



MEMORANDUM

To: Interested Parties

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

Date: February 16, 2024

Re: Weekly Report – Week of February 12, 2024

Please see our Weekly Report on Kansas Legislative activities:

A SPECIAL NOTE ON BILL TRACKERS

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

If there are bills that you would like *removed* from or *added* to your bill tracker, please contact Liz Sosa (Liz@FedericoDuerst.com).

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

BUSIEST WEEK OF THE YEAR FINISHES WITH TURNAROUND LOOMING NEXT WEEK

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

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

Please be sure to check your Bill Tracker and this week’s schedule as things are moving quickly during this part of the Legislative Session.

WITH TIME RUNNING SHORT, TAX BILL OVERRIDE LIKELY TO TAKE PLACE SOON

The window is closing on the Legislature’s opportunity to try and override [Governor Laura Kelly’s](#) veto of the GOP’s single-rate tax [bill](#). The bill was vetoed on January 26 and, according to the state constitution, the Legislature has 30 days to attempt an override.

Rumors have been swirling for weeks about dates when the override action was going to take place, but none have materialized. It is believed the House has the two-thirds majority necessary to compete the veto override. The Senate, on the other hand, is likely short.

Whether the bill is overridden will likely color the rest of the Legislative Session, given its anticipated fiscal note of roughly \$1.5 billion over the next three years.

The House and Senate will be on the floor all day Wednesday, Thursday and Friday, and it is likely they will take it up at some point before the week concludes.

HOUSE PASSES BILL TO LIMIT CELL PHONE USE WHILE DRIVING

A bill that would cut down on cell phone usage passed the House floor on Thursday.

[HB 2499](#) would ban anyone under the age of 18 from using a handheld mobile phone while driving. Further, the bill would forbid all drivers from using a handheld phone while going through a construction zone while workers are present and a school zone during designated hours.

The bill, which has seen similar iterations in the past, was given the green light to be brought to the floor by leadership, who spoke in favor of the bill when it was debated. Specifically, House [Speaker Dan Hawkins](#) (R-Wichita) noted that he was in a recent automobile accident that resulted in fairly extensive damage to his shoulder. The driver who hit him was on his mobile phone.

The bill passed on a vote of [86-30](#). It will now advance to the Senate.

BILL TO HELP GROWTH OF PASSENGER TRAIN USAGE CLEARS SENATE

More robust funding for passenger trains may soon be coming to Kansas.

The Senate advanced a [measure](#) on Thursday that would allow the Kansas Department of Transportation to develop and provide funding to connect Kansas by rail to other member states of the Midwest Interstate Passenger Rail Commission, the Midwest Regional Rail System, the National Passenger Rail Network, and any other passenger rail service operations serving Kansas.

Funds would be derived from any unincumbered funds not being used in the state highway fund, as well as an annual \$5 million transfer.

The bill comes at a time when passenger rail travel has been a frequently discussed topic in Kansas. Specifically, the Heartland Flyer Extension, which connects Newton with Oklahoma City by rail, has recently received federal grant funding for development of the route.

The bill now heads to the House for consideration.

WORLD CUP FUNDING REQUEST ADVANCES

The [Senate Ways & Means Committee](#) approved funds that would help Kansas prepare to host the [2026 FIFA World Cup](#).

The Committee approved a \$28 million appropriation which could be derived from any number of funds, including state general funds.

The [House Agriculture Budget Committee](#) approved a similar motion on Thursday. The full [House Appropriations Committee](#) will deliberate the recommendation on Tuesday.

Kansas City was selected as one of 16 cities across the United State, Canada, and Mexico to host what will be the largest sporting event in the history of the world. Organizers plan to spread activities out across the region and state, including potential “base camps” – or headquarters where teams and their fans will come and stay for more than a month. KC2026, the regional organizing committee, estimates the state of Kansas is expected to see a \$163.1 million economic benefit.

The World Cup will take place June 11 through July 19, 2026. Kansas City will host [six matches](#), which includes a major quarterfinal event.

BILL TO EASE REGULATIONS ON IN-HOME BUSINESSES WILL HAVE HEARING

A bill aiming to ease regulation of in-home businesses is set to be heard this week.

[HB 2704](#) would enact the No-Impact Home-Based Business Fairness Act. The bill defines a no-impact home-based business as a business for the manufacture, provision or sale of goods or services where the total number of on-site employees and clients does not exceed the municipal occupancy limited for residential property, does not generate a substantial increase in traffic, and does not supersede any deed restriction or land covenant. If the business qualifies, it would not be required to seek rezoning of the property for commercial use or install fire sprinklers.

A municipality may only establish reasonable regulations on a no-impact home-based business if it is narrowly tailored for the protection of public safety, ensuring that the business activity is compatible with the property and surrounding residential use, and in compliance with other state and federal laws.

The bill was introduced by [Rep. Laura Williams](#) (R-Lenexa) and [Rep. Adam Turk](#) (R-De Soto). The hearing will be held on Monday in the [House Local Government Committee](#).

RESTRICTIONS ON EMINENT DOMAIN, SOLAR PANELS, PUSHED BY FARM BUREAU

A bill pertaining to solar panels restrictions, proposed by the [Kansas Farm Bureau](#), will be heard this week in the Senate Utilities Committee.

[SB 457](#) would amend current law pertaining to public utilities and solar powered generation equipment. The bill would prohibit a public utility from exercising eminent domain for the sitting or placement of solar powered electric generation equipment, including panels.

Solar panels have been a significantly discussed issue over the past several years, as solar farms have been popping up at a rapid rate across the country. The hearing will take place on Monday.

KANSAS HOUSE FLOOR REPORT – FEBRUARY 15, 2024

Please see the action that occurred during the meeting of the full Kansas House of Representatives on February 15, 2024.

Bill Number	Subject	Motion	Result
HB 2499 by House Transportation Committee	Prohibiting the use of a mobile telephone while operating a vehicle in a school or construction zone or by individuals less than 18 years of age	Final Action	Passed, 86-30
HB 2561 by House Financial Institutions and Pensions Committee	Authorizing domestic credit unions to operate outside of the state, providing civil penalties for certain violations, allowing the administrator to enter into informal agreements, removing requirements regarding duplicate filings, establishing appeals procedures for suspended credit and supervisory committee members and requiring the members of a merged credit union to approve such merger	Final Action	Passed, 114-3
HB 2588 by House Energy, Utilities and Telecommunications Committee	Increasing the capacity limitation for the total amount of facilities subject to net metering that may operate within the service territory of investor-owned electric utilities, requiring facilities to be appropriately sized based on the customer's average load and establishing requirements for exporting power to a utility from a facility subject to net metering	Final Action	Passed, 116-0
HB 2481 by Joe Seiwert, R-101st	Designating a portion of K-96 highway as the PFC Henry Lee Fisher memorial highway	General Orders	Recommended favorably for passage; EFA: passed, 117-0

HB 2498 by House Transportation Committee	Providing for the first city of Kansas license plate	General Orders	Recommended favorably for passage; EFA: passed, 108-9
HB 2500 by House Transportation Committee	Providing for the delta waterfowl distinctive license plate	General Orders	Recommended favorably for passage; EFA: passed, 105-12
HB 2507 by Bill Rhiley, R-80th	Designating a bridge in Sumner county as the SrA Derek Scott Martin memorial bridge	General Orders	Recommended favorably for passage; EFA: passed, 117-0
HB 2501 by House Transportation Committee	Designating the Atchison, Topeka and Santa Fe #3415 as the official state locomotive	General Orders	Recommended favorably for passage; EFA: passed, 110-7

KANSAS SENATE FLOOR REPORT – FEBRUARY 15, 2024

Please see the action that occurred during the meeting of the full Kansas Senate on February 15, 2024.

Bill Number	Subject	Motion	Result
SB 379 by Senate Judiciary Committee	Providing a longer time for notice to creditors by publication when a petition for administration or probate of a will is filed, changing the process for transferring personal property by affidavit in small estates and modifying time requirements for notice by publication related to sales at public auction in the Kansas probate code	Consent Calendar	Passed, 40-0
SB 172 by Senate Ways and Means Committee	Increasing the KPERs lump-sum death benefit from \$4,000 to \$6,000	Final Action	Passed, 24-14
SB 336 by Senate Agriculture and Natural Resources Committee	Removing the requirement for underground storage tank operating permits to be obtained annually	Final Action	Passed, 40-0
SB 347 by Senate Agriculture and Natural Resources Committee	Requiring senate confirmation of appointees to the wildlife and parks commission	Final Action	Passed, 24-15

SB 349 by Senate Ways and Means Committee	Establishing an intercity passenger rail service program and making transfers annually into the passenger rail service revolving fund	Final Action	Passed, 34-6
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SR 1737 by Ty Masterson, R- 16th	Affirming Texas Governor, Greg Abbott's right to defend the state of Texas from unrestrained illegal immigration	Final Action	Adopted, 26- 11
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SB 360 by Senate Education Committee	Allowing a taxpayer to elect the taxable year in which a subtraction modification for contributions to a 529 program account, ABLE account or first-time home buyer savings account would be applied and authorizing the state treasurer to appoint a 529 program advisory council	General Orders	Recommended favorably for passage; EFA: Passed, 40-0
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SB 142 by Senate Transportation Committee	Requiring drivers to proceed with due caution when passing stationary vehicles displaying hazard warning lights and providing a penalty for violation thereof	General Orders	Recommended favorably for passage; EFA: Passed, 38-2
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SB 414 by Senate Judiciary Committee	Increasing the criminal penalties for unlawful distribution of fentanyl-related controlled substances	General Orders	Recommended favorably for passage; EFA: Passed, 39-0
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SB 419 by Senate Judiciary Committee	Amending the crime of aggravated endangering a child to increase the criminal penalties when bodily harm to the child results and when a child is in certain	General Orders	Recommended favorably for passage; EFA: Passed, 40-0

	environments associated with fentanyl-related controlled substances		
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SB 410 by Senate Assessment and Taxation Committee	Designating a portion of United States highway 69 as the Ken W Brock memorial highway	General Orders	Recommended favorably for passage; EFA: Passed, 40-0
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SB 394 by Senate Judiciary Committee	Requiring the use of age-verification technology to permit access to internet websites containing material that is harmful to minors	General Orders	Recommended favorably for passage; EFA: Passed, 40-0
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SB 23 by Senate Financial Institutions and Insurance Committee	Eliminating the statutory 15% alternative investment limit for the KPERS fund and requiring the KPERS board to establish an alternative investment percentage limit	General Orders	Amended by Sens. Longbine and Fagg; Recommended favorably for passage; EFA: Passed, 24-13

KANSAS SENATE FLOOR SCHEDULE – FEBRUARY 19, 2024

Please see the anticipated agenda for the upcoming meeting of the full Kansas Senate on February 19, 2024.

Bill Number	Committee	Subject	Carrier
HB 2392	Judiciary	Updating the Kansas code of military justice relat..	Warren
SB 292	Judiciary	Updating statutes related to the Kansas army and a..	Warren
SB 384	Local Government	Allowing ambulances in rural communities to operat..	McGinn
SB 318	Judiciary	Removing the requirement that municipal courts col..	Warren

WEEKLY SCHEDULE: FEBRUARY 19 – FEBRUARY 23, 2024

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

Please note that the Legislature is anticipated to be debating bills on the floor all day Wednesday, Thursday and Friday.

Time	Committee	Room	Notes
MONDAY, FEBRUARY 19, 2024			
8:30 PM	S Agriculture	144-S	Briefing: Conservation in Kansas; Possible Action
8:30 AM	S Public Health & Welfare	142-S	Hearings: SB433- Practice of Institutional License Holders, SB488- Inspection of Welfare Programs, SB489- Corrections Jail Nursery; Possible Action
8:30 AM	S Transportation	546-S	Hearings: SB462- Waiver CDL Tests for Military Exchange Program, SB426- Crime of EMS Assault, Possible Action
9:00 AM	H Appropriations	112-N	Bill Intros; Budget Report: Institutions for I/DD, KPERS, Pooled Money Investment Board; Possible Action
9:00 AM	H Fed & State	346-S	N/A
9:00 AM	H Financial Inst. & Pensions	582-N	Hearings: HB2729- Enacting the Kansas Specie Legal Tender Act, HB2711- Increasing Amount of Retirant Compensation; Possible Action
9:00 AM	H Legislative Modernization	218-N	TBA
9:00 AM	H Local Government	281-N	Hearings: HB2733- HOA Repairs, HB2734- Five Year Sunset on Improvement Districts, HB2704- Home-Based Business Act
9:30 AM	S Tax	548-S	Hearings: HB2465- SALT Parity Act Revisions; Possible Action
9:30 AM	S Financial Inst.	546-S	N/A
9:30 AM	S Transparency & Ethics	142-S	N/A
10:30 AM	S Commerce	546-S	N/A
10:30 AM	S Fed & State	144-S	Hearing: SB513- Enacting the Kansas Specie Legal Tender Act and the Kansas Bullion Depository Act; Possible Action
10:30 AM	S Judiciary	346-S	Hearing: SB491- Criminal Background Fingerprinting Record Check; Possible Action
10:30 AM	S Ways & Means	548-S	Bill Intros; Budget Report: State Fair, Wildlife & Parks, Postsecondary; Hearing: HB2495- Appropriations for FY24-25; Possible Action
11:00 AM	HOUSE FLOOR		PRO FORMA
12:00 PM	SWAM- Human Services	548-S	Budget Action: Healthcare Stabilization, KDADS
1:30 PM	S Education	144-S	Action on Bills Previously Heard
1:30 PM	S Utilities	548-S	Hearing: SB457- Prohibiting Eminent Domain for Siting of Solar Facilities; Possible Action
1:30 PM	H Ag. Budget	118-N	Hearing: HB2672- Transferable Landowner Permitting; Possible Action
1:30 PM	H Commerce	346-S	Hearings: HB2790- Oversight of Employer Organizations to KDOL, HB2664- Grants for Home-based Childcare, HB2745- Military Licensing

1:30 PM	H Corrections & JJ	546-S	Hearing: HB2370- Defining Consent in Criminal Code; Action: HB2385- Distribute Controlled Substance, HB2741- Supervision of Probation
1:30 PM	H Education	218-N	Hearing: HB2732- USD to employ Chaplains; Action: KBOR Scholarships, HB2645- Nursing Service Scholarship; Other Possible Action
1:30 PM	H Health & Human Ser.	112-N	Action on Bills Previously Heard
1:30 PM	H Higher Ed. Budget	281-N	Briefing: KLRD Budget Recommendations
1:30 PM	H Transportation	582-N	Action on Bills Previously Heard
1:30 PM	H. Child Welfare	152-S	Hearings: HB2189- Extension of Custody of Non-minor in DCF, HB2772- Establishing the Kansas Indian Child Welfare Act; Possible Action
2:30 PM	SENATE FLOOR		GO: HB2392- Military Code of Justice, SB292-Army Death Benefits, SB384- Rural Ambulance Staffing, SB318-Fingerprint Collection
3:30 PM	H Agriculture	112-N	Briefing: FFA State Officers; Possible Action
3:30 PM	H Gen Gov Budget	281-N	N/A
3:30 PM	H Judiciary	582-N	Hearing: HB2754- Counties Home Rule to Exemption School Sanitary Inspections; Possible Action
3:30 PM	H K-12 Budget	546-S	Hearing: HB2717- Virtual School State Aid for Adult Learners; Briefing: KSDE State Aid; Possible Action
3:30 PM	H Social Services Budget	152-S	Budget Hearing/Action: KDADS
3:30 PM	H Tax	346-S	Bill Intros; Hearing: HB2685- Sales Tax Exemption for Charitable Orgs; Action: HB2662 & 2688- Tax Exemptions Fairgrounds & Exploration Place
3:30 PM	H Transportation Budget	118-N	Budget Action: Department of Corrections
3:30 PM	H Insurance	218-N	Action: HB2714- Reducing Members/Meetings of Certain Insurance Boards, HB2715- Commissioner to Set Certain Fees; Possible Action
TUESDAY, FEBRAURY 20, 2024			
8:30 PM	S Agriculture	144-S	Action on Bills Previously Heard
8:30 AM	S Public Health & Welfare	142-S	Hearing: SB490- Updating Optometry Scope of Practice; Possible Action
8:30 AM	S Transportation	546-S	Possible Action
9:00 AM	H Appropriations	112-N	Bill Intros; Budget Report: KSDE, Wildlife & Parks, Ag, Water, Commerce, KDHE-Environment, Real Estate Commission; Possible Action
9:00 AM	H Fed & State	346-S	Bill Intros; Hearing: Hb2801- E-Cig FDA Certification; Action: HB2667- Revising Lottery Fund Transfers, HB2783- Prohibiting limitations of Vehicle based on Energy
9:00 AM	H Utilities & Telecom	582-N	N/A
9:00 AM	H Veterans	281-N	Briefing: Update on Veterans Administration

9:00 AM	H Water	152-S	Hearing: HB2695- GWMD Petition to Revise Territory; Possible Action
9:30 AM	S Tax	548-S	Action on Bills Previously Heard
9:30 AM	S Financial Inst. & Insurance	546-S	Action on Bills Previously Heard
9:30 AM	S Local Government	142-S	N/A
10:30 AM	S Commerce	546-S	Action on Bills Previously Heard
10:30 AM	S Fed & State	144-S	Bill Intros; Hearing: SB474- Eliminating Admin Ordinance Restriction in City Initiative Statute; Possible Action
10:30 AM	S Judiciary	346-S	Action on Bills Previously Heard
10:30 AM	S Ways & Means	548-S	Bill Intros; Budget Reports: Healthcare Stabilization Fund, KDADS; Possible Action
11:00 AM	HOUSE FLOOR		
12:00 PM	SWAM- Human Services	548-S	Budget Action: KDHE, DCF
1:30 PM	S Education	144-S	Action on Bills Previously Heard
1:30 PM	S Utilities	548-S	Hearing: SB487- Authorizing Contract with other Counties to share 911 Services; Possible Action
1:30 PM	H Ag. Budget	118-N	Briefing: KCC Transmission/Line Siting/Eminent Domain; Possible Action
1:30 PM	H. Welfare Reform	152-S	Action on Bills Previously Heard
1:30 PM	H Commerce	346-S	Action on Bills Previously Heard
1:30 PM	H Corrections & JJ	546-S	N/A
1:30 PM	H Education	218-N	Hearing: HB2719- USD Notice to Parents of Non-Academic Survey; Possible Action
1:30 PM	H Health & Human Ser.	112-N	Action on Bills Previously Heard
1:30 PM	H Higher Ed. Budget	281-N	Briefing: KS Development Finance Authority; Budget Action: KLRD Budget
1:30 PM	H Transportation	582-N	Action on Bills Previously Heard
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	N/A
3:30 PM	H Judiciary	582-N	Action on Bills Previously Heard
3:30 PM	H K-12 Budget	546-S	Briefing: Safe & Secure Schools Grant, Zero Eyes Program; Possible Action
3:30 PM	H Social Services Budget	152-S	N/A
3:30 PM	H Tax	346-S	Bill Intros; Hearings: HB2687- Child Income Tax Credit, HB2757- Adoption Savings Account Act, HB2794- Tax Exemption for Animal Rescue
3:30 PM	H Transportation Budget	118-N	Budget Hearing: KDOT

3:30 PM	H Elections	218-N	Action on Bills Previously Heard
WEDNESDAY, FEBRUARY 21, 2024			
12:00 PM	LPA	546-S	Audits: DEI Spending at Higher Ed, Kansas 911 System