



MEMORANDUM

To: Interested Parties

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

Date: March 19, 2022

Re: Weekly Update – Week of March 14, 2022

Please see our Weekly Update on Kansas Legislative activities:

A SPECIAL NOTE ON FINDING BILL LANGUAGE & BILL TRACKERS

If you need to find specific language of a bill, type the number in the box under “Bill number:” on the right-hand side of [this](#) webpage. Once you find the bill listed, click that specific bill. You will find the PDF logo under the “Documents” label - click the logo and this will lead you to the text of the bill.

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

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

LAST WEEK FOR MOST COMMITTEES TO MEET; BIG ISSUES YET TO BE ADDRESSED

This week marked the final week that most committees could meet to hear and work bills. Exempt committees, including House and Senate Tax, Federal & State Affairs, and the Budget Committees are still able to fully operate. Because of the tight deadline, committees feverishly worked to pass bills out of committee.

As this report will note, big issues, such as: the budget, medical marijuana, expanded gaming and sports wagering, legislative redistricting maps, and some healthcare policy will continue to work their way through the system in the final few weeks. Lawmakers will debate bills on the House and Senate floor next week and will come back the week of March 28 to convene in Conference Committees to hammer out final details and differences before taking a break in April to wait for updated state revenue numbers to be received.

SENATE PASSES REDISTRICTING MAPS

The [Senate Redistricting Committee](#) quickly released, heard, worked and debated a [redistricting map](#) for each of its 40 Senators. The annual event was capped by a [fairly strong vote](#) by the Senate (with a few NO votes being Republicans), despite criticism that the process took place too quickly.

Of note, the new map pits Sen. [Tom Holland](#) (D-Baldwin City) against Sen. [Beverly Gossage](#) (R-Eudora). It also eliminates the district held by Senate President [Rick Wilborn](#) (R-McPherson), which would be absorbed by a district currently represented by Sen. [Mike Fagg](#) (R- El Dorado). Wilborn has been rumored to retire once his term concludes. The map also creates a new district in Topeka and a new Senate district in southwestern Johnson County.

The map will now head to the House. If passed there, it will be sent to the Governor for signature or veto.

NEW HOUSE REDISTRICTING PLAN RELEASED

House Republicans released a [new set of maps](#) that would pit a new set of western Kansas incumbent Republicans against each other. The map would place Rep. [Tatum Lee](#) (R-Ness City) against Rep. [Jim Minnix](#) (R-Scott City). Originally, there were plans to combine the districts of Rep. [Kyle Hoffman](#) (R-Coldwater) and Rep. [Boyd Orr](#) (R-Fowler).

The maps would also add two districts to the rapidly growing Johnson County / Kansas City metropolitan area. Currently, the region has 25 districts and under the new plan it would have 27.

The [committee](#) passed out the map on Friday and the full House will likely vote on the measure next week.

TAX BILLS FLY OUT OF COMMITTEE, INCLUDING FOOD SALES TAX MEASURE FROM THE HOUSE

Chairwoman [Caryn Tyson](#) (R-Parker) was hard at work on Thursday, packaging and amending a number of tax bills.

The measures, which include topics such as exemptions, credits, and policy, can be found in the following [report](#).

Further, the [House Tax Committee](#) passed out a unique approach to cutting the state's food sales tax. The [bill](#) would bring the tax on food – which is one of the highest in the country – down to 6.3% on July 1, and would reduce it by 1.2% each year thereafter, assuming there is more than \$100 million in the state's rainy day fund. The reduction would not apply to food at restaurants.

Democrats, including ranking member Rep. [Jim Gartner](#) (D-Topeka) proposed an amendment that would have brought the tax down to 2% immediately and would have eliminated the entire tax by 2024. The change was voted down in committee.

As passed, the bill would [cost](#) the state roughly \$336 million in FY2023, \$430 million in FY2024 and \$518 million in FY2025.

There is no announcement yet on whether the House will take up the measure next week. The [Senate Committee](#) passed its own [version](#) of a food sales tax reduction bill last month.

COVID-19 TREATMENT BILL REEMERGES AND PASSES COMMITTEE

[S Sub for HB2280](#) passed out of the [Senate Health Committee](#) Thursday, renewing a debate about various treatments for the disease that has consumed Kansas and the country over the past two years. The bill would require pharmacists to fill prescriptions for ivermectin and hydroxychloroquine. The bill also would clarify that those who prescribe the drugs or similar drugs that may not be backed by state licensing boards, or the FDA, are not breaking any professional rules of medicine to prescribe.

The bill also exempts children enrolling in a childcare facility, school, or preschool or day care facility operated by a school from receiving immunizations if those immunizations would violate sincerely held religious beliefs and that the sincerity of those beliefs could not be questioned.

The COVID prescription language was originally included in [SB 381](#), which had a hearing and was opposed by several large hospital systems across the state. [SB 398](#), which included provisions regarding immunizations for children, was introduced by Sen. [Mark Steffen](#) (R-Hutchison) but did not have a hearing before being amended into the larger base bill.

The bill now heads to the full Senate for debate. If it passes, the House could concur with changes, or the bill would head to Conference Committee for further negotiations.

SENATE, HOUSE GETTING CLOSE TO FINALIZING BUDGETS

On Wednesday, the Senate officially [passed](#) its [version](#) of the budget. The bill, which is a combination of recommendations from the Governor, as well as enhancements and modifications made by the Senate will now head to Conference. Only two amendments to the budget were made on the floor, including a measure by Sen. Holland to require state agencies to use the E-Verify system before entering into contracts with vendors and a proposal by Sen. Tyson to increase the amount of pay given to committee assistants and office assistants by 15%.

The [House Committee](#) passed its version of the budget out of committee late Thursday (H Sub for SB267). The bill also contains several modifications and will likely head to the floor next week. Major amendments of note in the House’s budget that will now be considered by the whole committee include:

- Amending in a [bill](#) that would extend contracts with Managed Care Organizations that provide services for the state’s Medicaid program (KanCare) by one year. Opponents note that the proviso amounts to the creation of a no-bid contract for those providers. Proponents believe the system is working well and would like to wait until after the 2022 Gubernatorial election before any major changes are made.
- Subject the [Bluhawk Development](#) project in Overland Park to oversight by the State Finance Council. The maker of the motion, Rep. [Sean Tarwater](#) (R-Stilwell) expressed frustration with the delayed project and that the district has not expanded because of [STAR Bonds](#), but rather because of a newly created highway off-ramp.

Once both chambers pass their versions of the budget, they will go to Conference Committee and reconcile differences.

FLOOR REPORTS AND THE WEEK AHEAD

The House and Senate both met Thursday and debated the following bills. The results of those floor debates are listed below.

Of note, the [House Federal & State Affairs Committee](#) will take up a [bill](#) that would expand gaming in the state, and include provisions for sports wagering. The hearing will take place on Tuesday at 8:00 AM.

SENATE FLOOR REPORT – 03.17.22

SB 390 by	Requiring the secretary of state and local election officers to develop an affidavit to be signed by	Final Action Passed, 27-10
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Richard Hilderbrand, R-13th	election workers regarding handling of completed ballots	
Sub for SB 563 by Senate Redistricting Committee	Proposing the state senatorial redistricting map liberty two	Final Action Passed, 28-8
HB 2478 by Bill Rhiley, R-80th	Designating a portion of United States highway 166 as the SGT Evan S Parker memorial highway	Final Action Passed, 38-0
SB 348 by Senate Public Health and Welfare Committee	Exempting the practice of threading from the practice of cosmetology	Concur/Nonconcur Nonconcur; appointed Hilderbrand, Gossage and Petty
SB 366 by Senate Judiciary Committee	Specifying that the crime of burglary includes, without authority, entering into or remaining within any locked or secured portion of any dwelling, building or other structure, with intent to commit another crime therein	Concur/Nonconcur Nonconcur; appointed Warren, Wilborn and Haley
SB 408 by Senate Judiciary Committee	Increasing the criminal penalties for multiple thefts of mail	Concur/Nonconcur Nonconcur; appointed Warren, Wilborn and Haley
HB 2540 by Mike Dodson, R-67th	Authorizing the construction of a memorial honoring Kansas gold star families	General Orders Amended by Sen. Olson (technical); recommended favorably for passage; EFA: Passed, 38-0
HB 2508 by House Judiciary Committee	Requiring retention of fingerprints by the Kansas bureau of investigation for participation in the federal rap back program	General Orders Amended by Sen. Warren; recommended favorably for passage; EFA: Passed, 38-0
SB 529 by Senate Federal and State Affairs Committee	Providing for the electronic renewal of nondriver's identification cards	General Orders Recommended favorably for passage; EFA: Passed, 38-0

HOUSE FLOOR REPORT – 03.17.22

HB 2528 by House Federal and State Affairs Committee	Removing inflatable devices that are owned and operated by a nonprofit organization from the requirements of the Kansas amusement ride act	Final Action Passed, 86-34
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SB 335 by Senate Financial Institutions and Insurance Committee	Exempting certain business entities that provide health insurance in the state but are not subject to the jurisdiction of the commissioner of insurance from payment of the annual premium tax	Final Action Passed, 120-0
SB 348 by Senate Public Health and Welfare Committee	Exempting the practice of threading from the practice of cosmetology	Final Action Passed, 110-10
SB 392 by Senate Financial Institutions and Insurance Committee	Terminating the transfer of remaining unencumbered moneys in the securities act fee fund exceeding \$50,000 to the state general fund	Final Action Passed, 120-0
HB 2712 by House Appropriations Committee	Establishing the Kansas commission for the United States semiquincentennial	General Orders Recommended favorably for passage; EFA: Passed, 119-1
SB 408 by Senate Judiciary Committee	Increasing the criminal penalties for multiple thefts of mail	General Orders Recommended favorably for passage; EFA: Passed, 117-3
Sub for SB 400 by Senate Financial Institutions and Insurance Committee	Updating certain requirements and conditions relating to the creation, modification and termination of trusts in the Kansas uniform trust code and updating the definition of resident trust for tax purposes	General Orders Recommended favorably for passage; EFA: Passed, 120-0
SB 366 by Senate Judiciary Committee	Specifying that the crime of burglary includes, without authority, entering into or remaining within any locked or secured portion of any dwelling, building or other structure, with intent to commit another crime therein	General Orders Recommended favorably for passage; EFA: Passed, 120-0

PRESS RELEASES & OTHER UPDATES

- [Governor Laura Kelly Announces More Than \\$6 Million for Rural Road Safety Improvements](#)
- [Governor Laura Kelly Prioritizes Affordable Housing in Budget Amendments](#)
- [Governor Laura Kelly Announces \\$20 Million in Business Investment and 150 New Jobs in Wichita](#)
- [Governor Laura Kelly Announces First Round of Grants to Support Tourism and Economic Development](#)

WEEKLY SCHEDULE: MARCH 21 – MARCH 25

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

MONDAY, MARCH 21

Time	Committee	Room	Notes
10:00 AM	S Fed & State	144-S	Hearing & Action: HB2710- ABV for wine; Possible Action
10:00 AM	S Ways & Means	548-S	Hearing: HB2541 Revising Certain Fees to transfer to the SGF
10:00 AM	House Floor		Consideration of Bills on General Orders
1:30 PM	Senate Floor		Consideration of Bills on General Orders

TUESDAY, MARCH 22

Time	Committee	Room	Notes
8:00 AM	H Fed & State	346-S	Hearing: HB2740- Authorizing Sports Wagering
10:00 AM	House Floor		Consideration of Bills on General Orders
10:00 AM	Senate Floor		Consideration of Bills on General Orders

WEDNESDAY, MARCH 23

Time	Committee	Room	Notes
10:00 AM	Senate Floor		Consideration of Bills on General Orders
10:00 AM	House Floor		Consideration of Bills on General Orders

THURSDAY, MARCH 24

Time	Committee	Room	Notes
10:00 AM	Senate Floor		Consideration of Bills on General Orders
10:00 AM	House Floor		Consideration of Bills on General Orders