



## **Kansas Association of Counties Legislative Update** ***February 23, 2024***

Welcome to the 2024 Kansas Legislative Session. This is the second year of the biennium, so bills and resolutions from the 2023 Session **do** carry over to the 2024 Session. Bill numbers also carry over, meaning they pick up where they left off last year, rather than starting over at 1 (Senate) or 2001 (House). It also means that legislation that was “dead” last year has been revived and can be debated again this year during the legislative 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 2023 session can be found at [www.kslegresearch.org](http://www.kslegresearch.org) under the Publications tab by searching the 2023 Summary of Legislation and 2023 Legislative Highlights.

### **What Happened This Week**

Turnaround week was this week, but the first order of business was the veto override attempt on the [CCR for HB 2284](#). As I observed previously, the more time that passes, the more priorities can change or shift, making it more difficult to override a veto the longer you wait to take the vote. This proved true, as the House did not manage the 84 votes necessary to override the Governor’s veto. I had always presumed that the House likely had the votes, but things would be more problematic in the Senate. It turned out that the House did not have the necessary votes after all. This veto override has been stalling other items in the legislature. With it now finished, we will see what the plan is moving forward.

An attempt to move [SB 377](#), a bill that contains some of the provisions from the HB 2284 CCR, including an increase in the property tax exemption, sales tax exemptions for feminine hygiene products and children’s diapers, income tax exemptions for social security benefits and other tax provisions, from committee to General Orders failed on a 13-24 vote, largely along party lines. It would have required 24 votes to come to the floor.

Some highlights from Turnaround Week.

[SB 381](#), which would allow county commissioners in counties that are not the largest in their judicial district to appoint their own coroner at their own discretion and expense, passed the Senate 40-0.

[SB 384](#), which would allow ambulances in rural communities to operate with a minimum number of personnel on stable transfers, passed the Senate 39-0. This bill was amended to expand the current waiver available from the EMS board.

[SB 272](#), which increases the transfers from the state highway fund to the general aviation airport development fund, was passed by the Senate 36-4. The original bill would have increased the amount from \$5M to \$18M, but the committee reduced that amount to \$15M.

[SB 162](#), which would allow Riley and Crawford County to abate nuisances in the unincorporated areas of their respective counties, passed the Senate 34-5. This bill was modeled after similar legislation in Sedgwick County. The Sedgwick County provision needs to be renewed this year in [SB 362](#). That bill passed the Senate by the same 34-5 margin.

All of these bills are now heading to the House for consideration.

The House passed [HB 2512](#) and [HB 2518](#). HB 2512 would allow county election officers provide in-person voting during the weekend prior to the election, and require that at least four hours of in-person voting be available the Saturday prior to the election. The bill was amended on the floor to also allow (though not require) that election officers allow in-person voting on the Monday prior to an election until noon. It passed 97-23. HB 2518 would allow the Secretary of State to adopt rules and regulations for the use of remote ballot boxes (drop boxes).

Both bills dealing with asset forfeiture advanced in their respective chambers. [HB 2606](#), which is closer to the recommendations of the judicial council, passed in the House 119-0. The Senate version, [SB 458](#), which goes beyond the recommendations of the judicial council, also passed in the Senate on a vote of 36-2. Now those versions will switch chambers. This issue is almost certain to go to Conference Committee.

[HB 2754](#), which authorizes counties to utilize county home rule authority to exempt the county from conducting school sanitary inspections. The bill passed the House 114-5. It now heads to the Senate.

[HB 2690](#) would eliminate the 911 Commission and replace it with the State 911 Board. The bill also allows counties to contract with other counties for 911 PSAP services. It passed the House 117-3 and crosses the Rotunda to the Senate.

[HB 2587](#) would allow the board of directors of a drainage district to go into executive sessions under the open meetings act (KOMA). While this does not directly impact counties, KAC was monitoring this bill because it does deal with KOMA. It passed 116-4 and is now on its way to the Senate.

[HB 2661](#) would require that vacancies in county commissioner districts created by an increase in the number of commissioner districts be filled at the next general election, as well as providing for continuing to stagger the terms of commissioners. The bill passed 120-0 and now heads to the Senate.

[HB 2637](#) would have expanded the eligibility for rural emergency hospital licensure under certain circumstances. A floor amendment created concern prior to final action, causing the measure to fail 58-62.

[SB 457](#), which would prohibit public utilities from exercising eminent domain power to site solar facilities was passed over in the Senate. It was, however, referred to Senate Ways and Means, meaning this bill has been blessed and is now exempt from deadlines. This suggests that it could still be worked later this session.

[SB 390](#), which would allow for conscientious refusal by individuals on vaccines, was not placed on the calendar. It was also blessed, however, being sent to Senate Ways and Means. [SB 391](#), which is the Health Freedom Act, which changes the ability of the Secretary of KDHE and Public Health Officials to control the spread of disease was amended on the Senate floor. It passed 23-17 on Final Action. The House has not taken up similar bills the last two years.

[HB 2446](#), which would ban local governments from regulating single use containers, regardless of their material was passed over. Because this bill came through the Federal and State Affairs committees, it is a blessed bill.

[HB 2599](#), which would limit the fees that a governmental entity could collect under the Kansas Open Records Act was not blessed and will not move forward. It was stricken from the calendar as a result.

[HB 2783](#) is a pre-emption bill that would prohibit state agencies, cities and counties from restricting the sale or use of motor vehicles based on the energy source used for the vehicles. It passed on a vote of 89-30 and now heads to the Senate.

## **What's Coming Next Week**

With Turnaround week now behind us, the legislative picture is becoming clearer. In addition, now that we have a resolution on the initial tax package, things can start moving forward on other issues.

The schedule for the upcoming week is light because the week is short as the legislature does not return until Wednesday.

Keep an eye on [HB 2806](#), which would authorize telecoms and video service providers to operate in the county right of way and limit the fees that counties can charge. That hearing is scheduled for Thursday in House Energy, Utilities and Telecommunications.

There are a number of bills to keep an eye on. They include:

- [HB 2704](#), which would limit the authority of cities and counties to regulate “no impact” home based businesses. This bill was “blessed” meaning it was sent to an exempt committee (in this case, House Appropriations);
- [HB 2734](#), which would require that improvement districts expire after five years if improvements have not been carried out within that district;
- [SB 373](#), the bill that would forbid use of public funds for lobbying either directly or indirectly;
- [SB 332](#), which would fund the local ad valorem tax reduction fund and use that money to fund rebates to residential homeowners;
- [SB 196](#), which would restore funding to the local ad valorem tax reduction fund according to the statutory formula;
- [SB 367](#) would prohibit the use of federal funds for election purposes without legislative approval;
- [SB 468](#) would forbid cities and counties that grant tax incentives or other tax increment financing from exceeding the revenue neutral rate;
- [HB 2495](#) is the budget bill;
- [SB 487](#), on the ability for counties to contract with other counties for the provision of public service answering point services. This is a blessed bill because it was introduced in Federal and State Affairs, an exempt committee.

In addition, tax bills are generally exempt because they are usually referred to or introduced in exempt committees. The 4% cap on valuation increases ([SCR 1611](#)) is likely to get a look from the House after Turnaround. There are also other tax proposals in the House that are rumored to be introduced after Turnaround now that the CCR for HB 2284 is officially dead.

Additionally, the House has promised a hearing on Medicaid Expansion after Turnaround and a recent poll suggests that more and more voters are open to this idea. Whether that has any impact during an election year is anyone's guess, but again *anything can happen during an election year*.

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

You can find information on the Kansas Legislature, such as daily calendars, audio links, and bill text at [www.kslegislature.org](http://www.kslegislature.org).

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

2024 Legislative deadlines can be found at:

[https://kslegislature.org/li/documents/2024\\_session\\_deadlines.pdf](https://kslegislature.org/li/documents/2024_session_deadlines.pdf)