

THE ADVOCATE

A WEEKLY UPDATE
FROM THE KANSAS
LEGISLATURE

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Intro

With just two weeks remaining before first adjournment, the pace and emotions are intensifying in the capitol. Conference committees have commenced, tasked with reconciling differences between House and Senate versions of key bills. However, a contrast in momentum is evident, while the House is pushing forward and staying in Topeka for the entire work week, the Senate has maintained its stance of not working on Fridays. This scheduling choice has raised concerns about potential delays, especially as the clock continues to tick down.

The urgency to finalize legislation and wrap up the session is palpable. Legislators have begun to lose patience, and the number of spats in both committees and on the floor has increased. This has led the Speaker to now twice call for unity and respectful debate between members. Leadership on both sides is keenly aware of the narrowing timeline and is encouraging swift action to avoid last-minute chaos.

Adding a layer of tension, the controversial "Black Mass" event, scheduled for March 28, the same day as the legislature's first adjournment, is looming. While unrelated to legislative proceedings, its timing has added symbolic pressure to conclude work beforehand. Leadership is determined to avoid overlap with the event if possible and is emphasizing the need to bring key negotiations to a close. Tuesday is the last day for non-exempt committees to meet before floor work commences the rest of the week. Conference committees will start to pop up, with the main push occurring early next week before the back-and-forth game begins as legislators try to balance conference committees with floor work.

Senate to Pass Budget

The full Senate is set to debate the budget bill, [House Bill 2007](#), on Tuesday, following the Senate Committee on Ways and Means' finalization of the bill. The \$25.5 billion budget proposal, which includes \$10.6 billion from the state general fund, notably excludes additional funding for special education in fiscal year 2026. This disregards the Governor's five-year plan to add \$75 million annually to meet the state's mandate of covering 92% of special education costs. While both sides approved the full \$75 million for fiscal year 2025, subsequent proposals for 2026 funding increases were reduced. First to \$30 million by the House K-12 Education Budget Committee and then to \$10 million by the House Appropriations Committee. The Senate Committee on Education ultimately removed the increase altogether.

The decision sparked debate, with Sen. Cindy Holscher, (D-Overland Park), warning that the lack of funding would harm the state's most vulnerable students. Attempts by Sens. Pat Pettey (D-Kansas City) and Stephen Owens (R-Hesston) to reinstate the funding were unsuccessful. Senate Education Chair Renee Erickson (R-Wichita) defended the decision, arguing that schools have additional resources through local option budget funds.

Sen. J.R. Claeys, (R-Salina), successfully introduced an amendment to HB 2007 aimed at prompting a deeper discussion about the Economic Development Initiatives Fund (EDIF). Established in 1986, the EDIF is intended to support projects that attract new businesses, encourage existing business growth, and strengthen the state's economic foundation. Sen. Claeys expressed concern that the fund's expenditures totaling \$41.3 million in the House's version of the bill have not been adequately reviewed since they are outside the State General Fund (SGF) and therefore escape annual scrutiny.

Sen. Claeys' amendment resulted in a stark contrast between the Senate and House positions, with the Senate largely completely removing EDIF allocations from the budget. The move is designed to broaden options for the upcoming conference committee discussions between the House Appropriations and Senate Ways and Means Committees, and was repeated throughout the budget. However, the amendment faced opposition from Sen. Larry Alley (R-Winfield), who argued that it conflicted with the Senate Commerce Committee's directive to craft a budget rather than set positions for conference negotiations, of which there are now plenty. Both chambers' budgets come in under the Governor's recommendations, but the state is still looking at a deficit of around \$600M.

At this point, the Governor's budget recommendations have almost entirely been cast aside, something she cannot be happy with. However, the Governor does have the ability to make life difficult for the Legislature, even with the super-super majority. Via line-item veto, she could veto dozens of items in the budget. Both chambers of the legislature would then have to vote on each veto override individually, which procedurally would require an enormous time investment and force leadership to choose their most important issues to address.

Division on Taxes

Some momentum is growing behind [HB2318](#) which aims at moving the state to a single income tax rate by lowering taxes when state revenues exceed inflation. The House Tax Committee voted 15-6 to advance the bill, backed by the Kansas Chamber of Commerce, which proposes reducing individual tax rates to 4.5% when revenues surpass inflation benchmarks. The proposal marks a shift from the legislative session's primary focus on property tax relief. Critics, like Rep. Tom Sawyer (D-Wichita), argue the bill is mistimed, emphasizing that constituents are more concerned with property tax reductions. Rep. Sawyer noted that the Legislature already provided significant income tax relief last year, and further action should prioritize property taxes. The bill also outlines a phased approach, initially lowering personal income tax brackets, currently at 5.58% and 5.2%, to a single rate of 4.5%, with future excess revenues allocated to reducing corporate tax rates and the privilege tax banks pay.

Despite the committee's approval, the bill's future remains uncertain. Speaker Hawkins (R-Wichita) highlighted that resolving property tax concerns is a higher priority, suggesting it may be difficult to advance income tax changes until that issue is addressed. The proposal sets a revenue baseline of \$10 billion, with excess funds used to gradually lower taxes, though fiscal experts, including Donna Ginther from the University of Kansas, indicated the impact wouldn't be immediate. Revenue projections suggest the state won't surpass the \$10 billion threshold until at least 2025 or 2026, meaning taxpayers may not see tangible benefits for several years. Still, supporters like Rep. Francis Averkamp (R-St. Marys) argue the bill is a broad, universal approach that could benefit all Kansans, citing widespread interest in tax credit relief as evidence of the public's desire to reduce income taxes.

House speaker pro tem Rep. Blake Carpenter (R-Derby) has introduced another wrinkle into the tax debate by proposing a constitutional amendment aimed at reducing taxes by eliminating certain state sales tax exemptions. The amendment would establish a "Freedom from Taxes Fund," financed by revenues from removing over 100 existing sales tax exemptions. A citizen committee, created by the amendment, would be tasked with reviewing these exemptions in 2027 and recommending which to eliminate. Exemptions would automatically expire in five years unless reauthorized by the Legislature. The ultimate goal is to use the fund's interest earnings, capped at 3% for annual withdrawals, to offset and eventually eliminate the state's property tax for schools and certain state buildings, with the long-term aim of also reducing income taxes. Rep. Carpenter emphasized that the plan is designed to provide sustainable tax relief, ensuring that once taxes are cut, they remain permanently reduced.

The amendment would need approval by two-thirds of the Legislature to appear on the November 2026 ballot. The proposal is the latest in a series of constitutional amendments under consideration this session, including measures on property tax appraisal caps, noncitizen voting, and executive rulemaking. However, no tax amendments have advanced through the full legislative process. Rep. Carpenter's amendment seeks to reform Kansas's tax structure in the long term by reassessing exemptions that currently cost the state about \$8.7 billion annually. The Legislature is now saturated with ideas on how to cut taxes, but so far, members appear to prefer their own ideas best, making a path forward unclear. Although the consensus from legislators is they "must" pass something this year, that sentiment is likely only true next session as the House heads into elections.

STAR Bond Extension

House Commerce advanced [SB197](#) on Friday after adopting several amendments that continued to expand the bill's scope. Originally intended as a simple extension of STAR bonds sunset, the legislation now includes provisions aimed at supporting struggling malls and enhancing reporting and attendance requirements for STAR bond projects. The bill codifies a rule requiring that 20% of visitors to STAR bond districts must come from outside Kansas, with 30% traveling from at least 100 miles away. Additionally, eligible malls must be located in economically declining areas, avoiding placement in high-value land zones.

The bill also grants the Kansas Development Finance Authority the power to issue bonds on behalf of others without assuming financial responsibility, a move aimed at assisting smaller communities. To ensure accountability, the Secretary of Commerce will be required to collect visitor data through ticket sales, tracking software, or other reliable technology to monitor visitation trends in each STAR bond district receiving sales tax revenues. This data must be compiled and included in reports until the bond debt service is satisfied or the bond matures. An amendment that would have required a personal guarantee from the master developer to repay lost sales tax revenues if visitor benchmarks were not met was voted down. The bill now includes a five-year sunset provision, and differences with the Senate version will need to be resolved in a conference committee.

Juvenile Justice Reform Passes House

[House Bill 2329](#) passed with strong bipartisan support last week in a 106-16 vote. The bill is part of ongoing efforts to build upon the state's 2016 juvenile justice reform legislation, Senate Bill

Key provisions of HB 2329 include increasing the cumulative detention limit for juvenile offenders, enhancing criminal penalties for juveniles who commit offenses with a firearm or are repeat offenders, and expanding the placement of offenders in non-foster home beds within youth residential facilities. The bill also requires the Secretary of Corrections to cover the costs associated with these placements and authorizes expenditures from the state's evidence-based programs account to fund contracts for such beds.

Despite its passage in the House, HB 2329 may face challenges ahead, as the Senate has historically been hesitant to support legislation that increases penalties for juvenile offenders, which could pose an obstacle to the bill becoming law this year.

Supreme Court Elections

Following the Senate's 27-13 approval of [SCR 1611](#), the House Judiciary Committee held a hearing on the measure Thursday afternoon. The proposed constitutional amendment seeks to eliminate the Supreme Court Nominating Commission and shift the selection process for Supreme Court justices to direct elections. The amendment now moves to the full House for consideration.

Currently, the nomination process involves a nine-member commission consisting of one attorney and one non-attorney from each congressional district, along with a lawyer who serves as the chair. This structure gives the bar association majority control in recommending three candidates to the governor for final selection. Advocates argue that having qualified judges on the Supreme Court is essential for maintaining a fair legal climate, which influences insurance costs, regulatory decisions, and even the state budget, especially given the Supreme Court's high rate of being overturned. Nationwide, 14 states elect their Supreme Court justices, while another 10 follow the "federal model," where the governor appoints justices with confirmation from the Senate. The federal model is likely not being considered as today's current Court would not look any different under that model, as 5 of the 7 current justices were selected under Democratic governors.

Important Dates

March 18 – Last day for non-exempt committees to meet and consider bills

March 21 – Last day for non-exempt bills in either House

March 24 – Conference Committees begin to meet

March 28 – First Adjournment

April 10 – Start of Veto Session

April 12 – Last day of Session

The Week Ahead

The following bills are scheduled to receive hearings this week.

Monday, March 17

9:30 AM Senate Assessment and Taxation

Hearing on HB 2396: Authorizing the use of protest petitions to limit property tax revenue funding, establishing the ASTRA fund, allowing transfers from the state general fund to qualifying cities and counties, and eliminating revenue neutral rate requirements.

Hearing on HCR 5011: Proposing a constitutional amendment to base property valuations on the lesser of fair market value or the average fair market value for residential, commercial, industrial, and mobile home properties.

9:30 AM Senate Financial Institutions and Insurance

Hearing on SB 284: Enacting the Defense of Drug Delivery Act to prohibit manufacturer interference in 340B drug distribution.

10:30 AM Senate Judiciary

Hearing on HB 2378: Establishing the Removal of Squatters Act, detailing the procedure for removing squatters, affidavit requirements, sheriff's notice to vacate, penalties for false affidavits, and civil action for wrongful removal with allowances for attorney fees and punitive damages.

10:30 AM Senate Ways and Means

Hearing on HB 2195: Establishing the Kansas Technical College Operating Grant Fund, administered by the State Board of Regents.

1:30 PM Senate Utilities

Hearing on HB 2149: Requiring distributed energy retailers to disclose information to residential customers, establishing an advisory group to develop a standard disclosure form, and setting interconnection and operation requirements for distributed energy systems.

Tuesday, March 18

9:30 AM Senate Assessment and Taxation

Hearing on SB 39: Establishing the Kansas Legal Tender Act and providing an income tax subtraction for sales of specie.

3:30 PM House Taxation

Hearing on HB 2081: Providing a sales tax exemption for community pharmacies serving medically underserved individuals and families.

Wednesday, March 19

Floor Work

Thursday, March 20

Floor Work

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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