

## NEWSLETTERS



### KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | APRIL 1, 2021

April 1, 2021

#### WEEK 12 OVERVIEW

This week saw significant debate on the House and Senate floor while nonexempt committees completed their work for the session. Appropriations, election laws, medical marijuana, sports gaming, and taxes and unemployment insurance generated debate and controversy this week. Wednesday was the deadline for non-exempt bills to be considered in the non-originating legislative chamber. On Tuesday, the House soundly rejected a sports gaming bill 40 to 77. On Tuesday evening, the House concluded work with the approval of their version of Kansas budget for the next two fiscal years.

During the budget debate, Democrats unsuccessfully attempted to expand Medicaid to 120,000 low-income Kansans. The amendment was rejected 78 to 46. During the debate, the minority party pointed out that 38 states have passed expansion, including Missouri, Oklahoma, Colorado, and Nebraska. Democrats also pointed out that currently the federal government covers 90% of the cost and Kansas would receive \$450 million in additional funding over the next two years under the federal stimulus law.

In the Senate, the debate agenda was completed Wednesday evening. The Senate spent Wednesday morning debating House Bill 2039, requiring students to pass a civics test examination for high school graduation, and much of the afternoon on election reform. The Senate approved Senate Substitute for HB 2153, establishing the Office of the Child Advocate within the office of the Attorney General and the establishment of a Joint Committee on Child Welfare System Oversight.

The Legislature is scheduled to return to work next Tuesday, April 6, to start work on conference committees. First adjournment is next Friday, April 9.

This week, Gov. Laura Kelly signed House Bill 2078, suspending the speedy trial law in Kansas until May 1, 2023 to address the massive backlog of criminal cases from the pandemic closure of the courts. The bill deletes the authority of the Chief Justice of the Kansas Supreme Court to extend or suspend trial deadlines. District courts are mandated to prioritize cases for trial based on a defendant's assertion of a right to a prompt trial, trial calendar of

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attorneys, availability of witnesses and safety in relation to the COVID-19 pandemic.

## HOUSE APPROVES TAX PACKAGE

On Monday, the House approved Senate Bill 50, an expansive tax relief measure. Senate Bill 50 is projected to cost \$284 million from 2022 to 2024. The House tax relief measure had contained some of the elements in the larger Senate plan, but the future costs were smaller than Senate Bill 50. On Tuesday, the House passed Senate Bill 50 81 to 46. Interestingly, on Tuesday afternoon, the Senate concurred on the smaller House's less-expensive measure. Democrats' efforts to provide sales tax relief on food and elimination of state income taxes on unemployment benefits were rejected.

The package will require out-of-state retailers to collect sales tax if they have more than \$100,000 in annual sales. Thus, it is hoped the bill will level the playing field for Kansas brick-and-mortar merchants collecting sales tax. The law will also decouple Kansas income tax from the federal standard deduction, boost the Kansas standard deduction by \$500, and allow itemization on Kansas returns, regardless of whether the taxpayer itemizes on his or her federal return. Other provisions clarify that victims of identity theft will not owe Kansas individual income tax on unemployment compensation fraudulently obtained by another individual. The new tax bill also provides tax breaks for multinational corporations.

## SCHOOL FINANCE

After a two-hour floor debate, the House narrowly passed a K-through-12 finance bill by a vote of 65 to 58. The bill clarifies the State Board of Education's role in distributing federal COVID funding for schools. The measure includes a \$500 bonus for teachers from the federal COVID-19 grants to education. The bill also reauthorizes the statewide 20-mill property tax for support of public schools. Also, a provision moving the per-pupil amount of money normally given to public schools into education savings accounts for students to use toward private school tuition is included. The bill limits funding for remote-learning options and expands school-choice encouragement. If enacted, up to \$8,000 in tax credits per student per year could be applied in private education circumstances.

## MARIJUANA BILL PASSES HOUSE COMMITTEE

For the first time in Kansas, a medical marijuana bill has passed out of a legislative committee. The House Federal and State Affairs Committee approved such a bill 13 to 8 after extensive debate and amendment. The House bill was inserted into Senate Bill 158 to expedite consideration in both chambers. The Committee approved amendments to expand the list of medical conditions and require tamper-proof Kansas specific packaging. The bill also contains "open container" language for marijuana products in a vehicle. With time running out for the committee meeting and more amendments to be considered, the Vice-Chair of the committee called the question, forcing a vote. The Committee deadlocked 11-11, with the Chair breaking the tie. Those Committee members disappointed in the procedural process will be forced to offer their amendments on the House floor.

## ELECTION REFORM

This Legislative session has brought discussion of state election laws. Obviously, this is part of a larger national conversation born of the controversy concerning election procedures implemented by some jurisdictions in advance of last November's national election. Last Friday, the Senate Federal and State Affairs Committee approved Senate Bill 307, which would amend the timeframe to return advance ballots to county election offices. Under current Kansas law, ballots must be postmarked on or before Election Day and ballots received by Friday of election week are counted. Senate Bill 307 eliminates the three-day window and requires ballots be received by Election Day. If Senate Bill 307 had been in effect last November, more than 32,000 ballots postmarked by election day would not have been counted. On Tuesday, the Senate Federal and State Affairs Committee voted to reconsider their action

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on Senate Bill 307. The bill remains in the Committee.

The Senate Federal and State Affairs Committee also amended Senate Substitute House Bill 2183, which combined four different Senate election bills. The substitute bill would make it unlawful to alter or restrict delivery of such ballots. The bill expands the definition of “electioneering” and would remove the authority of the Secretary of State to extend the deadline for receiving advance mail ballots. Violations would be a level 9 nonperson felony. On Wednesday afternoon, the Kansas Senate debated Substitute for House Bill 2183. The bill was approved after a series of amendments proposed by Democrats were rejected.

### UNEMPLOYMENT INSURANCE MODERNIZATION

On Tuesday afternoon, the Senate debate centered on Senate Sub for House Bill 2196, modernizing the Kansas unemployment insurance system. The Senate Commerce Committee had agreed to make \$450 million immediately available for the unemployment trust fund. Senate Commerce Committee Chair Sen. Rob Olson, R-Olathe, offered several amendments that drew frustration from some of his committee members. Sen. Olson offered an amendment to put \$250 million into the trust and another \$250 million into a reserve fund. Committee members questioned the change after many hours of committee debate on the bill. Uncertainty over the amount of fraud was another issue in the debate. The amendment and the bill were ultimately approved.

### BILL INTRODUCTIONS

#### COURTS, LAWS, AND REGULATIONS

**Sub. for SB 84** – As recommended, would make similar changes to the Kansas Lottery Act and sports wagering as first reported in our March 5 issue. Referred to the House Committee on Federal and State Affairs, Rep. John Barker, Chair. The Committee recommended the substitute be passed. The House Committee of the Whole rejected the bill as first amended: Yea, 56; Nay, 66; and a second time: Yea, 48; Nay, 71. Motion to recommend favorably for passage failed the House Committee of the Whole.

**SB 308** – Would prohibit certain places that are accessible to the general public from denying access to individuals based on the refusal to wear a face covering or the individual's decision to not receive a vaccine. This bill has been referred to the Senate Committee on the Judiciary, Sen. Kellie Warren, Chair.

**Sub. for HB 2104** – As amended, would make similar changes to school financing law as first reported in our March 26, 2021 issue. The House Committee of the Whole passed the bill as amended on final action: Yea, 114; Nay, 8. The Senate Committee of the Whole passed the bill as amended on emergency final action: Yea, 39; Nay, 0. This bill was referred to a Joint Conference Committee and was adopted by the Senate Conference Committee: Yea, 25; Nay, 14.

**HB 2087** – As amended, would amend law related to the review and procedures of administrative rules and regulations. The bill, as amended, passed the House on final action: Yea, 109; Nay, 13. Referred to the Senate Committee on Ways and Means, Sen. Rick Billinger, Chair. The Senate Committee recommended this bill be passed as amended.

**SB 122** – As amended by the House Committee on Judiciary, would make similar changes to Kansas rules of evidence as first reported in our Feb. 5, 2021 issue. Originally referred to the Senate Committee on Judiciary, Sen. Kellie Warren, Chair. The Senate Committee of the Whole passed the bill on final action: Yea, 38; Nay, 1, then referred to the House Committee on Judiciary, Rep. Fred Patton, Chair. The bill as amended passed the House on Final Action: Yea: 117; Nay: 7.

**Sub. for HB 2196** – As amended, would modernize and make changes to Kansas Employment Security Law and unemployment insurance. Referred to the Senate Committee on Commerce, Sen. Robert Olson, Chair. The Senate

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Committee of the Whole passed the substitute bill as amended on final action: Yea, 40; Nay, 0.

**HB 2412** – As amended, would provide how and under what procedures monies received through opioid litigation may be spent as first reported in our Feb. 26 issue. Referred to the House Committee on Judiciary, Rep. Fred Patton, Chair. The House passed the bill as amended on final action: Yea, 81; Nay, 43. Referred to the Senate Committee on Judiciary, Sen. Kellie Warren, Chair. See also SB 264.

**HB 2414** – As recommended, would amend law relating to the child day care services assistance tax credit for employers who contribute to the costs of day care services for children of its employees. Referred to the House Committee on Taxation, Rep. Adam Smith, Chair. The Committee has recommended the bill be passed.

**HB 2390** – Would make similar changes to the Kansas Open Records Act as reported in our Feb. 19 issue; the amendment would create a new exemption for records relating to cybersecurity. Originally referred to the House Committee on Judiciary, Sen. Fred Patton, Chair. The bill passed the House on final action: Yea, 124; Nay, 0, then referred to the Senate Committee on Transparency and Ethics, Sen. Elaine Bower, Chair. This bill as amended passed the Senate Committee of the Whole on final action: Yea, 40; Nay, 0.

**Sub. For SB 273** – As amended, would make significant changes than what was originally reported in our March 5 issue. Instead, this bill would now direct tobacco manufacturers to remit payments to the Kansas endowment for youth fund rather than deposit into escrow upon certification by the attorney general. The Senate Committee of the Whole passed the substitute bill as amended on emergency final action: Yea, 27; Nay, 12, then referred to the House Committee on Judiciary, Rep. Fred Patton, Chair. This substitute bill passed on Final Action: Yea: 123; Nay; 1.

**HB 2443** – As amended, would create a hiring and retention preference for persons with disabilities for certain government jobs. This bill was referred to the House Committee on Commerce, Labor and Economic Development, Rep. Sean Tarwater, Chair. The Committee has recommended the bill be passed as amended.

**House Sub. For SB 91** – Would create certain business liability protections for injuries relating to high school work-based learning programs similar to HB 2442 reported in our March 26 issue. This bill passed the Senate on final action: Yea, 34; Nay, 5, then referred to the House Committee on Appropriation, Rep. Troy Waymaster, Chair.

**SB 119** – Would make similar changes to procedural rules before the Board of Tax Appeals as first reported in our Feb. 5 issue. The amendment would change law relating to the appointment and tenure of Board members. This bill was passed the Senate on emergency final action: Yea, 38; Nay, 1, then referred to the House Committee on Taxation, Rep. Adam Smith, Chair. The Committee has recommended the bill be passed as amended.

**SB 126** – Would authorize the sale of alcoholic liquor by certain organizations for special events and make clarifications regarding temporary permits. This bill passed the Senate on final action. Yea, 36; Nay, 1. Referred to the House Committee on Federal and State Affairs, Rep. John Barker. The Committee recommended the bill be passed as amended.

**SB 181** – As amended, would create the Elevator Safety Act, which would establish licensure requirements for elevator contractors, servicers, mechanics, and inspectors. Referred to the Senate Committee on Federal and State Affairs, Sen. Larry Alley, Chair. The Senate Committee of the Whole passed the bill as amended on final action: Yea, 32; Nay, 7.

**SB 212** – Would make it unlawful for employers to engage in any adverse action against a person based on the individual's decision to receive or not receive certain immunizations and grant immunity from civil liability for potentially exposing others to infectious diseases due to a lack of immunization. Referred to the Senate Committee on Public Health and Welfare, Sen. Richard Hilderbrand, Chair. The Committee has recommended the bill be passed as amended.

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**SB 263** – Would make similar changes to the child-care services assistance tax credit as reported in our Feb. 26 issue. Referred to the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair. The Senate Committee recommended the bill be passed as amended.

**SB 304** – Would remove the sunset provisions of the COVID-19 Contact Tracing Privacy Act. Referred to the Committee on Judiciary, Sen. Kellie Warren, Chair. The Senate passed the bill on final action: Yea, 26; Nay, 14.

**House Resolution No. 6015** – Would urge the Legislative Coordinating Council to revoke any executive order issued by the governor mandating face covering while the legislature is adjourned. This resolution passed on emergency final action: Yea, 84; Nay, 39.

**HB 2405** – As amended, would authorize bonds to finance the unfunded actuarial liability of KPERS as first reported in our March 12 issue. The amendment would change the amount of bonds authorized to be issued. Originally referred to the House Committee on Insurance and Pensions, Rep. Steven Johnson, Chair. The bill as amended passed the House Committee of the Whole on emergency final action: Yea, 117; Nay, 6, then referred to the Senate Committee on Ways and Means, Rep. Rick Billinger, Chair. The Senate Committee has recommended the bill be passed as amended.

**HB 2280** – As amended, would create law allowing a patient desiring to be prescribed a U.S. Food and Drug Administration (FDA)-approved drug for an off-label use of such drug, to sign, or have a legal representative sign a liability waiver for such use. Referred to the House Committee on Health and Human Services, Rep. Brenda Landwehr, Chair. The House Committee of the Whole passed the bill as amended on final action: Yea, 116; Nay, 8, then referred to the Senate Committee on Public Health and Welfare, Sen. Richard Hilderbrand, Chair. The Senate Committee recommended the bill be passed as amended.

**HB 2114** – As amended, would establish the Kansas Senior Care Task Force (Task Force). The bill would outline the topics to be studied by the Task Force, which would include a provision of care for Kansas seniors who suffer from Alzheimer's disease, dementia, or other age-related mental health conditions and administration of antipsychotic medication to adult care-home residents. The Task Force would sunset on June 30, 2023. The House Committee of the Whole passed the bill as amended on emergency final action: Yea, 113; Nay, 8, then referred to the Senate Committee on Public Health and Welfare, Sen. Richard Hilderbrand, Chair. The Senate passed the bill as amended on final action: Yea, 38; Nay, 2.

**HB 2077** – As amended, would amend law related to the Kansas Criminal Justice Reform Commission and the Kansas Closed Case Task Force. The House Committee of the Whole passed the bill as amended on emergency final action: Yea, 120; Nay, 5, then referred to the Senate Committee on Judiciary, Sen. Kellie Warren, Chair. The Senate Committee of the Whole passed the bill as amended on final action: Yea, 39; Nay, 1.

**Sub. For HB 2183** – As recommended, would amend and create law pertaining to elections and voting, including advance mail ballots, assistance with the return of advance ballots, advance ballot return deadlines, the authority of the Secretary of State, duties of election officials, electioneering, and election funding. The Senate Committee of the Whole passed the substitute bill as amended on emergency final action: Yea, 28; Nay, 12.

**HB 2377** – As amended, would create and amend law related to driving under the influence (DUI) and driving a commercial motor vehicle under the influence (commercial DUI). Originally referred to the House Committee on Judiciary, Rep. Fred Patton, Chair. The House Committee of the Whole passed the bill as amended on final action: Yea, 101; Nay, 23, then referred to the Senate Committee on Judiciary, Sen. Kellie Warren, Chair. The Senate Committee recommended the bill be passed as amended.

**SB 264** – As amended, would create the Kansas Fights Addiction Act (Act), which would address use of funds received from opioid litigation and establish limits on future opioid litigation by municipalities. Referred to the Senate Committee on Ways and Means, Sen. Rick Billinger, Chair. The Senate Committee recommended the bill be



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passed as amended.

**HB 2079** – Would amend laws to transfer from the Secretary of State to the attorney general the duties and responsibility of providing victims of domestic violence address confidentiality. Referred to the House Committee on Judiciary, Rep. Fred Patton, Chair. The House Committee of the Whole passed the bill as amended on emergency final action: Yea, 70; Nay, 54, then referred to the Senate Committee on Ways and Means, Sen. Rick Billinger, Chair. The Senate Committee passed the bill as amended on final action: Yea, 37; Nay 3.

**HB 2137** – As amended, would make similar changes to alcohol laws as SB 254, as reported in our Feb. 19 issue. Originally referred to the House Committee on Federal and State Affairs, Rep. John Barker, Chair. The House Committee of the Whole passed the bill as amended on final action: Yea, 122; Nay, 2, then referred to the Senate Committee on Federal and State Affairs, Sen. Larry Alley, Chair. The Senate Committee of the Whole passed the bill as amended on final action: Yea, 31; Nay, 8. The House nonconcurred with the Senate amendments. On Mar. 30, the Senate's Motion to Accede was adopted.

**HB 2209** – Would enact the Psychology Interjurisdictional Compact and provide for interjurisdictional authorization to practice telepsychology and temporary in-person, face-to-face psychology as reported in our Feb. 5 issue. Referred to the House Committee on Health and Human Services, Rep. Brenda Landwehr, Chair. The House Committee passed the bill as amended on final action: Yea, 121; Nay, 3, then referred to the Senate Committee on Public Health and Welfare, Sen. Richard Hilderbrand, Chair. The Senate Committee recommended the bill as amended be passed.

**HB 2224** – As amended, would modify the law governing court-ordered testing for infectious diseases. Referred to the House Committee on Federal and State Affairs, Rep. John Barker, Chair. The House Committee passed the bill as amended on final action: Yea, 117; Nay, 6, then referred to the Senate Committee on Public Health and Welfare, Sen. Richard Hilderbrand, Chair. The Senate Committee recommended bill be passed as amended.

**HB 2244** – Would amend existing law to transfer the duties and responsibilities for registration and regulation of industrial hemp processors that are currently assigned to the Kansas Department of Agriculture (KDA) to the State Fire Marshal and to require the Fire Marshal to create and maintain a registry of all Kansas hemp producers where the annual registration fees would be deposited in the Fire Marshal Fee Fund, as reported on in our Feb. 26 issue. Referred to the House Committee on Agriculture, Rep. Ken Rahjes, Chair. The bill as amended passed the House on emergency final action: Yea, 97; Nay, 27, then referred to Senate Committee on Agriculture and Natural Resources, Sen. Dan Kerschen, Chair. The Senate Committee passed the bill as amended on final action: Yea, 35; Nay, 4.

**HB 2248** – Would increase state financial assistance to local health departments under specified circumstances as reported in our Feb. 12 issue. Referred to the House Committee on Social Services Budget, Rep. Will Carpenter, Chair. The House Committee of the Whole passed the bill on final action: Yea, 111; Nay, 12. Referred to Senate Committee on Ways and Means, Sen. Rick Billinger, Chair. The Senate Committee recommended the bill be passed as amended.

**HB 2270** – Would place a limit of \$100,000 on deposits into the State General Fund (SGF) each fiscal year from monies from a levy placed on each fire insurance company doing business in Kansas for the purpose of maintaining the Office of State Fire Marshal. Referred to House Committee on Transportation and Public Safety Budget, Rep. Shannon Francis, Chair. The House Committee of the Whole passed the bill on final action: Yea, 123; Nay, 11, then referred to the Senate Committee on Ways and Means, Sen. Rick Billinger, Chair. The Senate Committee of the Whole passed the bill on final action: Yea, 40; Nay, 0. The bill was enrolled and presented to the Governor on Mar. 29.

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**HB 2391** – Would make multiple and significant changes to business registration laws relating to, among other things, reporting requirements and fees, minimum information requirements, removing prior exemptions for certain tax records, and other miscellaneous changes. Referred to the House Committee on Commerce, Labor, and Economic Development, Rep. Sean Tarwater, Chair. The House Committee amended the bill to permit filers to file reports for multiple entities formed in both odd and even-numbered years in 2023 and in odd-numbered years thereafter. On Mar. 2, the bill passed the House: Yea: 121, Nay: 3. The bill was referred to Senate Committee on Transparency and Ethics, Sen. Elaine Bowers, Chair. The Senate Committee amended the bill to clarify provisions regarding certain past due business entity reports and to insert provisions of HB 2297 regarding publications. On Mar. 31, the Senate passed the bill as amended: Yea: 40, Nay: 0.

**HB 2452** – Would amend laws relating to motor vehicles to source sales of motor vehicles to location of vehicle registration, and the bill also concerns sales and compensating use tax. Referred to the House Committee on Taxation, Rep. Adam Smith, Chair.

**SB 50** – As amended, would require the collection and remittance of certain taxes by marketplace facilitators. Referred to the House Committee on Taxation, Rep. Adam Smith, Chair. The House Committee of the Whole passed the bill as amended on final action: Yea, 81; Nay, 43. The Senate concurred with the amendments: Yea: 30, Nay: 10.

**House Sub. For SB 124** – As amended, would supplement, amend, and reauthorize the Sales Tax and Revenue (STAR) Bonds program. The Senate Committee of the Whole passed the bill as amended on final action. Yea, 24; Nay, 11. Then referred to the House Committee on Commerce, Labor, and Economic Development, Sen. Sean Tarwater, Chair. The House Committee of the Whole passed the substitute bill as amended on final action: Yea, 101; Nay, 23. The Senate Committee concurred with the House: Yea, 30; Nay, 9.

**SB 127** – As amended, would amend laws related to driver's licenses. Referred to the Senate Committee on Transportation, Sen. Mike Peterson, Chair. The Senate Committee of the Whole passed the bill as amended on final action: Yea, 39; Nay, 0, then referred to the House Committee on Transportation, Rep. Richard Proehl, Chair. The House Committee of the Whole passed the bill as amended on final action: Yea, 123; Nay, 1.

**House Sub. For SB 167** – Would create a "move over" requirement for drivers related to a stationary authorized utility or telecommunication vehicle (authorized utility vehicle) under certain circumstances. Referred to the Senate Committee on Transportation, Sen. Mike Petersen, Chair. The Senate Committee of the Whole passed the bill as amended on final action: Yea, 39; Nay, 0, then referred to the House Committee on Transportation, Rep. Richard Proehl, Chair. The House Committee recommended the substitute bill pass. The bill was stricken from the calendar.

**SB 172** – Would amend existing law to create a crime for trespassing on and doing critical damage to a critical infrastructure facility, a newly defined statutory term. Referred to the Senate Committee on Utilities, Sen. Mike Thompson, Chair. The bill passed the Senate as amended on final action: Yea, 29; Nay, 9, then referred to the House Committee on the Judiciary, Rep. Fred Patton, Chair. The House Committee passed the bill as amended on final action: Yea, 37; Nay, 2.

**SB 307** – Would amend law concerning elections and relating to advance voting ballots and require the return of such ballots by the day of election. The bill was referred to Senate Committee on Federal and State Affairs, Sen. Larry Alley, Chair.

## HEALTHCARE

**HB 2279** – As amended by the House Committee of the Whole, would make similar changes to physical therapy licensure as first reported in our Feb. 12, 2021 issue. Originally referred to the House Committee on Health and Human Services, Rep. Brenda Landwehr, Chair. The bill passed the House on final action: Yea, 122; Nay, 2, then

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referred to the Senate Committee on Public Health and Welfare, Sen. Richard Hilderbrand, Chair. The Senate Committee on Public Health and Welfare recommended this bill be passed as amended.

**SB 283** – As amended, would make similar changes to business liability law for COVID-19 related claims and extend and expand the use of telemedicine and emergency licenses for certain healthcare providers. The bill, as amended, passed the Senate Committee of the Whole on emergency final action. Yea, 31; Nay, 8. This bill was passed, as amended, in the House on Final Action: Yea: 96; Nay: 28. The Senate concurred with the amendments: Yea, 30; Nay, 10. The bill was presented to the Governor and approved on March 31, 2021.

**SB 199** – As amended, would make similar changes to short-term health plans as first reported on Feb. 12 issue. Referred to the Senate Committee on Financial Institutions and Insurance, Sen. Jeff Longbine, Chair. The Senate Committee has recommended the bill be passed as amended. The Senate passed the bill as amended on emergency final action: Yea, 27; Nay, 6.

### EDUCATION

**HB 2301** – As amended, would require all high schools accredited by the Kansas State Board of Education to provide a course on personal financial literacy and a course regarding United States civil government and history as a graduation requirement. Referred to the House Committee on Education, Rep. Steve Huebert, Chair. The House Committee recommended this bill be passed as amended.

**SB 32** – As amended, would permit school districts to pay certain costs and fees for its students who are dually enrolled at a postsecondary educational institution. Referred to the Senate Committee on Education, Sen. Molly Baumgardner, Chair. The Senate Committee passed the bill as amended: Yea, 39; Nay, 0, then referred to the House Committee on Education, Rep. Steve Huebert, Chair. The House Committee recommended the bill be passed as amended. The bill has been withdrawn from the Calendar and referred to the House Committee on Appropriations, Rep. Troy Waymaster, Chair.

**SB 62** – As amended, would make similar changes to state standards for free school-administered vision screenings as reported in our Feb. 26 issue. The amendment would also authorize and prescribe standards for schools to maintain and use albuterol and epinephrine kits. The bill passed the Senate on final action: Yea, 35; Nay, 4, and is now referred to the House Committee on Appropriations, Rep. Troy Waymaster, Chair.

### TAXATION

**Sub. For SB 49** – As recommended, would among other things, re-authorize the 20-mill property tax levy for school years 2021-2022 and 2022-2023. The bill would continue the exemption of residential property up to \$20,000 of appraised value from the 20-mill property tax levy for tax years 2021 and 2022. The bill passed the Senate on emergency final action: Yea, 38; Nay, 0, then referred to the House Committee on Taxation, Rep. Adam Smith, Chair. The House Committee has recommended the substitute bill be passed.

**Sub. For HB 2239** – As recommended by the Senate Committee on Assessment and Taxation, would create the Golden Years Homestead Property Tax Freeze Program (refund program) and a amend law regarding net operating losses. The bill passed the House on emergency final action. Yea, 123; Nay, 0. Then referred to the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair. The Senate Committee has recommended the substitute bill be passed.

**HB 2106** – As amended, would amend income tax law related to fraudulently obtained income, income tax return filings, and retirement income. The bill would be in effect upon publication in the Kansas Register. Among other things, the bill would clarify that victims of identity theft would not owe Kansas individual income tax on any compensation fraudulently obtained by another individual. Also, the bill would extend the deadline for the filing of Kansas corporation income tax returns to one month after the due date established under federal law. Further, the



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bill would, beginning in tax year 2021, exempt amounts received by retired individuals under all retirement plans from the Kansas income tax to the extent such income is included in federal adjusted gross income. The House Committee of the Whole passed the bill on emergency final action: Yea, 123; Nay, 0, then referred to the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair. The Senate Committee of the Whole passed the bill as amended on final action: Yea, 24, Nay, 15.

**SB 124** – As amended, would make similar changes to the Sales Tax and Revenue (STAR) Bond program as first reported in our March 5 issue. The Senate Committee of the Whole passed the bill as amended on final action: Yea, 24; Nay, 11, then referred to the House Committee on Commerce, Labor and Economic Development, Rep. Sean Tarwater, Chair. This bill passed the House on final action: Yea, 101; Nay: 23. The Senate concurred with the amendments: Yea, 30; Nay, 9.

**SB 87** – As amended, would provide for all countywide sales taxes imposed pursuant to elections held on or after July 1, 2021, to be remitted and retained by counties unless the Board of County Commissioners adopts a resolution of at least 60 days prior to the election providing for the application of the formula in current law apportioning the proceeds of countywide sales taxes to the county and cities located within the county. Referred to the Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair. The Committee recommended the bill be passed as amended.

**HB 2143** – As amended and recommended, would modify several aspects of Kansas Sales Tax. Originally referred to the House Committee on Taxation, Rep. Adam Smith, Chair. The House Committee passed the bill on emergency final action: Yea, 119; Nay, 4, then referred to the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair. The Senate Committee of Whole passed the bill as amended on emergency final action: Yea, 39; Nay, 0.

**SB 282** – As recommended, would create new income tax credits for graduates of certain aerospace and aviation education programs and their employers for tax years 2022 through 2026. Referred to the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair. The Senate Committee recommended the bill be passed.

**Sub. for HB 2397** – Would make changes to certain appropriations for fiscal years 2022 through 2024 as first reported in our Feb. 19 issue. The House Committee of the Whole passed the substitute bill as amended on emergency final action: Yea, 71; Nay, 52.

## TRANSPORTATION

**SB 100** – As amended by the Senate Committee on Transportation, would create and amend law related to driver's licenses suspended for failure to comply with a traffic citation, meaning failing to appear in court in response to a traffic citation and pay in full any fine and court costs imposed or otherwise comply with a traffic citation. Referred to the Senate Committee on Transportation, Sen. Mike Peterson, Chair. The Senate Committee of the Whole passed the substitute bill on final action: Yea, 40; Nay: 0.

## AGRICULTURE

**HB 2244** – As amended, would prescribe requirements for the effective disposal and registration of industrial hemp. Originally referred to the House Committee on Agriculture, Rep. Ken Rahjes, Chair. The House Committee of the Whole passed the bill as amended on emergency final action: Yea, 97; Nay, 27, then referred to the Senate Committee on Agriculture and Natural Resources, Sen. Dan Kerschen, Chair. The Senate Committee of the Whole passed the bill as amended on final action: Yea, 35; Nay, 4.

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Kansas Legislative Insights is a publication developed by the Governmental Relations & Public Policy Law practice group of Foulston Siefkin LLP. It is designed to inform business executives, human resources and governmental

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relations professionals, and general counsel about current developments occurring in current Kansas legislation. Published regularly during the Kansas legislative session, it focuses on issues involving healthcare, insurance, public finance, taxation, financial institutions, business & economic development, energy, real estate & construction, environmental, agribusiness, employment, and workers compensation. Bill summaries are by necessity brief, however, for additional information on any issue before the Kansas Legislature, contact Foulston Siefkin's Governmental Relations & Public Policy Law practice group leader, James P. Rankin at 785.233.3600 or [jrankin@foulston.com](mailto:jrankin@foulston.com). Learn more about the authors below:

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