



Kansas Association of Counties Legislative Update

April 4, 2022

Welcome to the 2022 Kansas Legislative Session. This is the second year of the biennium, so bills and resolutions from the 2021 Session carry over to the 2022 Session. In addition, new bills may be introduced, continuing with the numbering from last session.

For a review of common legislative terms, please refer to the [Common Legislative Terms](#) list on KAC's website or bookmark this link: <https://www.kansascounties.org/legislative/common-legislative-terms/view>

Summaries of all legislation passed during the 2021 session or special session can be found at www.kslegresearch.org under the Publications tab by searching the 2021 Summary of Legislation and 2021 Legislative Highlights. There is a summary of the 2021 Special Session under the publications tab. You can also find helpful resources in the Legislative Briefing Book. Topics of interest covered in the 2020 Briefing Book include Elections and Ethics, Redistricting, State and Local Government, Taxation and Transportation, among others.

What Happened This Week

It was a long week at the statehouse, with conference committees dominating the discussion. The conference committees on the budget, tax, education, and judiciary were very busy, meeting multiple times on numerous issues. Floor work stretched into the evening (and sometimes into the morning). Conference committees met early (and late).

Below are the highlights of bills that passed and did not pass. This is not a list of every bill that was considered last week.

What Passed

- [HB 2239](#), which is a bill with a wide range of tax policy provisions. This bill makes changes to the notice and hearing procedures for revenue neutral rates, including the KAC requested amendments to allow only taxpayers within a jurisdiction or their authorized representatives to file complaints based on the revenue neutral rate (those complaints would be filed at BOT). The bill also changes the classification of land used by zoos and for agritourism to agricultural, makes changes to the Grassland Conservation Reserve Program classification, allows for proration of personal property taxes on ATVs and golf carts, allows county commissioners to abate property taxes in certain disaster incidents, expands the Homestead Property Tax Refund Program, allows for a countywide sales tax in Wilson County for EMS, creates a sales tax exemption for agricultural fencing, and requires certain ballot language for countywide retail sales taxes. There are other additional provisions in this bill, but those are several of the highlights included in this broad taxation package. The conference committee originally was working on separate packages for sales, income and property tax, but abandoned that in favor of this large bill, another separate bill and a food sales tax bill. The other two bills will be covered below.

- [SB 286](#) is the continuation of several COVID related policies, including the expansion of telemedicine, immunity from civil liability for health care providers and businesses in compliance with public health directives, and hospital bed usage. This bill also contains criminal provisions related to interference with conduct of a hospital and battery against a healthcare provider.
- [SB 267](#) is this year's budget bill. The K-12 education budget was removed from this bill and packaged separately. This budget did transfer money from the state general fund into KPERs. It also added \$10M to increase the reimbursement rates for Emergency Medical Services provider codes, which will result in higher reimbursements for those services. KAC advocated for this change, along with KEMSA. This budget could change once new revenue estimates become available later this month.
- [HB 2279](#) amends the advanced practice registered nurse authorized scope of practice, which will allow APRNs to prescribe drugs without a supervising physician. This could help fill a care shortage in some areas.
- [HCR 5022](#), which would allow for a vote by the people of Kansas to amend Article 9, Sections 2 and 5 of the Kansas Constitution to add language concerning the election of county sheriffs and removal of a sheriff from office. This would require a countywide election for the office of sheriff. Riley County, which has a joint law enforcement office, would be exempt from this requirement. This ballot question will appear on the November 2022 ballot.

What Did Not Pass

- [HB 2597](#) contains several additional tax policy changes, including a sales tax exemption on commercial utilities. Counties would still be able to charge sales tax on these utilities, but would have the option to reduce that rate to 0% as well. This bill also includes language to allow a new ballot initiative in Atchison County regarding the countywide sales tax. Language that would have made changes statewide to countywide sales taxes was removed. This package also includes COVID-19 Retail Storefront relief language, but the source of funds is now SPARK, rather than local funds.
- [SB 19](#) is the 988 Suicide Hotline bill. This bill stalled, but still could pass later this year.
- [SB 84](#) is the sports wagering bill. Language was added to allow funds to be used to potentially attract professional sports franchises to Kansas. While this bill did not pass the Senate, it did pass the House and is likely to be acted on, as Missouri is likely to approve sports wagering this year, giving residents in the Kansas City Metro area easy access to wagering even if Kansas does not act.
- [HB 2056](#), which would limit county election offices to one remote ballot box for every 30,000 registered voters in the county, require remote ballot boxes to be monitored or under constant video surveillance, and prohibit remote ballot boxes from being open and accessible for the deposit of advance voting ballots when the county election office is closed was not acted upon by the House. It was, however, passed by the Senate and could be advanced by the House upon their return in late April.
- [HB 2237](#) is the bill that contains several housing provisions. The bill is aimed at increasing access to affordable housing through various credits and programs. It is likely this bill moves forward when the legislature returns.
- [HB 2106](#) is the bill that would gradually reduce the state portion of the food sales tax. It would reduce the tax on food and food ingredients from 6.5% to 4% on January 1, 2023, then from 4% to 2% on January 1, 2024, and finally move to 0% on January 1, 2025. Local sales taxes would not be impacted by this legislation. The state highway fund could be impacted, as the highway

fund calculation is not changed beyond 2024. It is important that individuals know that local sales taxes would still be collected if this bill passes. This bill is caught in a political quagmire right now, and may not reach the floor of either chamber.

What's Coming Next Week

The Kansas Legislature is now at first adjournment, and will return to Topeka on April 25 for the “veto session.” There are still several policy issues (food sales tax among them) that are still outstanding.

Over the next few weeks, you may have the opportunity to see your legislators in your district. If there are issues of particular importance to your county, be sure to let your legislators know about those issues.

If you have not already done so, [SUBSCRIBE](#) to KAC legislative alerts to stay up to date on what is going on.

Additional Resources

For daily information on things happening in the Legislature, follow [@KansasCounties](#) and [@JayHallKS](#) on Twitter.

You can find information on the Kansas Legislature, such as daily calendars, audio links, and bill text at www.kslegislature.org.

You can watch or listen to committee proceedings at: www.sg001-harmony.sliq.net/00287/Harmony/en/View/Calendar/ or by following the Kansas Legislature on YouTube.

2022 Legislative deadlines can be found at:

http://kslegislature.org/li/documents/2022_calendar_deadline.pdf