

Journal of the House

EIGHTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 2, 2023, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Carpenter in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2267, AN ACT concerning motor vehicles; relating to license plates; allowing adult care homes to apply for disability special license plates; amending K.S.A. 8-1,125 and repealing the existing section, by Committee on Transportation.

HB 2268, AN ACT concerning property; relating to homeowners' associations; prohibiting such associations from restricting installation of solar energy devices, by Committee on Local Government.

HB 2269, AN ACT regarding cigarettes, electronic cigarettes and tobacco products; raising the minimum age for the sale, purchase or possession of such products to 21 years of age; amending K.S.A. 79-3304, 79-3309, 79-3321, 79-3322 and 79-3391 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2270, AN ACT concerning elections; relating to precinct committeemen and committeewomen; requiring such elected officials to report certain contact information to the county election officer; requiring the county election officer to report such contact information to the secretary of state; amending K.S.A. 25-3801 and repealing the existing section, by Committee on Elections.

HB 2271, AN ACT concerning education; relating to the enrollment and attendance of nonresident students in school districts; authorizing any student whose parent or guardian is employed by a school district to enroll and attend such school district; exempting any such students from a school district's open-seat lottery process; amending K.S.A. 72-3123, as amended by section 16 of chapter 94 of the 2022 Session Laws of Kansas, and repealing the existing section, by Representative Johnson.

HB 2272, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; providing an exemption for retirants employed by a community developmental disability organization in a licensed professional nurse, licensed practical nurse or direct support position; amending K.S.A. 2022 Supp. 74-4914 and repealing the existing section, by Committee on Financial Institutions and Pensions.

HB 2273, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, and June 30, 2026, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and

limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 72-5462, 74-50,107, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 and repealing the existing sections, by Committee on Appropriations.

HB 2274, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, and June 30, 2024, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing, by Committee on Appropriations.

HB 2275, AN ACT concerning income taxation; relating to credits; increasing the maximum yearly amount of credit available for purchases under the disability employment act from qualified vendors and continuing in existence such credits beyond tax year 2023; defining qualifying vendors and eligible employees; amending K.S.A. 79-32,273 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2276, AN ACT concerning health and healthcare; relating to the Kansas healing arts act; licensees; unprofessional conduct; prohibiting pelvic, rectal or prostate exams on unconscious patients without informed consent; amending K.S.A. 65-2837 and repealing the existing section, by Committee on Health and Human Services.

HB 2277, AN ACT concerning state agencies; relating to the employee award and recognition program; authorizing hiring, recruitment and retention bonuses; increasing the limitation on such award or bonus to \$10,000; eliminating the secretary of administration's authority to adopt rules and regulations; requiring such secretary to submit an annual report to certain legislative committees concerning such awards and bonuses; amending K.S.A. 75-37,105 and repealing the existing section, by Committee on Appropriations.

HB 2278, AN ACT concerning school districts; relating to safe and secure school plans; requiring the state department of education to audit such plans; providing for on-site compliance inspections, by Committee on Education.

HB 2279, AN ACT concerning water; relating to groundwater management districts; requiring groundwater management districts to submit annual reports to the legislature; directing groundwater management districts to submit conservation and stabilization plans to the chief engineer, by Committee on Water.

HB 2280, AN ACT concerning driving under the influence; relating to children of a victim killed during offense; requiring child support, by Committee on Corrections and Juvenile Justice.

HB 2281, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for certain purchases by disabled veterans of the armed forces of the United States, by Committee on Taxation.

HB 2282, AN ACT concerning income taxation; relating to Kansas adjusted gross income; eliminating the income limitation to receive the subtraction modification exempting social security benefits; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2283, AN ACT concerning health and healthcare; relating to insurance; enacting the ensuring transparency in prior authorization act; imposing certain requirements and limitations on the use of prior authorization, by Committee on Insurance.

HB 2284, AN ACT concerning insurance; pertaining to the continuation of firefighter health insurance; adding fire districts to the definition of "municipality" for purposes of the payment of COBRA premiums under certain circumstances; amending K.S.A. 40-1709 and repealing the existing section, by Committee on Insurance.

HB 2285, AN ACT concerning insurance; relating to insurance law; updating certain statutory references contained therein; amending K.S.A. 40-201, 40-216, 40-241 and 40-955 and repealing the existing sections, by Committee on Insurance.

HB 2286, AN ACT concerning law enforcement; prohibiting motorcycle profiling by law enforcement agencies, by Representative Hill.

HOUSE CONCURRENT RESOLUTION No. **HCR 5007**—

By Representatives Jacobs, Fairchild, Garber, Houser, Murphy, Resman, Rhiley, Seiwert, Tarwater and Thomas

A PROPOSITION to amend section 2 of article 2 of the constitution of the state of Kansas; providing for consecutive term limits for senators and representatives.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 2 of article 2 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 2. Senators and representatives. (a) The number of representatives and senators shall be regulated by law, but shall not exceed one hundred twenty-five representatives and forty senators. Representatives and senators shall be elected from single-member districts prescribed by law. Representatives shall be elected for ~~two-year~~ *two-year* terms. Senators shall be elected for ~~four-year~~ *four-year* terms. The terms of representatives and senators shall commence on the second Monday of January of the year following election.

(b) (1) *From and after January 13, 2025, no individual shall be elected as a representative for more than four consecutive two-year terms.*

(2) *From and after January 13, 2025, no individual shall be elected as a senator for more than two consecutive four-year terms.*

(3) *For the purpose of computing the time period under either paragraph (1) or (2), no time spent serving as either a representative or senator prior to January 13, 2025, shall be counted.*

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. This amendment would limit an individual's service as a state representative to four consecutive two-year terms and an individual's service as a state senator to two consecutive four-year terms starting on January 13, 2025. Any terms of service occurring prior to January 13, 2025, and any nonconsecutive terms would not be subject to this limitation.

"A vote for this proposition would limit the service of an individual as a state representative to four consecutive two-year terms and the service of an

individual as a state senator to two consecutive four-year terms starting on January 13, 2025.

"A vote against this proposition would retain the current constitutional provisions that impose no limitations on the number of terms an individual may serve as a representative or as a senator."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2024, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2253**.

Education: **HB 2248, HB 2251**.

Financial Institutions and Pensions: **HB 2252**.

Health and Human Services: **HB 2257, HB 2258, HB 2259, HB 2260, HB 2262, HB 2263, HB 2264, HB 2265**.

Insurance: **HB 2266**.

Judiciary: **HB 2250**.

K-12 Education Budget: **HB 2261**.

Taxation: **HB 2254, HB 2256**.

Veterans and Military: **HB 2249**.

Welfare Reform: **HB 2255**.

COMMUNICATIONS FROM STATE OFFICERS

From: Kansas Corporation Commission; pursuant to K.S.A. 66-101i and 66-101j; 2023 Electric Special Contracts/Reduced Rates Biennial Report.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2068** be passed.

Committee on **K-12 Education Budget** recommends **HB 2060** be passed.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Carpenter announced the appointment of Rep. Patton to replace Rep. Howe on Committee on Appropriations for February 7-10, 2023.

On motion of Rep. Croft the House adjourned pro forma until 8:30 a.m. on Friday, February 3, 2023.

JENNY HAUGH, JULIA WERNER, *Journal Clerks*.

SUSAN W. KANNARR, *Chief Clerk*.