

Journal of the House

FIFTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 26, 2024, 9:30 a.m.

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

The roll was called with 122 members present.

Reps. Houser and L. Williams were excused on verified illness.

Excused later: Reps. Howe, Mason, Poetter Parshall, Rahjes, Stogsdill, Vaughn and Winn.

Present later: Reps. Mason and Rahjes.

Prayer by Chaplain Holmes:

Dear Father; In the Book of Lamentations, your Word says “This I recall to my mind, Therefore I have hope. The Lord’s loving kindnesses indeed never cease, for His compassions never fail, they are new every morning; great is Thy faithfulness.”

Would You be so kind as to bestow hope upon this chamber today. Hope for shared outcomes. Hope for Your desired direction. Hope for deliberations and debate to be conducted in such a way that each feels they have been heard. Hope which says we can do this together for the good of all. Hope which reminds each of us, we are about a good thing.

Because Your compassions are new every morning, I ask for a deep awareness of the hurting of our individual communities. Give us eyes of awareness and a fundamental desire to help as we observe the sorrow, distress and misfortune of others. Please use the positions You have placed us in to be a positive benefit for those in need and struggling.

These next few days will present some unique situations and opportunities as we strive to develop a clear roadmap of help and intercession for those who have placed their trust in us. Help us to be transformative in our thinking and direction as we steer our State into a better tomorrow.

Please O’Lord give our families patience, as we move through these days of challenge. Remind them that they are never far from our mind. And, when this session closes and we put the final touches on our work, help us to show them our gratitude for their understanding and faithfulness.

In Jesus Name I Pray.Amen

The Pledge of Allegiance was led by Rep. Hoye.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Titus are spread upon the Journal:

Today we recognize the 50th Anniversary of the AmeriCorps Seniors RSVP (Retired Seniors Volunteer Program.) The Older Americans Act under Title VI was passed in 1969 and the RSVP was launched in 1971 and the Riley County volunteers were organized in 1974. RSVP (Retired Senior Volunteer Program) is part of Senior Corps, America's largest volunteer network for people aged 55 and over, with more than 300,000 volunteers serving nationwide. AmeriCorps Seniors RSVP is the only national program that can place large numbers of older volunteers in high quality positions. For many years, research has shown that volunteering improves the quality of life for older volunteers. It not only slows the cognitive decline, but also decreases loneliness, leaves them feeling physically healthier, and helps them feel a sense of fulfillment.

Since its inception, RSVP has remained one of the largest volunteer efforts in the nation, tapping into the broad wealth of skills, talents, and experience of older Americans and matching these skill sets with local needs to bring about effective change within our communities. They lend their support to nearly every non-profit organization and provide support for food, clothing, tax preparation, transportation, and connections to medical providers. Just this past year, 302 volunteers have delivered nearly 30,000 volunteer hours. 50 of the volunteers are veterans and the oldest volunteer will be 100 in November. RSVP has established a lasting legacy of service to the community and the entire membership of the Kansas House extends its pride in your ongoing achievements.

Please join us in recognizing AmeriCorps RSVP for 50 years of outstanding contribution to our community.

Rep. Titus was joined by Rep. Dodson who presented the representatives of AmeriCorps RSVP with a framed House certificate in honor of their anniversary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2845**.

CONSENT CALENDAR

No objection was made to **HB 2828** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2510, AN ACT concerning the code of civil procedure; relating to litigation funding by third parties; limiting discovery and disclosure of third-party agreements in certain circumstances; requiring reporting of such agreements to the judicial council and a judicial council committee to study third-party agreements; requiring the clerk of the supreme court to develop a form for reports; exempting such reports from the open records act; amending K.S.A. 2023 Supp. 60-226 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 83; Nays 39; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Averkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Howe, Howell, Howerton, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, McNorton, Minnix, Moser, Murphy, Neelly, Owens, Penn, Pickert, Poetter, Proctor, Rahjes, Resman, Robinson, Roth, Sanders, Schmoie, Schreiber, Seiwert, Smith, A., Smith, E., Stiens, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, White, Williams, K., Younger.

Nays: Alcalá, Amyx, Ballard, Carmichael, Carr, Curtis, Featherston, Haskins, Haswood, Helgerson, Highberger, Hougland, Hoye, Martinez, McDonald, Melton, Meyer, Miller, D., Miller, S., Miller, V., Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Poskin, Probst, Rhiley, Ruiz, L., Ruiz, S., Sawyer, Clayton, Schlingensiepen, Smith, C., Stogsdill, Vaughn, Weigel, Winn, Xu.

Present but not voting: None.

Absent or not voting: Houser, Williams, L., Woodard.

The bill passed, as amended.

SB 142, AN ACT concerning traffic regulations; relating to the duty of drivers approaching stationary vehicles; providing a penalty for unlawful passing thereof; prohibiting the use of a mobile telephone while operating a vehicle in a school zone or a road construction zone or by individuals under 18 years of age; amending K.S.A. 8-2118 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 18; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Averkamp, Ballard, Bergquist, Blew, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Featherston, Francis, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Howe, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Thomas, Thompson, Titus, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Xu, Younger.

Nays: Barth, Bergkamp, Blex, W. Carpenter, Carr, Fairchild, Garber, Jacobs, Maughan, Murphy, Owens, Poetter, Rhiley, Roth, Schmoie, Tarwater, Turk, Turner.

Present but not voting: None.

Absent or not voting: Houser, Williams, L., Woodard.

The bill passed, as amended.

H Sub for SB 143, AN ACT concerning elevators; relating to the elevator safety act; redefining the term elevator; modifying the requirements for licensure, inspection and

testing of elevators and adoption of rules and regulations by the state fire marshal; permitting inspections by insurance companies; requiring notification to the state fire marshal of certain elevator accidents; prohibiting the use of elevators following such accidents until approved by the state fire marshal; providing for the use of labels by the state fire marshal to affix to elevators not authorized for use; providing that failure to notify the state fire marshal of an accident; removing an affixed label or operating an elevator in violation of an affixed label constitutes class A nonperson misdemeanors; removing requirements that inspections be conducted by licensed elevator inspectors and providing that licensed elevator mechanics or the employees of licensees may conduct such inspections; amending K.S.A. 2023 Supp. 44-1802, 44-1805, 44-1807, 44-1815, 44-1816 and 44-1819 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 15; Present but not voting: 0; Absent or not voting: 3.

Yeas: Amyx, Anderson, Averkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Howe, Howell, Howerton, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Oropeza, Owens, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Younger.

Nays: Alcalá, Carmichael, Carr, Featherston, Haswood, Hougland, Hoye, Jacobs, Meyer, Ohaebosim, Osman, Ousley, Poetter, Vaughn, Xu.

Present but not voting: None.

Absent or not voting: Houser, Williams, L., Woodard.

The substitute bill passed.

Sub Bill for SB 287, AN ACT concerning health and healthcare; relating to children and minors; prohibiting a healthcare provider from administering any drug or diagnostic test or conducting behavioral health treatment to a minor in a school facility without parental consent, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 37; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Averkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, McNorton, Minnix, Moser, Murphy, Neelly, Owens, Penn, Pickert, Poetter, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner,

Wasinger, Waymaster, White, Williams, K..

Nays: Alcalá, Amyx, Ballard, Carlin, Carmichael, Carr, Curtis, Featherston, Haskins, Haswood, Highberger, Hougland, Martinez, McDonald, Melton, Meyer, Miller, D., Miller, S., Miller, V., Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Clayton, Schlingensiepen, Stogsdill, Vaughn, Weigel, Winn, Xu, Younger.

Present but not voting: None.

Absent or not voting: Houser, Williams, L., Woodard.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: My no vote on **House Sub for SB 287** is in response to the overly broad wording of the bill that could have unintended consequences by preventing children from getting appropriate care by school nurses when parents are unable to be located to consent to treatment. The interpretation of what constitutes medical treatment is not defined clearly enough in this legislation. It undermines school nurses who are working within their scope of practice. I appreciate the amendments that were added to make this bill less egregious, but in the end, I cannot support it. – NIKKI McDONALD, TOBIAS SCHLINGENSIEPEN, LYNN MELTON, KIRK HASKINS

Sub Bill for SB 291, AN ACT concerning information technology; relating to transferring cybersecurity employees under the chief information technology officer of each branch; creating a chief information security officer within the judicial and legislative branches; requiring the attorney general, Kansas bureau of investigation, secretary of state, state treasurer and insurance commissioner to appoint chief information security officers; placing the duty of cybersecurity under the chief information technology officer; requiring state agencies to comply with certain minimum cybersecurity standards; exempting certain audit reports from the open records act and eliminating the five-year review of such exemption; requiring the information technology executive council to develop a plan to integrate all information technology services for the executive branch under the executive chief information technology officer; making and concerning appropriations for the fiscal years ending June 30, 2025, and June 30, 2026, for the office of information technology, Kansas information security office and the adjutant general; authorizing certain transfers and imposing certain limitations and restrictions and directing or authorizing certain disbursements and procedures for all state agencies; requiring legislative review of state agencies not in compliance with this act; amending K.S.A. 40-110, 75-413, 75-623, 75-710, 75-711 and 75-7203 and K.S.A. 2023 Supp. 45-229, 75-7201, 75-7202, 75-7205, 75-7206, 75-7208, 75-7209, 75-7237, 75-7238, 75-7239 and 75-7240 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 5; Present but not voting: 0; Absent or not voting: 2.

Yeas: Amyx, Anderson, Averkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel,

Houglund, Howe, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: Alcalá, Carlin, Fairchild, Jacobs, Poetter.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **H Sub for SB 291**. There isn't a clear fiscal note on the bill, and the proponents of the bill acknowledge that we have no idea how much this bill is going to cost. Since the fiscal note on the bill is perhaps infinite, I don't feel comfortable voting in favor of the bill. — BRETT FAIRCHILD

SB 292, AN ACT concerning veterans and military; updating certain provisions related to the Kansas army and air national guard; providing for the appointment of a state judge advocate; increasing monthly disability and death benefits; providing for the adjustment of such disability and death benefits; amending K.S.A. 48-101, 48-202, 48-205, 48-206, 48-209, 48-211, 48-214, 48-216, 48-242, 48-243, 48-252c, 48-261, 48-267, 48-269, 48-301, 48-509 and 48-516 and K.S.A. 2023 Supp. 48-204 and repealing the existing sections; also repealing K.S.A. 48-103, 48-219, 48-221, 48-222, 48-223, 48-228, 48-237 and 48-252, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglund, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: None.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

SB 331, AN ACT concerning health and environment; relating to public water supply systems and hazardous waste; removing the definition of lead-free and an exception for leaded joints from public water supply system laws; updating terminology relating to hazardous waste generated by certain persons; amending K.S.A. 65-171r, 65-3415, 65-3415a and 65-3460 and K.S.A. 2023 Supp. 65-3402 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hoffman, Hoheisel, Houglund, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoë, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: Hill.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed.

SB 333, AN ACT concerning persons with disabilities; relating to employment thereof; providing hiring, promotion and retention preferences for such persons for certain executive branch state government positions; extending the expiration provision for the state use law committee; amending K.S.A. 75-3322c and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffin, Hoheisel, Houglund, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoë, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: None.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

SB 345, AN ACT concerning financial institutions; enacting the commercial financing disclosure act; requiring the disclosure of certain commercial financing product transaction information; providing for civil penalties; authorizing enforcement of such act by the attorney general, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 8; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Averkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Featherston, Francis, Gardner, Goddard, Goetz, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglund, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu.

Nays: Carr, Fairchild, Garber, Haskins, Howe, Jacobs, Poetter, Younger.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **SB 345**. This bill interferes in contractual agreements between brokers and businesses. The bill prohibits brokers from accessing, collecting, or soliciting an advanced fee from a business to provide broker services. If a broker requests to receive an advanced fee from a business, and a business consents to this request, there's no reason for the government to interfere in this contractual arrangement between the two parties. – BRETT FAIRCHILD

SB 359, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Kansas City Chiefs license plate, the sporting Kansas City license plate{,} the Sedgwick county zoo license plate{,} the Kansas City royals license plate, the Kansas City current license plate}, the Topeka zoo license plate and the support the troops license plate; amending K.S.A. 2023 Supp. 8-1,141 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 20; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Averkamp, Ballard, Barth, Bergquist, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Goddard, Haskins, Hawkins, Helgerson, Hill,

Hoffman, Hoheisel, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Osman, Owens, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Rhiley, Robinson, Roth, Ruiz, S., Sanders, Sawyer, Clayton, Schmoe, Schreiber, Seiwert, Smith, C., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Xu, Younger.

Nays: Bergkamp, Blew, Carmichael, Carr, Delperdang, Gardner, Goetz, Haswood, Highberger, Houglan, Miller, S., Oropeza, Ousley, Poetter, Resman, Ruiz, L., Schlingensiepen, Smith, A., Smith, E., Woodard.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

SB 381, AN ACT concerning coroners; relating to appointment in judicial districts; authorizing the board of county commissioners of any county that is not the most populous county in a multiple-county judicial district to appoint a coroner to serve as the district coroner for the county; amending K.S.A. 22a-226 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglan, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: None.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed.

SB 384, AN ACT concerning health and healthcare; relating to emergency medical services; staffing of ambulances; permitting an ambulance to operate with one emergency medical service provider in rural cities and counties; amending K.S.A. 2023 Supp. 65-6135 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 4; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang,

Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglan, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Woodard, Xu, Younger.

Nays: Carlin, Featherston, Oropeza, Winn.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

SB 394, AN ACT concerning consumer protection; relating to internet content that is harmful to minors; requiring age verification for access to such content; providing for civil penalties for violations; establishing a civil cause of action for damages, attorney fees and costs, was considered on final action.

On roll call, the vote was: Yeas 92; Nays 31; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Concannon, Corbet, Croft, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, McNorton, Minnix, Moser, Murphy, Neelly, Neighbor, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Sawyer, Clayton, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K..

Nays: Amyx, Ballard, Carlin, Carmichael, Carr, Collins, Curtis, Haskins, Haswood, Highberger, Houglan, Martinez, McDonald, Melton, Meyer, Miller, D., Miller, S., Miller, V., Ohaebosim, Oropeza, Osman, Ousley, Ruiz, L., Ruiz, S., Schlingensiepen, Stogsdill, Vaughn, Winn, Woodard, Xu, Younger.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: While I'm concerned about children accessing pornography, online and otherwise, my NO vote on **SB 394** reflects my major concerns regarding **privacy, cyber security, freedom of speech** and **censorship**. This bill is broadly worded & open to interpretation. The method(s) that will be used to verify age online are not specific. Bad actors in foreign countries will be beyond the reach of KS investigators when gaining access to driver's licenses and passports of law-abiding Kansan adults. It's government overreach. Additionally, passage of this bill will just send people to the dark web, which

will expose people to far more dangerous imagery. – NIKKI McDONALD, TOBIAS SCHLINGENSIEPEN, KIRK HASKINS, DAN OSMAN, ALLISON HOUGLAND, JOHN CARMICHAEL, SILAS MILLER

MR. SPEAKER: I stand in opposition of **SB 394** based on the following unintended consequences:

- Security issues of data collection-most of those collecting the data are located outside of the U.S.
- Government overreach
- Possible avenue leading to book banning
- First amendment concerns
- Targeting certain groups

Based on these things and on closing remarks by the carrier of the bill, “This bill is powerful to us,” I vote no on **SB 394**. – LYNN MELTON, MELISSA OROPEZA, ANGELA MARTINEZ

MR. SPEAKER: While I do believe that pornography can be harmful to underage children I cannot in good conscience vote in favor of **Senate Bill 394**. I have a concern that while the bill does prohibit material that is “harmful to minors,” it leaves subjectivity as to what this bill bans. I also have concerns that the information used to verify a person's age could fall into the hands of entities who could use it for fraudulent purposes. – KEN COLLINS

SB 405, AN ACT concerning the Kansas uniform securities act; relating to violations thereof; holding a control person liable for the violations committed by an individual subject to discipline under the act unless the control person was unaware and could not have reasonably have known of the violations of such individual; amending K.S.A. 17-12a412, 17-12a603 and 17-12a604 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Averkamp, Ballard, Barth, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Featherston, Francis, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglan, Howell, Howerton, Hoyer, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: Bergkamp, Fairchild, Garber, Howe, Jacobs, Poetter.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed.

SB 406, AN ACT concerning financial institutions; enacting the Kansas money transmission act; relating to the electronic transmission of money; oversight thereof by the state bank commissioner; establishing powers, duties and responsibilities of the state bank commissioner; licensing and renewal processes; penalties; repealing K.S.A. 9-508, 9-509, 9-510, 9-510a, 9-511, 9-513, 9-513a, 9-513b, 9-513c, 9-513d, 9-513e and K.S.A. 2023 Supp. 9-512, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 5; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Featherston, Francis, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglund, Howe, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: Fairchild, Garber, Jacobs, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **SB 406**. The bill in general increases regulations, and specifically in Section 3 of the bill, the commissioner has the authority to promulgate rules and regulations to implement the bill, and has the authority to access fees to administer the act. This is problematic because I believe rules and regulations should be passed by the legislature and not agencies, and because there's no cap on the amount of fees that can be accessed. It's also problematic to give one person so much power. –

BRETT FAIRCHILD

SB 410, AN ACT concerning roads and highways; designating a portion of United States highway 69 as the Ken W Brock memorial highway; designating a portion of United States highway 81 as the Merle Miller memorial highway; designating a portion of United States highway 281 as the first responders memorial highway; redesignating a current portion of the Frank Carlson memorial highway for United States highway 81; redesignating a current portion of the American Legion memorial highway for United States highway 281; amending K.S.A. 68-1011 and 68-1036 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist,

Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: None.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

SB 423, AN ACT concerning insurance; reducing the number of board members appointed by the commissioner on certain insurance-related governing boards and the frequency of the meetings of the committee on surety bonds and insurance; amending K.S.A. 40-2102, 40-2109, 40-3116, 40-3413, 65-34,126 and 75-4101 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: Seiwert.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

SB 433, AN ACT concerning health and healthcare; relating to institutional licenses; clarifying practice privileges; amending K.S.A. 65-2895 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglan, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: Carmichael, Poetter.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed.

SB 434, AN ACT concerning public health; relating to the practice of cosmetology; exempting the practice of hair removal by sugaring from the definition of cosmetology; amending K.S.A. 2023 Supp. 65-1901 and 65-1928 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 71; Nays 52; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bryce, Buehler, B. Carpenter, W. Carpenter, Clifford, Collins, Corbet, Croft, Delperdang, Dodson, M., Eplee, Essex, Estes, Fairchild, Francis, Garber, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Howe, Howell, Howerton, Humphries, T. Johnson, Kessler, Lewis, Mason, Maughan, McNorton, Minnix, Moser, Murphy, Neelly, Owens, Penn, Pickert, Poetter, Proctor, Rahjes, Resman, Rhiley, Robinson, Sanders, Schmoie, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Waggoner, Wasinger, Waymaster, White, Williams, K..

Nays: Alcala, Amyx, Ballard, Bloom, Borjon, Butler, Carlin, Carmichael, Carr, Concannon, Curtis, Droge, Ellis, Featherston, Gardner, Haskins, Haswood, Helgerson, Highberger, Houglan, Hoye, Jacobs, Landwehr, Martinez, McDonald, Melton, Meyer, Miller, D., Miller, S., Miller, V., Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Poskin, Probst, Roth, Ruiz, L., Ruiz, S., Sawyer, Clayton, Schlingensiepen, Schreiber, Stogsdill, Underhill, Vaughn, Weigel, Winn, Woodard, Xu, Younger.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: I VOTE NO ON **SENATE BILL 434**. Board of Cosmetology regulations are consumer protection. Kansas does not have age or parental consent requirements for sugaring hair removal. Most sugaring clients receive Brazilian and bikini pubic hair removal. Clients remove their pants and underwear and lie on their backs with fully exposed genitals as hair is ripped from the follicles causing pain. Who

do you want offering this intimate and risky service? A trained, licensed professional with background checks, continued education, and routine facility inspections or anyone who read a brochure and took a self-test with no health and safety accountability? I choose the professional. I vote NO. – JO ELLA HOYE, NIKKI McDONALD, SILAS MILLER

Mr. Speaker: The subject of hair removal is particularly hurtful to people who look like me. Nevertheless, I vote yes on **Senate Bill 434** – LES MASON, SCOTT HILL, JASON GOETZ

MR. SPEAKER, I vote No on **Senate Bill 434**. This bill allows unlicensed individuals with criminal records or who are registered sex offenders to provide sugaring services to underage children and adolescents without parental consent or knowledge. These services often involve treating clients in a state of partial nudity. Separate and apart from my concerns about the lack of training in sterile technique and infection control, which is a serious risk to both children and adults as well, allowing criminals and sex offenders to provide these services to children is dangerous. I therefore vote No on **Senate Bill 434**. – VIC MILLER

SB 455, AN ACT concerning electric public utilities; relating to the state corporation commission; extending the timeline for the commission to make a predetermination of ratemaking principles and treatment prior to the construction of or acquiring a stake in an electric generation or transmission facility; establishing procedural requirements to support the timely and expeditious completion of such proceedings; prohibiting the commission from authorizing the retirement of nuclear powered and fossil fuel-fired electric generating facilities unless certain requirements are met; authorizing electric public utilities to retain certain electric generating facilities in the utility's rate base; requiring the commission to report annually on public utility requests to retire fossil fuel-fired electric generating facilities; amending K.S.A. 2023 Supp. 66-1239 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 16; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Helgerson, Hill, Hoffman, Hoheisel, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McNorton, Melton, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neely, Neighbor, Ohaebosim, Osman, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Younger.

Nays: Amyx, Carr, Haskins, Haswood, Highberger, Houglund, McDonald, Meyer, Oropeza, Ousley, Ruiz, L., Ruiz, S., Vaughn, Winn, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

SB 458, AN ACT concerning seizure and forfeiture of property; relating to the Kansas standard asset seizure and forfeiture act; specifying that certain drug offenses do not give rise to forfeiture under the act; requiring courts to make a finding that forfeiture is not excessive; restricting actions prior to commencement of forfeiture proceedings; requiring probable cause affidavit filing and review to commence forfeiture proceedings; increasing the burden of proof required to forfeit property to clear and convincing evidence; authorizing courts to order payment of attorney fees and costs for certain claimants; amending K.S.A. 2023 Supp. 60-4104, 60-4106, 60-4107, 60-4109, 60-4111, 60-4112, 60-4113, 60-4116 and 60-4117 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Houglund, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoee, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: None.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER, I vote yes on **Senate Bill 458**. I do so with the understanding the revisions in SB 458 are not intended to and will not impact the pre-conviction bonding procedures found in the Kansas animal cruelty statute (K.S.A. 21-6412), dog fighting statute (K.S.A. 21-6414) or any other law that provides for the expedited disposition of live animals seized during an investigation. In other words, those provisions necessary to allow the state to mitigate the costs of care incurred for live evidence will supersede any contrary provision in **SB 458** and remain enforceable as written. I therefore vote Yes on Senate Bill 458. — JOHN CARMICHAEL

SB 462, AN ACT concerning motor carriers; relating to the Kansas uniform commercial drivers' license act; authorizing the director of vehicles to waive the knowledge and skills test for driving a commercial vehicle for an applicant that provides evidence that such applicant qualifies for the military even exchange program for a commercial driver's license; authorizing the director of vehicles to adopt rules and regulations for participation in the federal motor carrier safety administration's drug and

alcohol clearinghouse program; disqualifying a person's commercial driving privileges when such person has violated or is in noncompliance with the requirements of the clearinghouse; amending K.S.A. 8-2,133 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Howe, Howell, Howerton, Hoye, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poetter, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu, Younger.

Nays: Rhiley.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

SB 467, AN ACT concerning economic development; relating to tourism; increasing the membership of the council on travel and tourism appointed by the governor and updating the house committee assignment required for house members from the committee on agriculture and natural resources to the committee on commerce, labor and economic development; reducing the required allocation of funds from the department of commerce's matching grant program for the promotion of tourism to public and nonprofit entities and removing the restriction on the percentage of such funds granted to a single entity; amending K.S.A. 2023 Supp. 32-1410 and 32-1420 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Featherston, Francis, Garber, Gardner, Goddard, Goetz, Haskins, Haswood, Hawkins, Helgerson, Highberger, Hill, Hoffman, Hoheisel, Hougland, Howe, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Martinez, Mason, Maughan, McDonald, McNorton, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Owens, Penn, Pickert, Poskin, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoe, Schreiber, Smith, A., Smith, C., Smith, E., Stiens, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Vaughn,

Waggoner, Wasinger, Waymaster, Weigel, White, Williams, K., Winn, Woodard, Xu.

Nays: Fairchild, Jacobs, Poetter, Rhiley, Seiwert, Younger.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

SB 473, AN ACT concerning crimes, punishment and criminal procedure; relating to the Kansas code of criminal procedure; authorizing a notice to appear that meets certain requirements to serve as a lawful complaint; requiring a minimum appearance bond premium in district court; providing reasons for suspending or terminating authorization of a compensated surety; authorizing the chief judge of a judicial district to require a compensated surety to submit to a state and national criminal history record check; amending K.S.A. 22-2202, 22-2408 and 22-2809b and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 82; Nays 41; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Francis, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Howe, Howell, Howerton, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, McNorton, Minnix, Moser, Murphy, Neely, Owens, Penn, Pickert, Probst, Proctor, Rahjes, Resman, Robinson, Roth, Sanders, Sawyer, Clayton, Schmoe, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, White, Williams, K., Younger.

Nays: Alcala, Amyx, Ballard, Carlin, Carmichael, Carr, Curtis, Fairchild, Featherston, Garber, Haskins, Haswood, Helgerson, Highberger, Hougland, Hoyer, Jacobs, Martinez, McDonald, Melton, Meyer, Miller, D., Miller, S., Miller, V., Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Poetter, Poskin, Rhiley, Ruiz, L., Ruiz, S., Schlingensiepen, Stogsdill, Vaughn, Weigel, Winn, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Houser, Williams, L..

The bill passed, as amended.

On motion of Rep. Croft, the House resolved into the Committee of the Whole, with Rep. Mason in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Mason, Committee of the Whole report, as follows, was adopted:

Recommended that **HCR 5026** be adopted.

Committee report recommending a substitute bill to **SB 387** be adopted.

Also, on motion of Rep. Hougland to amend **H Sub Bill or SB 387**, Rep. Hoheisel requested a ruling on the amendment being in order under the Pay-Go provision pursuant to House Rule 2110. The Rules Chair ruled the amendment out of order.

Also, on motion of Rep. Goetz, **H Sub Bill for SB 387** be amended on page 19, in line 40, after "year" by inserting "or five-year";

On page 20, in line 4, by striking "four-year"; in line 16, by striking "four-year"; in line 34, by striking "four-year";

On page 21, in line 4, after "year" by inserting "or five-year"; in line 19, after "year" by inserting "in accordance with this section"; in line 24, after "year" by inserting "or five-year"; in line 26, before "Notwithstanding" by inserting "If an identified student cohort group does not meet or exceed the quantitative academic improvement goal established for such cohort group at the end of the one additional school year that the school district is authorized to evaluate such cohort group pursuant to subsection (f) (2)."; in line 29, by striking the first "the" and inserting "such one additional"; also in line 29, by striking all after "year"; by striking all in line 30; in line 31, by striking all before "shall"; in line 36, after the first "education" by inserting "at the end of the one additional school year that the school district is authorized to evaluate such cohort group pursuant to subsection (f)(2)"; in line 38, by striking "four-year" and inserting "five-year";

On page 22, in line 12, after "education" by inserting "at the end of the one additional school year that the school district is authorized to evaluate such cohort groups pursuant to subsection (f)(2)"; in line 15, by striking "four-year" and inserting "five-year"; in line 26, by striking "year" and inserting "one additional school year that the school district is authorized to evaluate a cohort group pursuant to subsection (f)(2) and"; in line 27, by striking "four-year"; in line 29, after "education" by inserting "at the end of the five-year evaluation period of such cohort group"; in line 35, after "four-year" by inserting "or five-year";

On page 23, in line 30, by striking "four-year"

Also, roll call was demanded on motion of Rep. Ousley to amend **H Sub Bill for SB 387** on page 2, in line 15, by striking "New"; in line 42, by striking "New";

On page 6, in line 21, by striking all after "*Provided,*"; by striking all in lines 22 through 25; in line 26, by striking all before the period and inserting "That notwithstanding the provisions of K.S.A. 72-3422, and amendments thereto, or any other statute, expenditures shall be made by the above agency during fiscal year 2025 to distribute moneys in the special education services aid account by determining the amount of each district's total expenditures from the special education services aid account in fiscal year 2024, subtracting such district's: (1) Special education state aid; (2) federal IDEA title VI-B federal allocations; and (3) medicaid reimbursement, to determine such district's local effort for special education: *Provided further,* That the sum of each district's local effort shall be divided by the state's total local effort to determine such district's proportion of statewide local effort: *And provided further,* That the product determined for each district shall determine such district's share of the additional moneys: *Provided, however,* That the provisions of this proviso shall only apply to the additional moneys appropriated to the special education services aid account for fiscal year 2025 by the legislature during the 2024 regular session that is above the amount appropriated in fiscal year 2024";

On page 13, in line 17, by striking "New";

On page 14, in line 1, by striking all after "thereto"; by striking all in lines 2 through 6; in line 7, by striking all before the period; by striking all in lines 16 through 43;

By striking all on pages 15 through 52;

On page 53, by striking all in lines 1 through 23;

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking all after the first "education"; by striking all in lines 4 through 36;

On page 2, also in the title, by striking all in lines 1 through 11; in line 12, by striking all before the period

On roll call, the vote was: Yeas 43; Nays 74; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcalá, Amyx, Ballard, Borjon, Carlin, Carmichael, Carr, Curtis, Featherston, Haskins, Haswood, Helgerson, Highberger, Hoheisel, Hougland, Hoye, Martinez, McDonald, Melton, Meyer, Miller, D., Miller, S., Miller, V., Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Penn, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Clayton, Schlingensiepen, Stogsdill, Vaughn, Weigel, Winn, Woodard, Xu, Younger.

Nays: Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Bryce, Butler, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Ellis, Eplee, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Howe, Howell, Howerton, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Mason, Maughan, McNorton, Minnix, Moser, Murphy, Neelly, Owens, Pickert, Poetter, Proctor, Resman, Rhiley, Roth, Sanders, Schmoë, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, White, Williams, K..

Present but not voting: None.

Absent or not voting: Buehler, Droge, Houser, Jacobs, Rahjes, Robinson, Schreiber, Williams, L.

The motion of Rep. Ousley to amend **H Sub for SB 387** did not prevail; and the substitute bill be passed as amended.

On motion of Rep. Croft, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Carpenter in the chair.

MESSAGE FROM THE SENATE

Announcing passage of **HB 2353, HB 2484, HB 2590, HB 2604, HB 2605, HB 2615, HB 2632, HB 2634, HB 2660, HB 2661, HB 2703, HB 2749, HB 2781.**

Announcing passage of **HB 2477**, as amended; **HB 2560**, as amended; **HB 2577**, as amended; **HB 2663**, as amended; **HB 2665**, as amended.

On motion of Rep. Croft, the House resolved into the Committee of the Whole, with Rep. E. Smith in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. E. Smith, Committee of the Whole report, as follows, was adopted:

Recommended that:

On motion of Rep. Sutton, **HB 2825** be amended on page 2, in line 11, by striking all after "(a)"; by striking all in lines 12 through 14; in line 15, by striking "(b)"; also in line 15, by striking "(A)"; in line 17, by striking all after "patient"; in line 18, by striking all before the comma; in line 20 by striking "(i)" and inserting "(A)"; by striking all in lines 25 through 27;

On page 3, in line 10, by striking "so long as" and inserting "unless"; also in line 10, by striking all after "has"; by striking all in line 11; in line 12, by striking all before the period and inserting "been found to have been out of compliance with this act, in accordance with subsection (a)(2)(A)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

Also, on further motion of Rep. Sutton, **HB 2825** be amended on page 2, in line 3, after "(a)" by inserting "(1)"; following line 4, by inserting:

"(2) Prior to July 1, 2024, the attorney general shall send each hospital a letter notifying such hospital of the requirements of this act and its effective date.";

Also on page 2, in line 5, after "(b)" by inserting "(1)"; following line 7, by inserting:

"(2) The attorney general shall consult with the commissioner of insurance, or the commissioner's designee, prior to imposing any fine for noncompliance with the provisions of this act."

Also, on motion of Rep. Blew to amend **HB 2825**, Rep. Tarwater requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

The motion of Rep. Blew to amend **HB 2825**, the motion did not prevail.

The motion to recommend bill favorably for passage did not prevail.

Committee report to **HB 2834** be adopted.

Also, on motion of Rep. Sutton, **HB 2834** be amended As Amended by House Committee, on page 1, in line 21, after "health" by inserting "benefits";

On page 12, in line 22, by striking "benefit" and inserting "benefits" and the bill be passed as amended.

H Sub for H Sub for SB 96 be passed over and retain a place on the calendar.

Committee report recommending a substitute bill to **SB 172** be adopted.

Also, on motion of Rep. Xu to amend **Sub Bill for SB 172**, the motion did not prevail.

And **Sub Bill for SB 172** be passed.

Committee report recommending a substitute bill to **SB 271** be adopted.

Also, on motion of Rep. Sutton, **Sub Bill for SB 271** be amended on page 1, in line 18, by striking "or any related services or equipment"; in line 22, by striking all after "drones"; in line 23, by striking all before "that"; in line 28, by striking "2024" and inserting "2027"; in line 29, after "principal" by inserting ", unless such component cannot be procured from another source";

On page 2, by striking all in lines 5 through 17; following line 17, by inserting:

"(d) (1) Except as otherwise provided by this subsection, no governmental agency may sell or discard any drone that is restricted from use pursuant to subsection (a).

(2) A governmental agency may submit a request for reimbursement to the attorney general for the cost of replacing a drone pursuant to the provisions of section 2, and amendments thereto.

(3) If a governmental agency receives any such reimbursement, such governmental agency shall transfer the restricted drone and ownership of such drone to the office of the attorney general for research and refurbishing for future use.

(4) If a governmental agency does not receive reimbursement for a replacement drone, such governmental agency may dispose of the restricted drone as authorized by such governmental agency's governing body, including disposal through destruction or a trade-in or sale for private use.";

On page 3, in line 9, after the period by inserting "'Drone" includes any services, maintenance agreements or equipment related to such drone."; in line 26, by striking "and related services and equipment"; in line 27, after "(7)" by inserting "(A)"; following line 28, by inserting:

"(B) "Governmental agency" does not include the following entities when such entities purchase, acquire or otherwise use a drone for research and refurbishing for future use:

- (i) The office of the attorney general; and
- (ii) any postsecondary educational institution as defined by K.S.A. 74-3201b, and amendments thereto.";

Also on page 3, by striking all in lines 29 through 43;

On page 4, by striking all in lines 1 through 5; following line 5, by inserting:

"Sec. 2. (a) (1) Between July 1, 2024, and July 1, 2029, a governmental agency may submit a request to the attorney general for reimbursement for the cost of replacing a functional drone restricted from use pursuant to section 1, and amendments thereto.

(2) Documents related to such request for reimbursement may begin to be submitted to the attorney general after:

(A) Such governmental agency has ceased use of such functional drone pursuant to section 1, and amendments thereto; and

(B) a purchase price for a replacement drone is established.

(3) Before the amount for reimbursement may be certified by the attorney general pursuant to subsection (b), such request for reimbursement shall include notice and documentation of the following:

(A) Verification that the governmental agency has ceased use of the functional drone pursuant to section 1, and amendments thereto;

(B) a comparison of features between the restricted functional drone and the replacement drone;

(C) the final purchase price of the replacement drone; and

(D) completion of the purchase of such replacement drone.

(b) (1) If a governmental agency has submitted a request for reimbursement of costs pursuant to the requirements of subsection (a), the attorney general shall, subject

to the provisions of paragraph (2), certify the amount of moneys attributable to such costs and shall transmit a copy of such certification to the director of accounts and reports.

(2) (A) The attorney general may not conduct certification for any submitted request pursuant to paragraph (1) submitted more than 90 days after the delivery of the replacement drone for which reimbursement is sought.

(B) Subject to the provisions of subparagraph (C), such reimbursement shall be in an amount that will cover the replacement cost for a drone with similar features to those of the drone taken out of service.

(C) If the replacement drone has added features that the functional drone taken out of service does not have, the additional cost for those features may not be included in the reimbursement.

(3) Upon receipt of such certification pursuant to paragraph (2), the director of accounts and reports shall transfer an amount of moneys equal to such certified amount from the state general fund to the Kansas drone reimbursement expense fund.

(4) The attorney general shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(c) The attorney general shall develop and implement a procedure to provide reimbursements to governmental agencies pursuant to this section.

(d) If there are no moneys available in the Kansas drone reimbursement expense fund to pay any such reimbursements, the governmental agency may file a claim against the state pursuant to article 9 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.

(e) (1) There is hereby established in the state treasury the Kansas drone reimbursement expense fund, which shall be administered by the attorney general. All expenditures from the Kansas drone reimbursement expense fund shall be for the purpose of reimbursing governmental agencies for the costs described in this section. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the attorney general or the attorney general's designee. Reimbursements during any fiscal year shall not exceed an aggregate amount of \$2,500,000, unless additional funds are approved by the state finance council.

(2) On July 1, 2029, the director of accounts and reports shall transfer all moneys in the Kansas drone reimbursement expense fund to the state general fund. On July 1, 2029, all liabilities of the Kansas drone reimbursement expense fund are hereby transferred to and imposed on the state general fund, and the Kansas drone reimbursement expense fund is hereby abolished.

(f) For the purposes of this section, "functional" includes a drone that could be made operational with the purchase of a new replacement component pursuant to section 1, and amendments thereto.";

On page 1, in the title, in line 1, by striking the second "to"; by striking all in line 2; in line 3, by striking all before the semicolon and inserting "prohibiting any

governmental agency from purchasing, acquiring or otherwise using any drone with critical components produced in any country of concern or produced or owned by any foreign principal"; also in line 3, by striking "rehabilitation" and inserting "reimbursement expense"; in line 4, by striking "a transfer" and inserting "transfers"; in line 5, by striking all after "to"; by striking all in lines 6 through 9; in line 10, by striking all before the semicolon and inserting "such fund"; also in line 10, by striking "receive"; by striking all in line 11; in line 12, by striking all before the period and inserting "seek reimbursement for the cost of purchasing a replacement drone, transfer restricted drones to the office of the attorney general or, if no reimbursement is received, dispose of drones or sell drones for private use"

Sub Bill for SB 271 be passed as amended.

Committee report recommending a substitute bill to **Sub Bill for SB 37** be adopted; and the substitute bill be passed.

On motion of Rep. Croft, the House recessed until 7:30 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker pro tem Carpenter in the chair.

On motion of Rep. Croft, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hoffman, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2653, SB 360** be passed.

Committee report recommending a substitute bill to **SB 300** be adopted.

Also, roll call was demanded on motion of Rep. Sawyer to amend **Sub Bill for SB 300** I move to amend House Substitute for SB 300, on page 1, by striking all in lines 20 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 14; following line 14, by inserting:

"New Section 1. On August 15, 2024, and each August 15 thereafter, the director of the budget, in consultation with the director of property valuation, shall certify to the director of accounts and reports if the tax levied pursuant to K.S.A. 72-5142, and amendments thereto, is decreased from 20 mills or the exemption provided by K.S.A. 79-201x, and amendments thereto, is increased from \$42,049 for any tax year. The director of the budget shall certify to the director of accounts and reports and shall transfer a copy of such certification to the director of legislative research, the amount of revenue that the decrease in property tax would have generated for the tax year if such tax was levied pursuant to K.S.A. 72-5142, and amendments thereto, at the rate of 20 mills and the difference in the amount of revenue that the increase in the exemption provided by K.S.A. 79-201x, and amendments thereto, would have generated for the tax year if the exemption amount was \$42,049. Upon receipt of such certification, or as

soon thereafter as moneys are available, the director of accounts and reports shall transfer such certified amount from the state general fund to the state school district finance fund of the department of education.";

Also on page 4, in line 31, by striking "18" and inserting "19"; by striking all in lines 41 through 43;

By striking all on page 5;

On page 6, by striking all in lines 1 through 18; in line 20; by striking "(a)"; in line 24, by striking "\$80,000" and inserting "\$100,000"; by striking all in lines 26 through 35;

On page 7, by striking all in lines 30 through 43;

By striking all on page 8;

On page 9, by striking all in lines 1 through 21;

On page 14, by striking all in lines 34 through 37; following line 37, by inserting:

"Not over \$30,000....."	3% of Kansas
<u>taxable income</u>	
Over \$30,000 but not over \$60,000.....	\$900 plus 5.2% of
<u>excess over</u>	
	\$30,000
Over \$60,000.....	\$2,460 plus 5.65%
<u>of excess</u>	
	over \$60,000";

On page 15, by striking all in lines 35 through 38; following line 38, by inserting:

"Not over \$15,000....."	3% of Kansas
<u>taxable income</u>	
Over \$15,000 but not over \$30,000.....	\$450 plus 5.2% of
<u>excess over</u>	
	\$15,000
Over \$30,000.....	\$1,230 plus 5.65%
<u>of excess</u>	
	over \$30,000";

On page 16, following line 25, by inserting:

"Sec. 8. K.S.A. 79-32,111c is hereby amended to read as follows: 79-32,111c. (a) There shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to 12.5% for tax year 2018; an amount equal to 18.75% for tax year 2019; ~~and~~ an amount equal to 25% for tax-year years 2020 through 2023; and an amount equal to 100% for tax year 2024, and all tax years thereafter, of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to 26 U.S.C. § 21 for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(b) The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law.

(c) No credit provided under this section shall be allowed to any individual who fails to provide a valid social security number issued by the social security administration, to such individual, the individual's spouse and every dependent of the

individual.";

On page 23, in line 34, by striking "2027" and inserting "2024"; in line 39, by striking all after "(B)"; by striking all in lines 40 through 43;

On page 24, by striking all in lines 1 through 37; in line 38, by striking "(E)"; also in line 38, by striking "2026" and inserting "2023";

On page 27, in line 21, by striking "\$3,605" and inserting "\$5,000"; in line 22, by striking "\$8,240" and inserting "\$10,000"; also in line 22, by striking "\$6,180" and inserting "\$7,500"; by striking all in lines 23 through 32; by striking all in lines 39 through 43;

On page 28, by striking all in lines 1 through 21; following line 36, by inserting:

"Sec. 12. K.S.A. 2023 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.5%. On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project.

Such tax shall be imposed upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of

residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax

imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and

reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" means the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" means only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" means a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" means only those enclosures within which individuals customarily live;

(5) "utility structure" means transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" means straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance

agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section;

(w) all sales of charitable raffle tickets in accordance with K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

(x) commencing on January 1, 2023, and thereafter, the state rate on the gross receipts from the sale of food and food ingredients shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

Sec. 13. K.S.A. 2023 Supp. 79-3603d is hereby amended to read as follows: 79-3603d. (a) There is hereby levied and there shall be collected and paid a tax upon the gross receipts from the sale of food and food ingredients. The rate of tax shall be as follows:

(1) Commencing on January 1, 2023, at the rate of 4%;

(2) commencing on January 1, 2024, at the rate of 2%; and

(3) commencing on ~~January 1, 2025~~ July 1, 2024, and thereafter, at the rate of 0%.

(b) The provisions of this section shall not apply to prepared food unless sold without eating utensils provided by the seller and described below:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);

(2) (A) food sold in an unheated state by weight or volume as a single item; or

(B) only meat or seafood sold in an unheated state by weight or volume as a single item;

(3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or

(4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption.

(c) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.

Sec. 14. K.S.A. 2023 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000

shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) ~~On January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions

contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 15. K.S.A. 2023 Supp. 79-3703 is hereby amended to read as follows: 79-3703. (a) There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5%.

(b) Commencing on January 1, 2023, and thereafter, the state rate on the amount equal to the consideration paid by the taxpayer from the sale of food and food ingredients as provided in K.S.A. 79-3603, and amendments thereto, shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

(c) On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

(d) Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project.

(e) All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 16. K.S.A. 2023 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt

payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area

having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.";

Also on page 28, in line 37, by striking "19-2694, 65-163j, 65-3306, 65-3327, 75-2556,"; in line 38, by striking all after "79-1108"; in line 39, by striking "79-2967" and inserting "79-32,111c"; also in line 39, by striking "74-8768,"; also in line 39, by striking "79-2959,"; in line 40, by striking "79-2964,"; also in line 40, by striking "79-32,121 and"; in line 41, after "3425i" by inserting ", 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710"; in line 43, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking "and Kansas personal exemption"; in line 5, after the first semicolon by inserting "**increasing the tax credit amount for household and dependent care expenses**"; by striking all in line 9; in line 10, by striking all before "providing"; in line 11, after "fund" by inserting "**and the state school district finance fund**"; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected"; also in line 11, by striking all after "K.S.A."; in line 12, by striking all before "79-1107"; also in line 12, by striking "79-1479" and inserting "79-32,111c"; in line 13, by striking "74-8768,"; in line 14, by striking "79-32,121 and"; also in line 14, after "79-3425i" by inserting ", **79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710**"; in line 15, by striking all after "sections"; by striking all in line 16; in line 17, by striking "79-2964"

On roll call, the vote was: Yeas 35; Nays 78; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcalá, Amyx, Ballard, Carlin, Carmichael, Carr, Curtis, Featherston, Haskins, Haswood, Helgerson, Highberger, Houglund, Hoye, Jacobs, Martinez, McDonald, Melton, Meyer, Miller, D., Miller, S., Miller, V., Neighbor, Ohaebosim, Oropeza, Ousley, Poskin, Probst, Ruiz, S., Sawyer, Clayton, Schlingensiepen, Weigel, Woodard, Xu.

Nays: Anderson, Averkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Howell, Howerton, Humphries, T. Johnson, Kessler, Landwehr, Lewis, Maughan, McNorton, Minnix, Moser, Murphy, Neelly, Owens, Penn, Pickert, Poetter, Proctor, Resman, Rhiley, Robinson, Roth, Sanders, Schmoë, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Tarwater, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, White, Williams, K., Younger.

Present but not voting: None.

Absent or not voting: Houser, Howe, Mason, Osman, Rahjes, Ruiz, L., Stogsdill, Sutton, Thomas, Vaughn, Williams, L., Winn.

The motion of Rep. Sawyer did not prevail.

Also, on further motion of Rep. Sawyer, **Sub Bill for SB 300** be amended on page 6, in line 20, by striking "(a)"; in line 24, by striking "\$80,000" and inserting "\$100,000"; by striking all in lines 26 through 35

Also, on motion of Rep. Corbet, **Sub Bill for SB 300** be amended on page 23, in line 34, by striking "2027" and inserting "2024"; in line 39, by striking all after "(B)"; by striking all in lines 40 through 43;

On page 24, by striking all in lines 1 through 37; in line 38, by striking "(E)"; also in line 38, by striking "2026" and inserting "2023";

On page 1, in the title, in line 2, by striking "increasing" and inserting "eliminating"

Also, on motion of Rep. Howerton, **Sub Bill for SB 300** be amended on page 1, in line 32, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 2, in line 29, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 3, in line 17, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 4, in line 15, before "K.S.A." by inserting "On and after July 1, 2024,"; in line 41, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 5, in line 28, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 6, in line 19, before "K.S.A." by inserting "On and after July 1, 2024,"; in line 36, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 7, in line 10, before "K.S.A." by inserting "On and after July 1, 2024,"; in line 30, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 9, in line 22, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 13, in line 31, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 16, in line 26, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 26, in line 40, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 27, in line 39, before "K.S.A." by inserting "On and after July 1, 2024,"

On page 28, in line 22, before "K.S.A." by inserting "On and after July 1, 2024,"; following line 36, by inserting:

"Sec. 19. K.S.A. 2023 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.5%. On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project.

Such tax shall be imposed upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 79-

3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a

refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of

K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" means the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" means only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" means a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and

amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" means only those enclosures within which individuals customarily live;

(5) "utility structure" means transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" means straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section;

(w) all sales of charitable raffle tickets in accordance with K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

(x) commencing on January 1, 2023, and thereafter, the state rate on the gross receipts from the sale of food and food ingredients shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

Sec. 20. K.S.A. 2023 Supp. 79-3603d is hereby amended to read as follows: 79-3603d. (a) There is hereby levied and there shall be collected and paid a tax upon the gross receipts from the sale of food and food ingredients. The rate of tax shall be as follows:

(1) Commencing on January 1, 2023, at the rate of 4%;

(2) commencing on January 1, 2024, at the rate of 2%; and

(3) commencing on ~~January 1, 2025~~ July 1, 2024, and thereafter, at the rate of 0%.

(b) The provisions of this section shall not apply to prepared food unless sold without eating utensils provided by the seller and described below:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);

- (2) (A) food sold in an unheated state by weight or volume as a single item; or
 - (B) only meat or seafood sold in an unheated state by weight or volume as a single item;
 - (3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or
 - (4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption.
- (c) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.

Sec. 21. K.S.A. 2023 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall

expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 22. K.S.A. 2023 Supp. 79-3703 is hereby amended to read as follows: 79-3703. (a) There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5%.

(b) Commencing on January 1, 2023, and thereafter, the state rate on the amount equal to the consideration paid by the taxpayer from the sale of food and food ingredients as provided in K.S.A. 79-3603, and amendments thereto, shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

(c) On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

(d) Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or

refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project.

(e) All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 23. K.S.A. 2023 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the

sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 24. K.S.A. 2023 Supp. 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 are hereby repealed.";

Also on page 28, in line 37, before "K.S.A." by inserting "On and after July 1, 2024,"; in line 43, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 11, after the semicolon by inserting "relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected;"; in line 14, by striking the first "and" and inserting a comma; also in line 14, after "79-3425i" by inserting ", 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710"

Also, on motion of Rep. Hoheisel, **Sub Bill for SB 300** be amended on page 1, following line 31, by inserting:

"New Sec. 3. On August 15, 2024, and each August 15 thereafter, the director of the budget, in consultation with the director of property valuation, shall certify to the director of accounts and reports if the tax levied pursuant to K.S.A. 72-5142, and amendments thereto, is decreased from 20 mills or the exemption provided by K.S.A. 79-201x, and amendments thereto, is increased from \$42,049 for any tax year. The director of the budget shall certify to the director of accounts and reports and shall transfer a copy of such certification to the director of legislative research, the amount of revenue that the decrease in property tax would have generated for the tax year if such tax was levied pursuant to K.S.A. 72-5142, and amendments thereto, at the rate of 20 mills and the difference in the amount of revenue that the increase in the exemption provided by K.S.A. 79-201x, and amendments thereto, would have generated for the tax

year if the exemption amount was \$42,049. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer such certified amount from the state general fund to the state school district finance fund of the department of education.";

And by renumbering sections accordingly;

On page 1, in the title, in line 11, after "fund" by inserting "and the state school district finance fund"

Also, on motion of Rep. Murphy to amend **Sub Bill for SB 300**, the motion did not prevail.

Also, on further motion of Rep. Murphy to amend **Sub Bill for SB 300**, the motion did not prevail.

Also, on motion of Rep. Poetter Parshall to amend **Sub Bill for SB 300**, the motion did not prevail.

Also, on further motion of Rep. Poetter Parshall to amend **Sub Bill for SB 300**, the motion did not prevail.

Also, on further motion of Rep. Poetter Parshall to amend **Sub Bill for SB 300**, the motion did not prevail.

Also, on further motion of Rep. Poetter Parshall to amend **Sub Bill for SB 300**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Woodard to amend **Sub Bill for SB 300** on page 28, following line 36, by inserting:

"Sec. 19. K.S.A. 79-4501 is hereby amended to read as follows: 79-4501. The title of this act shall be the homestead property tax refund act. The purpose of this act shall be to provide ad valorem tax refunds to: (a) Certain persons who are of qualifying age who own or rent their homestead; (b) certain persons who have a disability, who own or rent their homestead; and (c) certain persons other than persons included under the provisions of (a) or (b) who have low incomes and dependent children and own or rent their homestead.

Sec. 20. K.S.A. 2023 Supp. 79-4502 is hereby amended to read as follows: 79-4502. As used in this act, unless the context clearly indicates otherwise:

(a) "Income" means the sum of adjusted gross income under the Kansas income tax act effective for tax year 2013 and thereafter without regard to any modifications pursuant to K.S.A. 79-32,117(b)(xx) through (xxiii) and (c)(xx), and amendments thereto, maintenance, support money, cash public assistance and relief, not including any refund granted under this act, the gross amount of any pension or annuity, including all monetary retirement benefits from whatever source derived, including but not limited to, all payments received under the railroad retirement act, except disability payments, payments received under the federal social security act, except that for determination of what constitutes income such amount shall not exceed 50% of any such social security payments and shall not include any social security payments to a claimant who prior to attaining full retirement age had been receiving disability payments under the federal social security act in an amount not to exceed the amount of such disability payments or 50% of any such social security payments, whichever is greater, all dividends and interest from whatever source derived not included in adjusted gross income, workers compensation and the gross amount of "loss of time" insurance. Income does not include gifts from nongovernmental sources or surplus food or other relief in kind supplied by a governmental agency, nor shall net operating losses and net

capital losses be considered in the determination of income. Income does not include veterans disability pensions. Income does not include disability payments received under the federal social security act.

(b) "Household" means a claimant, a claimant and spouse who occupy the homestead or a claimant and one or more individuals not related as husband and wife who together occupy a homestead.

(c) "Household income" means all income received by all persons of a household in a calendar year while members of such household.

(d)(1) "Homestead" means the dwelling, or any part thereof, owned and occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. The provisions of this paragraph shall apply to: (A) Claims under K.S.A. 79-4508, and amendments thereto, for tax years prior to tax year 2024; and (B) all claims under K.S.A. 79-4508a, and amendments thereto.

(2) Commencing with tax year 2024, for purposes of claims under K.S.A. 79-4508, and amendments thereto, "homestead" means the dwelling, or any part thereof, whether owned or rented, that is occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated.

(3) "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

(e) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (1) For purposes of a claim under K.S.A. 79-4508, and amendments thereto: (A) A person having a disability; (B) a person who is 55 years of age or older; (C) a disabled veteran; (D) the surviving spouse of active duty military personnel who died in the line of duty; or (E) a person other than a person included under subparagraph (A), (B), (C) or (D) having one or more dependent children under 18 years of age residing at the person's homestead during the calendar year immediately preceding the year in which a claim is filed under this act; or (2) for purposes of a claim under K.S.A. 2023 Supp. 79-4508a, and amendments thereto: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a disabled veteran who was receiving benefits pursuant to subsection (e)(1)(C) at the time of the veterans' death, shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

When a homestead is occupied by two or more individuals and more than one of the individuals is able to qualify as a claimant, the individuals may determine between them as to whom the claimant will be. If they are unable to agree, the matter shall be referred to the secretary of revenue whose decision shall be final.

(f) "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1979 or any calendar year thereafter by the state of Kansas and the

political and taxing subdivisions of the state. When a homestead is owned by two or more persons or entities as joint tenants or tenants in common and one or more of the persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on the homestead that reflects the ownership percentage of the claimant's household. For purposes of this act, property taxes are "levied" when the tax roll is delivered to the local treasurer with the treasurer's warrant for collection. When a claimant and household own their homestead part of a calendar year, "property taxes accrued" means only taxes levied on the homestead when both owned and occupied as a homestead by the claimant's household at the time of the levy, multiplied by the percentage of 12 months that the property was owned and occupied by the household as its homestead in the year. When a household owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of the taxes allocable to those several properties while occupied by the household as its homestead during the year. Whenever a homestead is an integral part of a larger unit such as a multi-purpose or multi-dwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For the purpose of this act, the word "unit" refers to that parcel of property covered by a single tax statement of which the homestead is a part.

(g) "Disability" means:

(1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual's previous work but cannot, considering age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of the preceding sentence (with respect to any individual), "work which exists in the national economy" means work which exists in significant numbers either in the region where the individual lives or in several regions of the country; for purposes of this subsection, a "physical or mental impairment" is an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(2) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time.

(h) "Blindness" means central visual acuity of $20/200$ or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of $20/200$ or less.

(i) "Disabled veteran" means a person who is a resident of Kansas and has been honorably discharged from active service in any branch of the armed forces of the United States or Kansas national guard and who has been certified by the United States

department of veterans affairs or its successor to have a 50% or greater permanent disability sustained through military action or accident or resulting from disease contracted while in such active service.

(j) "Rent constituting property taxes accrued" means 15% of the gross rent actually paid in cash or its equivalent in 2024 or any taxable year thereafter by a claimant and claimant's household solely for the right of occupancy of a Kansas homestead on which ad valorem property taxes were levied in full for that year. When a household occupies two or more different homesteads in the same calendar year, "rent constituting property taxes accrued" shall be computed by adding the "rent constituting property taxes accrued" for each property rented by the household while occupied by the household as its homestead during the year.

(k) "Gross rent" means the rent paid at arm's length solely for the right of occupancy of a homestead or space rent paid to a landlord for the parking of a mobile home, exclusive of charges for any utilities, services, furniture and furnishings or personal property appliances furnished by the landlord as a part of the rental agreement, whether or not expressly set out in the rental agreement. Whenever the director of taxation finds that the landlord and tenant have not dealt with each other at arm's length and that the "gross rent" charge was excessive, the director may adjust the "gross rent" to a reasonable amount for the purposes of the claim.

Sec. 21. K.S.A. 2023 Supp. 79-4508 is hereby amended to read as follows: 79-4508. (a) Commencing in the tax year beginning after December 31, 2005, the amount of any claim pursuant to this act and under this section shall be computed by deducting the amount computed under column (2) from the amount of claimant's property tax accrued.

	(1) Claimant's household income		(2) Deduction from property tax accrued
	At least	But not more than	
	\$0	\$6,000	\$0
	6,001	7,000	4%
	7,001	16,000	4% plus 4% of every \$1,000, or fraction thereof, of income in excess of \$7,001
	16,001	27,000	40% plus 5% of every \$1,000, or fraction thereof, of income in excess of \$16,001
	27,001	27,600	95%

Commencing with tax year 2024, column "(2) Deduction from property tax accrued" means deduction from property tax accrued and/or rent constituting property tax accrued, and the amount of any claim under this section shall be computed by deducting the amount computed under column (2) from the amount of claimant's property tax accrued and/or rent constituting property tax accrued.

(b) The director of taxation shall prepare a table under which claims under this act and this section shall be determined. The amount of claim for each bracket shall be

computed only to the nearest \$1.

(c) The claimant may elect not to record the amount claimed on the claim. The claim allowable to persons making this election shall be computed by the department which shall notify the claimant by mail of the amount of the allowable claim.

(d) In the case of all tax years commencing after December 31, 2004, the upper limit threshold amount prescribed in this section, shall be increased by an amount equal to such threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

Sec. 22. K.S.A. 2023 Supp. 79-4509 is hereby amended to read as follows: 79-4509. (a) In the event property taxes accrued, rent constituting property taxes accrued or their sum exceeds \$700 for a household in any one year, the amount thereof shall, for purposes of this act, be deemed to have been \$700.

(b) The provisions of subsection (a) shall not apply to a claim for refund pursuant to K.S.A. 2023 Supp. 79-4508a, and amendments thereto.

Sec. 23. K.S.A. 79-4511 is hereby amended to read as follows: 79-4511. (a) Every claimant under this act shall supply to the division, in support of a claim, reasonable proof of age or disability, and changes of homestead, household membership, household income, and size and nature of property claimed as the homestead. A claim alleging disability shall be supported by a report of the examining physician of the claimant with a statement or certificate that the applicant has a disability within the meaning of subsection (g) of K.S.A. 79-4502, and amendments thereto.

(b) Every claimant who is a homestead owner, or whose claim is based wholly or partly upon homestead ownership at some time during the calendar year, shall supply to the division, in support of a claim, the amount of property taxes levied upon the property claimed as a homestead and a statement that the property taxes accrued used for purposes of this act have been or will be paid by the claimant. Upon request by the division, such claimant shall provide a copy of the statement of property taxes levied upon the property claimed as a homestead. The amount of personal property taxes levied on a manufactured home or mobile home shall be set out on the personal property tax statement showing the amount of such tax as a separate item.

(c) Every claimant who is a homestead renter, or whose claim is based wholly or partly upon homestead rent at some time during the calendar year, shall supply to the division, in support of a claim, a statement prescribed by the director certifying the amount of gross rent paid and that ad valorem property taxes were levied in full for that year on the property, all or a part of which was rented by the claimant. When such claimant reports household income that is 150% or less of the homestead rent amount and such claimant has failed to provide any documentation or information requested by the division to verify such household income in support of a claim as required pursuant to subsection (a), within 30 days of such request, such homestead property tax refund claim shall be denied.

(d) The information required to be furnished under subsection (b) or (c) shall be in addition to that required under subsection (a).

Sec. 24. K.S.A. 79-4522 is hereby amended to read as follows: 79-4522. A person owning or occupying a homestead that is not rental property and for which the appraised valuation for property tax purposes exceeds \$350,000 in any year shall not be entitled to claim a refund of property taxes under the homestead property tax refund act

for any such year. The provisions of this section shall be part of and supplemental to the homestead property tax refund act.";

Also on page 28, in line 39, by striking the first "and" and inserting a comma; also in line 39, after "79-2967" by inserting ", 79-4501, 79-4511, and 79-4522"; in line 40, by striking "and" and inserting a comma; in line 41, after "3425i" by inserting ", 79-4502, 79-4508 and 79-4509";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after the first semicolon by inserting "including homestead renters as eligible to participate in certain homestead property tax refund claims;"; in line 12, by striking the first "and" and inserting a comma; also in line 12, after "79-1479" by inserting ", 79-4501, 79-4511 and 79-4522"; in line 14, by striking the first "and" and inserting a comma; also in line 14, after "79-3425i" by inserting ", 79-4502, 79-4508 and 79-4509"

On roll call, the vote was: Yeas 36; Nays 76; Present but not voting: 0; Absent or not voting: 13.

Yeas: Alcalá, Amyx, Ballard, Carlin, Carmichael, Carr, Curtis, Featherston, Haskins, Haswood, Helgerson, Highberger, Houglund, Hoye, Landwehr, Martinez, McDonald, Melton, Meyer, Miller, D., Miller, S., Miller, V., Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Poskin, Probst, Ruiz, S., Sawyer, Clayton, Schlingensiepen, Weigel, Woodard, Xu.

Nays: Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Droge, Ellis, Eplee, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Howell, Howerton, Humphries, Kessler, Lewis, Maughan, McNorton, Minnix, Moser, Murphy, Neelly, Owens, Penn, Pickert, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Schmoë, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, White, Williams, K., Younger.

Present but not voting: None.

Absent or not voting: Houser, Howe, Jacobs, T. Johnson, Mason, Poetter, Ruiz, L., Schreiber, Stogsdill, Sutton, Vaughn, Williams, L., Winn.

The motion of Rep. Woodard to amend did not prevail.

Also, roll call was demanded on motion of Rep. V. Miller to amend **Sub Bill for SB 300** on page 1, by striking all in lines 20 through 31;

On page 7, in line 31, after "(a)" by inserting "(1)";

On page 8, in line 11, before "Upon" by inserting "In addition, the board shall order the state treasurer to withhold all or a portion of the county's entitlement to moneys from the county and city revenue sharing fund for the year following the year in which the order is issued."; in line 15, before "Any" by inserting "(2)"; in line 23, after "(b)" by inserting "(1)"; in line 33, before "If" by inserting "(2)"; in line 42, before "If" by inserting "(3)";

On page 9, in line 10, before the period by inserting "and shall certify its order to the state treasurer who shall withhold distributions of the county's share of moneys from the county and city revenue sharing fund and credit the same to the general fund of the state for the year following the year in which the board's order is made"; following line 21, by inserting:

"Sec. 11. K.S.A. 2023 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts that in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, ~~except that: (1) No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years 2023, 2024 and 2025; and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year 2026 and all fiscal years thereafter.~~ All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) 65% of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) 35% of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 12. K.S.A. 79-2960 is hereby amended to read as follows: 79-2960. Each year, the county treasurer shall estimate the amount of money each political subdivision in such county ~~including the county as one such political subdivision,~~ will receive from the local ad valorem tax reduction fund. The state treasurer shall use the most recent available information to advise each county treasurer, prior to June 1 of each year, of the amount of the local ad valorem tax reduction fund of the state that the state treasurer estimates ~~(using the most recent available information)~~ will be paid to such county on January 15 and July 15 of the following year. The county treasurer shall, before June 15 of each year, notify the treasurer of each political subdivision of the estimated amount in dollars of the distributions to be made from the local ad valorem tax reduction fund. Such estimate shall be made in accordance with K.S.A. 79-2961, and amendments thereto. ~~Each tangible property tax levying political subdivision shall set out a local ad valorem tax reduction fund item of income for one or more tangible property tax funds of general application (excepting bond and interest funds), in its budget for the current year tax levies, the amount which the county treasurer has estimated as the share of such local ad valorem tax reduction funds to be so credited. The director of accounts and reports shall make suitable provision in the budget forms to be used by such subdivisions for listing local ad valorem tax reduction fund income items.~~

Sec. 13. K.S.A. 79-2961 is hereby amended to read as follows: 79-2961. (a) ~~The county clerk shall certify to the county treasurer when budgets are made pursuant to K.S.A. 79-2960 and amendments thereto and tax levies are filed with the county clerk. Prior to crediting the proper amounts under subsection (c) and except as provided in subsection (d) (b),~~ the county treasurer shall divide the amount paid by the state

treasurer from the local ad valorem tax reduction fund to the county treasurer among the county and all other taxing subdivisions of the county except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and ~~which that~~ would otherwise be a participant in the Riley county allocation, ~~which comply with the requirements of this act~~, in the proportion that the product of the last preceding total tangible tax rate of each subdivision, times its equalized tangible assessed valuation for the preceding year, is to the sum of such products of all the tangible tax-levying political subdivisions, except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and which would otherwise be a participant in the Riley county allocation, exclusive of the levy by the county for any deficiency for state purposes.

(b) ~~No political subdivision shall be entitled to participate in the distribution of any money appropriated to carry out K.S.A. 79-2960 and amendments thereto and this section unless and until such political subdivision has adopted and certified a budget for the ensuing year which shows as a separate item the amount of the distribution to one or more tax levy funds of general application within such subdivision except bond and interest funds and has certified a tax levy for each such fund that will produce a sum of money less than the amount which a maximum levy would produce for each such fund, in an amount equal to or in excess of the amount of such distribution. The budget of each political subdivision also shall show that the aggregate levies made by such tangible property tax-levying political subdivisions will produce a sum less than the amount which the aggregate levy would produce in an amount equal to or in excess of the aggregate amount of the budget items of such distribution shown in the aggregate levy.~~

~~(c) In crediting the amount that has been divided pursuant to subsection (a) or subsection (d), The county treasurer shall proceed as follows: Upon receipt of the payment from the state treasurer each year, credit the appropriate fund or funds of each political subdivision complying with the provisions of this act with its proportionate share of such payment and the county treasurer shall notify such political subdivision of the amounts so credited. This section and K.S.A. 79-2960, and amendments thereto, shall not apply to school districts. After the crediting of the July 15 payment, the entire amount credited during the calendar year to such appropriate fund of each political subdivision shall be credited by each such political subdivision to residential property taxpayers in the form of a rebate. Such rebate amount shall be reflected as a credit on the next ensuing property tax statement of each residential property taxpayer. Such rebate amount shall be determined by:~~

~~(1) Dividing the total amount of such payments received by the political subdivision during the calendar year by the total assessed valuation of all residential property in such political subdivision for the current tax year; and~~

~~(2) multiplying the quotient determined under paragraph (1) by the assessed valuation of the taxpayer's residential property for the current tax year.~~

~~(c) As used in this section, "residential property" means property classified for property tax purposes within subclass (1) of class 1 or subclass (1) of class 2 of section 1 of article 11 of the constitution of the state of Kansas.~~

~~(d) The amount paid by the state treasurer to the county treasurer of each county under subsection (d) of K.S.A. 79-2959 and amendments thereto, shall be divided only among the one or more community colleges or municipal universities, or both, which~~

received amounts under this section from the payment made from the local ad valorem tax reduction fund on January 15, 1983. The amount received by each such community college or municipal university under this subsection shall bear the same proportion to the total amount paid to such county under subsection (d) of K.S.A. 79-2959 and amendments thereto, as the amount received by such community college or municipal university under this section from the payment made to such county from the local ad valorem tax reduction fund on January 15, 1983, bears to the total amount received by all such community colleges and municipal universities under this section from such payment.";

On page 28, in line 37, by striking "19-2694,;" in line 38, by striking the fourth comma and inserting "and"; by striking all after "79-2961"; in line 39, by striking all before the second "and"; in line 40, by striking "79-2964,;"

And by renumbering sections accordingly;

On page 1, in the title, by striking all in line 9; in line 10, by striking all before "providing" and inserting "relating to the local ad valorem tax reduction fund; authorizing a transfer of state general fund moneys to such fund in fiscal year 2025 and all fiscal years thereafter; requiring that all moneys received from such fund by political subdivisions be credited to residential property taxpayers in the form of a rebate; providing a formula for such rebate amount;"; in line 12, by striking the first "and" and inserting a comma; also in line 12, after "79-1479" by inserting ", 79-2960 and 79-2961"; in line 13, after the third comma by inserting "79-2959,;" in line 15, by striking all after "sections"; by striking all in line 16; in line 17, by striking "79-2964"

On roll call, the vote was: Yeas 39; Nays 75; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcala, Amyx, Ballard, Carlin, Carmichael, Carr, Curtis, Ellis, Eplee, Featherston, Haskins, Haswood, Helgerson, Highberger, Hougland, Hoye, T. Johnson, Martinez, McDonald, Melton, Meyer, Miller, D., Miller, S., Miller, V., Minnix, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Poskin, Probst, Ruiz, S., Sawyer, Clayton, Schlingensiepen, Weigel, Woodard, Xu.

Nays: Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Droge, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Howell, Howerton, Humphries, Kessler, Landwehr, Lewis, Maughan, McNorton, Moser, Murphy, Neelly, Owens, Penn, Pickert, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Stiens, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, White, Williams, K., Younger.

Present but not voting: None.

Absent or not voting: Houser, Howe, Jacobs, Mason, Poetter, Ruiz, L., Smith, E., Stogsdill, Vaughn, Williams, L., Winn.

The motion of Rep. V. Miller did not prevail.

Also, roll call was demanded on further motion of Rep. V. Miller to amend **Sub Bill for SB 300** on page 1, by striking all in lines 20 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 14; by striking all in lines 41 through 43;

By striking all on page 5;

On page 6, by striking all in lines 1 through 18;

On page 7, by striking all in lines 30 through 43;

By striking all on page 8;

On page 9, by striking all in lines 1 through 21;

On page 28, in line 37, by striking "19-2694, 65-163j, 65-3306, 65-3327, 75-2556,"; in line 38, by striking the first comma and inserting "and"; also in line 38, by striking all after "79-1108"; in line 39, by striking "and 79-2967"; also in line 39, by striking "74-8768,"; also in line 39, by striking "79-2959,"; in line 40, by striking "79-2964,";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in line 9; in line 10, by striking all before "providing"; in line 11, by striking all after "K.S.A."; in line 12, by striking all before "79-1107"; also in line 12, by striking the fourth comma and inserting "and"; also in line 12, by striking "and 79-1479"; in line 13, by striking "74-8768,"; in line 15, by striking all after "sections"; by striking all in line 16; in line 17, by striking all before the period

On roll call, the vote was: Yeas 39; Nays 77; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcala, Amyx, Ballard, Carlin, Carmichael, Carr, Curtis, Ellis, Eplee, Featherston, Haskins, Haswood, Helgerson, Highberger, Hougland, Hoye, T. Johnson, Landwehr, Martinez, McDonald, Melton, Meyer, Miller, D., Miller, S., Miller, V., Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Poskin, Probst, Ruiz, S., Sawyer, Clayton, Schlingensiepen, Weigel, Woodard, Xu.

Nays: Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Borjon, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Droge, Essex, Estes, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Howell, Howerton, Humphries, Jacobs, Kessler, Lewis, Maughan, McNorton, Minnix, Moser, Murphy, Neelly, Owens, Penn, Pickert, Proctor, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Schmoie, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stiens, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Turner, Underhill, Waggoner, Wasinger, Waymaster, White, Williams, K., Younger.

Present but not voting: None.

Absent or not voting: Houser, Howe, Mason, Poetter, Ruiz, L., Stogsdill, Vaughn, Williams, L., Winn.

substitute bill be passed as amended.

Committee report recommending a substitute bill to **HB 2609** be adopted; and **Sub HB 2609** be passed.

Committee report to **HB 2757** be adopted; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

HB 2525, **HB 2557**, **HB 2561**, **HB 2745** reported correctly enrolled, properly signed and presented to the Governor on March 26, 2024.

On motion of Rep. Croft, the House adjourned until 9:30 a.m., Wednesday, March 27, 2024.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk*