



## **Kansas Association of Counties Legislative Update** ***March 15, 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**

The session is building towards first adjournment on April 5, which means that activity is really starting to ramp up. This also means that things will be happening at a much faster pace than they have been up to this point in the Session. If you have not already done so, please go to the KAC website and get the KAC app so that you can receive our legislative alerts so you do not miss anything over the next few weeks.

[HB 2815](#), which would do away with not only the local ad valorem tax reduction fund (LAVTR), but also the county-city revenue sharing (CCRS) and make adjustments to the way the special city-county highway fund (SCCHF) is funded had its hearing on Wednesday in House Taxation. The hearing went as well as could be hoped, with conversation from the committee members suggesting that there is not clear support for this bill. County officials should continue to talk to their House delegations about the importance of these funds and how they can help reduce the local property tax burden, as they were designed to do.

Counties need to engage their House and Senate delegations on [SB 468](#), which would require that any county or city that grants any property tax exemptions, revenue bonds or other tax abatements remain at the revenue neutral rate. This bill would remove many of the tax abatement tools used for economic development by local governments. KAC is asking counties to contact your local chambers of commerce, as well as any businesses that have been granted abatements in the last few years and ask those entities to contact your senators and tell them to oppose this bill. The bill advanced out of committee on a 6-5 vote, so there is potential opposition already lining up against this bill.

Counties should also engage their House delegation on [SB 311](#) would impact how commercial property can be appraised. The original bill would prevent using the sale price or value from an IRS 1031 exchange to determine fair market value. The committee added in language that would prevent using “build-to-suit transactions or sale-leaseback agreements” to determine fair market value or as

comparable sales for valuation purposes. This could allow use of “dark store theory” in determining the value of commercial property. This could result in a shift of tax burden from commercial properties to residential and agricultural properties. This bill advanced out of the Senate on a narrow [21-19](#) vote. This bill may not get a hearing in the House, so counties should be urging House members, particularly members of the tax committee to not put this into a conference committee report (CCR) where it could get bundled with other unrelated legislation.

[SB 162](#), the nuisance abatement bill for Riley and Crawford counties, advanced out of the House Local Government committee this week and is sitting below the line on the House calendar. KAC will continue to advocate for this bill to pass in its current form so that it can be signed into law. [SB 362](#), which would eliminate the sunset provision of the Sedgwick county nuisance abatement bill, also passed out of committee this week and is also below the line in the House. KAC is also advocating that this bill pass in its current form so that it can advance to the governor.

[HB 2783](#), which would restrict the authority of state and local governments to regulate vehicles based on their fuel type, was scheduled for final action on Thursday after its hearing earlier this week, but the Senate Federal and State Affairs committee canceled their Thursday meeting. This bill could be worked next week. KAC is still asking for some exception for public safety.

[HB 2512](#), which would require county election officers to offer at least 4 hours of advance voting time on the Saturday prior to the election was heard in Senate Federal and State Affairs on Tuesday. Election officials have noted that this may not increase turnout in some areas. House Elections held an informational hearing on [SB 367](#), which would prohibit the use of federal government funds for elections on Tuesday. That bill is awaiting further action by the Senate, as it has not passed that chamber yet.

[HB 2387](#) had its hearing on Tuesday in Senate Commerce. This bill would allow for state funds to help replace revenues lost in STAR bond districts as a result of the decrease in food sales tax. It is awaiting action by the Senate committee.

[SB 458](#), the Senate version of the asset forfeiture bill, was heard in House Judiciary on Tuesday. This version goes further than either the House version, or the recommendations of the Judicial Council report. KAC is working with law enforcement lobbyists to move the House version of the asset forfeiture bill.

The new Senate tax plan, [SB 539](#), advanced out of the Senate. This tax plan contains many of the same elements that were in the failed tax bill ([CCR for HB 2284](#)) from earlier this session. It contains a single tax rate at a higher level than the previously proposed 5.25%, with the rate starting at 5.7% and reducing by 0.05% each year until it reaches 5.45% in 2029. This is a bill to watch to see what the House does, as it passed the Senate with a veto proof majority ([29-11](#)).

[SB 384](#), which would allow a single operator to transfer a stable patient, advanced out of the House Local Government committee. [SB 381](#), which would allow a county that is not the largest in the judicial district to appoint its own coroner, will be heard this upcoming week.

House Tax heard two other bills that will impact counties. The first, [HB 2683](#), would shift the mailing deadlines for tax statements. The second, [HB 2795](#), would standardize the revenue neutral rate form. KAC is hoping for some collaborative work with clerks, treasurers and other stakeholders to insure these bills do not create disruptions in the processes that counties utilize.

Both [HB 2739](#), which would require state managed funds to divest from investments with identified foreign adversaries and [HB 2766](#), which would prohibit foreign principals from certain countries from holding an interest in certain real property in Kansas are both awaiting action in the House. KAC is monitoring both of these bills.

[HB 2806](#), which would place limit the fees that counties can charge to telecommunications providers and video service providers operating in the county right-of-way, was amended before advancing out of committee. KAC is concerned that this bill would treat counties differently than it does cities in these matters and is advocating for an amendment on the floor to correct this.

[HB 2690](#), which would eliminate the 911 Commission and replace it with the State 911 Board had amendments similar to the ones added to [SB 487](#) (the Senate Bill on the same general topic) and now awaits action on the Senate floor.

[HB 2723](#), which would make appropriations in the Department of Aging and Disability Services budget for a program to aid cities in developing infrastructure for homeless shelters, had a couple of days of hearings in the House Welfare Reform committee this week, but has not advanced out of the committee. This bill may be worked. Any counties that are currently working on homelessness issues should be contacting members of this committee to encourage them to urge the chair to move this bill out of committee.

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

There are only a few days of committee work left. Make sure you are getting legislative updates from KAC to keep up with the legislative activity.

[HB 2825](#), which would create a requirement for price disclosures for hospitals, and contains monetary penalties for noncompliance, will be heard in the House Insurance committee on Monday. KAC is testifying in opposition because county hospitals could be negatively impacted if taxpayer dollars are used to pay fines.

The House Tax committee will hear two different constitutional amendments dealing with property taxes on Tuesday at 3:30 PM.

[HCR 5025](#) would amend Section 1, Article 11 of the Kansas Constitution to change the valuation of residential property to a ten year rolling average to determine the fair market value.

[SCR 1611](#) would amend Section 1, Article 11 of the Kansas Constitution to limit the increase in valuation on real property in Kansas to 4% per year.

These are two very different proposals on property tax. KAC would encourage members to talk to their House delegation about which of these proposals they prefer, as well as testifying in committee on these two proposals.

There will be two Medicaid Expansion hearings next week. The first is an informational hearing on Medicaid expansion on Wednesday, March 20, 2024, in the Senate Committee on Ways & Means (jointly with Senate Public Health and Welfare) at 10:30 AM, followed by a hearing on [HB 2556](#), which would enact Medicaid expansion, in the House Committee on Health and Human Services at 1:00 PM that same day.

There is always the possibility that other items could be added or removed from the schedule at this juncture in the year, so stayed tuned.

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)