

# Journal of the Senate

TWENTY-FOURTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Friday, February 10, 2023, 11:00 a.m.

The Senate was called to order pro forma by Vice President Rick Wilborn.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**SB 230**, AN ACT concerning income taxation; relating to qualified governmental retirement plans under the federal internal revenue code; state income tax treatment of certain pre-tax and Roth retirement contributions; enacting the Kansas thrift savings plan act; establishing terms, conditions and requirements related thereto; creating mandatory, deferred compensation, employer and rollover accounts; providing for plan document, membership elections, benefits, contributions, distributions and prospective plan changes by the legislature; relating to the Kansas public employees retirement system; employer contribution rate; allowing total covered payroll to include compensation of thrift savings plan members; amending K.S.A. 2022 Supp. 74-4920 and repealing the existing section, by Committee on Assessment and Taxation.

**SB 231**, AN ACT concerning postsecondary education; relating to tuition; providing for the waiver of tuition for certain children of qualifying public school teachers; deeming certain children of qualifying public school teachers as residents for tuition purposes; amending K.S.A. 76-729 and repealing the existing section, by Committee on Ways and Means.

**SB 232**, AN ACT concerning children and minors; establishing the office of the child advocate as an independent state agency and prescribing certain powers, duties and functions therefor; authorizing access to certain records; amending K.S.A. 38-2213, 38-2309 and 38-2310 and K.S.A. 2022 Supp. 38-2211 and 38-2212 and repealing the existing sections, by Committee on Judiciary.

**SB 233**, AN ACT concerning gender identity medical care; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service; amending K.S.A. 2022 Supp. 65-2836 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 234**, AN ACT concerning public health and welfare; relating to a closed-loop referral system; requiring consent for an individual's information to be added to or transmitted by a closed-loop referral system, by Committee on Public Health and Welfare.

**SB 235**, AN ACT concerning insurance; relating to healthcare benefits; health insurance plans and related coverage; granting third-party access to provider network

contracts if certain criteria are met; establishing requirements and restrictions for the payment and reimbursement of healthcare services; amending K.S.A. 2022 Supp. 40-2,225, 40-2,226 and 40-2,227 and repealing the existing sections, by Committee on Public Health and Welfare.

**SB 236**, AN ACT concerning insurance; relating to pharmacy benefits managers; the federal 340B drug pricing program; prohibiting disparate treatment of pharmacies based upon participation in the 340B program; requiring drug manufacturers to provide 340B pricing to pharmacies that enter into contractual agreements covered under the 340B program; prohibiting pharmacy benefits managers from denying patients the use of the pharmacy and healthcare provider chosen by such patients, by Committee on Public Health and Welfare.

**SB 237**, AN ACT concerning the Kansas standard asset seizure and forfeiture act; requiring a conviction prior to forfeiture; remitting proceeds to the state general fund; requiring proof beyond a reasonable doubt that property is subject to forfeiture; requiring seizing agencies to make forfeiture reports more often; amending K.S.A. 2022 Supp. 60-4104, 60-4105, 60-4106, 60-4109, 60-4112, 60-4113, 60-4114, 60-4117 and 60-4127 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 238**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving controlled substances; adding the placing of controlled substances into pills into the definition of manufacture; increasing the criminal penalties for manufacturing or distributing fentanyl-related controlled substances; creating a special sentencing rule for manufacturing or distributing fentanyl-related controlled substances and any controlled substances that are likely to be attractive to minors because of their appearance or packaging; amending K.S.A. 2022 Supp. 21-5701, 21-5703, 21-5705 and 21-6805 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 21-5701b, by Committee on Judiciary.

**SB 239**, AN ACT concerning criminal procedure; providing that certain witnesses shall have the right to be accompanied by a support person during testimony and may be accompanied by a certified critical incident response therapy K9 team, by Committee on Judiciary.

**SB 240**, AN ACT concerning crimes, punishment and criminal procedure; relating to aggravated endangering a child; increasing the criminal penalties in certain environments where any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture fentanyl-related controlled substances; amending K.S.A. 2022 Supp. 21-5601 and repealing the existing section, by Committee on Judiciary.

**SB 241**, AN ACT concerning children and minors; relating to juvenile offenders; requiring certain records to be automatically expunged from a juvenile's record; amending K.S.A. 38-2312 and repealing the existing section, by Committee on Judiciary.

**SB 242**, AN ACT enacting the cold case homicide victims' families' rights act; providing for a system for reviewing the case files of cold case homicides upon written application by certain persons, by Committee on Judiciary.

**SB 243**, AN ACT concerning minors; relating to settlement agreements; providing requirements and procedures for a person having legal custody of a minor to enter into a settlement agreement on behalf of the minor, by Committee on Judiciary.

**SB 244**, AN ACT concerning the attorney general; authorizing prosecution of any crime that is part of an alleged course of criminal conduct that occurred in two or more counties; amending K.S.A. 75-702 and repealing the existing section, by Committee on Judiciary.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 227**.

Commerce: **HB 2042**.

Education: **SB 226**.

Federal and State Affairs: **SB 223, SB 224**.

Judiciary: **SB 228; HB 2010, HB 2065, HB 2069, HB 2070**.

Public Health and Welfare: **SB 225; HB 2033**.

Transportation: **SB 229; HB 2014**.

#### **TRIBUTES**

The Committee on Organization, Calendar, and Rules authorizes the following tributes for the week of February 6 through February 10, 2023:

Senator Bowers: congratulating Kelley and Julie Zucker on receiving the Ottawa County Farm Bureau Sesquicentennial Farm Award, celebrating Leland Perry's 100<sup>th</sup> Birthday;

Senator Doll: celebrating Wanda Culver's 100<sup>th</sup> Birthday;

Senator Haley: honoring the life of Leslie "Les" D. Burleson;

Senator Holscher: commending Terin Humphrey on her career in gymnastics and extending best wishes for continued success; and

Senator Pittman: honoring Black History Month at the Community Service Organizations Banquet, commending Jurian Daniel Isabelle for his work on the film *Buffalo Soldiers: A Quest for Freedom*.

On motion of Senator Alley, the Senate adjourned pro forma until 2:30 p.m., Monday, February 13, 2023.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

