



House Committee on Federal and State Affairs

Testimony in Support of Senate Bill 34

Presented by Eric Stafford, Vice President of Government Affairs

Wednesday, March 9, 2022

Mister Chairman and members of the committee, my name is Eric Stafford, Vice President of Government Affairs for the Kansas Chamber. The Kansas Chamber appreciates the opportunity to testify in support of Senate Bill 34, which establishes a periodic review process of rules and regulations.

Regulatory sunset laws and efforts to reform the regulatory climate at the state level has gained traction across the country in recent years. Both red and blue states have taken steps to strengthen legislative oversight of state agencies and boards to ensure laws and regulations passed are necessary and not economically burdensome.

There's a variety of ways that states can implement a regulatory review process. According to a study by the Mercatus Center, 10 states have a comprehensive sunset review process; eight have a regulatory review process; 12 have a selective process of specific agencies; and six have a discretionary process where the legislature chooses which agencies and statutes to review. Mercatus classifies Kansas as an alternative approach state where we have an "irregular or ad hoc sunset process," along with South Dakota and Vermont.

The original version of SB 34 required all rules and regulations to sunset every five years unless renewed by the agency. However, this approach brought on concern from business and industry groups over potential uncertainty that could arise if an agency failed to renew necessary regulations. That brings us to this year where we have modified the bill to a periodic review process where agencies review all regulations every five years, and we have paired that with another Mercatus recommendation of allowing for "fast-track repeal" of regulations if an agency finds a regulation that is outdated, unused or no longer necessary.

For regulations being repealed, if they were identified by an agency in the 5-year periodic report, those may be repealed by filing a notice with the Secretary of State and publishing in the Kansas Register. There remains an opportunity for public input, and oversight by the Attorney General and JCARR if there is objection to the repeal.

In closing, we believe Senate Bill 34 would greatly strengthen Kansas' regulatory climate. Thank you for the opportunity to testify, and I'm happy to answer any questions you might have at the appropriate time.