



Kansas Association of Counties Legislative Update ***February 11, 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

The House and Senate both overrode the Governor's veto of the [Ad Astra 2](#) Congressional redistricting plan. Because those votes took a decent amount of time on the floor, however, committee work was delayed for some House and Senate committees. Another bill that took up considerable time was the APEX Bill (Attracting Powerful Economic Expansion) or [SB 347](#). This bill allows the Secretary of Commerce to offer economic incentives designed to attract a \$4B investment in Kansas. There was controversy surrounding this bill, as the identity of the company is unknown.

As a result of APEX and Ad Astra, other matters were delayed or re-scheduled.

The County Treasurers bill on registration and title fees for vehicles, which is on the House side in Transportation ([HB 2567](#)) was heard on Thursday, February 10. This bill would change the fees that come to the county for vehicle registration and titling to help offset the costs incurred by the county. This bill has been circulating for a couple of years now and is something to watch to help offset the costs of these functions.

The Senate Tax committee passed out [SB 339](#) on Thursday, Feb. 10. It was heavily amended. The effective date for the bill was moved to January 1, 2024. [SB 359](#), which would eliminate the sales tax on utilities, was added. [SB 327](#), which would exempt delivery charges from sales tax calculations, was added. An amendment for Washburn University was added to the bill (Washburn receives a portion of sales taxes in Shawnee County). Cities and counties were given the option (but not mandated) to eliminate their local taxes on food. [SB 328](#), which allows movie theaters to retain sales taxes collected from July 1, 2022 through July 1, 2024, was added. This package was passed out of committee favorably. It is unclear what all of these exemptions will do to the fiscal note. The fiscal impact for the original SB 339 was already fairly substantial as it includes food at restaurants as well as at grocery

stores. Because counties still retain the ability to maintain their local sales taxes, KAC still supports the bill, but will continue to monitor for other amendments.

The Senate Transportation committee completed its hearing on autonomous vehicles with [SB 379](#). KAC submitted written testimony on this bill. The bill pre-empts counties from regulating autonomous vehicles. KAC is concerned that the regulatory framework at the state level is too uncertain at this point. This bill likely will not move this year.

Elections has become a hot topic as well. [SB 388](#) requires the US Postal Service to deliver all advance ballots. [SB 389](#) requires ballot watermarks. [HB 2570](#) requires an audit for any statewide, congressional or legislative race that is within a 1% margin. [HB 2486](#), concerning electronic poll books, and [HB 2555](#), which requires address confirmations be sent in certain situations. All but SB 389 were heard this week (SB 389 was scheduled, but the SB 388 hearing ran over time, so it will have to be rescheduled). KAC is watching these bills as they would all impact elections in some way. More elections bills are on the horizon.

The [SB 353](#) hearing, which impacts the setbacks and construction requirements for commercial wind farms was on Thursday in the Senate Utilities committee. Based on the committee response to the hearing, this legislation does not appear to have enough support to advance out of the committee at this time.

What's Coming Next Week

[HB 2531](#), which deals with the use of county right-of-way, is being heard in House Agriculture at 3:30 p.m. on Monday, February 14. This hearing was rescheduled from Wednesday, February 9. HB 2531 originates out of a situation in northwest Kansas, but could have implications statewide. Road departments should be aware of what is happening with this bill.

[SB 386](#), which would place some limitations on the fees for copying and staff time under the Kansas Open Records Act, will be heard in Senate Transparency and Ethics committee on Monday, February 14 at 9:30. KAC will be testifying on this bill. This bill was introduced in the Ways and Means committee, which means that it is exempt from the deadlines of Turnaround Day.

[HB 2619](#), which would require city and county governments to post the total compensation of elected officials on their official website, will be heard on Wednesday, February 16, at 9:00 in the House Local Government committee.

HB 2531 and HB 2619 are both in non-exempt committees, so if they are going to move, they have to do so very quickly.

As mentioned above there are a number of elections bills working through the process. They are listed below by hearing day:

Monday, 10:30 in Senate Fed and State

[SB 351](#) – regarding electronic pollbooks

[SB 390](#) – regarding election worker affidavits

Tuesday, 10:30 in Senate Fed and State

[SB 394](#) – requiring advance ballots be received by 7PM on election day

[SB 418](#) – changes to election law by agreement must be approved by LCC

Wednesday, 10:30 in Senate Fed and State

[SB 391](#) – requiring that ballots indicate the number of years of incumbency

Wednesday, 3:30 in House Elections

[HB 2585](#) – requiring advance ballots be received by 7PM on election day

Thursday, 10:30 in Senate Fed and State

[SB 445](#) – Prohibiting Drop Boxes

Thursday, 9:00 in House Fed and State

[HB 2565](#) – requiring precinct level data to be provided within 30 days of final canvas.

As we draw closer to Turnaround Day (the deadline by which non-exempt bills must pass through their house of origin), the calendar could continue to fill up. Bills could be added at any point in the week, so monitoring the calendar on a daily basis will be one of KAC’s main objectives over the next week. If you have not already done so, [SUBSCRIBE](#) to KAC legislative alerts to stay up to date on what is going on.

As a reminder, these deadlines only apply to non-exempt committees. Exempt committees like House Taxation and Senate Assessment and Taxation, House and Senate Federal and State Affairs, House Appropriations, Senate Ways and Means, and House Calendar and Printing are not subject to these deadlines.

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