



Kansas Association of Counties Legislative Update

March 8, 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 under the Publications tab by searching the 2023 Summary of Legislation and 2023 Legislative Highlights.

What Happened This Week

Right now, a lot of what is happening at the legislature is happening below the surface. There is a limited amount of action on the floor or in committee. Most of the activity is taking place outside of that as everyone positions for the stretch run.

The Senate seems to want to wrap everything up by April 5 and not return to Topeka after that. The House, on the other hand, is convinced that they will be back for a veto session and to run an Omnibus budget bill. That disconnect is critical because it means the House and Senate are working on two completely different ideas. The House is working towards a preliminary budget, with the opportunity to make adjustments after April tax numbers come in. The Senate is operating as if there will be no adjustments made after they pass a bill in late March or early April. The two chambers could be far apart in what a finished product could look like, meaning they may well return in late April, or risk being brought back in late May or early June for a special session.

While a lot of action is happening outside of committees, there are some things that are happening in committee and on the floor.

[SB 365](#) started out as an elections bill that would have required advance ballots be returned by 7 PM on the day of the election. It did not stay that way, however, as several floor amendments found their way onto the bill, including:

- Prohibiting the use of remote ballot boxes for the return of advance voting ballots;
- Requiring reporting of vote counts by the supervising judge when the canvass is completed on the night of the election or at the completion of the canvass each day;
- Requiring a special election board conducting a recount to report vote counts, as agreed upon by the members of the special election board, when requested by the Secretary and upon completion of the recount;

- Requiring the Secretary to examine and certify voting machines and equipment for use in elections occurring prior to January 1, 2025; Remove provisions requiring voting equipment to comply with HAVA and other federal law;
- Requiring all ballots be marked, counted, and canvassed by hand;
- Requiring each ballot to have a serial number;
- Requiring all ballots be counted by hand in any recount

These amendments ultimately killed the bill on the Senate floor. It is unclear whether the underlying bill or other election bills will advance, particularly with the threat of floor amendments expanding the scope of any election bill that hits the Senate floor. They may opt to utilize a conference committee for any election related legislation.

[HB 2661](#), which 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, passed out of the Senate Elections committee, along with [HB 2587](#), which would allow the board of directors of a drainage district to go into executive sessions under the open meetings act (KOMA). Both bills are now headed to the Senate floor, with HB 2587 being on the consent calendar.

KPERS testified against [HB 2739](#) would require state managed funds to divest from investments with identified foreign adversaries. The concern was that it would require divestment from assets which could be detrimental to the fund overall. It is unclear what will happen next.

[HB 2766](#), which would prohibit foreign principals from certain countries from holding an interest in certain real property in Kansas has drawn opposition as well, particularly from large, multinational corporations. It is unclear what the fate of this bill will be.

[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.

[HB 2690](#), which would eliminate the 911 Commission and replace it with the State 911 Board will likely have amendments similar to the ones added to [SB 487](#) (the Senate Bill on the same general topic) seems likely to advance out of the Senate committee.

The Sedgwick County nuisance abatement law sunset elimination, [SB 362](#) also appears poised to advance in the House Local Government committee.

[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. It is not clear when or even if this bill will ultimately be worked.

[HB 2381](#), which would require that all children in need of care be appointed an attorney rather than a guardian ad litem had a re-hearing in the House Judiciary committee. The bill was heard last year in the first year of the biennium, but the committee took the opportunity to get a refresher on the bill this year. This topic could be one that is referred to the Judicial Council for further study to determine how best to ensure children in need of care are receiving the best possible services from the court and the state system overall.

[HB 2704](#), which would limit the authority of cities and counties to regulate “no impact” home based businesses did not receive any activity this week. KAC is concerned about the unintended consequences of such a broad bill.

What’s Coming Next Week

The next two weeks of committee work are absolutely critical. Anything that is going to have a real chance of advancing during this year’s session needs to be heard during the next two 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 has been scheduled for a hearing on Wednesday in House Taxation at 3:30 PM. County officials should be talking to their House delegation, particularly those that have members on the Taxation committee leading up to this hearing, as well as submitting testimony about the importance of restoring this funding, and the partnership that it represents between the state and local governments.

[SB 162](#), the nuisance abatement bill for Riley and Crawford counties, will be heard in House Local Government on Monday at 9:00 AM. KAC has been supporting these two member counties in their pursuit of this authority.

[HB 2783](#), which would restrict the authority of state and local governments to regulate vehicles based on their fuel type, will be heard in the Senate Federal and State Affairs committee on Monday at 10:30 AM. KAC will be requesting an amendment to allow some degree of regulation in the interest of health and 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 will be heard in Senate Federal and State Affairs on Tuesday at 10:30 AM. House Elections will hear [SB 367](#), which would prohibit the use of federal government funds for elections on Tuesday at 3:30 PM.

Senate Commerce will hear [HB 2387](#) on Tuesday at 10:30 AM. 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.

[SB 458](#), the Senate version of the asset forfeiture bill, will be heard in House Judiciary on Tuesday at 3:30 PM. This version goes further than either the House version, or the recommendations of the Judicial Council report.

A new tax plan, [SB 539](#), will be heard in Senate Assessment and Taxation on Tuesday at 9:30 AM. 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 if the single rate issue kills this bill, or if it makes it to the finish line still containing that single rate.

Two bills dealing with EMS will get hearings next week. On Tuesday in Senate Public Health and Welfare, [HB 2579](#), which would allow EMT’s to give out over the counter drugs, will be heard. On Wednesday in House Local Government, [SB 384](#), which would allow a single operator to transfer a stable patient, will be heard. House Local Government will also hear [SB 381](#), which would allow a county that is not the largest in the judicial district to appoint its own coroner at that time.

House Elections will hear [SB 366](#), which would forbid county elections officials from sending out advance voting applications unless requested by the voter on Thursday at 3:30 PM.

At that same time on Thursday, House Tax will hear two 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.

Several committees have already made changes to their schedules for next week as of the time of this writing. As a result, things could continue to change or be added that KAC staff is not aware of at this time, but will work to keep you informed as soon as we find out about newly scheduled (or deleted) items.

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.

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.

2024 Legislative deadlines can be found at:

https://kslegislature.org/li/documents/2024_session_deadlines.pdf