



Kansas Association of Counties Legislative Update ***March 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

[SB 542](#) was heard on March 9 in the Senate Assessment and Taxation committee. It is a follow-up to [2021 SB 13](#). KAC testified as neutral on this bill, opting to request four specific amendments to the bill. Those amendments were 1) changing the revenue neutral rate to the revenue neutral amount, 2) restricting BOTA protests to only taxpayers within the taxing jurisdiction, 3) allowing BOTA to either reject or gather more information before requiring counties to respond to complaints if those complaints lack specificity, and 4) backing up the implementation date.

The committee seemed to be interested in changes to the complaint process, but was not interested in changing the revenue neutral or moving the implementation date. It is likely that this bill will pass in some form, as the Senate committee wants to have enforcement provisions in this law.

[SB 466](#), which would establish certain prohibitions on public accommodations related to vaccine status, as well as prohibiting governing bodies of any city or county, public officials of any city or county and local health officers from requiring that a person wear a face mask based on an epidemic or other public health reason, does not appear to have any momentum. Following the informational hearing on a similar topic, [SB 541](#), was heard in Senate Judiciary. This bill will have a significant impact on local health officers and county commissions. That bill was worked on March 9, with sections 1 and 16 of the bill being placed in the shell of HB 2416 in a gut-and-go maneuver (a process by which the language of a bill is stripped out in its entirety and replaced with the language of another bill). These sections are the compensation sections dealing with property tax. The sections that were moved are prospective only, but would require compensation of property taxes if a business were shut down during any health crisis.

In a similar vein, [SB 489](#) was heard in the Senate Public Health and Welfare committee on March 8 at 8:30 a.m. Local health officers should plan to tune into this hearing. This bill may not move forward, as there may be more interest in the language from SB 541 that moved into HB 2416.

[SB 532](#) was pulled from the agenda in Senate Federal and State Affairs. At this time, it does not appear that this bill will move forward.

The hearing on [SB 505](#), a bill that would prohibit enactment or enforcement of zoning regulations to regulate businesses that operate out of a home, was scheduled to be heard on Thursday, March 10. Due to weather, that hearing was moved to Monday, March 14. This bill is broadly written, to the point that any work done at a home, whether it be automotive repair, childcare, office type work, or another type of work, could not be regulated based on zoning. The bill exempts homeowners associations from this limitation.

[HB 2531](#), the bill relating to private use of county and township road right-of-way, appears to have stalled. There are those in the house that are not comfortable with the language. This situation may require a working group during the interim, so if this issue is important in your county, please let us know so that we can keep you involved in this process.

The language for [HB 2056](#), which began as [SB 394](#) a bill requiring advance ballots be received by 7 p.m. on election day, then was amended, adding the ability to send out ballots three days earlier, changing the deadline to register to vote (cutting down the number of days prior to an election in which you can register) and limiting the number of drop boxes that can be placed in a county (one per 30,000 in registered voters).

Prior to the language being available, KAC was under the impression that the drop box limitation was tied to county population. It is actually tied to registered voters, meaning that, as best as KAC can determine, only four counties qualify to have more than one ballot drop box under this language.

As a reminder, because this bill was placed into a House bill shell, this bill will be sent to the floor of the Senate, and then, rather than going through the committee hearing process on the House side, it can advance to a conference committee, meaning these provisions will never get a debate before a House Committee or the full House with an opportunity to amend the bill. If a conference committee report does come before the House, the members of the House can only vote yes or no, with no option to amend the bill further. It should be noted that the portion of the bill that eliminates the mailing grace period for ballots was killed in the House.

Now that the language is available, counties should engage with their legislators, particularly in the Senate, to let them know how this bill impacts your county.

What's Coming Next Week

The hearing on SB 505 will be on Monday at 10:30 a.m. in the Senate Commerce Committee.

Also on the schedule next week is [HB 2688](#), which would require counties to issue licenses for cereal malt beverages to licensed farm wineries if statutory requirements are satisfied, regardless of zoning issues that may not have been satisfied. That hearing will be Thursday, March 17 at 10:30 a.m. in Senate Federal and State Affairs.

[HB 2729](#), which would allow for a property tax exemption for 50% of the first \$200,000 in assessed valuation of homesteads of individuals over 65, will be heard in the House Taxation committee. This bill should be monitored by both Clerks and Treasurers, as it would create new responsibilities for each. Another food sales tax bill ([HB 2711](#)) will be heard that same day (March 15, 2022 at 3:30 p.m.).

[HB 2724](#) does not directly impact county finances, but it would impact the requirements under 2021 SB 13, as it would remove the 20 mills for school districts from the requirements of the revenue neutral rate. KAC is monitoring this bill, although we are not testifying on it.

[SB 547](#), which would exempt broadcast satellite service and providers of streaming content from the video competition act, will be heard in Senate Federal and State Affairs on Monday, March 14 at 10:30 a.m..

Additional bills could be added to the calendar to be worked or as blessed bills are re-referred to their original committees. It is likely that bills that are re-referred could have additional amendments added in committee to win support on the floor. Keep an eye on social media for these updates as bills start to move around after Turnaround. 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