



2023 LEGISLATIVE HIGHLIGHTS

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ABORTION

Abortion Definition and Notification

HB 2264 amends the definition of “abortion” to clarify that certain medical procedures, such as removal of an ectopic pregnancy, and methods of contraception are not abortions. The bill also requires facilities and physicians that provide medication abortions using mifepristone to provide notification to patients, verbally and in writing, that reversal of the abortion may be possible.

Born-alive Infants Protection Act

HB 2313 enacts the Born-alive Infants Protection Act. If an abortion or attempted abortion results in a child being born alive, the bill requires health care providers exercise the same level of care as to any other child born alive. Failure to comply with these care requirements must immediately be reported to law enforcement. The bill creates penalties for knowing or reckless violation of the Act and allows for a civil cause of action for any violation of the care and reporting requirements. These penalties do not apply to the woman upon whom the abortion is performed or attempted.

The bill also requires each medical facility in which an infant is born

alive subsequent to an abortion or attempted abortion to submit an annual report to the Secretary of Health and Environment and authorizes civil fines for failure to timely submit such reports.

AGRICULTURE & NATURAL RESOURCES

Multi-year Flex Accounts and Water Banks

SB 205 allows enrollment and participation in a multi-year flex account except when the water right, or any portion, is enrolled in a water bank during the calendar year. The bill also provides a one-year period where dual-enrollment is allowed.

Outdoor Recreation

HB 2039 requires the Secretary of Wildlife and Parks, or the Secretary’s designee, to issue a free permanent hunting and fishing license to any Kansas resident who provides proof of disabled veteran status to the Secretary. The bill also designates the Lehigh Portland Trails in Allen County as Lehigh Portland State Park.

Cotton Bale Transport

HB 2160 amends secured load requirements for trucks, trailers, and

semitrailers hauling cotton bales to allow for transport by cotton producers intrastate from the place of production or storage to a market, place of storage, or place of use under certain conditions.

CONTENTS

Abortion	1
Agriculture & Natural Resources	1
Alcohol & Gaming	2
Children & Youth	2
Corrections	3
Education	3
Elections & Ethics	4
Federal & State Affairs	4
Financial Institutions & Insurance	4
Health	5
Judiciary	6
Retirement	6
Social Services	6
State Finances	7
State & Local Government	9
Taxation	9
Transportation	9
Utilities & Telecommunications	10
Veterans & Military	10
Workforce	11

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Groundwater Management District Reporting

HB 2279 requires groundwater management districts (GMDs) to submit annual reports to the Legislature by January 25 each year; requires GMDs to identify and submit a report on priority areas of concern to the Chief Engineer by July 1, 2024; and requires GMDs to submit a conservation and stabilization action plan to the Chief Engineer by July 1, 2026. The bill also prohibits a GMD board member from farming GMD-owned land for profit unless certain requirements are met.

ALCOHOL & GAMING

Tribal Sports Wagering

Senate Sub. for HB 2058 authorizes any gaming compact about sports wagering to include provisions governing sports wagering outside the boundaries of tribal lands. [Note: SR 1725 and HR 6026 were passed to indicate approval of the gaming compact amendment submitted by the Prairie Band Potawatomi Nation.]

Alcohol Sales, Sampling, and Consumption Areas

HB 2059, among other things, amends various provisions of the Kansas Liquor Control Act, Kansas Cereal Malt Beverage Act, and Club and Drinking Establishment Act.

Sunday Sales. The bill removes the 30 percent food sales requirement, where permitted, for on-premise Sunday sales of cereal malt beverages.

Common Consumption Areas. The bill removes the provision that a

municipality require the portions of common consumption areas on public streets or roadways to be blocked from motorized traffic during events.

Dogs at Food Establishments and Microbreweries. The bill permits food establishments and microbreweries to conditionally allow dogs in outside areas on the premises and inside areas of microbreweries not used to prepare food or drink.

CHILDREN & YOUTH

Juvenile Justice and Oversight

HB 2021 creates and amends law regarding the assessment and provision of services to children in the child welfare and juvenile justice systems and changes the criteria used to admit youths to a juvenile crisis intervention center.

Risk and Needs Assessments. The bill requires the Secretary for Children and Families to identify and administer a risk and needs assessment to children exhibiting criminogenic behaviors during a child in need of care case, and to collaborate with the Secretary of Corrections to allow such children to participate in programs funded by the Evidence-based Practices Account. The bill also directs the Secretary of Corrections to ensure a juvenile placed in detention receives a standardized risk and needs assessment within 72 hours, receives an updated or completed case plan within 48 hours of such assessment, and has access to behavioral, mental health, and substance use treatment disorder services while in detention.

Juvenile Crisis Intervention Centers. The bill permits juveniles who are likely to harm themselves or others due to a behavioral health condition to be admitted to a juvenile crisis intervention center in certain circumstances and changes the phrase “mental health crisis” to “behavioral health crisis” in various statutes. The bill also adds substance abuse services to the services offered by such centers.

HB 2114 renames and updates the charge for the J. Russell (Russ) Jennings Joint Committee on Corrections and Juvenile Justice Oversight.

Child Welfare

HB 2024 creates the Newborn Infant Protection Act to provide for newborn safety devices as an alternate means to legally surrender an infant. The bill authorizes a parent or a legal custodian of an infant who is no more than 60 days old and who has not suffered great bodily harm to surrender physical custody to a newborn safety device installed at an authorized facility. The relinquishing parent who follows this procedure is immune from civil or criminal liability for such surrender. The bill establishes a procedure for a non-relinquishing parent to establish parental rights after this surrender.

An authorized facility receiving an infant must make information available to the relinquishing parent (e.g., a form requesting certain information about the child such as tribal status), to ensure compliance with the Indian Child Welfare Act.

The bill also creates a program within the Kansas Department of Health and Environment for the training and payment of Child Abuse Review and

Evaluation (CARE) providers who conduct CARE exams. The bill outlines the exam and reporting process and requires specialized training for CARE providers.

Further, the bill enacts the Representative Gail Finney Memorial Foster Care Bill of Rights to define the rights of children in need of care in the child welfare system (foster youth), foster parents, and kinship caregivers.

CORRECTIONS

Crimes

The Legislature created and amended provisions concerning various crimes.

Battery—Health Care Provider. SB 174 amends the crime of battery to add battery committed against a health care provider while the provider is engaged in the performance of their duties. [Note: Provisions regarding fentanyl are detailed in Health.]

Discharge of a Firearm. Senate Sub. for HB 2010 amends the crime of criminal discharge of a firearm to include the reckless, unauthorized discharge of any firearm at an occupied motor vehicle, regardless of whether the offender knows or has reason to know that a human being is present. [Note: Substance abuse programming provisions are discussed on p. 3.]

Drivers License Violations. HB 2216 removes, for a first-time offender, the mandatory term of imprisonment for driving with a driver's license that was canceled, suspended, or revoked for failure to appear, pay fines, or otherwise comply with a traffic citation.

Human Smuggling. HB 2350 creates the crimes of human smuggling and aggravated human smuggling.

County Jail Updates

SB 228 updates law concerning county jails in, among other ways, specifying each sex, female and male, must be kept in separate rooms while imprisoned, and defines the term “sex” to mean an individual’s biological sex at birth. The bill also requires the Secretary for Aging and Disability Services to reimburse counties for costs related to the confinement of prisoners awaiting examination, evaluation, or treatment for competency to stand trial.

Substance Abuse Program Expansion

Senate Sub. for HB 2010, among other things, allows certain defendants convicted of a nonperson severity level 7 through 10 felony with no prior convictions relating to the manufacture, cultivation, or distribution of a controlled substance to participate in the SB 123 Program.

EDUCATION

Omnibus Education Bill

House Sub. for SB 113 contains appropriations for the Kansas State Department of Education of \$4.4 billion State General Fund (SGF) for FY 2023; \$4.6 billion SGF, including an additional \$7.5 million SGF for Special Education for FY 2024; and an additional \$15.0 million SGF for special education for FY 2025. [Note: This funding is later detailed on p. 7.]

KSEEA Amendments. The bill, among other provisions, amends

the Kansas School Equity and Enhancement Act to modify low and high enrollment weightings for school districts that attach territory of a disorganized school district or accept students that attended a school building closed in the previous year. The bill extends the high density at-risk weighting sunset to July 1, 2027.

Mill Levy. The bill also extends the 20 mill property tax levy on taxable tangible property of the school district to include the 2023-2024 and 2024-2025 school years.

Low-income Students Scholarship. The bill reduces student eligibility requirements for the Scholarship Program to 250 percent of poverty and increases the tax credit provision to 75 percent of contributions.

School District Property and Participation in Activities. The bill provides the Legislature with the right of first refusal to acquire school district real property. It also authorizes certain nonpublic students to participate in activities regulated by the Kansas State High School Activities Association.

Special Education Finance. The bill creates a Special Education and Related Services Funding Task Force.

School Activities, Policies, and Building Closures

Senate Sub. for HB 2138 requires each local board of education to adopt a policy regarding separate overnight accommodations for students of each biological sex during school-sponsored travel, provides for administrative review by the State Board of Education for the permanent closure of a school building, and permits local broadcasters to broadcast a school's

regular or postseason activities under certain criteria.

Fairness in Women's Sports Act

HB 2238 creates the Fairness in Women's Sports Act and requires interscholastic, intercollegiate, intramural, or club athletic teams or sports sponsored by public educational entities or any school or private postsecondary educational institution whose students or teams compete against a public educational entity to be expressly designated based on biological sex.

ELECTIONS & ETHICS

Campaign Finance Act Reform

House Sub. for SB 208 amends the Campaign Finance Act (Act) regarding procedures of the Kansas Governmental Ethics Commission.

Governmental Ethics Commission. The bill establishes the deadline for bringing any action before the Commission at five years after the act in question. The bill also directs the Commission to create standards by which Commission members, employees, or affiliates are to recuse themselves from matters affecting the ability of the Commission to fairly enforce the Act. Duties of confidentiality regarding the complaints and proceedings apply only to members of the Commission, the Executive Director, and Commission employees.

Subpoena Procedures. The bill authorizes the Commission to apply to the Shawnee County District Court for an order to administer oaths and affirmations, subpoena witnesses, and

take evidence, among other things. The bill also requires any person ordered to testify or produce documents to be informed that they have a right to counsel; the judge must appoint counsel if the person is indigent and requests counsel.

Commission Hearing Procedures. Hearings conducted under the Act must comply with provisions of the Kansas Administrative Procedure Act (KAPA) and the Kansas Code of Civil Procedure. Respondents may request any hearing and pre-hearing procedure to be heard before a presiding officer from the Office of Administrative Hearings and conducted as prescribed by KAPA.

Presidential Preference Primary

Senate Sub. for HB 2053 provides for a presidential preference primary, and establishes voter registration and voting procedures for such election.

2024 Presidential Preference Primary Election. The bill requires each recognized political party currently participating in primary elections to hold a presidential preference primary election to elect nominees for President and Vice President of the United States on March 19, 2024. A political party may opt out by submitting written notice to the Secretary of State (Secretary) by December 1, 2023.

Candidate for a Political Party Nomination. Each candidate for a political party nomination for U.S. President must file the appropriate registration information with the Federal Election Commission and file with the Secretary at least 60 days prior to the primary election, either a declaration of intent with a fee of

\$10,000; or a petition signed by at least 5,000 registered electors affiliated with the candidate's party.

Election Procedures. The bill amends various provisions of election law including setting deadlines for requesting an advance ballot for the primary election, closing voter registration for 30 days before this primary, and requiring the County and State Boards of Canvassers to meet and canvass within 8 days after such primary election, among other changes.

FEDERAL & STATE AFFAIRS

State Land Fossil

SB 3 designates *Silvisaurus condrayi* as the official state land fossil.

Concealed Carry License Fees

House Sub. for SB 116 removes certain fees paid by persons applying for or renewing a concealed carry license. No fees must be paid except to cover the cost of taking fingerprints.

Tobacco 21

HB 2269 raises the minimum age to 21 to sell, purchase, or possess cigarettes, electronic cigarettes, or tobacco products.

FINANCIAL INSTITUTIONS & INSURANCE

Kansas Travel Insurance Act; State Employee Health Plan Changes

SB 85 enacts the Kansas Travel Insurance Act to address the licensure and registration of limited lines travel insurance producers and travel retailers, establish a premium tax for

travel insurers, regulate the sale and marketing of travel insurance and travel protection plans, provide for travel administrators, and establish standards for travel insurance policies. The bill also removes the requirement that the State Employee Health Plan offer, as a benefit, the option to purchase long-term care insurance and indemnity insurance.

Premium Tax, Surplus Lines

HB 2090, among other things, amends a provision in the Insurance Code pertaining to the premium tax assessed for surplus lines business transacted on behalf of insureds (policyholders) whose home state is Kansas. The bill amends the tax rate licensed agents are required to collect and pay to the Commissioner from 6.0 to 3.0 percent of the total gross premiums charged, less any return premiums, beginning January 1, 2024.



Fentanyl-related Definitions and Penalties

SB 174, among other provisions, amends various statutes regarding fentanyl- and drug-related matters.

Definitions. The bill amends the definition of “manufacture” to include placing a controlled substance into a pill or capsule form and the definition of “drug paraphernalia” to exclude tests used to detect fentanyl, ketamine, or gamma-hydroxybutyric acid (GHB). The bill adds the definition of “fentanyl-related controlled substances” in the

Kansas Criminal Code to include certain Schedule I and Schedule II controlled substances.

Increased Penalty. The bill amends the crime of manufacturing a controlled substance to increase the manufacturing of a fentanyl-related controlled substance to a drug severity level 1 felony.

Defining Biological Sex

SB 180 establishes the Women’s Bill of Rights to define an individual’s “sex” as the sex at birth, either male or female. The terms “woman” and “girl” refer to human females and the terms “man” or “boy” refer to human males. The bill states that with, respect to biological sex, separate accommodations are not inherently unequal. Distinctions between the sexes must be considered substantially related to the governmental objectives of protecting the health, safety, and privacy of individuals in athletics; prisons or other detention facilities; domestic violence centers; rape crisis centers; locker rooms; restrooms; and other areas of separate accommodations.

Charitable Event and Demonstration Permits; Exemptions

HB 2125 allows the Kansas State Board of Cosmetology to issue permits to provide tattooing, cosmetic tattooing, and body piercing services at special events in Kansas. Board-licensed individuals may be granted a permit, valid for up to 30 days, to provide services at charitable events.

Demonstration permits are valid for up to 14 days and may be granted to

individuals either licensed by the Board or who meet additional requirements. The bill also exempts adult care homes and long-term care units of medical care facilities from certain statutes and rules and regulations governing barbering and cosmetology licensure and inspections.

Human Services Update

HB 2184 and **SB 25** include these reimbursement and policy adjustments for FY 2024:

- Provides coverage through the Children’s Health Insurance Program for children residing in a household having a gross household income at or below 250 percent of the federal poverty guidelines;
- Directs the Kansas Department for Aging and Disability Services (KDADS) to certify community mental health clinics to transition to certified community behavioral health clinics based on readiness, rather than the statutory schedule, transitioning nine by July 2023, and the final eight by July 2024; and
- Requires KDADS to submit to the Centers for Medicare and Medicaid Services, an initial application for a community support waiver for individuals with intellectual and developmental disabilities.

SB 25 also extends, by proviso, the Mental Health Intervention Team Pilot Program (established in 2018 and extended by subsequent appropriations acts) and participation in the Health Care Stabilization Fund for certain maternity care centers (previously permitted by 2022 proviso language).

Electronic Tracking Devices; Protective Orders

SB 217 amends the crime of stalking to include the use of electronic tracking devices to determine a person's location, movement, or travel patterns and amends various other law to specify when such tracking is prohibited. The bill also extends the time period in which initial protection orders and related extensions may remain effective.

Name Change in Divorce

HB 2065 allows the court, at the spouse's request, to change a spouse's name to a name other than their former name at or after the decree of divorce becomes final.

Childhood Sexual Abuse Statute of Limitations

Senate Sub. for HB 2127 permits a criminal prosecution for childhood sexual abuse to be commenced at any time. The bill also extends the time to file a civil action for recovery of damages resulting from childhood sexual abuse to commence no more than 13 years after the date the victim turns 18 or no more than 3 years after the date of a criminal conviction for a related crime, whichever occurs later.

Probate

HB 2027, designated as Karen's Law, amends the "slayer rule" to prevent the distribution of estate assets to a potential beneficiary who has been arrested or charged with the felonious killing of the decedent until the criminal proceedings are resolved.

HB 2130 amends law in the Kansas Probate Code concerning certain dollar amount limits and thresholds referenced in the Code. Increased dollar amount limits include what may be received by a decedent's surviving spouse or children; two-year transfer amount threshold; homestead allowance; small estate caps for personal property; estate caps for petitions for refusal of letters of administration; and supplemental elective share.

The bill also changes the effect of transfer-on-death deeds filed on or after July 1, 2023 for real estate when a grantee beneficiary dies prior to the death of the record owner. The filing of wills in court would also allow a copy of a decedent's will to be filed and admitted to probate.

Scrap Metal Theft Reduction Act—Catalytic Converters

HB 2326 specifies "regulated scrap metal" under the Act includes catalytic converters and prohibits scrap metal dealers from purchasing any catalytic converter that has a defaced or altered identification number or any by-product or dust containing platinum, palladium, or rhodium.



RETIREMENT

ESG Criteria for Public Investments

HB 2100 creates the Kansas Public Investments and Contracts Protection Act, prohibiting state agencies and other political units from favoring or disfavoring companies based on environmental, social, and governance (ESG) criteria in the procuring or letting of contracts; requires fiduciaries of the Kansas Public Employees

Retirement System (KPERS) to act solely in the interest of its participants and beneficiaries, including following proxy voting conditions; restricts state agencies from adopting ESG criteria or requiring any person or business to operate in accordance with such criteria; provides for the Attorney General to enforce the Act; and indemnifies KPERS respecting actions taken in compliance with the Act.

KP&F Affiliation; DROP Expansion

HB 2196 authorizes the affiliation of certain persons employed by the Kansas Department of Wildlife and Parks into the Kansas Police and Firemen's (KP&F) Retirement System on July 1, 2023, and expands the defined membership of the Deferred Retirement Option Program (DROP) to include any DROP-eligible member of KP&F (eligibility was previously limited to certain Kansas Bureau of Investigation and Kansas Highway Patrol employees). The bill also extends the sunset date for DROP to January 1, 2031.



SOCIAL SERVICES

Child Care Subsidy and Food Assistance Requirements

HB 2094 requires parents receiving or applying for a child care subsidy be subject to periodic child support compliance reviews in order to receive assistance. The reviews must occur upon application for a child care subsidy, after 12 months of continuous eligibility for the subsidy, and following 12 months of continuous eligibility when the Secretary for Children and Families renews or redetermines a parent's eligibility.

The bill also requires non-exempt individuals who are between the ages of 50 and 59 and who do not have dependents to participate in an employment and training program in order to receive assistance under the federal Supplemental Nutrition Assistance Program.

STATE FINANCES

State Budget

HB 2184 (Mega Bill), **SB 25** (Omnibus Bill), and **SB 113** (Education Budget Bill) include adjusted funding for fiscal year (FY) 2023 and funding for FY 2024 for all state agencies. HB 2184 also includes various claims against the State.

Included in the FY 2023 Budget:

The FY 2023 revised budget totals \$24.7 billion, including \$9.1 billion from the state general fund (SGF). The approved budget is an all funds increase of \$2.2 billion, or 9.8 percent, and a SGF increase of \$952.5 million, or 11.6 percent, above FY 2022 actual expenditures. The approved budget includes full-time equivalent (FTE) positions totaling 41,979.1.

Major adjustments include:

Agriculture. Deletes \$125.4 million, including \$25.5 million SGF primarily for decreases in the Kansas Department of Health and Environment laboratory construction costs.

Education. Adds \$546.6 million, including \$368.6 million SGF.

Caseloads. Adds \$383.0 million, including \$352.8 million SGF.

Regents and Universities. Adds \$251.7 million, including \$163.0 million SGF. The SGF increase includes \$45.0 million for capital renewal and demolition projects and \$19.0 million for the Comprehensive Grant program.

General Government. Adds \$92.8 million from all funds, but deletes \$167.3 million SGF.

Caseloads. Adds \$28.8 million for revised sports wagering revenue.

Kansas Department of Commerce. Adds \$10.0 million SGF for World Cup Planning and Area Improvements.

Office of the State Treasurer. Adds \$52.0 million SGF to an investment fund for water storage debt payments associated with Milford and Perry reservoirs.

Human Services. Adds \$646.9 million, including \$621.5 million SGF.

Caseloads. Adds \$57.7 million from all funds, but deletes \$53.8 million SGF, for human services caseloads from FY 2022 actual expenditures.

Kansas Department of Labor. Adds \$20.5 million SGF to modernize the Unemployment Insurance system.

Kansas Department of Health and Environment. Adds \$58.3 million from ARPA funds for pandemic child care development block grants.

Kansas Department for Aging and Disability Services. Adds \$517.9 million, including \$413.8 million SGF.

Larned State Hospital. Adds \$10.4 million SGF for contract nursing.

Public Safety. Adds \$90.9 million, including \$71.3 million SGF.

Kansas Department of Corrections. Adds \$46.2 million, including \$80.3 million SGF. Increases are primarily attributable to the pay plan.

Transportation. Adds \$781.0 million, all from special revenue funds primarily for third-year expenditures for the Eisenhower Legacy (IKE) Transportation Plan.

SGF Transfers. Transfers \$600.0 million to the Budget Stabilization Fund.

Included in the FY 2024 Budget:

The FY 2024 budget totals \$23.7 billion, including \$9.5 billion SGF. The approved budget is an all funds decrease of \$1.1 billion, or 4.3 percent, but an SGF increase of \$317.6 million, or 3.5 percent, from the FY 2023 revised budget. The approved budget includes 42,163.4 FTE positions.

Major adjustments include:

Agriculture. Adds \$1.4 million from all funds, but deletes \$45.8 million SGF.

Kansas Water Office. Adds \$18.0 million from the State Water Plan Fund and authorizes certain transfers from the fund to the Kansas Department of Wildlife and Parks and the University of Kansas.

Education. Deletes \$90.3 million, but adds \$79.4 million SGF.

K-12 Caseloads. Deletes \$74.6 million, but adds \$63.9 million SGF.

Kansas State Department of Education. Deletes \$15.7 million from all funds, but adds \$15.5 million SGF, including \$3.0 million SGF for the Mental Health Intervention Pilot program and \$7.5 million SGF above the Special Education Services Aid base amount.

Regents and Universities. Adds \$244.3 million, including \$82.7 million SGF, including \$142.0 million from ARPA funds for the Kansas State University and Wichita State University Health Science Center joint project and \$14.3 million SGF for community colleges to expand registered apprenticeships, technical education, business, and industry partnership.

General Government. Deletes \$395.0 million, including \$44.2 million SGF.

Caseloads. Adds \$36.0 million for revised sports wagering revenue.

Office of the Governor. Directs the agency to post on a searchable website any grant applied for or awarded by any agency related to the ARPA–State Fiscal Recovery Fund.

Human Services. Deletes \$168.8 million from all funds, but adds \$127.0 million SGF.

Caseloads. Adds \$132.5 million SGF to implement revised human services caseloads estimates.

Department for Children and Families. Deletes \$143.3 million from the DCF due to exhaustion of pandemic assistance for child care and other programs.

Kansas Department for Aging and Disability Services. Adds \$180.5 million, including \$90.8 million SGF.

Public Safety. Deletes \$43.1 million, but adds \$5.9 million SGF.

Kansas Department of Corrections. Adds \$8.7 million, including \$24.9 million SGF.

Transportation. Deletes \$676.4 million, all from special revenue funds. Reductions are primarily due to fourth-year expenditures for the IKE Transportation Plan.

State Employee Pay. Adds \$120.0 million, including \$46.0 million SGF, to provide salary adjustments to state employees based on the Department of Administration Market Survey.

Water Funding

Senate Sub. for HB 2302 appropriates \$52.0 million SGF to an account in the State Treasury for investment in U.S. Treasury bills; upon certain economic factors, the moneys would be divested and used to repay the debt on Milford and Perry reservoirs.

The bill transfers \$35.0 million SGF to the State Water Plan Fund on July 1, 2023, on which the Kansas Water Authority is authorized to make recommendations to the Legislature.

The bill also establishes two funds, both administered by the Kansas Water Office, that may be used for various projects and expenditures detailed in the bill.

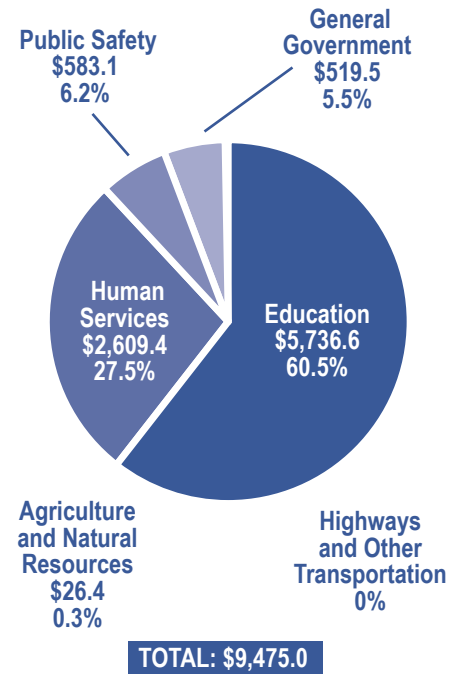


Housing Incentives

SB 17 updates the designation of and references to the Kansas Rural Housing

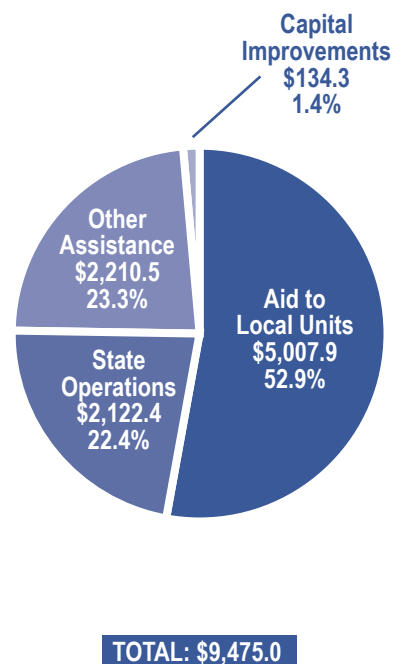
FY 2024 Approved State General Fund Budget by Function of Government

(Dollars in Millions)



FY 2024 Approved State General Fund Budget by Major Purpose

(Dollars in Millions)



Incentive District Act to the Kansas Reinvestment Housing Incentive District Act and creates certain housing projects criteria in designated cities with a population of 60,000 or more; expands the list of costs in the RHID Act that could be paid for by proceeds of special obligation bonds; and expands the transferability of tax credits that could be issued under the Kansas Housing Investor Tax Credit Act.

Water System Repayments

SB 120 allows the Secretary of Health and Environment to adopt rules and regulations authorizing the replacement of portions of public water supply distribution systems and extend the repayment period to the State from 20 years to 30 years.

Legislator and Elected Official Compensation

House Sub. for SB 229, among other things, creates a nine-member Legislative Compensation Commission to study and make recommendations on compensation, salary, and retirement benefits of legislative members. The Commission must meet prior to the 2024 legislative session and provide a salary recommendation for legislators taking office in 2025.

The bill also establishes new compensation rates for the Governor, Lt. Governor, Attorney General, Secretary of State, State Treasurer, Commissioner of Insurance, judges, and certain elected district attorneys. Salaries are equal to a percentage of those for a U.S. congressional member, a U.S. district judge, or a district judge, depending on the position.

IT Security and Project Oversight

HB 2019 creates requirements for reporting significant cybersecurity incidents by entities maintaining personal information provided by or operated by the State to the Kansas Information Security Office. The bill authorizes the Executive Branch Chief Information Security Officer to establish cybersecurity standards and policy for state agencies and creates requirements for cybersecurity training and assessments.

The bill also modifies the role of the Joint Committee on Information Technology by allowing the committee to advise and consult on state IT projects that meet a new business risk standard.

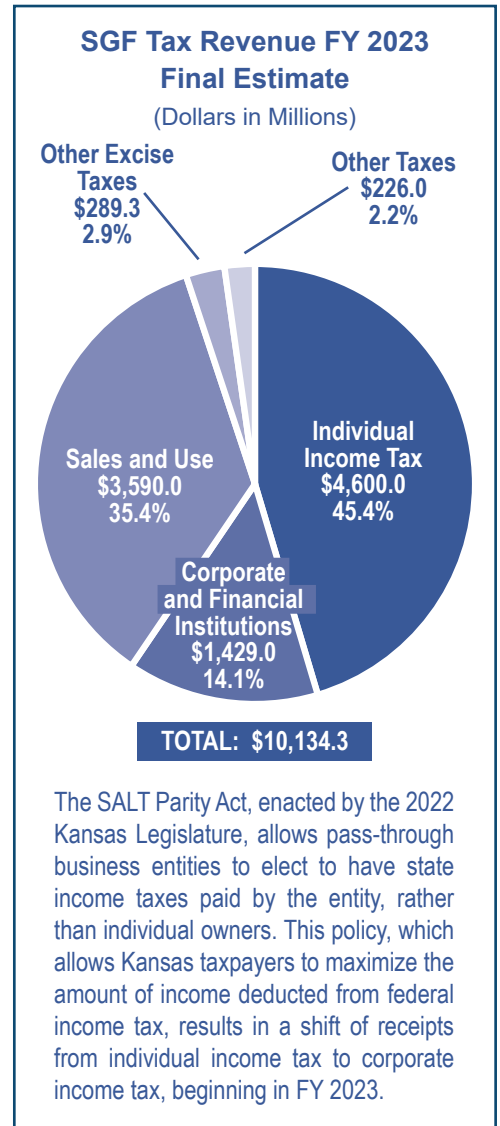
TAXATION

Sales Tax Exemptions and Local Authority, Electronic Delivery of Property Tax Documents

HB 2002, among other provisions, creates sales tax exemptions for Kansas Suicide Prevention HQ and for not-for-profit Area Agencies on Aging.

The bill extends additional sales tax authority of up to 2 percent to Grant County for a jail or law enforcement center and up to 0.25 percent to Dickinson County for public safety. The sales taxes require voter approval.

The bill also authorizes counties to electronically deliver property classification and valuation notices and property tax statements to consenting taxpayers.



TRANSPORTATION

Build Kansas Matching Grant Funds

SB 25, among other things, adds a total of \$215.0 million from the SGF for the Build Kansas Matching Grant Fund Program, to provide matching funds to local entities for projects eligible under the federal Infrastructure Investments and Jobs Act for FY 2024 to FY 2027. Such projects must address infrastructure needs, including for water, transportation, energy, cybersecurity, or broadband. (A means test will determine whether the local community is eligible and has demonstrated need.) These requests are

subject to review by the Build Kansas Advisory Committee created by the bill.

Driver Employment Status

HB 2020 amends law pertaining to the employment classification of drivers for motor carriers and transportation network companies (TNCs), clarifying that a requirement for or use of a motor carrier safety improvement does not affect the worker status of a driver.

The bill also establishes in the Kansas Transportation Network Company Services Act that a TNC driver is an independent contractor and not an employee when the TNC agrees to the arrangement with the driver in writing and does not restrict certain aspects of the driver's work.

Counterfeit Airbags

HB 2147 adds law to prohibit counterfeit airbags. It creates the crime of knowingly or intentionally manufacturing, importing, distributing, selling, offering for sale, installing, or reinstalling a device intended to replace a supplemental restraint system component in a vehicle if the device is counterfeit, a nonfunctional airbag, or an object not designed in accordance with federal safety regulations for the specific vehicle. The bill also changes procedures regarding selling a vehicle that had been towed and authorizes certain ground effect lighting on vehicles.

Rail Service Improvement Fund

HB 2335 authorizes the Rail Service Improvement Fund to be used for qualified track maintenance and financing, acquisition, or rehabilitation

of railroads and rolling stock. On July 1, 2023, transfers from the State Highway Fund to the Rail Service Improvement Fund will increase from \$5.0 million to \$10.0 million annually.

The bill restricts the definition of qualified entities to class II or class III railroads (short line railroads), or any owner or lessee industry track, as defined in federal law, located on or adjacent to a class II or class III railroad in Kansas. The bill also defines "qualified track maintenance."

License Plates

HB 2346 authorizes "Back the Blue" and City of Topeka distinctive license plates starting January 1, 2024, and permits, on and after January 1, 2025, any distinctive license plate to also be a personalized plate. Fees for the new plates will benefit the Kansas Chapter of Concerns of Police Survivors and the Greater Topeka Partnership Inc. The fee for a license plate that is both distinctive and personalized will be \$40, double the fee for a personalized plate.

UTILITIES & TELECOMMUNICATIONS

Wind Turbine Light Mitigation

SB 49 requires the installation of a light-mitigating technology system in new and existing wind turbines upon approval of the Federal Aviation Administration. The bill establishes requirements for system vendors and authorizes a county to enter into agreements with a developer, owner, or

operator of wind turbines. The bill requires new wind turbines, on and after July 1, 2023, to have a system installed. Existing wind turbines would be required to install a system on and after January 1, 2026, upon execution of a new power offtake contract. Counties are allowed to issue revenue bonds for the purpose of equipping a system.

Utility Cost Recovery

HB 2225 authorizes an electric utility regulated by the Kansas Corporation Commission to recover costs associated with the transmission of electric power through a transmission delivery charge and requires public utilities to evaluate the regional rate competitiveness and impact to economic development in rate proceedings.

VETERANS & MILITARY

1st Kansas (Colored) Voluntary Infantry Regiment Mural

SB 39 provides for development of a mural in the Statehouse honoring the 1st Kansas (Colored) Voluntary Infantry Regiment and establishes a fund for such purpose.

Veterans Residency Status

SB 123 allows a veteran, their spouse, or their dependents, who were stationed in Kansas for at least 11 months during service in the armed forces, to be deemed a resident of Kansas for purposes of tuition and fees at a college or university. [Note: Additional bill provisions are addressed in Workforce.]

Interstate Teacher Mobility Compact and Verified Electronic Credentials

SB 66 enacts the Interstate Teacher Mobility Compact to establish a new, expedited pathway to licensure. The bill also requires state licensing bodies to provide paper-based and verified electronic credentials to all license holders through a centralized electronic credential data management system.

Kansas Adult Learner Grant; CTE

SB 123 creates the Kansas Adult Learner Grant Act, which provides up to \$3,000 per semester to eligible students who, among other qualifications, are enrolled in an eligible program at an eligible postsecondary institution. Recipients who successfully complete the grant-eligible program can receive a tax credit of up to \$1,500.

The bill also establishes the Career and Technical Education (CTE) Credential and Transition Incentive for Employment Success Act, which requires all school districts and colleges that offer CTE to pay assessment and examination fees required to obtain the credential associated with the CTE program. The bill also provides for additional eligible fields of study under the Kansas Promise Scholarship Act.

Physician Sports Waiver; Vaccine Administration; BSRB Licensure

Sub. for SB 131 permits the Board of Healing Arts to issue a sports waiver to certain out-of-state health care

professionals traveling with a sports team; adds pharmacy technicians who meet certain requirements to the list of those authorized to administer vaccines; and modifies requirements for some license types, creates temporary licensure categories, and creates an expedited application process for professions licensed by the Behavioral Sciences Regulatory Board (BSRB).

Post-Secondary Institutions and Loan Programs

Senate Sub. for HB 2060 amends law relating to the State Medical Student Loan Program and the Medical Residency Bridging Program and establishes an obstetrics and gynecology medical loan repayment program. The bill also, among other things, requires reasonable accommodations for qualified students under the AO-K to Work Program and modifies the calculation and distribution of performance-based payments for community and technical colleges.

Embalmer Apprenticeship

HB 2262 amends educational requirements for embalmers to allow an applicant for a license to practice embalming to complete either a full apprenticeship, with all 12 months completed after graduation from a school of mortuary science, or a split apprenticeship, with the 12-month period split into two continuous 6-month periods with one period completed prior to enrolling in a

mortuary science school and one completed after graduation.

Counseling Compact

HB 2288 establishes the Counseling Compact to facilitate interstate practice of licensed professional counselors. The Compact will provide for interstate practice in participating states for professional counselors under a single license when uniform licensure requirements are met. The Compact also provides for use of telehealth technology and support for relocating active duty military or their spouses who hold privilege to practice in a member state.

Kansas Apprenticeship Act; Engineering Grants

HB 2292 creates the Kansas Apprenticeship Act, which establishes a tax credit and grant programs to incentivize apprenticeships, and creates a matching grant program to provide grants to colleges and universities based on the number of engineering program graduates.



Providing objective research and fiscal analysis for the Kansas Legislature

2023 Legislative Session At-A-Glance

Bill Information

Senate bills introduced in the 2023 Session	326
Senate bills carried over to the 2024 Session	284
House bills introduced in the 2023 Session	474
House bills carried over to the 2024 Session	371

Bills Considered in 2023 Session That Became Law:

House Bills	65
Senate Bills	33
Percentage of Bills that became law:	12.3%
Days in Session	88 (Senate); 84 (House)

Fiscal Information for FY 2023 (Dollars in Millions)

Estimated State General Fund Revenue	
Income Taxes	\$ 6,029.0
Excise Taxes	3,879.3
All Other	(678.2)
Total	\$ 9,230.1
Estimated State Budget	
State General Fund	\$ 9,280.3
All Other	15,585.0
Total	\$ 24,865.3
2022 Population Estimate	2,937,150

What's inside this edition of *Legislative Highlights*:

- Education Finance and Policy, page 3
- Fentanyl Test Strips, page 5
- Childhood Sexual Abuse Statute of Limitations, page 6
- State Budget and Water Funding, pages 7-8
- Workforce Development Laws, page 11