022 Senate—Died on General Orders
- S 1623** Concurrent Resolution by Senators Billinger, Alley, Baumgardner, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Hilderbrand, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Thompson, Tyson, Warren, Wilborn
Urging the President of the United States to stop importing oil and gas from Russia.
 03/09/2022 Senate—Introduced—SJ 1644
 03/10/2022 Senate—Referred to Committee of the Whole—SJ 1653
 03/14/2022 Senate—Committee of the Whole - Be adopted—SJ 1661
 03/15/2022 Senate—Final Action - Adopted; Yea: 37 Nay: 0—SJ 1665
 03/16/2022 House—Received and Introduced—HJ 1834
 03/17/2022 House—Referred to Committee of the Whole—HJ 1863
 05/23/2022 House—Died on House Calendar
- S 1624** Concurrent Resolution by Senator Holland
Amending the constitution of the state of Kansas to require that certain individuals be mandated reporters of child abuse and neglect.
 03/28/2022 Senate—Introduced—SJ 1803

03/29/2022 Senate—Referred to Committee on Judiciary—SJ 1810

04/26/2022 Senate—Motion to withdraw from committee. Motion failed. Yea: 10

Nay: 24—SJ 2382

05/23/2022 Senate—Died in Committee

TITLE AND HISTORY OF SENATE RESOLUTIONS

- S 1722** Resolution by Senators Masterson, Alley, Sykes
Providing for the organization of the Senate for the 2022 legislative session.
 01/10/2022 Senate—Introduced—SJ 1408
 01/10/2022 Senate—Adopted without roll call—SJ 1408
 01/11/2022 Senate—Enrolled on Tuesday, January 11, 2022—SJ 1415
- S 1723** Resolution by Senators Masterson, Alley, Sykes
Assigning seats in the Senate during the 2022 legislative session.
 01/13/2022 Senate—Introduced—SJ 1420
 01/13/2022 Senate—Adopted without roll call—SJ 1420
 01/14/2022 Senate—Enrolled on Friday, January 14, 2022—SJ 1424
- S 1724** Resolution by Public Health and Welfare
Supporting the Global Covid Summit Physicians Declaration II and its three foundational principles.
 01/13/2022 Senate—Introduced—SJ 1420
 01/14/2022 Senate—Referred to Committee on Public Health and Welfare—SJ 1422
 05/23/2022 Senate—Died in Committee
- S 1725** Resolution by Senators Warren, Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Hilderbrand, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Wilborn
Honoring pregnancy maintenance resource centers in Kansas and across the United States.
 01/25/2022 Senate—Introduced—SJ 1459
 01/25/2022 Senate—Adopted without roll call—SJ 1459
 01/27/2022 Senate—Enrolled on Thursday, January 27, 2022—SJ 1480
- S 1726** Resolution by Senators Faust-Goudeau, Francisco, Haley
Recognizing Kevin Willmott for his contributions to American film and education.
 01/26/2022 Senate—Introduced—SJ 1462
 01/26/2022 Senate—Adopted without roll call—SJ 1462
 01/27/2022 Senate—Enrolled on Thursday, January 27, 2022—SJ 1480
- S 1727** Resolution by Education
Congratulating and commending the members of the 2022 Kansas Teacher of the Year team.
 01/26/2022 Senate—Introduced—SJ 1463
 01/26/2022 Senate—Adopted without roll call—SJ 1463
 01/27/2022 Senate—Enrolled on Thursday, January 27, 2022—SJ 1480
- S 1728** Resolution by Senators Billinger, Alley, Baumgardner, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Steffen, Straub, Suellentrop, Sykes, Tyson, Ware, Warren, Wilborn
Designating February 10, 2022, as JAG-K Day at the Capitol.
 02/10/2022 Senate—Introduced—SJ 1520

- 02/10/2022 Senate—Adopted without roll call—SJ 1520
 02/11/2022 Senate—Enrolled on Friday, February 11, 2022—SJ 1525
- S 1729** Resolution by Senators Faust-Goudeau, Haley, Pittman
Recognizing the members of Delta Sigma Theta Sorority, Inc.
 02/17/2022 Senate—Introduced—SJ 1543
 02/17/2022 Senate—Adopted without roll call—SJ 1543
 02/18/2022 Senate—Enrolled on Friday, February 18, 2022—SJ 1555
- S 1730** Resolution by Senators Ware, Faust-Goudeau
Designating February 2, 2022, as Envision Day.
 03/01/2022 Senate—Introduced—SJ 1597
 03/01/2022 Senate—Adopted without roll call—SJ 1597
 03/02/2022 Senate—Enrolled on Wednesday, March 2, 2022—SJ 1603
- S 1731** Resolution by
Recognizing National Vending Day
 03/03/2022 Senate—Introduced—SJ 1605
 03/03/2022 Senate—Adopted without roll call—SJ 1605
 03/04/2022 Senate—Enrolled on Friday, March 4, 2022—SJ 1642
- S 1732** Resolution by Senator Longbine
Congratulating and commending the 2020 and 2022 Kansas Master Teachers.
 03/15/2022 Senate—Introduced—SJ 1664
 03/15/2022 Senate—Adopted without roll call—SJ 1664
 03/16/2022 Senate—Enrolled on Wednesday, March 16, 2022—SJ 1687
- S 1733** Resolution by Senators Masterson, Sykes, Alley, Baumgardner, Billinger, Bowers,
 Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco,
 Gossage, Haley, Hawk, Hilderbrand, Holland, Holscher, Kerschen, Kloos,
 Longbine, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle,
 Ryckman, Steffen, Straub, Suellentrop, Thompson, Tyson, Ware, Warren,
 Wilborn
**Congratulating and commending the University of Kansas men's basketball
 team on their 2022 NCAA Division I national championship.**
 04/25/2022 Senate—Introduced—SJ 2378
 04/25/2022 Senate—Adopted without roll call—SJ 2378
 04/27/2022 Senate—Enrolled on Wednesday, April 27, 2022—SJ 2460
- S 1734** Resolution by Senators Alley, Steffen, Thompson
**Disapproving of the proposed amendments to the international health
 regulations of the world health organization offered by President
 Biden.**
 05/23/2022 Senate—Introduced—SJ 2611
 05/23/2022 Senate—Adopted without roll call—SJ 2612
 05/23/2022 Senate—Enrolled on Tuesday, May 24, 2022

FINAL

SENATE CALENDAR

No. 59

JANUARY 10, 2022 THROUGH ADJOURNMENT MAY 23, 2022

NUMERICAL SCHEDULE OF SENATE BILLS

CARRIED OVER FROM 2021 SESSION

1 Died, H Com	62 Signed, St Bk	113 Died, Com
2 Signed, Pub 4/28	68 Died, H Com	114 Died, Com
3 Died, Com	70 Died, H Com	115 Died, Com
5 Died, Com	71 Died, H Gen Orders	116 Died, H Com
6 Died, Com	72 Died, H Com	117 Died, Com
7 Died, Com	73 Died, Com	119 Died, H Gen Orders
9 Died, Com	74 Died, Com	121 Died, Com
10 Died, Com	75 Died, Com	123 Died, Com
11 Died, Com	76 Died, Com	125 Died, Com
12 Died, Conf	79 Died, Com	126 Died, H Gen Orders
17 Died, Com	80 Died, Com	128 Died, Com
18 Died, Com	81 Died, Com	129 Died, Com
H Sub	82 Died, Com	130 Died, Com
19 Signed, St Bk	83 Died, H Com	131 Died, H Com
20 Died, H Com	H Sub Sub	132 Died, Com
22 Died, H Com	84 Signed, St Bk	133 Died, Com
23 Died, H Com	85 Died, H Com	134 Died, Com
H Sub	87 Died, Gen Orders	135 Died, Com
28 Signed, St Bk	H Sub	136 Died, Com
30 Died, Com	91 Signed, St Bk	137 Died, Com
32 Died, H Com	92 Died, Com	138 Died, Com
Sub	93 Died, Gen Orders	139 Died, Com
34 Veto Sustained	94 Died, Com	140 Died, Com
35 Died, Com	96 Died, Com	141 Signed, St Bk
41 Died, Com	97 Died, Com	144 Died, Com
42 Died, Com	H Sub	145 Died, H Com
44 Died, Com	98 Died, H Gen Orders	146 Died, H Com
45 Died, Com	Sub	147 Died, H Gen Orders
46 Died, Gen Orders	100 Died, H Com	148 Died, Com
48 Died, Com	H Sub	149 Died, Com
H Sub	101 Signed, St Bk	150 Signed, St Bk
49 Died, H Gen Orders	102 Stricken, H Cal	151 Died, Com
51 Died, H Com	104 Died, H Com	152 Died, Com
53 Died, H Gen Orders	108 Died, Com	153 Died, Com
54 Died, Com	109 Died, Com	154 Died, Gen Orders
57 Died, Com	110 Died, Com	155 Died, H Com
58 Veto, H Sustained	111 Died, Com	156 Died, Com
61 Died, H Com	112 Died, Com	157 Died, Com

H Sub	213 Died, Com	263 Died, Gen Orders
158 Died, Com	214 Died, Com	264 Died, Gen Orders
160 Veto, H Sustained	215 Signed, St Bk	265 Died, H Com
161 Veto Sustained	216 Died, Com	266 Died, Com
162 Died, Com	217 Died, Com	H Sub
163 Died, Com	218 Died, Com	267 Signed line item veto
164 Died, Com	219 Died, Com	268 Died, Com
165 Died, Com	220 Died, Com	269 Died, Com
166 Died, Com	221 Died, Com	270 Died, Com
168 Died, Gen Orders	222 Died, Com	271 Died, Com
169 Died, Com	223 Died, Com	272 Died, Com
171 Died, Com	224 Died, Com	274 Died, Com
173 Died, Gen Orders	225 Died, Com	275 Died, Com
174 Died, Com	226 Died, Com	276 Died, H Gen Orders
176 Died, Com	227 Died, Com	277 Died, Com
177 Died, Com	228 Died, Com	278 Died, Com
179 Died, Gen Orders	229 Died, Com	279 Died, Com
180 Died, Gen Orders	230 Died, Com	280 Died, Com
181 Died, H Com	231 Died, Com	281 Died, Com
182 Died, Com	232 Died, Com	282 Died, H Com
183 Died, Com	233 Died, Com	284 Died, Com
184 Died, Com	234 Died, Com	285 Died, Com
185 Died, H Com	236 Died, Com	H Sub Sub
186 Died, Com	237 Died, Com	286 Veto Sustained
187 Died, Com	239 Died, Com	287 Died, Com
188 Died, Com	240 Died, Com	288 Died, Com
189 Died, Com	241 Died, Com	289 Died, Com
190 Died, Com	242 Died, Com	290 Died, H Com
191 Died, Com	243 Died, Com	291 Died, Com
192 Died, Com	244 Died, Com	292 Died, Com
193 Died, Com	245 Died, Com	293 Died, Com
194 Died, Com	246 Died, Com	294 Died, Com
195 Died, Com	247 Died, Com	295 Died, Gen Orders
196 Died, Com	248 Died, Com	296 Died, Com
197 Died, Com	249 Died, Com	297 Died, Com
198 Died, Com	250 Died, Com	298 Died, Com
199 Veto, H Sustained	251 Died, Com	299 Died, Com
200 Signed, Pub 4/28	252 Died, Com	Sub
201 Died, Com	253 Died, Com	300 Signed, St Bk
202 Died, Com	254 Died, Com	301 Died, Com
203 Died, Com	255 Died, Com	302 Died, Com
205 Died, Com	256 Died, Com	303 Died, Com
206 Died, Com	257 Died, Com	304 Died, H Com
207 Died, Com	258 Died, Com	305 Died, Com
208 Died, H Com	259 Died, Com	306 Died, Com
209 Died, Com	260 Died, Com	307 Died, Com
210 Died, Com	Sub	308 Died, Com
211 Died, Com	261 Signed, St Bk	
212 Died, Gen Orders	262 Died, Com	

309 Died, Com	312 Died, Com	314 Died, Gen Orders
310 Died, Com	313 Signed, St Bk	315 Died, Com
Sub		
311 Died, Gen Orders		

**NUMERICAL SCHEDULE OF SENATE BILLS
2022 SESSION**

316 Died, Com	356 Died, Com	399 Stricken, H Cal
317 Died, Com	357 Died, Com	Sub
H Sub	358 Signed, St Bk	400 Signed, St Bk
318 Died, H Gen Orders	359 Died, Com	401 Died, Com
319 Died, Com	360 Died, Com	402 Died, Com
320 Died, Com	361 Died, Com	403 Died, H Com
321 Died, Com	362 Died, H Com	404 Died, Com
322 Died, Com	363 Died, Com	405 Signed, St Bk
323 Died, Com	364 Died, Com	406 Died, Com
324 Died, Com	365 Died, Com	407 Died, Gen Orders
325 Died, Com	366 Signed, Pub 5/12	408 Signed, St Bk
326 Died, H Gen Orders	367 Signed, St Bk	409 Died, Com
327 Died, H Com	368 Died, H Com	410 Died, Com
328 Died, Com	369 Died, Com	411 Died, Com
329 Died, H Com	370 Died, Com	412 Died, Com
330 Signed, Pub 4/14	371 Died, Com	413 Died, Com
331 Died, Conf	372 Died, Com	414 Died, Com
332 Died, Gen Orders	373 Died, H Com	415 Died, Com
333 Died, Com	374 Died, Com	416 Died, Com
334 Died, Com	375 Died, Com	417 Signed, St Bk
335 Signed, St Bk	376 Died, Gen Orders	418 Died, H Com
336 Signed, St Bk	377 Stricken, H Cal	419 Signed, St Bk
337 Signed, Pub 3/10	378 Died, Final Act	420 Died, Com
338 Died, Com	379 Died, Com	421 Signed, Pub 5/19
339 Died, Gen Orders	380 Died, Com	422 Died, Com
340 Died, H Com	381 Died, Com	423 Died, Com
341 Died, Com	382 Died, H Cal	424 Died, Com
342 Died, Com	383 Died, Com	425 Died, H Com
343 Signed, Pub 4/28	384 Died, Com	426 Died, Com
344 Died, Com	385 Stricken, H Cal	427 Died, Gen Orders
345 Died, Gen Orders	386 Died, Gen Orders	428 Died, Gen Orders
346 Signed, St Bk	387 Died, Gen Orders	429 Died, Gen Orders
H Sub	388 Died, Com	430 Died, Gen Orders
347 Signed, Pub 2/10	389 Died, H Com	431 Died, Gen Orders
348 Signed, St Bk	390 Died, H Com	432 Died, Gen Orders
349 Died, Com	391 Died, Com	433 Died, Gen Orders
350 Died, Com	392 Signed, Pub 4/7	434 Signed, St Bk
351 Died, H Com	393 Died, Com	435 Stricken, H Cal
352 Died, Com	394 Died, Com	436 Died, Com
353 Died, Com	395 Died, H Com	437 Died, Com
354 Died, Gen Orders	396 Died, Com	438 Died, H Com
Sub	397 Died, Com	439 Died, H Com
355 Veto Overridden	398 Died, Com	440 Signed, St Bk

441 Died, H Com	487 Died, Com	536 Died, Com
442 Died, Com	488 Died, Com	537 Died, Com
443 Died, H Com	489 Died, H Com	538 Died, Com
Sub	490 Died, Com	539 Died, Com
444 Died, H Com	491 Died, Com	540 Died, Com
445 Died, Com	492 Died, Com	541 Died, H Com
446 Signed, St Bk	493 Vetoed, H Sustained	542 Died, Com
447 Died, Com	494 Died, H Com	543 Died, Com
448 Signed, St Bk	495 Died, Com	544 Died, Com
449 Died, Com	496 Died, H Com	545 Died, Com
Sub	497 Died, Gen Orders	546 Died, H Com
450 Signed, St Bk	498 Died, Com	547 Died, Com
451 Signed, St Bk	499 Died, Com	548 Died, Com
452 Died, Com	500 Died, Com	549 Died, Com
453 Signed, Pub 4/28	501 Died, Com	550 Died, Com
454 Died, Com	502 Died, Com	551 Died, Com
455 Died, H Com	503 Died, Com	552 Died, Com
456 Died, Com	504 Died, Com	553 Died, Gen Orders
457 Died, H Com	505 Died, Com	554 Died, Com
458 Died, Com	506 Signed, St Bk	555 Died, Com
459 Died, Com	507 Died, H Com	556 Died, Gen Orders
460 Died, Gen Orders	508 Died, Com	557 Died, Com
461 Died, Com	509 Died, Gen Orders	558 Died, Com
Sub	510 Died, Com	559 Died, Com
462 Died, Gen Orders	511 Died, Com	560 Died, Com
463 Died, Gen Orders	512 Died, Com	561 Died, Com
464 Died, Gen Orders	513 Died, Com	562 Died, Com
465 Died, Com	514 Died, Gen Orders	Sub
466 Died, Com	515 Died, Com	563 Signed, Pub 4/21
467 Died, Com	516 Died, Com	564 Died, Com
468 Died, Com	517 Died, Com	Sub
469 Died, Com	518 Died, Com	565 Died, Gen Orders
470 Died, Com	519 Died, Gen Orders	566 Died, Com
471 Died, Com	520 Died, Gen Orders	567 Died, Com
472 Died, Com	521 Died, Com	568 Died, Com
473 Died, Com	522 Died, Gen Orders	569 Died, Com
474 Died, Com	523 Died, H Com	570 Died, Com
475 Died, Com	524 Died, Com	571 Died, Com
476 Died, Com	525 Died, Com	572 Died, Com
477 Died, Com	526 Died, Com	573 Died, Com
478 Died, Com	527 Died, Com	574 Died, Com
479 Signed, Pub 4/21	528 Died, Com	575 Died, Com
480 Died, Com	529 Died, H Com	576 Died, Com
481 Died, Com	530 Died, Com	577 Died, H Com
482 Died, Gen Orders	531 Died, Com	578 Died, Com
483 Signed, St Bk	532 Died, Com	579 Died, Cal
484 Died, H Com	533 Died, Com	580 Died, Cal
485 Died, Gen Orders	534 Died, Gen Orders	581 Died, Cal
486 Died, Com	535 Died, Com	

**NUMERICAL SCHEDULE OF
SENATE CONCURRENT RESOLUTIONS
2021 SESSION**

1603 Died, Com	1607 Died, Com	1611 Died, Com
1604 Died, Com	1608 Died, Com	1614 Died, Com
1605 Died, Com	1609 Died, Com	1615 Died, Com
1606 Died, Com		

**NUMERICAL SCHEDULE OF
SENATE CONCURRENT RESOLUTIONS
2022 SESSION**

1617 Died, Com	1620 Died, Final Action	1623 Died, H Gen Orders
1618 Died, Com	1621 Died, Final Action	1624 Died, Com
1619 Died, H Com	1622 Died, Gen Orders	

**NUMERICAL SCHEDULE OF SENATE RESOLUTIONS
2022 SESSION**

1722 Adopted & Enr	1727 Adopted & Enr	1731 Adopted & Enr
1723 Adopted & Enr	1728 Adopted & Enr	1732 Adopted & Enr
1724 Died, Com	1729 Adopted & Enr	1733 Adopted & Enr
1725 Adopted & Enr	1730 Adopted & Enr	1734 Adopted & Enr
1726 Adopted & Enr		

**SENATE ACTION ON HOUSE BILLS CARRIED OVER
FROM 2021 SESSION**

2001 Died, S Gen Orders	Sub	2192 Died, S Com
2005 CCR Adopted	2094 Died, S Gen Orders	2209 Died, S Com
2029 Died, S Com	2096 Died, S Gen Orders	S Sub
2030 Died, S Com	2097 Died, S Com	2212 Died, S Gen Orders
2039 CCR Adopted	2103 Died, S Com	2219 Died, S Gen Orders
2045 Died, S Com	2106 CCR Adopted	2228 Pass, Am
2052 Died, S Com	2109 CCR Adopted	2231 Pass, Am
S Sub	2110 Passed, Final Action	2234 Died, S Com
2056 CCR Adopted	2115 Died, S Com	2236 Died, S Com
S Sub	2116 Died, S Gen Orders	2237 CCR Adopted
2057 CCR Adopted	Sub	S Sub
S Sub	2119 Died, S Com	2239 CCR Adopted
2062 Died, S Gen Orders	2120 Died, S Com	2248 Died, S Gen Orders
2075 Pass, Am	2125 Died, S Com	S Sub
2076 Died, S Com	2128 Died, S Com	2252 Veto overridden
2081 Died, S Com	2136 CCR Adopted	2253 Died, S Gen Orders
2082 Died, S Gen Orders	2138 CCR Adopted	2259 Died, S Com
2087 CCR Adopted	2150 Died, S Com	S Sub
2088 Died, S Com	2151 Died, S Gen Orders	2262 Pass, Final Action
Sub	S Sub	2264 Died, S Gen Orders
2089 Pass, Am	2153 Passed, Final Action	2275 Died, S Com
2090 Died, S Gen Orders	2175 Died, S Gen Orders	2277 Died, S Com
2093 Died, S Gen Orders	2176 Died, S Com	S Sub
	2191 Died, S Com	2279 Passed, Final Action

S Sub	2340 Died, S Com	2387 Veto Overridden
2280 Pass, Final Action	S Sub	2406 Died, S Com
S Sub	2361 CCR Adopted	2412 Died, S Com
2287 Died, S Gen Orders	2362 Died, S Com	S Sub
2292 Died, S Com	2363 Pass, Am	2416 Pass, Final Action
2297 Died, S Com	2366 Died, S Com	2417 Died, S Com
2299 CCR Adopted	2374 Died, S Com	Sub
2315 Died, S Gen Orders	2377 CCR Adopted	2447 Died, S Com
S Sub	S Sub	S Sub
2316 Died, S Gen Orders	2380 Died, S Gen Orders	2448 Veto Overridden
2329 Passed, Final Action	2386 Pass, Am	
2339 Died, S Com		

SENATE ACTION ON HOUSE BILLS**2022 SESSION**

2456 CCR Adopted	2515 Died, S Gen Orders	2600 Died, S Com
S Sub	2516 Died, S Gen Orders	2605 Pass, Am
2458 Passed, Final Action	2517 Died, S Gen Orders	2607 Pass, Am
2462 Passed, Final Action	2528 Died, S Com	2608 Passed, Final Action
Sub	2529 Died, S Com	2609 Died, S Com
2466 CCR Adopted	2537 Pass, Am	Sub
2473 Died, S Gen Orders	2540 CCR Adopted	2615 Died, S Com
2476 CCR Adopted	2541 Passed, Final Action	2631 Died, S Com
2477 Pass, Am	2547 Passed, Final Action	2632 Died, S Com
2478 CCR Adopted	2548 Died, S Com	2633 Died, S Gen Orders
2480 Died, S Com	2559 CCR Adopted	2644 Pass, Am
2481 Passed, Final Action	2560 Passed, Final Action	2654 Died, S Com
2483 Died, S Gen Orders	2563 Died, S Gen Orders	2674 Died, S Com
2489 Pass, Am	2564 Pass, Am	2676 Died, S Com
2490 Passed, Final Action	S Sub	2688 Died, S Gen Orders
S Sub	2567 CCR Adopted	2697 Died, S Com
2492 Passed, Final Action	2568 Passed, Final Action	2703 CCR Adopted
S Sub	2574 Passed, Final Action	2710 Died, S Gen Orders
2495 Passed, Final Action	2579 Died, S Gen Orders	2712 Passed, Final Action
2496 Died, S Com	2582 Died, S Gen Orders	2716 Died, S Com
2502 Died, S Com	2591 Passed, Final Action	2717 Passed, Final Action
2504 Died, S Com	2594 Passed, Final Action	2734 Died, S Com
2508 CCR Adopted	2595 CCR Adopted	Sub
2510 CCR Adopted	2596 Died, S Com	2737 Died, S Com
Sub Sub	S Sub	
2512 Died, S Com	2597 CCR Adopted	

SENATE ACTION ON HOUSE CONCURRENT RESOLUTIONS**2021 SESSION**

5005 Died, S Gen Orders	5013 Died, S Com	5014 Adopted
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SENATE ACTION ON HOUSE CONCURRENT RESOLUTIONS**2022 SESSION**

5020 Adopted	5030 Adopted	5036 Adopted
5021 Adopted	5031 Adopted	5037 Adopted
5022 CCR Adopted	5032 Died, S Gen Orders	5038 Adopted
5023 Died, S Gen Orders	5035 Adopted	

STATUS OF BILLS AND RESOLUTIONS

Senate bills signed by the Governor: Nos. 2, H Sub SB 19, H Sub 28, 62, H Sub Sub SB 84, H Sub SB 91, H Sub SB 101, 141, 150, 200, 215, Sub SB 261, H Sub Sub SB 267 (with line item vetoes), Sub SB 300, 313, 330, 335, 336, 337, 343, 346, H Sub SB 347, 348, 358, 366, 367, 392, Sub SB 400, 405, 408, 417, 419, 421, 434, 440, 446, 448, Sub SB 450, 451, 453, 479, 483, 506, Sub SB 563

Senate bills published in Kansas Register: Nos. 2, 200, H Sub Sub 267, 330, 337, 343, H Sub SB 347, Sub SB 355, 366, 392, 421, 453, 479, Sub SB 563

Senate resolutions adopted: Nos. 1722, 1723, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734

Senate concurrent resolutions adopted by both Houses: None

Veto Sustained: Sub SB 34, 58, 160, 161, 199, H Sub Sub 286, 493

Senate bills vetoed by Governor, veto overridden: Sub SB 355

LEGEND

Cal	Calendar
Com	Committee
Con	Concur
Conf	Conference Committee
CCR	Conference Committee Report
Enr	Enrolled
Fin Act	Final Action
Gen Orders	General Orders
H	House
Pass Am	Passed as Amended
Pub	Published in Kansas Register (Effective date printed)
S	Senate
St Bk	Statute Book (July 1, 2022)
Sub	Substitute

**APPOINTMENTS, COMMUNICATIONS, CONFIRMATIONS,
MESSAGES FROM THE GOVERNOR
2022 SENATE JOURNAL**

APPOINTMENTS

SR 1722, relating to the organization of the Senate with the following officers: Ty Masterson, president; Rick Wilborn, vice president; Larry Alley, majority leader; Dinah Sykes, minority leader; Corey Carnahan, secretary; and Don Cackler, sergeant-at-arms, page 1408.

SR 1723, relating to the assignment of seats, page 1420.

COMMUNICATIONS FROM STATE OFFICERS

Secretary of the Senate, Corey Carnahan, received the following reports and communications during the interim since adjournment of the 2021 Regular Session of the Legislature:

Annual Report of the Pooled Money Investment Board, page 1412

State Board of Indigents' Defense Service Annual Report for FY 2020, page 1412

State Board of Indigents' Defense Service Annual Report for FY 2021, page 1412

Governmental Ethics Commission Annual Report, page 1412

Report of the Kansas Criminal Justice Reform Commission, page 1412

Kansas Development Finance Authority Annual Report, page 1412

Adjutant General's Report on COVID-19 Expenditures and Distributions, page 1412

Kansas Juvenile Justice Oversight Committee Annual Report, page 1412

Annual Report of the Kansas State Child Death Review Board, page 1412

Johnson County Education Research Triangle Annual Report, page 1413

Emergency Medical Services Board Annual Report, page 1413

State Treasurer's Report to the Governor and the Legislature, page 1413

Kansas Highway Patrol State Forfeiture Annual Legislative Report (January 6, 2022), page 1415

Kansas State Long-Term Care Ombudsman 2021 Annual Report (January 10, 2022), page 1415

KDADS Client Assessment, Referral and Evaluation Program Annual Report (January 10, 2022), page 1415

KDADS Sexual Predator Treatment Program (SPTP) Annual Report (January 10, 2022), page 1415

KDHE 2022 Pregnancy Maintenance Initiative Report (January 10 2022), page 1417

Office of the Attorney General, 2021 Annual Report of the Abuse, Neglect and Exploitation Unit (January 10, 2022), page 1417

Kansas Department of Administration Health Care Commission Annual Report (January 12, 2022), page 1417

Kansas State Department of Education Information Relating to School Safety and Security (January 12, 2022), page 1422

Kansas State Department of Education Annual Emergency Safety Intervention Reports (January 12, 2022), page 1422

Kansas State Department of Education Capital Improvement State Aid (USD Bond Elections) (January 13, 2022), page 1422

Kansas State Department of Education Performance and Finance Accountability Reports (January 13, 2022), page 1422

Kansas Supreme Court 2022 Annual Report of the Chief Justice of the Kansas Supreme Court (January 14, 2022), page 1426

Kansas Board of Regents Annual Report on several of the student financial aid programs administered by the Kansas Board of Regents (January 14, 2022), page 1426

Kansas Board of Regents 2021 Report on Exceptions to the Minimum Admission Standards at State Universities (January 14, 2022), page 1426

Kansas Board of Regents Kansas Training Information Program Report (KTIP) (January 14, 2020), page 1426

Kansas Board of Regents Annual Report on the Postsecondary Technical Education Authority (January 14, 2022), page 1426

Kansas Board of Regents KAN-ED Fund Annual Report (January 14, 2022), page 1426

Kansas State Department of Education Longitudinal Achievement Report (January 14, 2022), page 1427

Kansas State Department of Education School District Accreditation Report (January 18, 2022), page 1427

Kansas Adjutant General 2021 Annual Report (January 24, 2022), page 1454

Kansas Board of Pharmacy Report of Substances Proposed for Scheduling, Rescheduling or Deletion (January 24, 2022), page 1459

Kansas Board of Pharmacy 2022 Annual Report on the Kansas Prescription Drug Monitoring Program (January 24, 2022), page 1459

KDOC FY2021 Annual Report (January 26, 2022), page 1481

KDOC FY2021 Adult Community Corrections Statistical Summary (January 26, 2022), page 1481

KDOC Juvenile Justice Oversight Committee Annual Report (January 26, 2022), page 1481

Department of Wildlife and Parks FY 2021 Hunters Feeding the Hungry Annual Report (January 18, 2022), page 1487

Department of Wildlife and Parks Annual Land Report (January 18, 2022), page 1487

Department of Wildlife and Parks Annual Progress Report on the Completion of Recovery Plans for Threatened or Endangered Species in Kansas (January 26, 2022), page 1487

Kansas State Treasurer 2021 Annual Report of the Low-income Family Postsecondary Savings Accounts Incentive Program (January 31, 2022), page 1491

Kansas Guardianship Program (KGP) 2021 Annual Report (January 31, 2022), page 1491

Attorney General's State Medicaid Fraud Forfeiture Fund Annual Report (February 1, 2022), page 1492

State Fire Marshal 2021 Annual Report, page 1528

2021 Juvenile Justice Report, page 1551

Kansas Department of Commerce 2021 Annual Report (March 11, 2022), page 1660

Kansas Department of Commerce FY 2021 STAR Bonds Annual Report (March 11, 2022), page 1660

Kansas Department of Commerce FY 2021 STAR Bonds Annual Report (March 11, 2022), page 1660

Kansas Department of Commerce FY 2021 PEAK Annual Report (March 11, 2022), page 1660

Kansas Department of Commerce FY 2021 ROZ Annual Report (March 11, 2022), page 1660

Kansas Department of Commerce FY 2021 JCF Annual Report (March 11, 2022), page 1660

Kansas Bureau of Investigation 2021 Civil Asset Forfeiture Report (April 13, 2022), page 2342

Kansas Department of Revenue Annual Report – Kansas Enterprise Zone Act (April 12, 2022), page 2342.

State of Kansas Office of the Attorney General FY 2021 Annual Report of the Crime Victims Compensation Board. (May 3, 2022), page 2580

Kansas State Board of Education Statewide Longitudinal Data System (SLDS) report. (May 13, 2022), page 2581

MESSAGES FROM THE GOVERNOR

Submitting for confirmation: Jonathan Gilbert, Dodge City, Member, Public Employee Relations Board; Moniqueka Holloway, Wichita, Member, Kansas Development Finance Authority; Taylor Hight, Riverton, Member, State Banking Board; Wint Winter, Jr., Lawrence, Regent, Kansas Board of Regents; Dr. Cynthia Lane, Kansas City, Member, Kansas Board of Regents; Carl Ice, Manhattan, Member, Kansas Board of Regents; Michelle Ewert, Shawnee County Attorney Member, State Board of Indigents' Defense Services; Page 1410.

Braden Perry, Mission Hills, Johnson County Attorney, Member, State Board of Indigents' Defense Services; Jack Newman, Leawood, Public Member, KU Hospital Authority Board of Directors; Laurel Michel Driskell, Salina, Attorney Member, State Board of Indigents' Defense Services; Chris Donnelly, Tonganoxie, Member, Kansas Development Finance Authority; Debbie Wilkerson, Leawood, Public Member, KU Hospital Authority Board of Directors; Jon Small, Topeka, Member, Kansas Development Finance Authority; Col. Jason Nelson, Oskaloosa, to the rank of Brigadier General; Jill Geren, Wichita, Member, Kansas Human Rights Commission; Jo Yun, Prairie Village, Member, KPERS Board of Trustees, page 1411.

General Bill Turner, Director, Kansas Commission on Veterans Affairs; Devin Sprecker, Member, State Board of Tax Appeals; Sheryl Spalding, Overland Park, Member Kansas Racing and Gaming Commission; Pat Young, Kansas City, Member, Public Employees Relations Board, page 1412.

Executive Orders and Directives from the Office of Governor Laura Kelly:

Executive Orders 21-23 through 22-02, page 1413

Executive Order 22-03, page 1702

Executive Order 22-04, page 2462

Executive Directives 21-535, 21-540 through 21-545 authorizing the expenditure of federal funds; Executive Directives 21-546, 21-547 authorizing personnel transactions; Executive Directives 21-536 through 21-539 authorizing personnel transactions and the expenditure of federal funds, page 1413.

Executive Directive 22-548, page 1417

Executive Directive 22-549, page 1484

Executive Directive 22-550, page 1598.

Executive Directive 22-551, page 1707.

Submitted for confirmation:

Pam Pierce, Topeka, Public Member, Employment Security Board of Review; Amber Neisis, Wichita, Public Member, Employment Security Board of Review; Connor Cross, Andover, Employment Security Board of Review; Dawn McClure, Lawrence, Public Member, Employment Security Board of Review, page 1515.

Angela Coble, Saline County, Judge, Kansas Court of Appeals; Janet Stanek, Topeka, Secretary, Kansas Department of Health and Environment, page 1516.

SB 347 approved February 10, page 1521

SB 337 approved February 25, page 1598

SB 347 approved February 10, page 1521

SB 358 approved March 9, page 1654

SB 335, SB 392; Sub SB 400 approved March 29, page 1814.

SB 141; Sub SB 300; SB 330, SB 336, SB 367, SB 417, SB 419, SB 440, SB 448; Sub SB 450; SB 483, SB 506 approved on April 1, 2022, page 2340.

H Sub SB 28; SB 62; H Sub SB 101; SB 346, SB 348, SB 405, SB 434, SB 451, SB 479 approved on April 25, page 2341.

H Sub SB 91 approved on April 13, page 2341.

Sub SB 563 approved on April 15, page 2341.

SB 2, SB 150, SB 200, SB 215, SB 343, SB 408, SB 446, SB 453 approved on April 18, page 2341.

Message regarding issuance of executive clemency in 2021 pursuant to K.S.A. 22-703, page 2462.

H Sub SB 261; SB 366 approved on May 5, page 2580.

SB 84, SB 421 approved on May 12, page 2580.

SB 313 approved on May 13, page 2580.

H Sub SB 19 approved on June 2, page 2656.

VETO ACTIONS

Veto action on **SB 355**, concerning reapportionment relating to congressional districts. Veto was sustained, page 1504.

Veto action on **Sub SB 355**, concerning reapportionment relating to congressional districts. A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed, page 1509.

Veto action on **SB 58**, the motion prevailed and the bill passed, page 2382.

Veto action on **SB 160**, the motion prevailed and the bill passed, page 2384.

Veto action on **SB 161**, veto sustained, page 2386.

Veto action on **SB 199**, the motion prevailed and the bill passed, page 2387.

Veto action on **Sub for Sub SB 267**, no motion to reconsider; veto sustained, page 2389.

Veto action on **Sub SB 286**, veto sustained, page 2390.

Veto action on **SB 493**, motion prevailed and the bill passed, page 2391.

Veto action on **HB 2448**, motion prevailed and the veto was overridden, page 2514.

Veto action on **S Sub HB 2252**, motion prevailed and the bill passed, page 2616.

Veto action on **HB 2387**, motion prevailed and the bill passed, page 2616.

Veto action on **Sub SB 34**, veto sustained, page 2655.

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AUTHOR INDEX

This index includes all legislation sponsored by Senate Members, Senate Committees, Joint Committees, Select Committees and Special Committees.

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- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SB 482 Enacting the firearm industry nondiscrimination act to prohibit certain government contracts with companies that discriminate against firearm entities and firearm trade associations.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1722 Providing for the organization of the Senate for the 2022 legislative session.
- SR 1723 Assigning seats in the Senate during the 2022 legislative session.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.
- SR 1734 Disapproving of the proposed amendments to the international health regulations of the world health organization offered by President Biden.

Baumgardner, Molly

- SB 11 Prohibiting the altering or backdating of the postmarks of advance mail ballots.
- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.

- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
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- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Billinger, Rick

- SB 318 Providing a sales tax exemption for purchases to reconstruct, repair or replace certain fencing damaged or destroyed by wildfires.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
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- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Bowers, Elaine

- SB 180 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 318 Providing a sales tax exemption for purchases to reconstruct, repair or replace certain fencing damaged or destroyed by wildfires.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
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- SB 11 Prohibiting the altering or backdating of the postmarks of advance mail ballots.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 393 Requiring school districts to annually publish on the internet a list of learning materials and activities used for student instruction at each school of the school district and providing a penalty for violations thereof.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Corson, Ethan

- SB 76 Establishing the golden years homestead property tax freeze act to provide a refund for certain increases in residential property taxes.
- SB 165 Removing the requirement of residency for election commissioners.
- SB 166 Authorizing county election officers to transmit advance voting ballots up to 40 days prior to the election.
- SB 167 Classifying certain public utility motor vehicles as authorized emergency vehicles without a designation by county commissioners.
- SB 180 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 184 Authorizing any registered voter to apply for permanent advance voting status.
- SB 192 Requiring relinquishment of firearms pursuant to certain court orders related to domestic violence.
- SB 201 Authorizing voter registration for individuals 16 years of age or older.
- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 342 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.

- SB 467 Enacting the making work pay act to increase the Kansas minimum wage.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Dietrich, Brenda

- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Doll, John

- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Erickson, Renee

- SB 11 Prohibiting the altering or backdating of the postmarks of advance mail ballots.
- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 211 Allowing physicians to have patients sign a liability waiver for off-label use of prescription drugs.

- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SB 482 Enacting the firearm industry nondiscrimination act to prohibit certain government contracts with companies that discriminate against firearm entities and firearm trade associations.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Fagg, Michael

- SB 10 Enacting the right to earn a living act to minimize unnecessary occupational licensing and regulation.
- SB 11 Prohibiting the altering or backdating of the postmarks of advance mail ballots.
- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Faust-Goudeau, Oletha

- SB 9 Requiring newly certified law enforcement officers to attend diversity meetings organized by the Kansas commission on peace officers' standards and training.
- SB 12 Requiring the Kansas department for children and families to implement performance-based contracts.
- SB 76 Establishing the golden years homestead property tax freeze act to provide a refund for certain increases in residential property taxes.
- SB 130 Amending the definition of "race" in the Kansas act against discrimination to include traits historically associated with race, including hair texture and protective hairstyles.
- SB 192 Requiring relinquishment of firearms pursuant to certain court orders related to domestic violence.
- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 316 Authorizing municipalities to adopt local zoning regulations that establish a minimum distance between group homes in single family residential zones.
- SB 317 Authorizing certain individuals with revoked licenses to be eligible for restricted driving privileges.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 342 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 467 Enacting the making work pay act to increase the Kansas minimum wage.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1726 Recognizing Kevin Willmott for his contributions to American film and education.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1729 Recognizing the members of Delta Sigma Theta Sorority, Inc.
- SR 1730 Designating February 2, 2022, as Envision Day.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Francisco, Marci

- SB 192 Requiring relinquishment of firearms pursuant to certain court orders related to domestic violence.
- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 342 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 467 Enacting the making work pay act to increase the Kansas minimum wage.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SR 1726 Recognizing Kevin Willmott for his contributions to American film and education.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Gossage, Beverly

- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Haley, David

- SB 76 Establishing the golden years homestead property tax freeze act to provide a refund for certain increases in residential property taxes.
- SB 188 Enacting the national popular vote interstate compact for electing the president of the United States.

- SB 195 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 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.
- SB 196 Requiring courts to order a defendant to pay certain restitution when the defendant's offense resulted in the incapacitation or death of a victim who has a minor child or children.
- SB 197 Requiring law enforcement agencies to increase data collection and reporting on racial profiling and other biased policing.
- SB 198 Amending Kansas open records act provisions regarding access to certain law enforcement audio and video recordings and enacting the police and citizen protection act regarding use of body cameras by law enforcement officers.
- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 319 Requiring judicial foreclosure tax sales by public auction to be held in person at a physical location in the county.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 342 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 467 Enacting the making work pay act to increase the Kansas minimum wage.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1605 Constitutional amendment reserving the powers of initiative and referendum to the people.
- SR 1726 Recognizing Kevin Willmott for his contributions to American film and education.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1729 Recognizing the members of Delta Sigma Theta Sorority, Inc.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Hawk, Tom

- SB 192 Requiring relinquishment of firearms pursuant to certain court orders related to domestic violence.
- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 342 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.
- SB 467 Enacting the making work pay act to increase the Kansas minimum wage.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Hilderbrand, Richard

- SB 10 Enacting the right to earn a living act to minimize unnecessary occupational licensing and regulation.
- SB 11 Prohibiting the altering or backdating of the postmarks of advance mail ballots.
- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 180 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 384 Providing an income tax credit for certain qualified property taxes levied on homesteads.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 388 Requiring the use of the United States postal service when returning an advance ballot by mail.
- SB 389 Requiring all voting systems for elections to use individual voter-verified paper ballots with a distinctive watermark.
- SB 390 Requiring the secretary of state and local election officers to develop an affidavit to be signed by election workers regarding handling of completed ballots.

- SB 391 Requiring the secretary of state and county election officers to develop a ballot system showing the number of years an incumbent has served in the office.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1603 Amending the Constitution of the State of Kansas to eliminate transfers from the state highway fund.
- SCR 1614 Calling for the creation of a national federalism task force to restore and maintain divisions between national and state governments.
- SCR 1617 Constitutional amendment deleting the power of the governor to call special sessions of the legislature or two-thirds of the legislature to require the governor to call a special session and requiring the legislature meet on a monthly basis following adjournment of the regular session.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Holland, Tom

- SB 45 Providing for abatement of property tax for certain buildings or improvements destroyed or substantially destroyed by natural disaster.
- SB 73 Requiring the attorney general to carry out certain duties related to investigating corruption committed by a public officer or public employee.
- SB 74 Requiring the attorney general to carry out certain duties related to investigating sexual abuse committed by a minister of religion.
- SB 75 Requiring a duly ordained minister of religion to report certain abuse and neglect of children.
- SB 76 Establishing the golden years homestead property tax freeze act to provide a refund for certain increases in residential property taxes.
- SB 115 Authorizing the county to abate or credit property tax when commercial property is negatively affected by temporary government restrictions on use during a state of disaster emergency.
- SB 164 Concerning an employer's maximum liability for permanent total disability compensation and requiring an employer to pay such disabled employee during the continuance of such disability from the date of maximum medical improvement for the lifetime of the employee at the weekly rate of the compensation in effect on the date of injury for which compensation is being made.
- SB 189 Requiring use of the fourth edition of the AMA medical guide to determine impairment for awarding workers compensation benefits.
- SB 193 Expanding the definition of compensable personal injury in workers compensation law to include mental injuries suffered from physical injury, emotional shock or after a series of work-related events.

- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 342 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.
- SB 467 Enacting the making work pay act to increase the Kansas minimum wage.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1605 Constitutional amendment reserving the powers of initiative and referendum to the people.
- SCR 1624 Amending the constitution of the state of Kansas to require that certain individuals be mandated reporters of child abuse and neglect.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Holscher, Cindy

- SB 156 Prohibiting the carrying of a concealed handgun in the state capitol.
- SB 157 Requiring election commissioners currently appointed by the secretary of state to be elected.
- SB 192 Requiring relinquishment of firearms pursuant to certain court orders related to domestic violence.
- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 342 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 465 Enacting the responsible gun ownership act and creating the crime of unlawful storage of a firearm.
- SB 467 Enacting the making work pay act to increase the Kansas minimum wage.

- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Kerschen, Dan

- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 393 Requiring school districts to annually publish on the internet a list of learning materials and activities used for student instruction at each school of the school district and providing a penalty for violations thereof.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Kloos, Rick

- SB 11 Prohibiting the altering or backdating of the postmarks of advance mail ballots.
- SB 180 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 393 Requiring school districts to annually publish on the internet a list of learning materials and activities used for student instruction at each school of the school district and providing a penalty for violations thereof.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.

- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Longbine, Jeff

- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1732 Congratulating and commending the 2020 and 2022 Kansas Master Teachers.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Masterson, Ty

- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SB 482 Enacting the firearm industry nondiscrimination act to prohibit certain government contracts with companies that discriminate against firearm entities and firearm trade associations.
- SCR 1616 Urging the Kansas Governor to end Federal Pandemic Unemployment Compensation in support of Kansas businesses.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1705 Adopting the permanent rules of the Senate for the 2021-2024 term.
- SR 1722 Providing for the organization of the Senate for the 2022 legislative session.
- SR 1723 Assigning seats in the Senate during the 2022 legislative session.

- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

McGinn, Carolyn

- SB 1 Authorizing the state fair board to use moneys in the state fair capital improvements fund for general operations for fiscal years 2021 and 2022.
- SB 2 Allowing consumption of beer and wine on the Kansas state fairgrounds and crediting a portion of moneys collected from the liquor enforcement tax to the state fair capital improvements fund.
- SB 140 Updating membership and requirements of the Kansas state employees health care commission to better reflect the current population of individuals eligible to participate in the state healthcare benefits program.
- SB 180 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1708 Recognizing February 5, 2021, as National Wear Red Day.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Olson, Robert

- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.

- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

O'Shea, Kristen

- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.

Peck, Virgil

- SB 11 Prohibiting the altering or backdating of the postmarks of advance mail ballots.
- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 76 Establishing the golden years homestead property tax freeze act to provide a refund for certain increases in residential property taxes.
- SB 96 Repealing the provision of Kansas residency for purposes of tuition and fees at a postsecondary educational institution for individuals who are not lawfully present in the United States.
- SB 180 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 393 Requiring school districts to annually publish on the internet a list of learning materials and activities used for student instruction at each school of the school district and providing a penalty for violations thereof.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Petersen, Mike

- SB 76 Establishing the golden years homestead property tax freeze act to provide a refund for certain increases in residential property taxes.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Petty, Pat

- SB 76 Establishing the golden years homestead property tax freeze act to provide a refund for certain increases in residential property taxes.
- SB 192 Requiring relinquishment of firearms pursuant to certain court orders related to domestic violence.
- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 342 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 467 Enacting the making work pay act to increase the Kansas minimum wage.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Pittman, Jeff

- SB 76 Establishing the golden years homestead property tax freeze act to provide a refund for certain increases in residential property taxes.
- SB 108 Creating the veterans benefit lottery game fund and transferring moneys to veterans service programs.
- SB 109 Requiring the Kansas commission on veterans affairs office to submit an initial application for a VA state veterans home construction grant.
- SB 110 Authorizing the issuance of bonds for the construction of a state veterans home.
- SB 111 Allowing a Kansas itemized deduction for wagering losses for income tax purposes.
- SB 112 Providing a sales tax exemption for sales of farm products sold at farmers' markets.
- SB 131 Regulating funeral processions and permitting funeral escorts to direct traffic for funeral processions.
- SB 132 Amending credits to on court-imposed fines for community service to the statutory minimum wage.
- SB 134 Requiring state agencies to draft and implement minimum staffing plans.
- SB 135 Providing membership in the KP&F retirement system for security officers of the department of corrections.
- SB 179 Designating February 15 of each year as Susan B. Anthony Day in the state of Kansas.
- SB 180 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 342 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1605 Constitutional amendment reserving the powers of initiative and referendum to the people.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1729 Recognizing the members of Delta Sigma Theta Sorority, Inc.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Pyle, Dennis

- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1607 Proposing a constitutional amendment providing that locally elected school boards are the only governmental entity with the authority to close schools.
- SCR 1615 Proposing to amend section 13 of article 2 of the constitution of the state of Kansas regarding vote requirements for passage of bills or concurrent resolutions.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Ryckman, Ronald

- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Steffen, Mark

- SB 10 Enacting the right to earn a living act to minimize unnecessary occupational licensing and regulation.
- SB 11 Prohibiting the altering or backdating of the postmarks of advance mail ballots.
- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 180 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 187 Prohibiting internet social media terms of service that permit censorship of speech.
- SB 207 Providing additional regulation and restrictions for out-of-state doctors to practice telemedicine in the state of Kansas.

- SB 211 Allowing physicians to have patients sign a liability waiver for off-label use of prescription drugs.
- SB 212 Prohibiting the secretary of health and environment from permanently requiring additional immunizations to attend a child care facility or school.
- SB 213 Prohibiting an employer from taking any adverse employment against against an employee because of the employee's vaccination status.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 393 Requiring school districts to annually publish on the internet a list of learning materials and activities used for student instruction at each school of the school district and providing a penalty for violations thereof.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.
- SR 1734 Disapproving of the proposed amendments to the international health regulations of the world health organization offered by President Biden.

Straub, Alicia

- SB 10 Enacting the right to earn a living act to minimize unnecessary occupational licensing and regulation.
- SB 11 Prohibiting the altering or backdating of the postmarks of advance mail ballots.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 473 Increasing criminal penalties for escape from custody and aiding escape involving sexually violent predators.
- SB 474 Permitting an ambulance to operate with one emergency medical service provider in rural counties.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Suellentrop, Gene

- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1705 Adopting the permanent rules of the Senate for the 2021-2024 term.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Sykes, Dinah

- SB 48 Requiring certain insurance coverage for diagnostic examinations for breast cancer.
- SB 192 Requiring relinquishment of firearms pursuant to certain court orders related to domestic violence.
- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 203 Allowing injured employees to designate their healthcare provider and requiring the employer to pay for the services of such healthcare provider with regard to workers compensation.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 342 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 426 Eliminating the reduction of child day care services assistance tax credit in subsequent years following facility establishment and limitations on eligible corporations and providing a credit for employer payments to organizations for child day care services access.
- SB 467 Enacting the making work pay act to increase the Kansas minimum wage.
- SB 469 Permitting certain persons convicted of a felony to be eligible for food assistance.

- SB 470 Requiring a prevailing wage for state public works construction contracts by state agencies and permitting cities and counties to require a prevailing for such contracts.
- SB 471 Imposing certain health insurance coverage requirements for screening and diagnostic examinations for breast cancer, expanding eligibility for medicaid postpartum coverage to 12 months and requiring children's health insurance coverage eligibility to be tied to current federal poverty income guidelines.
- SB 472 Expanding medical assistance eligibility and providing requirements therefor.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1705 Adopting the permanent rules of the Senate for the 2021-2024 term.
- SR 1722 Providing for the organization of the Senate for the 2022 legislative session.
- SR 1723 Assigning seats in the Senate during the 2022 legislative session.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Thompson, Mike

- SB 10 Enacting the right to earn a living act to minimize unnecessary occupational licensing and regulation.
- SB 11 Prohibiting the altering or backdating of the postmarks of advance mail ballots.
- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 180 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 214 Making it a crime for a physician to perform gender reassignment surgery or hormone replacement therapy on certain children.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 393 Requiring school districts to annually publish on the internet a list of learning materials and activities used for student instruction at each school of the school district and providing a penalty for violations thereof.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.

- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.
- SR 1734 Disapproving of the proposed amendments to the international health regulations of the world health organization offered by President Biden.

Tyson, Caryn

- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 318 Providing a sales tax exemption for purchases to reconstruct, repair or replace certain fencing damaged or destroyed by wildfires.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 393 Requiring school districts to annually publish on the internet a list of learning materials and activities used for student instruction at each school of the school district and providing a penalty for violations thereof.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Ware, Mary

- SB 76 Establishing the golden years homestead property tax freeze act to provide a refund for certain increases in residential property taxes.
- SB 192 Requiring relinquishment of firearms pursuant to certain court orders related to domestic violence.
- SB 202 Enacting the COVID-19 taxpayer and small business owner relief act including the UI fraud protection act exempting unemployment compensation income attributable to identity fraud, the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax and the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 342 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients and providing for the levying of taxes by cities and counties, providing an exemption from sales and use taxes for sales of farm products sold at farmers' markets, and discontinuing the nonrefundable food sales tax credit.

- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 467 Enacting the making work pay act to increase the Kansas minimum wage.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1730 Designating February 2, 2022, as Envision Day.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Warren, Kellie

- SB 13 Establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate for property tax purposes and discontinuing the city and county tax lid, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance of existing structure and establishing a payment plan for the payment of delinquent or nondelinquent property taxes.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.
- SB 482 Enacting the firearm industry nondiscrimination act to prohibit certain government contracts with companies that discriminate against firearm entities and firearm trade associations.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

Wilborn, Rick

- SB 10 Enacting the right to earn a living act to minimize unnecessary occupational licensing and regulation.
- SB 11 Prohibiting the altering or backdating of the postmarks of advance mail ballots.
- SB 330 Authorizing the construction of a memorial honoring Kansas gold star families.
- SB 385 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- SB 479 Authorizing a permanent memorial commemorating the Kansas suffragist movement to be placed in the state capitol and establishing the Kansas suffragist memorial fund.

- SB 482 Enacting the firearm industry nondiscrimination act to prohibit certain government contracts with companies that discriminate against firearm entities and firearm trade associations.
- SCR 1616 Urging the Kansas Governor to end Federal Pandemic Unemployment Compensation in support of Kansas businesses.
- SCR 1623 Urging the President of the United States to stop importing oil and gas from Russia.
- SR 1725 Honoring pregnancy maintenance resource centers in Kansas and across the United States.
- SR 1728 Designating February 10, 2022, as JAG-K Day at the Capitol.
- SR 1733 Congratulating and commending the University of Kansas men's basketball team on their 2022 NCAA Division I national championship.

**State Legislature, Senate Committees
(Various)**

Agriculture and Natural Resources

- SB 38 Establishing the Kansas pesticide waste disposal program and permitting up to \$50,000 to be transferred annually from the Kansas agricultural remediation fund to a new Kansas pesticide waste disposal fund.
- SB 39 Changing Kansas department of agriculture division of animal health license, permit and registration renewal deadlines and allowing the animal health commissioner to recover the actual cost of official calfhood vaccination tags.
- SB 40 Updating provisions related to the Kansas department of agriculture division of conservation.
- SB 89 Exempting the transport of agricultural forage commodities from secured load requirements.
- SB 142 Requiring coast guard-approved personal flotation devices as prescribed by the secretary of wildlife, parks and tourism in rules and regulations.
- SB 143 Updating definitions and increasing maximum functional unit license and storage fees relating to grain and public warehouse laws.
- SB 160 Updating the reference to the guidelines of the American fisheries society in the commercialization of wildlife statute.
- SB 345 Authorizing the animal health commissioner to impose a civil penalty for violations related to transporting animals into the state.
- SB 346 Allowing for the on-farm retail sale of milk and milk products, authorizing the secretary of agriculture to declare an imminent health hazard, extending certain milk and dairy license fees and establishing certain standards for milk.
- SB 358 Amending the public water supply project loan program's definition of "project" to remove the definition's current exclusion of projects that are related to the diversion or transportation of water acquired through a water transfer.
- SB 417 Establishing minimum and maximum permit renewal fees for certain solid waste disposal areas and processing facilities.
- SB 451 Requiring an individual to maintain enrollment on a tribal membership roll to receive a free permanent hunting license.
- SB 498 Establishing the animal facilities inspection program under the supervision of the secretary of agriculture.

Assessment and Taxation

- SB 21 Approving election for sales tax authority for Cherokee county.
- SB 22 Providing income tax modifications for global intangible low-taxed income, business interest, capital contributions, FDIC premiums, business meals and payment protection program loans and expenses; expanding the expense deduction availability to income tax taxpayers and calculating the deduction amount; allowing an individual to itemize deductions in Kansas despite not itemizing on their federal return; exempting from income compensation attributable to unemployment insurance ID fraud; and increasing the net operating loss for corporations.
- SB 23 Providing for abatement of property tax for certain buildings or improvements destroyed or substantially destroyed by natural disaster.
- SB 46 Providing a Kansas income tax subtraction modification for certain amounts received under employer-sponsored retirement plans.
- SB 47 Enacting the Kansas taxpayer protection act, requiring the signature and tax identification number of paid tax return preparers on income tax returns and authorizing actions to enjoin paid tax return preparers from engaging in certain conduct.
- SB 49 Extending the time period and expanding eligibility for the single city port authority income tax credit.
- SB 50 Requiring marketplace facilitators to collect and remit sales, use and transient guest taxes and 911 fees from sales made through their platforms and removing click-through nexus provisions.
- SB 70 Making exemption permanent for certain cash rebates on sales or leases of new motor vehicles and excluding discounts and coupons from the sales or selling price for sales tax purposes.
- SB 71 Establishing income tax and privilege tax credits for contributions to the Eisenhower foundation.
- SB 72 Requiring appraisal courses for county appraisers and members of the state board of tax appeals to be courses approved by the Kansas real estate appraisal board.
- SB 87 Discontinuing apportionment of countywide retailers' sales tax imposed for general purposes between the county and cities located therein.
- SB 98 Placing the burden of proof on the county appraiser in certain valuation and classification appeal hearings before the district court and extending the time a state board of tax appeals member may continue to serve after such member's term expires.
- SB 119 Changing time to request full and complete opinion from the state board tax appeals, requiring the state board of tax appeals to serve orders and notices by electronic means if requested by the party, prohibiting valuation increases of certain property in appeals, requiring appraisal directives to require compliance with uniform standards of professional appraisal practice, providing for notice and opportunity to be heard prior to removal from county appraiser eligibility list and providing notification when person no longer holds office of county appraiser.
- SB 147 Providing a sales tax exemption for nonprofit integrated community care organizations.
- SB 148 Exempting grocery stores from sales tax assessments for community improvement districts.

- SB 149 Providing for reimbursement of property taxes from county government for business shutdown or capacity limitation caused by the county.
- SB 216 Extending the eligible time period for rural opportunity zones loan repayment program and income tax credit.
- SB 217 Adding certain counties to the list of eligible rural opportunity zone counties.
- SB 228 Allowing retailer to retain the state rate of sales and compensating use tax from movie ticket sales and concession sales.
- SB 233 Increasing sales tax collection thresholds relating to time frames for filing returns and paying sales tax by certain retailers.
- SB 234 Requiring same appraisal methodology for real and personal property residential mobile homes for property taxation purposes.
- SB 274 Amending the scope of practice, discipline by the board, and license renewal procedures for naturopathic doctors.
- SB 275 Allowing naturopathic doctors to engage in the corporate practice of medicine.
- SB 282 Providing income tax credits for aerospace and aviation program graduates and their employers.
- SB 286 Establishing the COVID-19 governmental use claims fund to provide funds for impacted businesses, providing for income tax credits for impacted businesses, providing for the reimbursement to certain property owners of property taxes resulting from a forced shutdown or capacity limitation and creating a business loan forgiveness program.
- SB 297 Prohibiting cities from collecting solid waste fees against vacant lots or other vacant property and prohibiting cities and counties that establish annual fees from billing these fees on the ad valorem tax statement.
- SB 302 Authorizing counties to impose an earnings tax.
- SB 306 Providing a sales tax exemption for certain purchases by county ambulance service districts.
- SB 311 Providing a sales tax exemption for certain purchases and sales by the Johnson county Christmas bureau association.
- SB 326 Providing an income tax credit for qualified railroad track maintenance expenditures of short line railroads and associated rail siding owners or lessees.
- SB 327 Excluding separately stated delivery charges from the sales or selling price for sales tax purposes.
- SB 328 Providing an income tax rate of 4.75% for individuals.
- SB 339 Providing a 0% state rate for sales and use taxes for sales of food and food ingredients, providing for the levying of taxes by cities and counties and discontinuing the nonrefundable food sales tax credit.
- SB 354 Excluding discounts and coupons from the sales or selling price for sales tax purposes.
- SB 359 Expanding the eligible uses for the 0% state rate for sales tax for certain utilities and the levying of sales tax on such sales by cities and counties and authorizing cities and counties to exempt such sales from such city or county taxes.
- SB 378 Regulating the retail sale of fireworks all year and extending the time period for seasonal retail sale of fireworks.
- SB 403 Providing sales tax authority for Wilson county.
- SB 430 Allowing income tax net operating loss carryback from sale of certain historic hotels.

- SB 431 Increasing extent of property tax exemption from the statewide school levy for residential property to \$100,000 of its appraised valuation.
- SB 432 Providing a back-to-school sales tax holiday for sales of certain school supplies, computers and clothing.
- SB 433 Establishing a property tax exemption for antique utility trailers.
- SB 447 Designating a bridge on K-126 as the Dennis and Jane Crain overpass.
- SB 460 Requiring a forensic medical evaluation of an alleged victim of child abuse or neglect as part of an investigation, creating a program in the department of health and environment to provide training and payment and defining child abuse review and evaluation providers, networks and examinations and child abuse medical resource centers.
- SB 461 Enacting the delivery service liability act and assigning liability when delivery drivers cause damage to the property of others while carrying out their duties.
- SB 462 Providing a homestead property tax refund to certain persons based on the increase in property tax over the base year property tax amount.
- SB 463 Providing a remittance credit to retailers for the collection of sales and compensating use tax.
- SB 464 Discontinuing state property tax levies for the Kansas educational building fund and the state institutions building fund and providing for financing from the state general fund.
- SB 495 Establishing the salt parity act to allow pass-through entities to elect to pay state income tax at the entity level.
- SB 512 Eliminating the division of vehicles modernization surcharge.
- SB 513 Allowing certain property used as a thrift store to qualify for a property tax exemption.
- SB 514 Establishing the Kansas historic site fund checkoff.
- SB 515 Requiring nondiscrimination in school district classroom instruction, public access to learning materials and removal of inherently divisive concepts from state board of education policies, guidelines and other materials.
- SB 516 Providing for sales tax exemption for hygiene products.
- SB 518 Enacting the Kansas reliable energy investment protection act, requiring the KPERS board to divest from investments with entities boycotting energy companies and prohibiting state contracts with companies boycotting energy companies.
- SB 519 Increasing the Kansas standard deduction for income tax purposes.
- SB 520 Providing an income tax credit for school supply expenditures by teachers.
- SB 525 Requiring at least 65% of moneys provided by the state to be expended in the classroom or for instruction.
- SB 526 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.
- SB 527 Providing a sales tax exemption for certain purchases and sales by certain nonprofit organizations that provide substance use disorder treatment or support to foster children and licensed foster families.
- SB 528 Requiring school districts to provide a reimbursement to teachers for classroom supplies.
- SB 538 Eliminating the local ad valorem tax reduction fund.
- SB 540 Expanding the selective assistance for effective senior relief (SAFESR) income tax credit for certain residential property taxes paid.

- SB 542 Establishing a property tax revenue neutral rate complaint process, authorizing the county clerk to limit the amount of ad valorem taxes to be levied in certain circumstances, establishing a deadline for budgets to be filed with the director of accounts and reports and requiring roll call votes and publication of information.
- SB 543 Allowing the carryforward of certain net operating losses for individuals for Kansas income tax purposes.
- SB 553 Enacting the Kansas thrift savings plan act and establishing terms, conditions, requirements, membership elections, accounts, benefits, contributions and distributions related to such act.
- SB 554 Amending the definition of land devoted to agricultural use for property tax purposes to include incidental agritourism activity and zoos.
- SB 555 Allowing for the proration of value for property tax purposes when certain personal property is acquired or sold prior to September 1 of any tax year and discontinuing the collection of unpaid municipal utility fees using the property tax roll.
- SB 556 Providing for a Kansas income tax subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowance.
- SB 564 Requiring lobbyists to disclose any pending or current litigation against a client that would affect proposed legislation when discussing such legislation with a legislator or when testifying before a committee.
- SB 565 Providing for land devoted to agricultural use that is subject to the federal grassland conservation reserve program to be classified as grassland for purposes of property taxation.
- SCR 1619 Urging the adoption of the conclusions and recommendations of the 2021 Special Committee on Taxation regarding the fiscal future of Kansas.
- SCR 1620 Proposing a constitutional amendment to require a supermajority for passage of certain bills containing new or increased state taxes.

Commerce

- SB 65 Decoupling the KIT and KIR workforce training programs from the high performance incentive fund program.
- SB 66 Amending the angel investor tax credit with respect to the definition of qualified securities, tax credit limitations and amounts, investor requirements and extending the date that credits may be allowed.
- SB 90 Amending the Kansas rural housing incentive district act to permit bond funding for vertical residential renovation of older buildings in central business districts.
- SB 91 Providing for the transferability of high performance incentive fund tax credits.
- SB 92 Creating the Kansas equal access act to authorize the use of medical marijuana.
- SB 124 Amending STAR bonds by adding rural redevelopment projects and major business facilities, changing certain project financing, investment and sales provisions, adding a visitor tracking plan requirement and additional feasibility study requirements with oversight by the secretary, requiring approval by the secretary for real estate transfers, requiring district contiguity, making other amendments and extending the sunset date.
- SB 126 Authorizing the sale of alcoholic liquor by class A clubs at special events under the club and drinking establishment act.

- SB 137 Expanding the military spouse and service member's expedited licensure law to all applicants who have established or intend to establish residency in Kansas, providing for licenses in an emergency declared by the legislature, allowing telemedicine by out-of-state healthcare providers and permitting the use of electronic credentials.
- SB 161 Providing for the use of personal package delivery devices on sidewalks and crosswalks, exempting such devices from motor vehicle regulation and limiting additional municipal regulation.
- SB 162 Providing for an emergency expansion of the employment security board of review with a sunset of June 30, 2024.
- SB 163 Amending unemployment insurance disqualification provisions relating to dates disqualification begins, recovery from illness or injury and part-time employment for an educational institution.
- SB 176 Enacting the Kansas home inspectors professional competence and financial responsibility act and providing for registration for home inspectors with oversight by the attorney general.
- SB 177 Changing provisions of the employment security law including creation of the unemployment compensation modernization and improvement council, development of a new unemployment insurance information technology system, provision of tax information to claimants, publication of trust fund data, the maximum benefit period, the charging of employer accounts for benefits paid, employer contribution rate determination and schedules, abolishment of the employment security interest assessment fund, crediting of employer accounts for fraudulent or erroneous payments, transfers from the state general fund to the unemployment insurance trust fund for improper benefit payments, changes to the shared work compensation program and other unemployment trust fund provisions.
- SB 194 Removing an employment security law restriction on leasing of certain employees by client lessees of lessor employing units.
- SB 219 Changing law pertaining to real estate brokers and salespersons including the definition of broker, licensure, actions that require licensing, exemptions, application of licensure provisions to trusts, Kansas real estate commission administrative fines, cease and desist orders and subpoena authority.
- SB 347 Enacting the attracting powerful economic expansion act to provide for tax and other incentives for projects in specified industries, or for national corporate headquarters, that involve a significant capital investment, including a refundable tax credit for a portion of the investment, reimbursement of certain payroll costs and training costs, retention of certain payroll withholding taxes, a sales tax exemption for project construction and a property tax incentive for projects located in a foreign trade zone.
- SR 1709 Approving Executive Reorganization Order No. 48, transferring the division of tourism and the office of the director of tourism from the Kansas department of wildlife, parks and tourism to the department of commerce.

Education

- SB 31 Excluding U.S.D. No. 207, Fort Leavenworth and virtual school students from the capital improvements state aid determination.
- SB 32 Authorizing school districts to pay the tuition for a student's dual or concurrent enrollment in a postsecondary educational institution and requiring a tuition waiver for foster children who are dually or concurrently enrolled.

For page numbers, see "Title and History of Bills" in Senate and House Journal Books

- SB 43 Creating the Kansas promise scholarship act to provide postsecondary educational scholarships for certain two-year associate degree programs, career and technical education certificates and other stand alone-programs.
- SB 44 Expanding the low-income family postsecondary savings accounts incentive program to include military servicemembers and veterans and allowing contributions by charitable organizations.
- SB 51 Requiring the state department of education and the department for children and families to publish a Kansas foster care children academic report card.
- SB 55 Clarifying the authority of healing arts school clinics to provide healing arts services.
- SB 61 Amending the tax credit for low income students scholarship program act to expand student eligibility.
- SB 62 Amending the standards for school-administered vision screenings for students and establishing the Kansas children's vision health and school readiness commission.
- SB 63 Expanding the provision of the ACT college entrance exam and workkeys assessments to students enrolled in nonpublic schools.
- SB 64 Amending the private and out-of-state postsecondary educational institution act to clarify the state board of regents' authority and provide additional student protections and institutional accountability.
- SB 93 Requiring the allocation of sufficient school district moneys to improve academic performance of underachieving students.
- SB 144 Making the high-density at-risk student weighting of the Kansas school equity and enhancement act permanent by removing the sunset.
- SB 173 Extending the high-density at-risk student weighting, requiring certain transfers to the at-risk fund of a school district and establishing requirements for school district at-risk fund expenditures and for identification of students eligible to receive at-risk programs and services.
- SB 185 Clarifying the authority of the Kansas commission for the deaf and hard of hearing with regard to registration of interpreters, establishing guidelines for communication access services and authorizing the adoption of rules and regulations.
- SB 215 Transferring the authority for postsecondary driver's education programs and driver training schools from the state board of regents to the department of revenue.
- SB 221 Establishing the follow the student tax credit that would allow an income tax credit for taxpayers with eligible dependent children not enrolled in public school.
- SB 232 Providing for COVID-19 hazard pay for teachers.
- SB 340 Amending the Kansas promise scholarship act by clarifying the responsibilities of the state board of regents and postsecondary educational institutions and authorizing designation of additional programs and fields of study.
- SB 341 Removing federal impact aid from the determination of local foundation aid in the Kansas school equity and enhancement act.
- SB 362 Requiring local boards of education to document and consider the school needs assessment and state assessments in the budget process.
- SB 363 Requiring school districts to annually publish on the internet a list of training materials and activities used for student instruction and teacher professional development at each school of the school district.

- SB 452 Including those who receive a high school equivalency (HSE) credentials for performance-based payments for certain postsecondary educational institutions.
- SB 455 Allowing K-12 students to transfer to and attend school in any school district in the state.
- SB 456 Regarding the teacher service scholarship program; making and concerning appropriations for the program for fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027, for the state board of regents to fund such scholarships.
- SB 475 Establishing the Kansas hope scholarship program to provide educational savings accounts for students.
- SB 484 Enacting the fairness in women's sports act to require that student athletic teams only include members who are of the same biological sex unless designated as coed.
- SB 496 Establishing the parents' bill of rights for parents of students attending elementary or secondary school in this state.
- SB 499 Requiring a second student count for virtual school enrollment, increasing certain virtual school state aid amounts and providing for additional state aid for certain students who transfer to virtual schools.
- SR 1727 Congratulating and commending the members of the 2022 Kansas Teacher of the Year team.

Federal and State Affairs

- SB 27 Amending the Kansas storage tank act to extend the sunsets of certain funds and to increase certain liability and reimbursement amounts.
- SB 34 Sunsetting administrative rules and regulations five years after adoption unless extended by the legislature.
- SB 35 Removing the option of extension of the time for receipt of advance mail ballots after the third day following an election.
- SB 41 Establishing a \$100 maximum out-of-pocket cost-share per month per covered person for prescription insulin drugs.
- SB 42 Concerning the study and investigation of maternal deaths in the state of Kansas.
- SB 79 Providing the state fire marshal with law enforcement powers and requiring an investigation of deaths resulting from fire.
- SB 80 Requiring changes to electric rates for transmission costs to be approved through an electric utility's general rate case proceedings.
- SB 81 Requiring the state corporation commission to provide the legislature with an annual report of the electric rates of electric public utilities in the region.
- SB 82 Limiting utilization review conducted by health plans under certain circumstances involving the treatment of mental illness or substance abuse disorder.
- SB 84 Authorizing sports wagering under the Kansas expanded lottery act.
- SB 94 Requiring all voting systems for elections to use individual voter-verified paper ballots.
- SB 125 Authorizing mail ballot elections for propositions to amend the constitution of the state of Kansas.
- SB 181 Creating the elevator safety act to require inspections of elevators and licensure for elevator installation and repair.

- SB 182 Requiring electronic filing of campaign reports by candidates for state office unless an exemption is granted for cause.
- SB 183 Requiring equipment and other personal property purchased with campaign funds by a candidate terminating their candidacy be sold or purchased by the candidate for fair market value and the money disposed of in the same manner as residual funds.
- SB 190 Creating the Kansas protection of firearm rights act to restore the right to possess a firearm upon expungement of certain convictions.
- SB 208 Creating the fairness in women's sports act to require that female student athletic teams only include members who are biologically female.
- SB 209 Restrictions on third party solicitations to registered voters to file an application for an advance voting ballot.
- SB 210 Reducing the number of members of the house of representatives to 120.
- SB 218 Providing restrictions, lender reporting and other requirements for alternative small installment loans made under the UCCC.
- SB 235 Enacting the back to school act to require school districts to provide a full-time, in person attendance option for all students beginning on March 26, 2021.
- SB 252 Creating fulfillment house licenses to authorize storage and shipping services provided to winery special order shipping licensees.
- SB 253 Allowing a farm winery licensee to transfer and receive bulk wine and produce fortified wine.
- SB 254 Authorizing certain licensees under the Kansas liquor control act and the club and drinking establishment act to sell and serve cereal malt beverages.
- SB 255 Allowing the director of alcoholic beverage control to suspend or revoke a license under the Kansas liquor control act or the club and drinking establishment act.
- SB 256 Changing the start time for Sunday sales of alcoholic liquor from 12 noon to 10 a.m. and removing restrictions on sales on certain holidays.
- SB 257 Allowing clubs and drinking establishments to sell beer and cereal malt beverage for consumption off the licensed premises.
- SB 258 Clarifying the license terms and electronic submission of tax payments, reports and documentation for holders of a special order shipping license.
- SB 262 Authorizing a vote in Sedgwick county to allow the operation of electronic gaming machines at a racetrack gaming facility and prohibiting betting on greyhound races.
- SB 269 Prohibiting the sale, slaughter and acquisition of live dangerous regulated animals, including nonhuman primates and wolves as dangerous regulated animals and requiring sufficient distance and barriers between dangerous regulated animals and the public.
- SB 270 Prohibiting the hiring of certain law enforcement officers with history of serious misconduct allegations and making certain law enforcement disciplinary records public records.
- SB 271 Extending the time that victims of childhood sexual abuse have to bring a cause of action.
- SB 272 Requiring sexual assault evidence collection procedures to include a urinalysis test to determine the presence of controlled substances that may have been used to commit the alleged sexual assault.

- SB 273 Enacting the governmental response to certain emergencies by amending the Kansas emergency management act, providing procedures for declaration and extension of state of disaster emergencies, limiting powers granted to the governor during a state of disaster emergency, defining public health disasters and establishing special provisions therefor, creating the joint committee on emergency management and prescribing powers, duties and functions of the secretary of health and environment, city and county government and the board of education of each school district to control the spread of disease and establishing judicial review thereof.
- SB 276 Providing considerations in family law, adoption, foster care, guardianship and child in need of care proceedings for a parent or prospective parent who is blind.
- SB 279 Establishing the wind generation permit and property protection act and imposing certain requirements on the siting of wind turbines.
- SB 283 Changing the business liability provision in the COVID-19 response and reopening for business liability protection act to apply to actions accruing on or after March 12, 2020, and prior to termination of the state of disaster emergency related to the COVID-19 public health emergency.
- SB 284 Amending the Kansas emergency management act to authorize a state of disaster emergency to continue for no longer than 21 days unless ratified by concurrent resolution of the legislature and provide for extensions for specified periods not to exceed 30 days each.
- SB 285 Providing for the alpha kappa alpha distinctive license plate.
- SB 287 Enacting the Kansas medical marijuana regulation act and enacting the Kansas innovative solutions for affordable healthcare act to expand medical assistance eligibility.
- SB 292 Limiting who may return an advance voting ballot and the number of such ballots a person may return.
- SB 293 Creating the transparency in revenues underwriting elections act to criminalize the receipt and expenditure of private moneys by election officials.
- SB 294 Creating the Roy'Alc Spencer firearms safety act to require firearms to be safely secured and establishing criminal penalties for violations of the act.
- SB 295 Giving counties the authority to adopt prioritized COVID-19 vaccination plans separate from state guidelines.
- SB 296 Adjusting the rate of sales and compensating use tax on food and food ingredients and implementing additional formulaic adjustments to tax rate.
- SB 298 Updates to the controlled substances act.
- SB 300 Amending the Kansas racketeer influenced and corrupt organization act to add a person who has engaged in identity theft or identity fraud to the definition of "covered person" and add identity theft and identity fraud to the definition of "racketeering activity."
- SB 301 Establishing the office of the child advocate within the office of the attorney general and the joint committee on child welfare system oversight.
- SB 303 Prohibiting boards of county commissioners, boards of trustees or employees from restricting visitors of residents of a county home for the aged or patients in a county hospital and permitting such residents and patients to waive state, city or federal restrictions on right to receive visitors.
- SB 304 Removing the sunset provision in the COVID-19 contact tracing privacy act.
- SB 307 Requiring that advance voting ballots be returned to the county election office by the day of the election.

- SB 308 Providing for the right of individuals to not wear face coverings in places of public accommodation, refuse vaccinations and access off-label medications.
- SB 309 Designating a portion of United States highway 69 as the AMM2c Walter Scott Brown memorial highway.
- SB 310 Establishing the Kansas reapportionment commission to propose reapportionment plans for congressional, senate, representative and board of education districts and imposing requirements for enactment of such plans.
- SB 312 Changing election law regarding bond law elections, eliminating the requirement that county commissioners reside in the county, clarifying mail ballot provisions and repealing obsolete election laws relating to the presidential preference primary and certain elections-related corporate contribution restrictions.
- SB 313 Designating a portion of United States highway 69 as the Senator Tom R Van Sickle memorial highway.
- SB 351 Providing for the use of electronic poll books in elections and the approval of such books by the secretary of state, making fraudulent use of electronic poll books a crime, prohibiting electronic voting systems or electronic poll books from having the capability of connecting to the internet, requiring election judges to check for any such connection and providing a deadline for post-election voting equipment testing and for notice of such testing on county websites.
- SB 352 Enacting the community defense and human trafficking reduction act to regulate sexually orientated businesses and human trafficking and to impose criminal penalties for violations.
- SB 361 Concerning an employer's maximum liability for permanent total disability compensation and requiring an employer to pay such disabled employee during the continuance of such disability from the date of maximum medical improvement for the lifetime of the employee at the weekly rate of the compensation in effect on the date of injury for which compensation is being made.
- SB 369 Establishing the Kansas affordable housing tax credit act providing income, privilege and premium tax credits for qualified low-income housing projects.
- SB 370 Creating the defend the guard act to establish when the Kansas national guard may be released into active duty combat and to prohibit COVID-19 vaccination requirements for national guard members.
- SB 371 Revoking authority to suspend driving privileges for the nonpayment of fines from traffic citations.
- SB 372 Prohibiting the state school for the deaf from dismissing or transferring any student who gains access to hearing.
- SB 374 Discontinuing the property tax exemption for new developments of renewable energy resources.
- SB 375 Enacting the Kansas housing investor tax credit act and expanding Kansas housing programs to facilitate economic development by providing tax credits for investment in residential housing projects in underserved rural and urban communities to accommodate new employees and support business growth.

- SB 376 Expanding Kansas housing programs to facilitate economic development by broadening the Kansas rural housing incentive district act to allow use of bond proceeds for construction of residential dwellings and buildings and to include the city of Topeka, increasing availability of loans or grants to rural communities for moderate income housing, establishing a program for urban communities for moderate income housing and permitting housing developments to include manufactured or modular housing.
- SB 382 Applying licensure provisions for real estate brokers and salespersons to trusts and authorizing the Kansas real estate commission to issue cease and desist orders.
- SB 394 Requiring all advanced voting ballots be returned by 7 p.m. on election day.
- SB 395 Protecting private property from unauthorized access by certain government officials and unauthorized surveillance.
- SB 396 Creating the constitution and federalism defense act to establish a joint legislative commission to evaluate the constitutionality of federal mandates.
- SB 397 Creating a procedure for appointment of delegates to a convention under Article V of the Constitution of the United States and prescribing duties and responsibilities therefor.
- SB 404 Authorizing a vote in Sedgwick county to allow the operation of electronic gaming machines at a racetrack gaming facility and authorizing the operation of historical horse race machines by parimutuel licensees.
- SB 405 Authorizing the state historical society to convey certain real property to the Shawnee Tribe.
- SB 406 Creating the back the blue act to authorize the issuance of protective orders to prohibit the acquisition and possession of firearms in order to reduce law enforcement officer deaths.
- SB 418 Prohibiting the modification of election laws by agreement except as approved by the legislative coordinating council.
- SB 420 Allowing 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.
- SB 423 Modifying how reasonable allowance for use is calculated for nonconforming vehicle warranty refunds.
- SB 424 Requiring independent investigations and reports for incidents of law enforcement officer-involved deaths and use of aggressive force.
- SB 445 Prohibiting the use of additional ballot boxes for the return of advance voting ballots.
- SB 446 Designating bridges on U.S. highway 166 and K-66 highway as Veterans Memorial Bridge.
- SB 459 Providing for the order of the eastern star distinctive license plate.
- SB 466 Prohibiting certain acts by places of public accommodations based upon a person's vaccination status or possession of an immunity passport and prohibiting governing bodies of any city or county, public officials of any city or county and local health officers from requiring that a person wear a face mask based on an epidemic or other public health reason.
- SB 468 Directing the capitol preservation committee to develop and approve plans for a mural honoring the 1st Kansas (Colored) Voluntary Infantry regiment.
- SB 485 Expanding the scope of uses of campaign contribution moneys under the campaign finance act to include family caregiving services.

- SB 486 Expanding the scope of the campaign finance act to include candidates for board membership for school districts and community colleges in certain counties.
- SB 487 Proposing congressional redistricting map jayhawk two.
- SB 492 Providing immunity from civil liability for the person who files a citizen-initiated grand jury petition and requiring such person to be the first witness called by such grand jury.
- SB 493 Prohibiting cities and counties from regulating plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages.
- SB 494 Providing that the employment status of a driver of a motor carrier does not change as a result of the inclusion of safety improvements on a vehicle.
- SB 503 Providing requirements for judicial tax lien foreclosure sales and expanding costs that may be included as redemption fees.
- SB 504 Providing that worker's compensation benefit reductions due to retirement benefits funded by the employer shall apply to retirement benefits that the employee begins receiving after the injury to reduce permanent disability benefits and exempting benefits under the federal social security act.
- SB 505 Enacting the protect home-based work act prohibiting the enactment or enforcement of zoning regulations that are barriers to home-based work.
- SB 506 Providing for the north central Kansas down syndrome society distinctive license plate.
- SB 507 Continuing in existence certain exceptions to the disclosure of public records under the open records act.
- SB 510 Enacting the Kansas vacant property act to prohibit municipalities from imposing any fees or registration requirements on unoccupied residential or commercial property.
- SB 511 Providing public employees and professional employees certain rights with respect to withholding of public employee organization and professional employee organization dues.
- SB 517 Requiring public agencies to allow certain persons to listen to audio recordings or to view video recordings made at a juvenile detention facility or juvenile intake and assessment services facility and that relate to an incident in which a juvenile was seriously injured or died while in such facility.
- SB 521 Prohibiting motorcycle profiling by law enforcement agencies.
- SB 522 Standardizing firearm safety education programs in school districts.
- SB 529 Providing for the electronic renewal of nondriver's identification cards.
- SB 531 Enacting the massage therapist licensure act to provide for regulation and licensing of massage therapists.
- SB 532 Allowing candidates for nonpartisan offices to have such candidate's political party provided with the candidate's name on the ballot.
- SB 533 Increasing the period of time that a person is disqualified from driving a commercial motor vehicle for certain violations and prohibiting prosecuting attorneys from concealing certain traffic violations from the CDLIS driver report for holders of commercial driver's licenses and commercial learner's permits.
- SB 534 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.

- SB 535 Requiring law enforcement agencies to determine whether applicants have been employed in law enforcement and examine certain records.
- SB 536 Requiring the attorney general to investigate allegations of misconduct by a prosecuting attorney that may have contributed to a wrongful conviction and, if the evidence warrants, prosecute any appropriate criminal charges and commence ouster proceedings against such prosecuting attorney.
- SB 537 Requiring state agencies, political subdivisions, state contractors and vendors to disclose certain contracts, gifts or grants received from foreign sources and state educational institutions to screen certain foreign applicants seeking employment in certain research positions, prohibiting agreements with or accepting grants from certain foreign countries of concern and establishing research integrity offices and international travel and approval programs at state educational institutions.
- SB 539 Permitting naturopathic doctors and acupuncturists to engage in the corporate practice of medicine.
- SB 541 Requiring compensation for the use, restriction on use, damage, loss or destruction of property as a result of certain governmental actions; providing that orders and similar actions by public officials relating to face mask mandates, gathering limitations, business restrictions and religious gathering limitations shall not exceed 30 days in duration at a time before being renewed or allowed to expire; prohibiting school officials from issuing or requiring use of a COVID-19 vaccination passport or discriminating against a student based upon COVID-19 vaccination status; requiring schools to recognize exemptions from vaccination requirements and face mask mandates; prescribing powers, duties and functions of the board of education of each school district, the governing body of each community college and the governing body of each technical college related to contagious or infectious disease and modifying judicial review provisions related thereto; removing the sunset provision in the COVID-19 contact tracing privacy act; and authorizing reimbursement of property taxes levied upon businesses shut down or restricted as a result of certain governmental actions related to contagious or infectious disease.
- SB 544 Requiring state legislators to spend a week volunteering at a public school or consult with a teaching team prior to requesting a bill that impacts curriculum or school finance and prohibiting state legislators who have children in a nonpublic school from requesting a bill that diverts state funding from school districts to nonpublic schools.
- SB 545 Requiring nonpublic schools to participate in certain assessments and publish on their website performance accountability reports and longitudinal achievement reports.
- SB 546 Providing for the use and regulation of autonomous motor vehicles and establishing the autonomous vehicle advisory committee.
- SB 547 Exempting broadcast satellite service and providers of streaming content from the video competition act and providing requirements relating to audits of video service provider franchise fees.
- SB 548 Excepting matters relating to the administration or processing of individual water rights and applications from the advice and assistance that groundwater management districts may provide.
- SB 549 Allowing certain water right holders to withdraw from a groundwater management district under certain circumstances.

- SB 550 Authorizing certain individuals with revoked driver's licenses to be eligible for restricted driving privileges.
- SB 552 Enacting the modernization of recovery through website outreach act to authorize the state treasurer to publish information regarding real property that counties have foreclosed for nonpayment of taxes.
- SB 557 Changing the scope of crimes that may be expunged to exempt an individual from the crime of criminal possession of a weapon by a convicted felon.
- SB 558 Establishing a procedure for a petition for restoration of a person's firearms rights by a person whose prior conviction prohibited the possession of firearms and that has been expunged.
- SB 559 Limiting the liability of optometrists and ophthalmologists who report information to the division of vehicles relating to a person's vision.
- SB 560 Enacting the medical marijuana regulation act to regulate the cultivation, processing, distribution, sale and use of medical marijuana.
- SB 561 Proposing the state senatorial redistricting plan Eisenhower.
- SB 562 Proposing the state senatorial redistricting map bluestem.
- SB 566 Proposing state senatorial redistricting plan freedom.
- SB 567 Allowing restricted driver's license holders to drive to and from worship services held by any religious organizations at age 15.
- SB 568 Proposing state senatorial redistricting plan free state one.
- SB 570 Delaying the effective date of the secretary of state's new biennial business entity filing provisions enacted in 2021 House Bill No. 2391 from January 1, 2023, to January 1, 2024.
- SB 571 Providing for the appointment of members of standing, special and select committees of the legislature by a committee on organization of the senate and a committee on organization of the house of representatives.
- SB 572 Enacting the covert firearms act and establishing criminal penalties for the possession, manufacture, distribution, transportation, shipping or receiving of certain firearms or components.
- SB 573 Proposing state senatorial district plan free state five.
- SB 574 Proposing state senatorial district plan free state four.
- SB 575 Creating a presumption that joint legal custody and maximized parenting time in temporary parenting plans are in the best interests of a child and defining related terms under the Kansas family law code.
- SB 579 Establishing the homegrown Kansas leadership program to provide tuition assistance for individuals who earn a teaching degree or a master's degree in education and agree to teach in Kansas after earning such degree.
- SB 580 Establishing an accelerated teacher training program.
- SCR 1611 Article V Convention to propose amendments to limit federal power.
- SCR 1621 Proposing a constitutional amendment to provide that the governor will appoint supreme court justices subject to senate confirmation and to eliminate the supreme court nominating commission.
- SCR 1622 Proposing a constitutional amendment to provide for partisan, statewide election of justices of the supreme court and abolish the supreme court nominating commission.

Financial Institutions and Insurance

- SB 178 Providing for trust company charter conversions.
- SB 242 Consolidating certain mortgage lending provisions, removing duplicate provisions from the uniform consumer credit code and incorporating such provisions into the Kansas mortgage business act.
- SB 243 Enacting the peer-to-peer vehicle sharing act to provide insurance, liability, recordkeeping and consumer protection requirements for peer-to-peer vehicle sharing.
- SB 244 Providing for enhanced regulation of pharmacy benefits managers and requiring licensure rather than registration of such entities.
- SB 245 Providing for the financing of electrical corporations through the issuance of securitization bonds.
- SB 329 Authorizing the state treasurer to determine account owners and designated beneficiaries for an ABLE savings account, adding who may open such an account and requiring compliance with the federal internal revenue code.
- SB 331 Updating the version of risk-based capital instructions in effect.
- SB 334 Amending provisions of the technology-enabled fiduciary financial institutions act relating to procedures when undercapitalized or insolvent, fees and assessments, applications, examinations, insurance and capital requirements and disclosures to consumers and requiring such institutions to be mandatory reporters for purposes of elder abuse.
- SB 335 Exempting certain business entities that provide health insurance in the state but are not subject to the jurisdiction of the commissioner of insurance from payment of the annual premium tax.
- SB 336 Updating certain investment limitation requirements to provide increased options for Kansas domiciled life insurance companies investing in equity interests and preferred stock.
- SB 337 Converting the conditional charter issued for the pilot program under the technology-enabled fiduciary financial institutions act to a full fiduciary financial institution charter.
- SB 377 Authorizing technology-enabled fiduciary financial institution insurance companies within the captive insurance act and providing for the requirements and operations thereof.
- SB 392 Terminating the transfer of remaining unencumbered moneys in the securities act fee fund exceeding \$50,000 to the state general fund.
- SB 399 Adding maternity centers to the definition of healthcare provider for purposes of the healthcare insurance provider availability act.
- SB 400 Updating certain requirements and conditions relating to the creation, modification and termination of trusts in the Kansas uniform trust code and updating the definition of resident trust for tax purposes.
- SB 401 Providing an annual KPERS cost-of-living adjustment (COLA) on the occurrence of certain investment returns and increases to the consumer price index as certified by the KPERS board or executive director as designated by the board.
- SB 402 Providing a post-retirement cost-of-living adjustment for certain KPERS retirees.
- SB 448 Adopting the national association of insurance commissioner's amendments to the unfair trade practices act excluding commercial property and casualty insurance producers, brokers and insurers from prohibitions on giving rebates as an inducement to sales.

- SB 449 Providing for an exemption from continuing education licensure requirements for certain insurance producers.
- SB 450 Authorizing state educational institutions to convey real property given to such institution as an endowment, bequest or gift, following board of regents policies; authorizing the board of regents to adopt such policies.

Financial Institutions

- SB 15 Enacting the Kansas economic recovery loan deposit program, updating field of membership requirements of credit unions and allowing privilege tax deductions on agricultural real estate loans and single family residence loans.

Insurance

- SB 28 Updating the national association of insurance commissioners credit for reinsurance model law, the insurance holding company act and codifying the credit for reinsurance model regulation.
- SB 29 Updating the version of risk-based capital instructions in effect.
- SB 30 Establishing the securities act victim restitution program.
- SB 37 Updating producer licensing statutes pertaining to appointment, examinations, fees, licensing, renewal dates, continuing education, suspension, revocation and denial of licensure and reinstatement.
- SB 60 Defining proximate result for purposes of determining when a crime is committed partly within this state.
- SB 78 Updating certain statutes relating to the regulation of the business of insurance; granting the commissioner of insurance certain investigative powers.
- SB 114 Allowing governmental entities and self-insurers to reject uninsured motorist and personal injury coverage.

Judiciary

- SB 14 Extending certain provisions of the governmental response to the COVID-19 pandemic in Kansas and providing certain relief related to health, welfare, property and economic security during this public health emergency.
- SB 56 Requiring posting of a human trafficking awareness notice approved by the attorney general in certain businesses and public places.
- SB 57 Suspending statutory speedy trial rights until May 1, 2024, in all criminal cases filed prior to the effective date of this act and eliminating such rights in any criminal case filed on or after the effective date of this act.
- SB 58 Prohibiting the filing of certain liens or claims against real or personal property and providing for criminal penalties.
- SB 59 Modifying the crimes of selling sexual relations, promoting the sale of sexual relations and buying sexual relations by changing terminology from "sexual relations" to "a sex act."
- SB 102 Requiring earlier notice of anticipated release from custody of a person who may be a sexually violent predator to the attorney general and a multidisciplinary team and specifying where such person will be detained during civil commitment proceedings.
- SB 103 Amending the Kansas power of attorney act regarding the form of a power of attorney and the duties of third parties relying and acting on a power of attorney.

- SB 104 Requiring a court order be issued directing a child to remain in a present or future placement for certain children in need of care.
- SB 105 Prohibiting denial of a petition for expungement due to the petitioner's inability to pay outstanding costs, fees, fines or restitution.
- SB 106 Enacting the revised uniform law on notarial acts and repealing the uniform law on notarial acts.
- SB 107 Enacting the uniform fiduciary income and principal act (UFIPA).
- SB 122 Modifying certain rules of evidence in the code of civil procedure related to authentication of records and documents.
- SB 123 Creating a process to terminate the parental rights of a person whose sexual assault of another has resulted in the conception of a child.
- SB 141 Enacting the Kansas uniform directed trust act.
- SB 150 Defining and prohibiting certain deceptive lawsuit advertising practices and restricting the use or disclosure of protected health information to solicit individuals for legal services.
- SB 151 Enacting limitations on contingency fee agreements in certain civil actions.
- SB 152 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 204 Prohibiting a court from requiring psychiatric or psychological examinations of an alleged victim of any crime.
- SB 205 Enacting the uniform partition of heirs property act to prescribe procedures and requirements for partition of certain real property.
- SB 206 Enacting the fairness in condemnation act to require the condemning authority to provide the property owner notice of a planned condemnation proceeding, an offer for purchase and a court review of compliance with this act.
- SB 220 Increasing the penalty for battery committed against a utility worker.
- SB 229 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.
- SB 230 Creating the crime of deprivation of rights under color of law and providing a civil action for victims.
- SB 231 Increasing criminal penalties for hate crimes.
- SB 246 Providing statutory procedures and limitations related to forensic evidence collection and clarifying liability for unlawful conduct under the Kansas tort claims act.
- SB 247 Enacting criminal justice reform measures related to hiring, firearms certification and psychological testing of law enforcement officers
- SB 344 Providing an exception to criminal liability when a defendant has a mental disease or defect so as not to know the nature of the act or that such act was wrong.
- SB 364 Modifying the rules of evidence to require courts to allow certain persons with specialized training to testify on the issue of impairment.
- SB 365 Requiring courts to order domestic violence offender assessments for first-time offenders convicted of domestic battery and requiring courts and prosecutors to provide relevant documents to the certified batterer intervention programs completing such assessments when assessments are ordered or required under the Kansas criminal code or the Kansas family law code.

- SB 366 Specifying that the crime of burglary includes, without authority, entering into or remaining within any locked or secured portion of any dwelling, building or other structure, with intent to commit another crime therein.
- SB 367 Requiring officers to file copies of receipts with the court when property is seized under a search warrant and providing requirements and procedures for destruction or disposition of dangerous drugs and return or disposition of weapons.
- SB 368 Requiring registration as a sex offender for violations of the crime of internet trading in child pornography or aggravating internet trading in child pornography.
- SB 408 Increasing the criminal penalties for multiple thefts of mail.
- SB 409 Prohibiting certain restrictions on freedom of worship by governmental entities and public officials, limiting related state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities and limiting related powers of the secretary of health and environment and local health officers.
- SB 410 Requiring the state capitol and legislative meetings to be open to the public.
- SB 411 Prohibiting certain restrictions on the operation of private businesses by governmental entities and public officials, limiting related state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities and limiting related powers of the secretary of health and environment and local health officers.
- SB 412 Increasing the criminal penalties for violation of a protective order.
- SB 413 Authorizing staggered sentencing for certain offenders convicted of domestic battery.
- SB 414 Authorizing staggered sentencing for certain offenders convicted of driving under the influence.
- SB 415 Defining "primary aggressor" for domestic violence purposes in the Kansas criminal code, the Kansas code of criminal procedure and the protection from abuse act.
- SB 419 Allowing certain employees from the department of corrections to attend the Kansas law enforcement training center and including special agents of the department of corrections in the definition of law enforcement officer under the Kansas law enforcement training act.
- SB 434 Creating exemptions in the open records act for records that contain captured license plate data or that pertain to the location of an automated license plate recognition system.
- SB 435 Expanding law enforcement officers' jurisdiction to include situations when an illegal act is observed that the officer reasonably believes will jeopardize the safety of any person without immediate action.
- SB 438 Requiring audits of any federal, statewide or state legislative race that is within 1% of the total votes cast and requiring randomized audits of elections procedures used in four counties in even-numbered years.
- SB 439 Requiring a county election officer to send a confirmation of address when there is no election-related activity for any four calendar year period.
- SB 457 Requiring a waiver of extradition proceedings as a condition of bond.
- SB 483 Increasing criminal penalties for theft and criminal damage to property involving remote service units such as automated cash dispensing machines and automated teller machines.

- SB 490 Expanding options for legal surrender of an infant to include infant refuge cribs.
- SB 491 Permitting workers compensation benefits for first responders who suffer from post-traumatic stress disorder.
- SB 497 Authorizing the attorney general to coordinate training regarding a multidisciplinary team approach to intervention in reports involving alleged human trafficking for law enforcement agencies and requiring training on human trafficking awareness and identification for certain child welfare agencies, juvenile justice agencies, mental health professionals and school personnel.
- SCR 1602 Amending the bill of rights of the constitution of the state of Kansas to reserve to the people the right to regulate abortion through their elected state representatives and senators.
- SCR 1604 A constitutional amendment allowing for a voter petition process to call the legislature into special session during a state of disaster emergency.
- SCR 1608 Proposing to amend section 3 of the Kansas bill of rights regarding the right to petition the government for the redress of grievances, including by citizen-initiated grand jury.
- SCR 1618 Proposing a constitutional amendment that provides for legislative authority to revoke or suspend rules and regulations adopted by executive branch agencies and officials.

Local Government

- SB 88 Clarifying the vacation or exclusion of territory from city boundaries or release of easements.
- SB 97 Defining "purposes of sepulture" for purposes of the laws governing cemetery corporations.
- SB 118 Providing for the dissolution of special districts and the assumption of responsibilities by a city or county.
- SB 153 Establishing election procedures for the imposition of term limits on members of the board of county commissioners.
- SB 338 Restricting property and sales tax exemptions on property leased by the Kansas city area transportation authority to a private developer.
- SB 427 Making technical amendments to the campaign finance act, extending the time frame for investigative hearings before the governmental ethics commission, and allowing federal officials to assist commission investigations.
- SB 428 Extending the time frame for governmental ethics commission hearings once probable cause is found and allowing federal officials to assist commission investigations.
- SB 429 Requiring electronic filing of campaign reports by candidates for state office unless an exemption is granted for cause.
- SCR 1606 A constitutional amendment to grant counties home rule powers.

Public Health and Welfare

- SB 77 Enacting the audiology and speech-language pathology interstate compact.
- SB 83 Allowing certain exceptions to the confidentiality of state child death review board documents.
- SB 85 Requiring notification to the governor and the legislature of missing foster care youth.

- SB 120 Establishing the joint committee on child welfare system oversight.
- SB 121 Updating certain provisions of the Kansas dental practice act.
- SB 128 Prohibiting disparate treatment by pharmacy benefits managers of certain pharmacies and pharmaceutical services providers.
- SB 129 Providing for the licensure of dental therapists.
- SB 138 Establishing certification and funding for certified community behavioral health clinics.
- SB 139 Permitting the administration of certain tests, questionnaires, surveys and examinations regarding student beliefs and practices on an opt-out basis and providing conditions therefor.
- SB 174 Updating scope of practice requirements for advanced practice registered nurses without a supervising physician, imposing requirements therefor and updating certain licensure requirements.
- SB 175 Enacting the rural emergency hospital act to provide for the licensure of rural emergency hospitals.
- SB 199 Providing for short-term, limited-duration health plans.
- SB 200 Expanding the pharmacist's scope of practice to include point-of-care testing for and treatment of certain health conditions.
- SB 227 Providing dental benefits for medicaid enrollees and making technical updates to the dental practices act.
- SB 237 Requiring the secretary of health and environment to establish a task force to study and report on uncompensated healthcare.
- SB 238 Reducing certain requirements for licensure by the behavioral sciences regulatory board, requiring board approval to provide clinical social work supervision and expanding out-of-state temporary permits to practice.
- SB 239 Authorizing the secretary for children and families to request a waiver from certain limitations under the food assistance program.
- SB 240 Requiring drug rebate revenues associated with medical assistance enrollees to be deposited into the state general fund and monthly reporting thereof.
- SB 241 Allowing a child placed up for adoption following termination of parental rights to remain eligible for state-provided health insurance.
- SB 343 Updating the term "hearing impaired" to "hard of hearing" in statutes related to persons with hearing loss.
- SB 348 Exempting the practice of threading from the practice of cosmetology.
- SB 373 Making appropriations to the university of Kansas medical center for fiscal year 2022 for conducting COVID-19 clinical trials at the midwest stem cell therapy center.
- SB 380 Revising certain definitions relating to exceptional children by replacing emotional disturbance with emotional disability.
- SB 381 Allowing for the prescribing and dispensing of medications for off-label use to prevent and treat COVID-19 infections.
- SB 387 Reinstating social worker applicant option for board-approved postgraduate supervised experience, allowing master's and clinical level licensees to take baccalaureate addiction counselor test and requiring psychologists to have continuing education in diversity, ethics and inclusion.
- SB 398 Requiring child care facilities and schools to grant religious exemptions from vaccination requirements without inquiring into the sincerity of the religious beliefs.
- SB 425 Directing the Kansas department for children and families to share certain information with investigating law enforcement agencies.

- SB 436 Ensuring a right to in-person visitation at medical care facilities and adult care homes, prohibiting certain public health orders related to isolation and quarantine, stay-at-home orders, curfews and face masks, limiting isolation or quarantine orders to recommendations and providing criminal penalties for certain violations, limiting state of disaster emergency powers of the governor and state of local disaster emergency powers of counties and cities related to stay-at-home orders, curfews and face masks and limiting powers of the secretary of health and environment and local health officers.
- SB 437 Prohibiting certain acts by business entities, governmental entities or public officials based upon a person's vaccination status or possession of an immunity passport, amending the Kansas act against discrimination to define unlawful employment practices related to vaccination status or possession of an immunity passport and limiting powers of the secretary of health and environment and local health officers.
- SB 440 Establishing when an occupational therapist may treat a patient without referral from a physician and requiring occupational therapists to maintain professional liability insurance.
- SB 441 Enacting the biological laboratory accident transparency act.
- SB 442 Requiring wireless communication vendors activate push notifications from a minor's wireless communication device to a parent's wireless communication device when a minor's wireless communication device downloads an application.
- SB 453 Requiring unlicensed employees of adult care homes who take training courses to demonstrate certain skills to successfully complete such training courses, requiring licensed nurses to teach and evaluate such training courses and allowing simulation experiences to be used as part of such training courses.
- SB 454 Amending the advanced practice registered nurse authorized scope of practice to permit the prescribing of drugs without a supervising physician.
- SB 489 Removing certain regulatory authority concerning infectious or contagious diseases from the secretary of health and environment.
- SB 500 Permitting the creation of long term care facilities for children in continued crisis.
- SB 501 Requiring able-bodied adults without dependents to complete an employment and training program in order to receive food assistance, requiring state agencies to conduct cross-checks to verify public assistance recipient eligibility and to receive public assistance, requiring the department for health and environment seek approval to eliminate mandatory hospital presumptive eligibility, requiring hospitals to follow standards established for presumptive eligibility determinations and requiring state agencies to make data from fraud investigations into food assistance and medical assistance publicly available on such agencies' websites.
- SB 502 Providing for separate licensure authority for maternity centers.
- SR 1707 Recognizing the need to administer the COVID-19 vaccine.
- SR 1724 Supporting the Global Covid Summit Physicians Declaration II and its three foundational principles.

Redistricting

- SB 355 Proposing congressional redistricting map ad astra.
- SB 356 Proposing congressional redistricting map united.
- SB 357 Proposing congressional redistricting map blue stem.

Transparency and Ethics

- SB 191 Providing for the appointment of election commissioners in the four largest counties by the board of county commissioners instead of the secretary of state.
- SB 360 Enacting the Kansas assistance animals in housing act.
- SB 458 Requiring precinct committeemen and committeewomen to report certain personal contact information to the county clerk.

Transportation

- SB 18 Permitting United States and NATO country military surplus vehicles to register with the division of vehicles for road use.
- H Sub
- SB 19 Designating a portion of United States highway 77 as the CPL Allen E Oatney and SP4 Gene A Myers memorial highway.
- SB 20 Designating a portion of United States highway 69 as the Senator Dennis Wilson Memorial Highway.
- SB 25 Prohibiting the use of a mobile telephone while operating in school or road construction zone or by individuals less than 18 years of age.
- SB 26 Designating a portion of K-7 as the Senator Bud Burke Memorial Highway.
- SB 33 Providing for display show licenses under the vehicle dealers and manufacturers licensing act.
- SB 36 Permitting employees of salvage vehicle pools to perform vehicle identification number inspections and salvage vehicle pools and dealers to apply for ownership documents for vehicles that are disclaimed by insurance companies.
- SB 67 Expanding the definitions of all-terrain vehicles and recreational off-highway vehicles.
- SB 68 Establishing a fee on firefighter distinctive license plates.
- SB 69 Providing for the love, Chloe foundation distinctive license plate.
- SB 95 Exempting motor vehicle odometer reading recording requirements when such recording requirements are exempted by federal law.
- SB 99 Increasing the bond amount required for a vehicle dealer license.
- SB 100 Excluding the additional 90-day wait period and providing for the elimination and delay of payment for certain fees for restricted driving privileges.
- SB 101 Approving the operation and use of electric-assisted bicycles and regulating the use thereof.
- SB 116 Decreasing the Eisenhower legacy transportation program alternate delivery project threshold, authorizing usage of federal stimulus funds and KDOT bonding authority.
- SB 127 Modifying the eligibility requirements for restricted driving privileges, increasing the age for eligibility to renew drivers' licenses online to 65 and allowing drivers' license renewal notices to be sent electronically.

- SB 146 Providing that the highway patrol will provide the administration and oversight of state certified ignition interlock manufacturers and their service providers.
- SB 158 Prohibiting the towing of vehicles outside the state of Kansas without prior consent, requiring an interstate search of registered owners and lienholders prior to sale of nonrepairable vehicles and vehicles less than 10 years old and requiring publication in the newspaper seven days prior to sale of vehicles and property at auction.
- SB 186 Permitting the secretary of transportation to contract with the Kansas turnpike authority to enforce toll payments and permitting the secretary of transportation to use tolls to support public transit and other improvements on a toll project.
- SB 332 Prohibiting the use of a mobile telephone while operating in school or construction zone or by individuals less than 18 years of age.
- SB 333 Requiring the secretary of transportation to study the use of zipper merges on highways.
- SB 379 Providing for the use and regulation of autonomous motor vehicles.

Utilities

- SB 24 Prohibiting municipalities from imposing restrictions on customer's use of energy based upon source of energy.
- SB 133 Exempting the retail sale of electricity by public utilities for electric vehicle charging stations from the jurisdiction of the state corporation commission.
- SB 172 Creating the crimes of trespassing on a critical infrastructure facility and criminal damage to a critical infrastructure facility and eliminating the crime of tampering with a pipeline.
- SB 323 Establishing requirements for instruments that convey a wind or solar lease or easement and requiring that certain disclosures be provided to landowners.
- SB 324 Establishing procedures that may be used to void or terminate leases or easements for electricity generation using wind or solar energy resources.
- SB 325 Establishing requirements relating to zoning and recordation of wind and solar energy resource easements and leases.
- SB 349 Limiting increases on electric retail rates and providing certain exceptions.
- SB 350 Allowing rate recovery by electric public utilities for certain electric generating facilities.
- SB 353 Establishing certain setback and construction requirements for wind energy facilities and certain operating conditions for existing wind energy facilities.
- SB 383 Establishing the Kansas property value protection act to provide for compensation to nonparticipating landowners near wind and solar farms for diminution of real property value under certain conditions.
- SB 476 Restricting the amount of fees on a utility bill for a board of public utilities.
- SB 477 Requiring the state corporation commission to provide certain information upon request to customers of a board of public utilities.
- SB 478 Establishing requirements for wind energy conversion system obstruction lighting to mitigate the visual impact of such lighting systems.
- SB 480 Prohibiting public utilities from recovering any dues, donations or contributions to any charitable or social organization or entity through customer rates.
- SB 481 Establishing construction, notification and health and safety requirements for commercial-scale and limited-scale solar energy conversion systems.

Ways and Means

- SB 52 Creating the Sedgwick county urban area nuisance abatement act.
- SB 53 Establishing the membership of the Sedgwick county charter commission which, if created, will review and recommend changes regarding the structure of county government.
- SB 54 Authorizing judges to extend protection from abuse orders for more reasons and tolling time when subject of the order is in prison.
- SB 113 Creating the distracted driving violation and prohibiting the use of a wireless telecommunications device while operating a motor vehicle.
- SB 117 Enacting the Kansas electricity bill reduction bonds act and authorizing the state corporation commission to issue securitized ratepayer-backed K-EBRA bonds for electric utility property.
- SB 136 Abolishing the death penalty and creating the crime of aggravated murder.
- SB 145 Authorizing the Kansas department of wildlife, parks and tourism to purchase land in Kingman county.
- SB 154 Increasing reimbursement rates for providers of home and community-based services under the intellectual or developmental disability waiver, making appropriations for such rates and providing for legislative review of the waiting list for such services.
- SB 155 Expanding newborn screening services and increasing transfers from the medical assistance fee fund to the Kansas newborn screening fund.
- SB 168 Updating certain provisions of the prescription monitoring program act relating to program data, storage and access, increasing the membership of the advisory committee and providing for setup and annual maintenance fees for program data integration
- SB 169 Authorizing the legislative coordinating council to prohibit the carrying of concealed handguns in the state capitol.
- SB 170 Making permanent provisions for the advisory committee on trauma and the statewide trauma system regional council to conduct closed meetings and keep privileged records regarding trauma cases.
- SB 171 Providing for adjusted sales tax rates for food and food ingredients.
- SB 222 Excluding hypothetical leased fee when determining fair market value for property taxation purposes.
- SB 223 Allowing the exercise of eminent domain for the purpose of conducting carbon dioxide in pipes.
- SB 224 Establishing maximum length for trains to operate in Kansas and providing for penalties for violations.
- SB 225 Providing affiliation with the Kansas police and firemen's retirement system by the Kansas department of wildlife, parks and tourism for membership of certain law enforcement officers and employees.
- SB 226 Providing a sales tax exemption for area agencies on aging for certain purchases of tangible personal property and services.
- SB 236 Establishing the Kansas commission for the United States semiquincentennial.
- SB 248 Updating certain definitions, referral to specialty services and coordination of care provisions in the Kansas telemedicine act.
- SB 249 Creating additional reporting requirements for all state agencies for certain information technology projects.
- SB 250 Amending the Kansas cybersecurity act to require security training for all state agencies and provide for certain information to be provided to the joint committee on information technology.

- SB 251 Updating statutes relating to the powers, duties and functions of the state board of pharmacy.
- SB 259 Providing that the testimony of an examining healthcare provider may be submitted in evidence by the provider's medical report in workers compensation cases.
- SB 260 Requiring an elected office holder or candidate for office to remove endorsements from social media within 90 days of a written request by an individual or organization.
- SB 261 Establishing the asbestos remediation fund for fees and penalties collected as part of the Kansas asbestos control program.
- SB 263 Eliminating the reduction of child day care services assistance tax credit in subsequent years and limitations on eligible corporations and providing a credit for employer payments to organizations for child day care services access.
- SB 264 Enacting the Kansas fights addiction act to establish a grant program for the purpose of preventing, reducing, treating and mitigating the effects of substance abuse and addiction.
- SB 265 Providing a KPERs death and long-term disability employer contribution moratorium.
- SB 266 Amortizing the state and school KPERs unfunded actuarial liability over a 24-year period and eliminating certain level-dollar employer contribution payments.
- SB 267 Appropriations for FY 2022, FY 2023 and FY 2024 for various state agencies.
- SB 268 Making supplemental appropriations for fiscal years 2021 through 2032 for various state agencies and revising the pooled money investment portfolio repayment schedule.
- SB 277 Authorizing continuation of the 20 mill statewide property tax levy for schools and the exemption of a portion of residential property from such levy.
- SB 278 Requiring recipients of a distinctive license plate fee to file a report detailing money received and expenditures.
- SB 280 Modifying the distribution of the levy on fire insurance business premiums to the state fire marshal fee fund, the emergency medical services operating fund and the fire service training program fund.
- SB 281 Changing unemployment insurance disqualification provisions for fraud, part-time employment for educational institutions and receipt of pensions.
- SB 288 Enacting the technology-enabled trust bank act, providing requirements, fiduciary powers, duties, functions and limitations for trust banks and the administration thereof by the bank commissioner and creating an income and privilege tax credit for certain qualified distributions from trust banks.
- SB 289 Enacting the frontline service pay act to provide additional compensation to Kansas employees at high risk of exposure to COVID-19 and who are engaged in essential work for the state of Kansas.
- SB 290 Increasing healthcare stabilization fund minimum professional liability insurance coverage requirements, changing the membership of the board of governors of such fund and adding options and increasing time for service of process thereon.
- SB 291 Increasing the minimum wage by \$1 per year to \$15 an hour by 2027.
- SB 299 Increasing the compensation of members of the state banking board.

- SB 305 Requiring each law enforcement agency that utilizes automated license plate recognition systems to adopt and maintain a detailed, written policy relating to the use and operation of such systems and prescribing restrictions and requirements relating to the collection, storage and sharing of captured license plate data.
- SB 314 Reconciling conflicting amendments to certain statutes.
- SB 315 Creating the Kansas medical marijuana regulation act to regulate the production, distribution, sale and possession of medical marijuana.
- SB 386 Limiting fees for copying and staff time under the Kansas open records act and providing for waiver or reduction of such fees.
- SB 407 Updating income eligibility requirements for the state children's health insurance program and eliminating the waiting period for certain persons to participate in the program.
- SB 421 Transferring \$253,866,022 from the state general fund to the Kansas public employees retirement fund during fiscal year 2022 and eliminating certain level-dollar KPERS employer contribution payments.
- SB 422 Appropriations for FY 2023, FY 2024 and FY 2025 for various state agencies.
- SB 443 Making appropriations to the department of administration in fiscal year 2022 for the purpose of legally defeasing or cash redeeming certain bonds at their first optional redemption date.
- SB 444 Making and concerning supplemental appropriations for fiscal years 2022, 2023, 2024 and 2025 for various state agencies.
- SB 488 Eliminating the division of vehicles modernization surcharge.
- SB 508 Eliminating certain level-dollar KPERS employer contribution payments.
- SB 509 Providing a refund of state sales tax paid on certain purchases to reconstruct, repair or replace buildings and improvements damaged by certain disasters.
- SB 523 Authorizing certain transfers from the state general fund to the Kansas public employees retirement fund in fiscal years 2022 and 2023 and requiring state finance council approval for such fiscal year 2023 transfers.
- SB 524 Providing membership in the KP&F retirement system for certain security officers of the department of corrections and for certain law enforcement officers and employees of the Kansas department of wildlife and parks.
- SB 530 Establishing the Kansas rail safety improvement act providing for safety requirements for railroad operations and crossings.
- SB 551 Establishing the division of pet animal facilities inspection within the department of agriculture under the administration of the pet animal facilities director.
- SB 563 Proposing the state senatorial redistricting map liberty two.
- SB 569 Updating references and corresponding changes related to 2021 Executive Reorganization Order No. 48 and the transfer of the division of tourism from the department of wildlife and parks to the department of commerce.
- SB 576 Proposing state board of education redistricting plan little jerusalem badlands.
- SB 577 Proposing state board of education redistricting plan apple.
- SB 578 Reconciling conflicting amendments to certain statutes.
- SB 581 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.
- SCR 1609 Proposing a constitutional amendment that provides for legislative oversight of rules and regulations adopted by executive branch agencies and officials.

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State Legislature, Joint Committees*Joint Committee on Corrections and Juvenile Justice Oversight*

- SB 3 Creating a drug abuse treatment program for people on diversion and allowing county and district attorneys to enter into agreements with chief judges and community corrections for supervision.
- SB 4 Modifying the criminal penalties for unlawfully tampering with electronic monitoring equipment.
- SB 5 Aligning the felony loss thresholds for certain property crimes with theft.
- SB 6 Counting any crime with a domestic violence designation as a prior conviction under domestic battery.
- SB 7 Extending terminal medical release to inmates in the custody of the department of corrections with a condition likely to cause death within 120 days.
- SB 8 Increasing good time and program credits for certain offenders.
- SB 320 Making and concerning appropriations for fiscal year 2022 for the department of corrections; appropriating moneys that had been lapsed in fiscal year 2021 in the evidence-based programs account.
- SB 321 Prohibiting the use of restraints during hearings under the revised Kansas juvenile justice code and authorizing exceptions if the court holds a hearing and makes certain findings on the record.
- HB 2026 Creating a drug abuse treatment program for people on diversion and allowing county and district attorneys to enter into agreements with chief judges and community corrections for supervision.
- HB 2027 Modifying the criminal penalties for unlawfully tampering with electronic monitoring equipment.
- HB 2028 Aligning the felony loss thresholds for certain property crimes with theft.
- HB 2029 Counting any crime with a domestic violence designation as a prior conviction under domestic battery.
- HB 2030 Extending terminal medical release to inmates in the custody of the department of corrections with a condition likely to cause death within 120 days.
- HB 2031 Increasing good time and program credits for certain offenders.
- HB 2471 Prohibiting the use of restraints during hearings under the revised Kansas juvenile justice code and authorizing exceptions if the court holds a hearing and makes certain findings on the record.
- HB 2472 Making and concerning appropriations for fiscal year 2022 for the department of corrections; appropriating moneys that had been lapsed in fiscal year 2021 in the evidence-based programs account.

Joint Committee on Special Claims Against the State

- SB 159 Paying certain claims against the state submitted by the joint committee on special claims against the state.
- HB 2492 Submitting claims against the state by the joint committee on special claims against the state.

Joint Committee on Information Technology

- HB 2548 Implementing additional reporting requirements for informational technology projects and state agencies and requiring additional information technology security training and status reports.

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Legislative Post Audit Committee

- SB 16 Removing the requirement that certain entities submit certain reports to the division of post audit.
- SB 17 Prohibiting a public agency from charging a fee under the open records act for records requested for an audit by the legislative division of post audit.
- HB 2049 Prohibiting a public agency from charging a fee under the open records act for records requested for an audit by the legislative division of post audit.
- HB 2050 Removing the requirement that certain entities submit certain documents to the division of post audit.

Joint Committee on Pensions, Investments and Benefits

- SB 86 Conforming certain KPERS provisions with the federal CARES act.
- SB 322 Eliminating the crediting to the Kansas public employees retirement fund of 80% of the proceeds from the sale of state surplus real estate.
- HB 2063 Providing certain KP&F tier II spousal and children's benefits for death resulting from a service-connected disability.
- HB 2064 Making DROP elections revocable and allowing DROP members who first elected a DROP period of less than five years to extend such DROP period.

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- H 2549 Distance requirements for group homes
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For page numbers see “Title and History of Bills” in House and Senate Journal Books
(Bill numbers printed in **bold** type are enacted bills.)