

# THE ADVOCATE

A WEEKLY UPDATE FROM THE KANSAS LEGISLATURE

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## Intro

Things are moving quickly as we enter the fourth week of the 2025 legislative session. More than 370 bills have been introduced, and just in time, as the last day for individuals to introduce a bill is this Wednesday.

Last week marked the first legislation sent to the Governor. [SB63](#), the Help Not Harm Act, restricts gender transitioning for minors in the state and passed the House [83-35](#) on Friday after the Senate approved the measure [32-8](#) earlier in the week. Governor Kelly (D) vetoed the bill last year, and the legislature could not overcome the two-thirds majority required to override. It's expected she will veto the bill again this session, but with an increased Republican supermajority, it's likely to become law.

We're only 17 days from turnaround, which means a bill must have passed its chamber of origin before February 20 to remain alive. Although the tempo of the session has increased, the real squeeze is likely to be felt around turnaround and closer to the end of session as committees begin to pack meetings with legislation they'd like to see become law.

## **Budget Progressing Without Governor**

Thus far, the GOP has not dispelled the accusations that it would ignore the Governor's Budget Recommendations after initiating its own budget process last year. The legislature introduced [HB2007](#) at the beginning of session, and although committees are hearing agency requests, it appears the Governor's budget has been cast by the wayside. The new process sees the House working on the budget first instead of the House and Senate committees working simultaneously, with the goal to kick the budget to the Senate Ways and Means Committee by February 14.

Leadership has also expressed the desire not to have an omnibus budget bill this year, which is usually filled with requests the committees felt needed more vetting before being approved later in session. However, items that need urgent attention and are favored by leadership often pop up late in the session and are also placed in the omnibus budget, so it will be interesting if the legislature can do without this year. One barrier to late-entry budget items is a much-unnoticed rule slipped into the rules package. The provision requires a budget item to be passed by at least one chamber. This means a proviso, or specific budget request, cannot be inserted in the mega-budget or conference committee unless a chamber passed it, a potentially significant barrier to inserting budget items, especially later in the session.

## **Tax Plans Continue to Move**

[HB2011](#), the House property tax plan, was amended and passed out of House Tax on Thursday. The bill would increase the amount of the appraised value of residential property exempt from the statewide school finance levy from \$75,000 to \$100,000 and reduce the school mill levy from 20 mills to 18.5, saving \$67.4M in property taxes in 2026, and increasing in further years.

The Senate passed [SB35](#), eliminating the state's 1.5-mill levy that funds maintenance and renovations of state buildings, including 1 mill for higher education buildings. It would also create demand transfers from the State General Fund to the Kansas Educational Building Fund and State Institutions Building Fund beginning in FY 2027 at \$56M and \$25M, respectively. Although not exhilarating on their own, the two bills may be combined to provide tangible property tax relief to Kansans. There is further opportunity for additional property tax relief if the legislature looks at eliminating or sunseting current sales tax exemptions in the state, as the Senate Tax Committee heard there is currently around \$8.7B in sales tax exemptions in statute.

## **Governor Appointments & Non-Citizen Voting**

[HB2057](#) cleared the House Committee on Elections on Thursday despite opposition from the minority party. It would require the Governor to fill vacancies in the offices of United States Senator, State Treasurer, and Commissioner of Insurance from a list of names approved by the legislature. The move is in anticipation of Republican officeholders vacating seats to fill federal cabinet positions and appointments being made by a Democratic Governor. Still, this could lead to an interesting wrinkle the next time a vacancy opens under a party-aligned legislature and governor.

The House Elections Committee passed another anticipatory measure in [HCR5004](#). The concurrent resolution proposes a constitutional amendment to require individuals to be citizens of the United States, at least 18 years of age, and residents of the voting area in which they seek to vote. Although no Kansas local government allows non-citizens to vote, efforts have been made in communities across the nation to allow non-citizens to vote in city and county elections.

## **Bankers & Local Governments at Odds**

[HB2152](#) is scheduled for a hearing in the House Committee on Financial Institutions and Pensions today. In an extremely brief summary, this bill proposes significant changes to how public funds are managed, invested, and secured in Kansas. It focuses on introducing more flexibility while altering security and encouraging local investment. Disputes are focused on first-look requirements, required investment rates, and other intricacies of the bill. Although local government organizations and the Kansas Bankers Association continue to negotiate, no compromise has yet been reached.

## **Bill to Eliminate Affordable Housing Tax Credits**

[HB2119](#) is set to receive a hearing on Thursday in the House Commerce Committee. The bill would eliminate the Kansas Affordable Housing Tax Credit Act effective July 1, 2025. Chairman Tarwater (R-Stilwell) has voiced concerns in the past that the tax credit was not being efficiently used and was not resulting in affordable housing. This was exasperated by a recent report that the Act costs about \$250M annually. It is unclear if the bill would eliminate projects currently under development or if there is a path for them to be grandfathered in.

## **Utility Discounts & Return on Equity**

[SB81](#) prohibits large facilities receiving certain tariffs or failing to meet workforce and electric demand requirements from qualifying for economic development electric rates. It is scheduled for a hearing on Wednesday in Senate Utilities. The facility will not be eligible for a discount if it “Has a peak demand that is reasonably projected to be 40 megawatts or above within the first two years of the date such facility receives service; and Is reasonably projected to have a full-time workforce of less than 200 employees within the first two years of the date such facility receives service; or is not receiving service pursuant to a data center or a large load tariff.” The program is addressing concerns facilities could use the discount while not providing a substantial number of jobs to compensate for the deal.

[HB2032](#) will be heard in the House Utilities Committee tomorrow. It authorizes the state corporation commission to increase or decrease an electric public utility's return on equity based on whether its all-in average retail rate has increased or decreased. If utility rates increase by less than 1% in a year, their return on equity may be increased by up to 0.5%. Conversely, if the rate increases by more than 1%, the return on equity may be decreased by up to 0.5%. These adjustments are valid for 12 months, and the commission must amend retail rates accordingly.

The bill aims to create a mechanism to incentivize utilities to keep their retail rates stable while allowing for some flexibility in their return on equity.

Introduced bills of note:

SB93 - Providing for the statewide election of commissioners of the state corporation commission.

## **Legislative Oversight of Rules & Regulations**

Monday the House Judiciary Committee is set to hold a hearing on HCR5008, a measure that would grant the legislature the power to approve or overturn rules and regulations in specific situations, particularly those believed to exceed legislative intent. Similar to the failed constitutional amendment a few years ago, the legislature believes this is needed to reign in agencies they believe are going beyond their allotted authority.

## **Dental Requirements & Right to Refuse Hearings**

On Thursday, the Senate Public Health and Welfare Committee held a hearing on SB31, which proposes changes to dental regulations outlined in K.S.A. 65-1435. The bill aims to remove the requirement that dentists devote at least 20% of their time in each office location to treating patients. Proponents advocate for eliminating the requirement to provide more dental care across the state. At the same time, opponents are concerned it will proliferate corporate dentist offices, which they say will not provide the same level of care with reduced office requirements.

SB19 or the Conscientious Right to Refuse Act will be heard in Senate Health on Wednesday. The bill would make vast changes to the public health landscape, proposing to:

- Establish a broad right for individuals to refuse medical interventions (including vaccinations, biologics, pharmaceuticals, gene editing, and DNA/RNA-based products) based on conscience.
- Prohibit various forms of discrimination against individuals who exercise this
- Create a strong legal remedy for those who face such
- Remove existing powers related to quarantine and isolation
- This bill would significantly alter public health policy by prioritizing individual conscience over public health measures, and many public and private employers will likely oppose.

The Kansas Chamber interstate compacts to address workforce shortages will be heard in House Health on Wednesday as well. Those are:

HB2068: Enacting the cosmetology compact to provide interstate practice privileges.

HB2069: Enacting the school psychologist licensure compact to provide interstate practice privileges for school psychologists.

And HB2070: Enacting the dietitian licensure compact to provide interstate practice privileges for dietitians. There are likely more compacts on the way, and they could eventually be merged into a single licensing compact package.

## **Three-Mile Zoning Rule**

[SB37](#) and [HB2025](#) both had hearings in the House and Senate Local Government Committees this week. They would repeal the three-mile extraterritorial planning and zoning authority for cities. The bill's proponents were almost exclusively county residents who disliked being subject to city zoning controlled by a commission/council of the opposite political party. Although there was some support from committee members, even proponents agreed the issue would likely need an interim committee to dive into the complex impacts the measure could have. Senate Local Government Chairwoman Bowers (R-Concordia) said she would ask leadership for at least one or two days of interim hearings, signaling a lack of urgency to act this session.

## **Paid Family Leave Recommended**

The informational hearing on Paid Family and Medical Leave last Thursday in the Senate Financial Institutions and Insurance Committee did indeed end with recommendations for the state to adopt mandated paid family leave. Conferees recommended the state look at similar requirements passed in Colorado and Minnesota. Although no bill has been introduced, the business community is preparing to oppose the mandate.

## **Non-Violent & Juvenile Crime Rising**

Last Monday, the Kansas Association of Chiefs of Police, Kansas Sheriffs Association, and Kansas Peace Officers Association presented to the House Committee on Corrections and Juvenile Justice. Sheriff Easter of Sedgwick County provided testimony that law enforcement officers across the state are seeing a rise in non-violent crime even as violent crime continues to decline. He also emphasized the need to address juveniles committing crimes, who have been slipping through the cracks since 2016 when sweeping changes were made to punishments for criminal youth, who are now often only given probation with limited correctional placement.

## **Child Welfare DCF Hearings**

On Wednesday, the House Child Welfare and Foster Care Committee conducted a hearing on [HB2075](#), a bill proposed by the Department for Children and Families that a permanency hearing for a child in custody take place within nine months of their removal from home rather than the current 12-month requirement. Committee feedback centered on the preference for an age-based timeline, as well as some questioning the need to adjust the requirement by only three months.

This Wednesday, the House Child Welfare Committee will hear another DCF bill, [HB2132](#), which would modify the definition of neglect in the revised Kansas code for care of children, prohibit the removal of a child from the child's home due solely to a lack of financial resources and require facts of imminent harm due to a lack of financial resources demonstrate more than one fact of such lack of financial resources.

# Important Dates

Important Dates:

February 5th - Last day for individuals to introduce bills

February 7th - Last day for non-exempt committees to introduce bills

February 17th - Last day for committees to meet before Turnaround Day

February 20th – (Turnaround) Last day for non-exempt bills to pass original chamber

## The Week Ahead

### Monday, February 3

#### **9:00 AM House Financial Institutions**

Hearing on HB2152: Authorizing financial institutions to secure governmental unit deposits in excess of the amount insured or guaranteed by the FDIC by utilizing a public moneys pooled method of securities, prohibiting investment advisers that execute bids for the investment of public moneys from managing moneys directly from such bid, allowing municipal bond proceeds and governmental unit deposits to be invested at a rate agreed upon by the governmental unit and the financial institution, establishing certain public moneys investment rates, requiring certification from a governmental unit that deposits in the municipal investment pool fund were first offered to a financial institution in the preceding year and allowing financial institutions to file complaints upon the failure to comply with such certification.

#### **10:30 AM Senate Judiciary**

Hearing on SB70: Providing for reasonable fees for electronic copies of records under the open records act, exempting from disclosure formally closed investigations with no found violations, requiring county or district attorneys to file reports of violations with the attorney in December instead of January, determining the membership calculation of subordinate groups under the open meetings act, requiring public bodies or agencies that live stream meetings to ensure that the public is able to observe and providing for a five minute deviation to resume an open meeting at the conclusion of executive sessions.

Hearing on SB84: Modifying criminal use of a financial card to include certain conduct involving gift cards.

#### **3:30 PM House Tax**

Hearing on HB2096: Providing for transferability of Kansas housing investor tax credits from the year that the credit was originally issued.

#### **3:30 PM House Judiciary**

Hearing on HCR5008: Proposing a constitutional amendment to provide for legislative oversight of rules and regulations adopted by executive branch agencies and officials.

Hearing on HB2134: Amending the Kansas open records act regarding charges for records in the state executive branch and other public agencies other than the state legislative and judicial branches, prohibiting charges for electronic copies of records and for determining whether a record exists and limiting charges for employee time required to make records available.

## **Tuesday, February 4**

### **9:00 AM House Appropriations**

Hearing on HB2007: Making and concerning supplemental appropriations for fiscal year 2025 and appropriations for fiscal years 2026 and 2027 for various state agencies.

### **9:00 AM House Utilities**

Hearing on HB2032: Authorizing the state corporation commission to increase or decrease an electric public utility's return on equity based on whether such utility's all-in average retail rate has increased or decreased.

Hearing on HB2109: Authorizing public utilities and law enforcement agencies to enter into utility pole attachment agreements for the installation of law enforcement equipment on structures located in the public right-of-way and exempting public utilities from liability relating thereto.

### **1:30 PM Senate Education**

Hearing on SB50: Establishing uniform interest rate provisions for service scholarship programs administered by the Kansas board of regents that have repayment obligations as a part of the terms and conditions of such programs and authorizing the Kansas board of regents to recover the costs of collecting such repayment obligations and charge fees for the costs of administering such programs and requiring eligible students to enter into agreements with the board of regents instead of a postsecondary educational institution as a condition to receiving a grant under the adult learner grant act.

### **1:30 PM Senate Commerce**

Hearing on SB42: Enacting the Kansas film and digital media industry production development act, providing a tax credit and sales tax exemption to incentivize film, video and digital media production in Kansas, establishing a program to be administered by the secretary of commerce for the purpose of developing such production in Kansas and requiring the secretary of commerce to issue reports to the legislature regarding the program.

### **3:30 PM House Tax**

Hearing on HB2038: Enacting the Kansas film and digital media industry production development act, providing a tax credit and sales tax exemption to incentivize film, video and digital media production in Kansas, establishing a program to be administered by the secretary of commerce for the purpose of developing such production in Kansas and requiring the secretary of commerce to issue reports to the legislature regarding the program.

### **3:30 PM House Ag and Natural Resources**

Hearing on HB2064: Removing the current solid waste permit exception for the disposal of solid waste generated by drilling oil and gas wells through the practice of land-spreading.

## **Wednesday, February 5**

### **8:30 AM Senate Health**

Hearing on SB19: Enacting the conscientious right to refuse act to prohibit discrimination against individuals who refuse medical care and creating a civil cause of action based on such discrimination and revoking the authority of the secretary of health and environment to quarantine individuals and impose associated penalties.

### **9:00 AM House Local Government**

Hearing on HB2116: Requiring that certain contractual provisions be incorporated in all contracts for certain cities and counties, including the provisions of form DA-146a, with certain exceptions.

### **1:30 PM House Child Welfare**

Hearing on HB2132: Modifying the definition of neglect in the revised Kansas code for care of children, prohibiting the removal of a child from such child's home due solely to a lack of financial resources and requiring facts of imminent harm due to a lack of financial resources demonstrate more than one fact of such lack of financial resources.

### **1:30 PM Senate Utilities**

Hearing on SB57: Requiring certain state agencies, counties, cities and political subdivisions to reimburse the owner or operator of communications or video service facilities for the costs to modify or relocate such facilities for certain road and highway projects.

Hearing on SB92: Extending the time in which the state corporation commission shall make a final order on a transmission line siting application.

Hearing on SB81: Prohibiting large facilities receiving certain tariffs or failing to meet workforce and electric demand requirements from qualifying for economic development electric rates.

### **3:30 PM House Judiciary**

Hearing on HB2155: Specifying that sheriffs have liability for official acts related to charge and custody of jails.

### **3:30 PM House Ag and Natural Resources**

Hearing on HB2064: Removing the current solid waste permit exception for the disposal of solid waste generated by drilling oil and gas wells through the practice of land-spreading.  
Thursday, February 6

### **8:30 AM Senate Health**

Hearing on SB41: Adding advanced practice registered nurses to the definition of healthcare provider for purposes of the healthcare provider insurance availability act.

### **9:00 AM House Utilities**

Hearing on HB2110: Eliminating the requirement that the state 911 board shall contract with a local collection point administrator for services, rescheduling the date on which the state 911 operations fund, state 911 grant fund and state 911 fund shall be established, requiring certain transfers to be made to the state 911 operations fund and rescheduling the date for transferring all 911 fee moneys currently held outside the state treasury to the state treasury.

### **9:30 AM Senate Tax**

Hearing on SB73: Modifying deadlines for mailing property tax statements to taxpayers and certification of tax levies to the director of property valuation to be earlier than the current deadlines and providing for the county clerk's use of the previous year's budget when a taxing subdivision fails to timely file its budget.



**9:30 AM Senate Tax**

Hearing on SB69: Extending by five years the loan repayment program and income tax credit for rural opportunity zones.

**10:30 AM Senate Ways and Means**

Hearing on SB86: establishing the intercity passenger rail service program and making transfers annually to the passenger rail service revolving fund.

**10:30 AM Senate Fed and State**

Hearing on SB83: Extending voter franchise in city elections to qualified electors living in areas subject to extraterritorial zoning or subdivision regulations.

**1:30 PM House Commerce**

Hearing on HB2119: Eliminating the Kansas affordable housing tax credit act effective July 1, 2025.

**1:30 PM Senate Education**

Hearing on SB87: Expanding student eligibility under the tax credit for low income students scholarship program, increasing the amount of the tax credit for contributions made pursuant to such program and providing for aggregate tax credit limit increases under certain conditions.

**3:30 PM House Elections**

Hearing on HB2017: Requiring the return of advance voting ballots by 7:00 p.m. on the day of the election.

**Friday, February 7****1:30 PM House Child Welfare**

Hearing on HB2175: Requiring the secretary for children and families to notify the parent of a child who is the subject of an investigation of abuse or neglect of such parent's rights during such investigation and to complete a written report upon closing such an investigation, providing for an agreement between the parent of a child and the secretary if such child is removed from the home during an investigation of abuse or neglect and a parent to withhold certain information except when otherwise ordered by a court.

## Helpful Links to Monitor the Action

[Listen](#) live to committee hearings or playback past hearings.

[Watch](#) the House and Senate floor debates via YouTube.

[Find](#) the daily calendars.

[Search](#) for a bill.

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