KANSAS LEGISLATURE

2026 Summary of Legislation

KLRD

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INTRODUCTION

This publication includes summaries of the legislation enacted during the 2026 Legislative Session. Brief descriptions of bills that were vetoed are also included beginning on page 352.

During the 2026 Session, 629 bills were introduced: 237 in the Senate and 392 in the House. In addition, 239 Senate bills and 318 House bills were carried over from the 2025 Session, for a total of 1,186 bills that were alive during the 2026 Session. Of these 1,186 bills, 157 (13.24 percent) became law: 48 Senate bills and 109 House bills. Further, of the 157 bills becoming law, 143 (91.1 percent) were introduced by committees and 14 (8.9 percent) were introduced by individual legislators. (Substitute bills or bills with conference committee reports whose original subject matter was substantially modified from the content in the introduced sponsor bill are included in the former category.)

The Governor vetoed 34 bills and 30 line items in the appropriations bill. The vetoes of 14 bills and 19 line items were sustained; vetoes of 20 bills and 12 line items were overridden.

No bills will be carried over to the 2027 Session of the Legislature.

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ABORTION

Woman's-Right-to-Know Act; HB 2727

HB 2727 allows plaintiffs to elect to limit recovery in claims brought for violations of the informed consent provisions of the Woman's-Right-to-Know Act (Act) and does not allow parties to the suit to request the convening of a medical malpractice screening panel.

The bill allows a plaintiff, in any action brought under the Act for an alleged violation of the informed consent requirements, to elect to limit their recovery to capped statutory damages, reimbursement of amounts paid by or on behalf of the plaintiff, and recovery of reasonable attorney's fees.

The bill specifies its provisions could not be construed to limit its application to actions related to medication abortion procedures.

The bill provides if a plaintiff elects to limit their recovery under the bill, neither party to the suit could compel the use of a medical malpractice screening panel as provided for by law.

Informed Consent—Woman's-Right-to-Know Act; HB 2729

HB 2729 amends the informed consent provisions of the Woman's-Right-to-Know Act (Act) concerning required information and required notice signs for both abortion procedures and medication abortion.

The bill specifies that the information required to be provided by abortion providers under the Act shall be on a form provided by the Kansas Department of Health and Environment (Department) and that such form may be provided in hard copy format on white paper or electronically transmitted to a woman.

[*Note:* Under the Act, unless a medical emergency exists, certain information must be provided in writing to a woman seeking an abortion procedure 24 hours in advance of an abortion procedure or prior to providing or inducing a medication abortion.]

Additionally, the bill requires the informed consent and medication abortion reversal notice signs required by the Act to state that such notice is from the Department.

AGRICULTURE AND NATURAL RESOURCES

Fees for Seed Retailers, Seed Wholesalers, and Live Plant Dealers; SB 425

SB 425 increases the maximum registration fee caps for seed retailers and seed wholesalers and authorizes fees for late registrations by seed retailers, seed wholesalers, and live plant dealers.

Registration Fee Caps

The bill increases the following maximum registration fees:

- For seed retailers, increases from $30 to $50; and
- For seed wholesalers, increases from $300 to $400.

[*Note:* These fee amounts are established in KAR 4-2-21.]

Late Registration Fees

Continuing law states seed retailer and seed wholesaler licenses expire on August 31 following the date the registration is issued unless the registration is renewed annually. The bill authorizes a late registration fee to be assessed depending on when the previously obtained registration is renewed:

- $25 if renewed on or after September 15, but before October 15, immediately following the date of expiration; and

- $50 if renewed on or after October 15.

Continuing law regarding live plant dealer licenses states all licenses expire on January 31, following the date of issue. The bill allows a similar grace period and states that renewal of a license on or after the February 15 immediately following expiration is subject to a $25 late fee.

Hazardous Waste Regulations; HB 2042

HB 2042 authorizes the Kansas Department of Health and Environment (KDHE) to adopt proposed permanent administrative rules and regulations KAR 28-31-10 and KAR 28-31-10b, pertaining to hazardous waste monitoring and permit application fees, that have been identified and prepared by KDHE on August 22, 2025, and provided to the Senate Committee on Agriculture and Natural Resources on February 10, 2026.

Beekeeping Business Regulation; HB 2158

HB 2158 exempts beekeepers who meet certain requirements from obtaining a state food establishment or food processing plant (processor) license to sell packaged honey or honeycomb at retail.

[*Note:* The Kansas Department of Agriculture (KDA) issues two types of food licenses: food establishment licenses and food processor licenses. Food establishment licenses include restaurants, grocery stores, convenience stores, and mobile food units. Food processor licenses include food wholesalers, food warehouses, food re-packers, and food manufacturers.]

Definitions

The bill defines the following terms:

- "Honey" means the nectar and saccharine exudation of plants that are gathered, modified, and stored in the comb by honeybees;
- "Honeycomb" means a structure of cells composed of beeswax in which bees store honey; and
- "Unaltered" means left raw and in the original state after harvesting and, if applicable, straining. "Unaltered" does not include honey or honeycomb that has been pasteurized.

Exemption From State Licensing

Any beekeeper who wishes to sell honey or honeycomb for sale or resale at a retailer will be exempt from the requirement to hold a food establishment or food processor license if the beekeeper meets the following requirements:

- Packages honey and honeycomb on the property of the beekeeper harvesting and selling the products;
- Labels packaged honey and honeycomb with:
    - A "honey" or "honeycomb" designation; the floral source could be a part of the name if the product contains a significant amount of pollen from that flower;
    - The name, address, and zip code of the beekeeper packaging the honey or honeycomb;
    - The net weight of the contents; and
    - A disclaimer stating "Product not subject to routine inspection by the Kansas Department of Agriculture.";
- Keeps honey and honeycomb unaltered and free from additional additives;
- Harvests honey or honeycomb within the state;
- Maintains annual gross sales from honey and honeycomb that does not exceed $35,000;

- Follows the minimum sanitary standards adopted by the KDA for packaging the honey and honeycomb; and

- Maintains a record of sales of the products and make the record available to the KDA when requested; the record would include:

    - The amount of honey or honeycomb sold by container size;
    - Where the honey or honeycomb was sold; and
    - The date of the sales.

Any beekeeper who meets the requirements listed above, with the exception of the annual gross sales amounts of $35,000, will not be required to acquire or maintain facilities or equipment required for temperature-controlled food items, including a kitchen permitted for commercial food preparation.

The bill states that nothing in the bill should be construed to prohibit a beekeeper from applying for and holding a food establishment or food processor license.

Coroner Procedures for Unclaimed Remains; Continuing Education; Crematories; Crime of Aggravated Criminal Desecration; HB 2331

HB 2331 amends laws relating to coroner procedures for the disposition of remains by creating a process that would allow a coroner to relinquish custody or dispose of unclaimed cremated remains and specify whether civil liability would arise from such disposition. The bill makes certain provisions for the remains of veterans, establishes minimum requirements for continuing education programs for licensed embalmers and funeral directors, authorizes the use of the word "crematory" in the names of certain businesses, and creates the crime of aggravated criminal desecration. The bill also makes conforming changes.

Refusal or Inability to Accept Remains

Under continuing law, a coroner is required to deliver the body of a deceased person (decedent) to the person's immediate family or next of kin. If there is no immediate family or next of kin, the coroner is required to report and deliver the body to the University of Kansas School of Medicine (KU Med) or cause the body to be cremated or buried.

The bill requires these procedures to be followed when the immediate family or next of kin of the decedent refuses or is unable to accept the remains. The coroner will be required to notify KU Med and deliver the remains, or otherwise cremate or bury the remains, as provided in continuing law.

Relinquishment of Cremated Remains

The bill allows a coroner to relinquish the cremated remains of a decedent if:

- No person has claimed the cremated remains within three years following the death, or any period of time prescribed by law, whichever is longer;
- After the time period prescribed above has lapsed, the coroner publishes notice in a newspaper of general circulation in the county of death and states the remains will be disposed if they are not claimed by immediate family or next of kin within 30 days of publication; and
- No claim of the remains is made within the 30 days following the notice's publication.

Costs

If the remains are claimed by an authorized person, such person will be required to reimburse the coroner for the costs of the cremation and pay any applicable fees assessed by the coroner.

Disposal of Remains

The bill requires unclaimed cremated remains to be disposed of by:

- Burying the remains in a church or cemetery plot or scatter garden, or in a tomb, mausoleum, crypt, columbarium, or other permanent non-accessible chamber; or

- Relinquishing the remains to the Director of the Kansas Office of Veterans Services, or the Director's designee, or to a national cemetery, if the decedent was a veteran.

The bill specifies that no person or organization that takes custody of cremated remains pursuant to the veterans provision will be liable for the costs of the cremation of the decedent or any other applicable fees. Expenses of final disposition of such unclaimed body will be paid pursuant to continuing law on veterans' burial.

Veteran Status

The bill specifies that a coroner will not be required to determine or seek determination of whether a decedent is a veteran if the coroner was either informed or later discovered that the deceased person was not a veteran or that such person did not desire any recognition of their service in the military at their burial or other related services or ceremonies.

Coroner Liability

Under the bill, a coroner will not be liable for any costs or damages related to the disposition of cremated remains conducted in accordance with the bill, except in cases of gross negligence or willful misconduct.

Under continuing law, cremation or burial expenses are to be paid from any property found with a body. The bill specifies that if a coroner determines property found with a body has insubstantial commercial value, such property can be destroyed or otherwise disposed of by the coroner. The coroner and the county will not be liable for the act of destroying or disposing of such property.

Continuing Education for Licensed Embalmers and Funeral Directors

Prior law directed the State Board of Mortuary Arts (Board) to establish requirements for continuing education programs for licensed embalmers and licensed funeral directors as soon as possible after the effective date of the act. The bill amends that date to become July 1, 2026. The bill requires continuing education programs approved by the Board to, at a minimum, require six hours of continuing education annually, with at least three hours of continuing education for licensed embalmers and funeral directors to be completed either in person or through a live online format that allows the presenter to verify licensee attendance and provides licensees with an opportunity to ask questions concerning the content of the program. All other required hours can be completed through any online format. [*Note:* The Board, through KAR 63-6-1, currently requires six hours of continuing education for licensed embalmers and funeral directors.]

Crematories

The bill specifies that nothing in law would prohibit a person who holds a crematory license from using the word "crematory" in the name or title of any business or operation owned by such person if the business or operation is licensed pursuant to continuing law.

Aggravated Criminal Desecration

The bill creates the crime of aggravated criminal desecration, defines the crime as a criminal desecration when the offender had the intent to conceal a death or the commission of a crime, and designates the crime as a severity level 7 nonperson felony.

Portable Benefit Plans; HB 2602

HB 2602 establishes requirements for portable benefit plans for independent contractors and provides subtraction modifications for Kansas income tax purposes for contributions to such plans.

Portable Benefit Plans

The bill defines "portable benefit plan" to mean a benefit plan chosen by an independent contractor and assigned to a beneficiary and that is administered by a bank, credit union, investment management firm, or technology provider or program manager that offers services through such entities. Portable benefit plans do not include benefit plans administered by a hiring party.

Benefit Requirements

The bill requires administrators of portable benefit plans to provide an account for costs related to one or more of the following benefits:

- Health insurance;
- Income replacement insurance;
- Disability insurance;
- Life insurance; or
- Retirement benefits.

Contributions

The bill allows any hiring party to make contributions to a portable benefit account, including funds contributed by an independent contractor. Contributions can also be withheld from compensation owed to the contractor if expressly agreed to in a clear, unambiguous, and prominently displayed written agreement in a contract or invoice of services provided.

Such withholding must be voluntarily elected by the independent contractor, who is required to opt in to the plan and can opt out at any time.

The bill provides that contributions to a portable benefit account cannot be used as a criterion for determining a worker's employment classification.

Subtraction Modifications

The bill creates, beginning in tax year 2027, subtraction modifications from federal adjusted gross income (FAGI) for amounts contributed to a portable benefit plan. Hiring parties and independent contractors will be able to subtract contribution amounts, provided they are not already deducted on the taxpayer's federal income tax return or otherwise subtracted or deducted from FAGI.

Born to Invest Act; SB 232

SB 232 establishes the Born to Invest Act (Act), which requires the Office of Vital Statistics to provide certain information on children born in Kansas to the State Treasurer, who is permitted to provide informational materials on certain government savings accounts to children and their families.

Data Collection—Information Distribution

The bill requires the State Treasurer to determine the data necessary to distribute informational materials that describe the availability, purposes, advantages, and enrollment procedures concerning:

- Trump Accounts established by 26 USC § 530A of the federal Internal Revenue Code for a child born on or after January 1, 2025;
- The Postsecondary Education Program established by 26 USC § 529 of the federal Internal Revenue Code and the Kansas Postsecondary Education Savings Program in state law; and
- The ABLE savings account program established by 26 USC § 529A of the federal Internal Revenue Code and the Kansas ABLE Savings Program in state law.

Data Content

The bill allows data collected pursuant to the bill to include the name of the child, name and mailing address of the child's parent or legal guardian on the child's birth certificate, or the child's birth date.

Data Sharing—Requirements

The bill requires, notwithstanding any other law to the contrary, the State Registrar of Vital Statistics (State Registrar) to provide the data the State Treasurer determines to be necessary.

Child Savings Accounts Eligibility

The bill requires the State Registrar to provide the State Treasurer data relating to children in Kansas who were born prior to July 1, 2026, and are currently eligible for government-administered savings accounts, if no corresponding death certificate has been issued for such child.

Time Frame of Notification of Birth

The bill requires the State Registrar to provide the State Treasurer data relating to children born in Kansas on or after July 1, 2026, within 90 days after the issuance of a birth certificate, unless a corresponding death certificate has been issued for the child within such time frame.

Data Transmission

The bill requires the data to be transmitted in a secure electronic manner consistent with applicable federal and state law.

Informational Materials

The bill requires the informational materials to be in a suitable form and manner, as prescribed by the State Treasurer, for mail, including brochures, letters, inserts, or other printed material.

Information Publication, Printing, Production, and Distribution

The bill allows the State Treasurer to share information and materials with the Department of Administration Division of Printing for the printing, production, and distribution of such materials. The bill requires the State Treasurer to publicize the information on the State Treasurer's website and through financial literacy educational training.

Information Maintenance

The bill requires the State Treasurer to maintain information regarding the availability, purposes, and advantages of government-administered savings accounts.

Interagency Agreements

The bill authorizes the Secretary of Health and Environment (Secretary) and the State Treasurer to enter into interagency agreements to carry out the provisions of the Act. The bill allows such agreements to address procedures, confidentiality, data transfers, reimbursements of actual costs, and any other matters determined necessary by the Secretary and State Treasurer.

Confidentiality

The bill provides that, except as permitted by state or federal law and the purposes of the Act, nothing in the Act can be construed to authorize the disclosure of any confidential or protected records or information.

Child in Need of Care and Voluntary Acknowledgment of Paternity; SB 408

SB 408 amends the definition of "child in need of care" in the Revised Kansas Code for Care of Children (CINC Code) and amends the crime of endangering a child to allow a child to engage in age-appropriate independent activities; creates and amends law in the CINC Code concerning a process of referring military children to services provided by a military family advocacy program; and amends the Kansas Parentage Act concerning voluntary acknowledgment of paternity.

Definition of "Child in Need of Care"

The bill amends the definition of "child in need of care" to exclude a person less than 18 years old who is engaging in independent activities without adult supervision when a parent allows such child to engage in such activities if:

- Such independent activities are appropriate for the child's age, maturity, and mental abilities; and

- Such lack of supervision does not constitute such grossly negligent conduct that it would endanger the health and safety of the child.

The bill defines "independent activities" to include, but not be limited to, traveling to or from school or nearby locations on foot or bicycle, playing outdoors, remaining home for a reasonable amount of time, or remaining in a vehicle that is not dangerously hot or cold for a reasonable amount of time.

Crime of Endangering a Child

Under continuing law, the crime of endangering a child provides that a child is not endangered solely by the child's parent, in good faith, selecting and depending on spiritual means alone through prayer for the treatment or cure of a disease or remedial care of such child.

The bill amends the crime to add that a child is also not deemed endangered solely by the child's parent permitting or failing to prohibit such child from engaging in independent activity unless the parent knowingly or recklessly disregarded an obvious danger to the child given the child's age, maturity, and physical and mental abilities.

Technical Amendments

The bill updates references to subsections in the definition section of the CINC Code in various statutes contained in the Kansas Family Law Code and the CINC Code.

Military Family Advocacy Program

The bill amends law concerning the process of referring military children to services that a military family advocacy program (MFAP) offers when the Secretary for Children and Families (Secretary) makes an investigation to determine whether a child is in need of care.

The bill requires the Secretary to enter into a memorandum of understanding (MOU) with specified military organizations in Kansas for the purpose of referring cases involving children with a parent or legal guardian who is a military personnel to an MFAP for services.

Specified military organizations include:

- U.S. Army Garrison, Fort Riley;
- McConnell Air Force Base;
- U.S. Army Garrison, Fort Leavenworth, including Munson Army Health Center; and
- The Kansas National Guard.

The MOU is required to include:

- A method for identifying whether a child has a parent or legal guardian who is military personnel;
- The process for referring identified cases to the MFAP;
- A requirement that the Secretary notify the MFAP when the Secretary has referred a case to the county or district attorney for the purpose of filing a CINC petition; and
- Provisions that require compliance with confidentiality requirements in state and federal law.

The bill provides that none of its provisions would prevent the Secretary from taking action to protect the health and welfare of the child as necessary, including recommending to the county or district attorney that a CINC petition be filed.

The bill defines "military family advocacy program" to mean a program established by the U.S. Department of Defense and provided at a military installation to address child abuse and neglect in military families. [*Note:* the U.S. Department of Defense is now referred to as the U.S. Department of War in official communications, per Executive Order 14347, signed September 5, 2025.]

The bill also amends law concerning the Secretary's ability to make preliminary investigations into whether a child is in need of care to include, as part of such investigation, the military status of a parent or legal guardian of the child.

Voluntary Acknowledgment of Paternity

The bill adds to law concerning voluntary acknowledgment of paternity (VAP) that a father of a child born to an unmarried mother could complete a VAP that must include the consent of such mother and the written descriptions of the rights and responsibilities of acknowledging paternity as provided in continuing law.

The bill also provides that a VAP creates a permanent father and child relationship without the requirement of further adjudication.

Forms

The bill amends what is required to be included in the written descriptions of the rights and responsibilities on VAP forms to conform with the changes made by the bill.

Revocation

The bill amends law concerning the revocation of VAP to provide that a signed and witnessed VAP is considered a legal finding of paternity subject to the right of revocation with the earlier of:

- 60 days after signing; or
- Prior to the date of any administrative or judicial processing relating to the child to establish a support order.

Challenges to Voluntary Acknowledgment of Paternity

A person who was under 18 years of age when such person signed the VAP may challenge such VAP until the person turns 19. In this circumstance, if the child is more than one year old at the time of the challenge, the bill requires the court to consider the child's best interests before revoking a VAP.

After the deadlines described above have passed, the bill provides that a VAP could be challenged only on the basis of fraud, duress, or material mistake of fact. For the purposes of a challenge, genetic test results, with a verifiable chain of custody that excludes a signatory father or that rebuttably identifies another man as the father in accordance with continuing law, constitutes a change of circumstances that warrants a material mistake of fact finding by the court.

A person seeking to revoke a VAP on the basis of fraud, duress, or material mistake of fact is required to file such request in an appropriate district court as soon as practicable after the fraud, duress, or material mistake of fact becomes known to such person. The bill requires such person to have the burden of proving fraud, duress, or material mistake of fact, and the court is required to first consider the child's best interests before revoking a VAP.

Effect of Revocation on Child Support

If a court orders revocation of a VAP pursuant to the bill and the party seeking revocation has a child support obligation or has paid child support, any support paid prior to the entry of such order is not recoverable.

Actual Damages for Exceptional Circumstances

The bill allows the court to make a written finding that exceptional circumstances warrant the award of actual damages sustained by the party seeking revocation. In determining such actual damages, the bill allows the court to consider all of the facts and circumstances of the case including, but not limited to, the amount of support paid prior to the entry of such order.

Retroactivity

The VAP challenge and revocation provisions of the bill are to be construed and applied retroactively.

Kansas Tort Claims Act—Child Placement Agencies; HB 2521

HB 2521 modifies the definition of "governmental entity" in the Kansas Tort Claims Act to add a child placement agency, as defined by law, if the child placement agency had an active contract with the Secretary for Children and Families when the act or omission giving rise to the claim occurred.

[*Note:* The Tort Claims Act, codified at KSA 75-6101, *et seq*., generally applies to claims arising from acts or omissions by a governmental entity. The Act specifies the liability of a governmental entity, exceptions from liability, and procedures for claims and payment of claims.]

The bill limits application of the revised definition to a cause of action accruing on or after July 1, 2026, and the provision will sunset on July 1, 2029.

Foster Family Homes; HB 2524

HB 2524 amends law concerning the Department for Children and Family's (DCF) licensing of family foster home applicants and licensees.

The bill permits DCF to allow for the continuation of a license of a family foster home when:

- The applicant or licensee otherwise qualifies for such licensure; and
- A person who resides in such home:
    - Has been convicted or adjudicated of an offense as described in continuing law;
    - Was a child with such conviction or adjudication in custody and placed in such home by the Secretary for Children and Families (Secretary);
    - Is less than 26 years of age; and
    - Maintains residence in such home or has been legally adopted by a person who resides in such home.

The Secretary can grant a license or allow the continuation of a license if there are no safety concerns, as determined by the Secretary, and if a person residing in such home otherwise meets the above-listed requirements, but:

- Is older than 26 years of age; or

- Has an additional conviction or adjudication after release from the custody of the Secretary.

This bill allows an applicant or licensee of a family foster home to appeal to the Secretary for review if licensure has not been granted. If this arises, the Secretary's decision upon review of the appeal will be final.

Interstate Compact for the Placement of Children; HB 2557

HB 2557 enacts the Interstate Compact for the Placement of Children (ICPC or Compact) and repeals the current ICPC codified at KSA 38-1201 through KSA 38-1206.

Findings and Declarations

The bill makes the following findings and declarations:

- That finding suitable homes for children who have lost or never had homes requires the full attention and resources of the state of Kansas;

- That the needs of children and adults cannot be met by restricting child placement services and supervision to the state of Kansas;

- That would-be parents and children have a need for love, security, and fulfillment that can be met only when children in need of placement are matched with adults who can care for them; and

- A variety of circumstances makes interstate placements of children essential and offers compelling reasons for an interstate compact under which the jurisdictional, administrative, and human rights and obligations involved can be protected.

The bill declares that it shall be the policy of this state, in adopting the ICPC, to cooperate fully with other states in providing that no children shall be sent or brought into any other party state for placement in foster care or as a preliminary to a possible adoption unless the sending state complies with each and every requirement in this interstate compact.

Enactment of Compact

Article I, Purpose and Policy

The purpose of the Compact is to:

- Provide a process through which children subject to the Compact are placed in safe and suitable homes in a timely manner;

- Facilitate ongoing supervision of a placement, the delivery of services, and communication between the states;

- Provide operating procedures that ensure children are placed in safe and suitable homes in a timely manner;

- Provide for the promulgation and enforcement of administrative rules implementing the provisions of the Compact and regulating the covered activities of the member states;

- Provide for uniform data collection and information sharing between member states under the Compact;

- Promote coordination between the Compact, the Interstate Compact for Juveniles, the Interstate Compact on Adoption and Medical Assistance, and other compacts affecting the placement of and that provide services to children otherwise subject to the Compact;

- Provide for a state's continuing legal jurisdiction and responsibility for placement and care of a child that it would have had if the placement were intrastate; and

- Provide for the promulgation of guidelines, in collaboration with Indian tribes, for interstate cases involving Indian children as is or may be permitted by federal law.

Article II, Definitions

The Compact defines various terms used throughout the Compact, including:

- "Approved placement" means the public child placing agency (CPA) in the receiving state that has determined the placement is both safe and suitable for the child;

- "Placement" means the act by a public or private CPA intended to arrange for the care or custody of a child in another state;

- "Receiving state" means the state to where a child is sent, brought, or caused to be sent or brought; and

- "Sending state" means the state from where the placement of a child is initiated.

Article III, Applicability

When the Compact applies. The provisions of the Compact will apply to the interstate placement of a child:

- Subject to ongoing court jurisdiction in the sending state, due to allegations or findings that the child has been abused, neglected, or deprived as defined by the laws of the sending state, provided, however, that the placement of such a child into a residential facility shall only require notice of residential placement to the receiving state prior to placement;

- Adjudicated delinquent or unmanageable based on the laws of the sending state and subject to ongoing court jurisdiction of the sending state if:

    - The child is being placed in a residential facility in another member state and is not covered under another compact; or

    - The child is being placed in another member state and the determination of safety and suitability of the placement and services required is not provided through another compact; or

- By a public or private CPA as a preliminary step to a possible adoption.

When the Compact does not apply. The provisions of the Compact do not apply to the interstate placement of a child:

- In a custody proceeding when a public CPA is not a party, provided the placement is not intended to effectuate an adoption;

- With a non-relative in a receiving state by a parent with the legal authority to make such a placement provided, however, the placement is not intended to effectuate an adoption; or

- By one relative with the lawful authority to make such a placement directly with a relative in a receiving state.

The Compact also does not apply to the placement of a child:

- Into a residential facility by their parent;

- With a non-custodial parent, provided that:

    - The non-custodial parent proves to the satisfaction of a court in the sending state a substantial relationship with the child;

    - The court in the sending state makes a written finding that placement with the non-custodial parent is in the best interests of the child; and

    - The court in the sending state dismisses its jurisdiction in interstate placements when the public CPA is a party to the proceeding.

The Compact also does not apply to:

- A child entering the United States from a foreign country for the purpose of adoption or leaving the United States to go to a foreign country for the purpose of adoption in that country;

- Cases when a U.S. citizen child living overseas with their family, at least one of whom is in the U.S. Armed Services and who is stationed overseas, is removed and placed in a state; or

- The sending of a child by a public or private CPA for a visit as defined by the rules of the Interstate Commission for the Placement of Children (Commission).

Applicability to child with family in the armed services. For purposes of determining the applicability of the Compact to the placement of a child with a family in the armed services, the Compact will specify the public or private CPA may choose the state of the service member's permanent duty station or the service member's declared legal residence.

Concurrent application with other applicable interstate compacts. The Compact specifies nothing in the Compact shall be construed to prohibit the concurrent application of the provisions of the Compact with other applicable interstate compacts.

The Compact provides that the Commission may, in cooperation with other interstate compact commissions having responsibility for the interstate movement, placement, or transfer of children, promulgate like rules to ensure the coordination of services, timely placement of children, and the reduction of unnecessary or duplicative administrative or procedural requirements.

Article IV, Jurisdiction

Sending state retains jurisdiction. Except in the case of private and independent adoptions and in interstate placements when the public CPA is not a party to a custody proceeding, the Compact provides that the sending state shall retain jurisdiction over a child with respect to all matters of custody and disposition of the child that it would have had if the child had remained in the sending state. Such jurisdiction shall also include the power to order the return of the child to the sending state.

Conference between sending state court and receiving state court. When an issue of child protection or custody is brought before a court in the receiving state, the Compact requires the receiving state court to confer with the court of the sending state to determine the most appropriate forum for adjudication.

Testimony. The Compact provides, in cases that are before courts and subject to the Compact, the taking of testimony for hearings before any judicial officer may occur in person, telephone, audio-video conference, or other such means as approved by the rules of the Commission. The Compact further provides that judicial officers may communicate with other judicial officers and persons involved in the interstate process as may be permitted by their canons of judicial conduct and any rules promulgated by the Commission.

Termination of jurisdiction. The court in the sending state has authority to terminate its jurisdiction if:

- The child is reunified with the parent in the receiving state who is the subject of allegations or findings of abuse or neglect, only with the concurrence of the public CPA in the receiving state;
- The child is adopted;
- The child reaches the age of majority under the laws of the sending state;
- The child achieves legal independence pursuant to the laws of the sending state;
- A guardianship is created by a court in the receiving state with the concurrence of the court in the sending state;
- An Indian tribe has petitioned for and received jurisdiction from the court in the sending state; or
- The public CPA of the sending state requests termination and has obtained the concurrence of the public CPA in the receiving the state.

The bill requires the receiving state CPA to be notified when a sending state court terminates its jurisdiction.

Limitations on jurisdiction. The bill states nothing shall defeat a claim of jurisdiction by a receiving state court that is sufficient to deal with an act of truancy, delinquency, crime, or behavior involving the child in the receiving state that would be a violation of its laws.

The bill states nothing in its provisions could limit the receiving state's ability to take emergency jurisdiction for the protection of the child.

Adoptions. The substantive laws of the state where an adoption will be finalized will solely govern all issues relating to the adoption of the child, and the court where the adoption proceeding is filed will have subject matter jurisdiction regarding all substantive issues relating to the adoption, except when:

- The child is a ward of another court that established jurisdiction over the child prior to the placement;
- The child is in the legal custody of a public agency in the sending state; or
- When a court in the sending state has otherwise appropriately assumed jurisdiction over the child, prior to the submission of the request for approval of placement.

The Compact prohibits a final decree of adoption from being entered in any jurisdiction until the placement is authorized as an approved placement by the public CPA in the receiving state.

Article V, Placement Evaluation

Public CPA assessment. The Compact requires the public CPA to provide a written request for assessment to the receiving state prior to sending, bringing, or causing a child to be sent or brought (sending) into a receiving state.

Private CPA request for approval. For placements by a private CPA, the Compact provides that a child may be sent into a receiving state, upon receipt and immediate review of the required content in a request for approval of a placement in both the sending and receiving state public CPA. The Compact requires content to accompany a request for approval to include:

- A request for approval identifying the child, birth parent(s), the prospective adoptive parent(s), and the supervising agency, signed by the person requesting approval;
- The appropriate consents or relinquishments signed by the birth parents in accordance with the laws of the sending state or, where permitted, the laws of the state where the adoption will be finalized;
- Certification by a licensed attorney or authorized agent of a private adoption agency that the consent or relinquishment is in compliance with the applicable laws of the sending state or, where permitted, the laws of the state where finalization of the adoption will occur;
- A home study; and
- An acknowledgment of legal risk signed by the prospective adoptive parents.

Additional information. The Compact provides that the sending state and the receiving state may request additional information or documents prior to the finalization of an approved placement, but they cannot delay travel by the prospective adoptive parents with the child if the required content for approval has been submitted, received, and reviewed by the public CPA in both the sending state and the receiving state.

Approval from public CPA. The Compact requires approval from the public CPA in the receiving state for a provisional or approved placement as provided for in the rules of the Commission.

Procedure for assessment. The procedures for making the request for an assessment are required to contain all information and be in such form as provided for in the rules of the Commission.

Upon receipt of a request from the public CPA of the sending state, the receiving state is required to initiate an assessment of the proposed placement to determine its safety and

suitability. If the proposed placement is a placement with a relative, the public CPA of the sending state may request a determination for a provisional placement.

The public CPA in the receiving state can request from the public or private CPA in the sending state the supporting or additional information necessary to complete the assessment or approve the placement.

The public CPA in the receiving state will be required to approve a provisional placement and complete or arrange for the completion of the assessment within the timeframes established by the rules of the Commission.

For a placement by a private CPA, the Compact prohibits the sending state from imposing any additional requirements to complete the home study that are not required by the receiving state, unless the adoption is finalized in the sending state.

The Commission is authorized to develop uniform standards for the assessment of the safety and suitability of interstate placements.

Article VI, Placement Authority

Except as otherwise provided in the Compact, no child subject to the Compact can be placed into a receiving state until approval for such placement is obtained.

If the public CPA in the receiving state does not approve the proposed placement, the Compact prohibits the child from being placed. The receiving state is required to provide written documentation of any such determination in accordance with the rules promulgated by the Commission. Such determination will not be subject to judicial review in the sending state.

Administrative and judicial review. The Compact provides that if the proposed placement is not approved, any interested party will have standing to seek an administrative review of the receiving state's determination.

The administrative review and any further judicial review associated with the determination will be conducted in the receiving state pursuant to its applicable administrative procedures act.

If a determination not to approve the placement of the child in the receiving state is overturned upon review, the placement is deemed approved, provided that all administrative or judicial remedies have been exhausted or the time for such remedies has passed.

Article VII, Placing Agency Responsibility

The bill outlines the responsibilities for the interstate placement of a child made by a public CPA or state court:

- The public CPA in the sending state has financial responsibility for:
    - The ongoing support and maintenance for the child during the period of the placement, unless otherwise provided for in the receiving state; and

  - As determined by the public CPA in the sending state, services for the child beyond the public services that the child is eligible for in the receiving state; and

- The receiving state has financial responsibility only for:
  - Any assessment conducted by the receiving state; and
  - Supervision conducted by the receiving state at the level necessary to support the placement as agreed upon by the public CPAs of the receiving and sending state.

Nothing in the Compact can prohibit public CPAs in the sending state from entering into agreements with licensed agencies or persons in the receiving state to conduct assessments and provide supervision.

The bill also outlines responsibilities for the placement of a child by a private CPA preliminary to a possible adoption, stating the private CPA is required to be:

- Legally responsible for the child during the period of placement as provided for in the law of the sending state until the finalization of the adoption; and

- Financially responsible for the child absent a contractual agreement to the contrary.

The public CPA in the receiving state is required to provide timely assessments, as provided for in the rules of the Commission, and provide for the supervision and services for the child, including timely reports, during the period of the placement.

Nothing in the Compact can be construed as to limit the authority of the public CPA in the receiving state from contracting with a licensed agency or person in the receiving state for an assessment or the provision of supervision or services for the child or otherwise authorizing the provision of supervision or services by a licensed agency during the period of placement.

Advisory council. Each member state is required to provide for coordination among its branches of government concerning the state's participation in, and compliance with, the Compact and Commission activities, through the creation of an advisory council or use of an existing body or board.

Central Compact office. Each member state is required to establish a central state compact office that will be responsible for state compliance with the Compact and the rules of the Commission.

Compliance with Indian Child Welfare Act. The public CPA in the sending state is required to oversee compliance with the provisions of the Indian Child Welfare Act, 25 USC 1901 *et seq*., for placements subject to the provisions of the Compact, prior to placement.

Limited agreements between states. With the consent of the Commission, states will have authority to enter into limited agreements that facilitate the timely assessment and provision of services and supervision of placements under the Compact.

Article VIII, Commission for the Placement of Children

Establishment. The member states of the Compact will establish the Commission, which will be a joint commission of the member states and have the responsibilities, powers, and duties set forth in the Compact, and such additional powers as may be conferred upon it by subsequent concurrent action of the respective legislatures of the member states.

Members. The Commission consists of one commissioner from each member state, appointed by the executive head of the state human services administration with the ultimate responsibility for the child welfare program. The appointed commissioner has the legal authority to vote on policy-related matters governed by the Compact binding the state.

Voting. Each member state represented at a meeting of the Commission is entitled to one vote. A majority of the member states will constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Commission. A representative cannot delegate a vote to another member state, but a representative can delegate voting authority to another person from their state for a specified meeting. In addition to the commissioners of each member state, the Commission is required to include persons who are members of interested organizations as defined in the bylaws or rules of the Commission. Such members are ex officio and not entitled to vote on any matter before the Commission.

Executive committee. The Commission is also required to establish an executive committee that has the authority to administer the day-to-day operations and administration of the Commission, but it will not have the power to engage in rulemaking.

Article IX, Powers and Duties of the Commission

The Commission has the power to:

- Promulgate rules and take all necessary actions to effect the goals, purposes, and obligations as enumerated in this compact;
- Provide for dispute resolution among member states;
- Issue, upon request of a member state, advisory opinions concerning the meaning or interpretation of the Compact, its bylaws, rules, or actions;
- Enforce compliance with the Compact or the bylaws or rules of the Commission;
- Collect standardized data concerning the interstate placement of children subject to the Compact as directed through its rules that must specify the data to be collected, the means of collection, and data exchange and reporting requirements;
- Establish and maintain offices as may be necessary for the transacting of its business;
- Purchase and maintain insurance and bonds;

- Hire or contract for services of personnel or consultants as necessary to carry out its functions under the Compact and establish personnel qualification policies and rates of compensation;

- Establish and appoint committees and officers, including, but not limited to, an executive committee;

- Accept any and all donations and grants of money, equipment, supplies, materials, and services and to receive, utilize, and dispose thereof;

- Lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve, or use any property, real, personal, or mixed;

- Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;

- Establish a budget and make expenditures;

- Adopt a seal and bylaws governing the management and operation of the Commission;

- Report annually to the legislatures, governors, the judiciary, and state advisory councils of the member states concerning the activities of the Commission during the preceding year. The Compact requires such reports to include any recommendations that may have been adopted by the Commission;

- Coordinate and provide education, training, and public awareness regarding the interstate movement of children for officials involved in such activity;

- Maintain books and records in accordance with the bylaws of the Commission; and

- Perform such functions as may be necessary or appropriate to achieve the purposes of the Compact.

Article X, Organization and Operation of the Commission

Bylaws. Within 12 months after the first Commission meeting, the Commission is required to adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the Compact. The Compact will require its bylaws and rules to establish procedures on making Commission information and official records available to the public.

Meetings. The Compact outlines meeting requirements of the Commission, including, but not limited to, meeting once per calendar year. The Compact provides that meetings that are likely to disclose protected information can be closed by a 2/3 vote. The bylaws can provide for meetings to be conducted by telecommunication or other electronic communication.

Officers and staff. The Compact describes the officers and staff to be selected or appointed by the Commission's executive committee.

Qualified immunity, defense, and indemnification. The Commission's staff director and its employees are immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to an actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities. The Compact prohibits protection for a person from suit or liability for damage, loss, injury, or liability caused by a criminal act or the intentional or willful and wanton misconduct of such person.

The Commission is required to defend the staff director and employees and, subject to the approval of the Attorney General or other appropriate legal counsel of the member state, to defend the commissioner of a member state in a civil action seeking to impose liability arising out of an actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.

To the extent not covered by the state involved, member state, or the Commission, the representatives or employees of the Commission will be held harmless in the amount of a settlement or judgment, including attorney fees and costs, obtained against such persons arising out of an actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties or responsibilities. The actual or alleged act, error or omission cannot have resulted from intentional or willful and wanton misconduct on the part of such persons.

Article XI, Rulemaking Functions of the Commission

Principles of rulemaking. The Commission is required to promulgate and publish rules in order to effectively and efficiently achieve the purposes of the Compact. Such rulemaking must conform to administrative procedure acts the Commission deems consistent with due process requirements under the *U.S. Constitution*.

When promulgating a rule, the Commission is required, at a minimum, to:

- Publish the entire text of the proposed rule, stating the reason or reasons for that proposed rule;
- Allow and invite any and all persons to submit written data, facts, opinions, and arguments, and such information shall be added to the record and be made publicly available; and
- Promulgate a final rule and its effective date, if appropriate, based on input from state or local officials, or interested parties.

Rules binding as administrative rules. Rules promulgated by the Commission will have the force and effect of administrative rules and will be binding in the compacting states.

Judicial review. No later than 60 days after a rule is promulgated, an interested person can file a petition in the U.S. District Court for the District of Columbia or in the federal district court where the Commission's principal office is located for judicial review of such rule. If the court finds that the Commission's action is not supported by substantial evidence in the rulemaking record, the court must hold the rule unlawful and set it aside.

Rejection. If a majority of the legislatures of the member states rejects a rule, those states may, by enactment of a statute or resolution in the same manner used to adopt the Compact, cause such rule to have no further force and effect in any member state.

Effect on existing rules. The existing rules governing the operation of the ICPC superseded by the Compact will be null and void no less than 12, but not more than 24, months after the first meeting of the Commission, as determined by the members during the first meeting.

First rules of the Commission. Within the first 12 months of operation, the Commission is required to promulgate rules addressing the following:

- Transition rules;
- Forms and procedures;
- Timelines;
- Data collection and reporting;
- Rulemaking;
- Visitation;
- Progress reports and supervision;
- Sharing of information and confidentiality;
- Financing of the Commission;
- Mediation, arbitration, and dispute resolution;
- Education, training, and technical assistance;
- Enforcement; and
- Coordination with other interstate compacts.

Emergency rules. Upon determination by a majority of the members of the Commission that an emergency exists, the Commission can promulgate an emergency rule only if it is required to:

- Protect the children covered by the Compact from an imminent threat to their health, safety, and well-being;

- Prevent loss of federal or state funds; or

- Meet a deadline for the promulgation of an administrative rule required by federal law.

An emergency rule is effective immediately upon adoption, provided that the usual rulemaking procedures are retroactively applied to such rule as soon as reasonably possible, but no later than 90 days after the effective date of the emergency rule.

The Compact requires an emergency rule to be promulgated as provided for in the rules of the Commission.

Article XII, Oversight, Dispute Resolution, and Enforcement

Oversight. The Commission is required to oversee the administration and operation of the Compact, while the executive, legislative, and judicial branches of state government in each member state are required to enforce the Compact and the rules of the Commission.

The Compact requires all courts to take judicial notice of the Compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of the Compact.

The Commission is entitled to receive service of process in any action when the validity of a Compact provision or rule is the issue for which a judicial determination has been sought and has standing to intervene in any proceedings. Failure to provide service of process to the Commission will render any judgment, order, or other determination void as to the Commission, the Compact, its bylaws, or rules of the Commission.

Dispute resolution. The Commission is required to attempt, upon the request of a member state, to resolve disputes that are subject to the Compact and may arise among member states and between member and nonmember states.

The Commission is required to promulgate a rule providing for both mediation and binding dispute resolution for disputes among compacting states. The costs of such mediation or dispute resolution are the responsibility of the parties to the dispute.

Enforcement. If the Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under the Compact, its bylaws or rules, the Commission has the authority to:

- Provide remedial training and specific technical assistance;
- Provide written notice to the defaulting state and other member states of the nature of the default and the means of curing the default;
- Initiate, by majority vote of the members, against a defaulting member state legal action to enforce compliance with the provisions of the Compact, its bylaws, or rules; or
- Avail itself of any other remedies available under state law or the regulation of official or professional conduct.

Article XIII, Financing of the Commission

The Commission is required to pay for the reasonable expenses of its establishment, organization, and ongoing activities.

The Commission is authorized to levy on and collect an annual assessment from each member state to cover the cost of the operations and activities of the Commission and its staff in a total amount sufficient to cover the Commission's annual budget as approved by its members each year.

The Compact requires annual audits of all receipts and disbursements of funds handled by the Commission by a certified or licensed public accountant.

Article XIV, Member States, Effective Date, and Amendment.

Member states. The Compact provides that any state is eligible to become a member state, and the Compact will be effective and binding upon legislative enactment of the compact into law by not less than 35 states.

Effective date. The effective date will be upon enactment of the compact into law by the 35th state. Thereafter it will be effective and binding as to any other member state upon enactment of the compact into law by that state.

Amendments. The Commission is authorized to propose amendments to the compact for enactment by the member states. No amendment will be effective and binding on the member states unless and until it is enacted into law by unanimous consent of the member states.

Article XV, Withdrawal and Dissolution

Withdrawal. Once effective, the Compact will continue in force and remain binding upon each and every member state. A member state can withdraw from the Compact specifically repealing the statute that enacted the Compact into law. Reinstatement following withdrawal of a member state can occur upon the withdrawing state reenacting the Compact or upon such later date as determined by the members of the Commission.

Dissolution of Compact. The Compact will dissolve effective upon the date of the withdrawal or default of the member state that reduces the membership in the Compact to one member state. Upon the dissolution of the Compact, the Compact will be null and void and will be of no further force or effect, and the Compact requires the business and affairs of the Commission to be concluded and surplus funds to be distributed in accordance with the bylaws.

Article XVI, Severability and Construction

The provisions of the Compact are severable, and if any phrase, clause, sentence, or provision is deemed unenforceable, the remaining provisions of the Compact will be enforceable. The Compact requires its provisions to be liberally construed to effectuate its purposes. Nothing in the Compact can be construed to prohibit the concurrent applicability of other interstate compacts to which the states are members.

Article XVII, Binding Effect of Compact and Other Laws

Nothing in the Compact can prevent the enforcement of any other law of a member state that is consistent with the Compact. All lawful actions of the Commission, including all rules and bylaws promulgated by the Commission, will be binding upon the member states, and all agreements between the Commission and the member states will be binding in accordance with their terms. In the event any provision of the Compact exceeds the constitutional limits imposed on the legislature of any member state, such provision will be ineffective.

Article XVIII, Indian Tribes

Notwithstanding any other provision in the Compact, the Compact authorizes the Commission to promulgate guidelines to permit Indian tribes to utilize the Compact to achieve any or all of the purposes of the Compact. The Commission is required to make reasonable efforts to consult with Indian tribes in promulgating guidelines to reflect the diverse circumstances of the various Indian tribes.

Compact Administrator

Authorization. The Compact authorizes the Governor to designate a Compact Administrator, who serves at the pleasure of the Governor. The Compact Administrator is required to adopt rules and regulations to effectively carry out terms of the Compact and is directed to cooperate with all agencies and officers of state government in facilitating the proper administration of the Compact or of any supplementary agreement or agreements entered into by the state pursuant to the Compact.

Supplementary agreements. The Compact Administrator is authorized and empowered to enter into supplementary agreements with appropriate officials of other states pursuant to the Compact. In the event that a supplementary agreement requires or contemplates the use of any institution or facility of this state or requires or contemplates the provision of any service by this state, the supplementary agreement has no force or effect until approved by the head of the department or agency under whose jurisdiction the institution or facility is operated or whose department or agency will be charged with the rendering of the service.

Financial arrangements. The Compact Administrator, subject to the approval of the State Director of Accounts and Reports, is authorized to make or arrange for any payments necessary to discharge any financial obligations imposed upon the State by the Compact or by any supplementary agreement entered into pursuant to the Compact.

Enforcement; penalty for failure to comply with provisions of Compact. The courts, departments, agencies, and officers of the State and its subdivisions are required to enforce this Compact and do all things appropriate to effectuate the Compact's purposes and intent that may be within their respective jurisdictions. Failure to comply with the provisions of the Compact by any professional providing services related to the placement of children will be a class C misdemeanor. As used in this section, "professional" means any person who receives payment or compensation for providing services related to the placement of children for adoption.

Child Abuse and Neglect Registry; Reporting of Known Custody Disputes in Child Abuse and Neglect Reports; HB 2601

HB 2601 establishes a Child Abuse and Neglect Registry (Registry) maintained by the Secretary for Children and Families (Secretary) and requires administrative hearings, including the opportunity for appeal, before placing an individual on the Registry. The bill also limits use of information on the Registry and permits the Secretary to maintain other registries or records to meet federal requirements.

The bill also amends law concerning reporting of child abuse and neglect in the Revised Kansas Code for the Care of Children (CINC Code) to require such reports include information about any known custody dispute involving the child subject to the report and requires certain reporting information be submitted to specified legislative committees each year.

Child Abuse and Neglect Registry

Except as otherwise provided by the bill, the Secretary may not place an individual who has been alleged to have abused or neglected a child on the Registry without providing notice and an opportunity for a hearing, including any subsequent appeals.

If the Secretary investigates and determines that a report of child abuse or neglect is substantiated, the individual is placed on the Registry only after proper notice and an opportunity for a hearing in accordance with the Kansas Administrative Procedure Act.

The bill requires that the presiding officer of a proceeding initiated under the bill not be the Secretary or a person designated by the Secretary.

The bill allows an individual to waive the right to a hearing and not contest placement on the Registry. The waiver may not be presented as evidence or admission of guilt in other administrative or judicial proceedings.

The bill requires such individual be given access to the records from Department for Children and Families (DCF) pertaining to the report of the alleged instance of abuse or neglect prior to any hearing or waiver of the right to a hearing.

The bill allows the individual who is the subject of the proceeding to be represented by counsel, including counsel appointed by a district court in a child in need of care or criminal proceeding related to the report of child abuse or neglect.

The bill requires the presiding officer to enter an order containing findings of fact and whether the evidence supports the Secretary's determination that a report of child abuse or neglect is substantiated. If the presiding officer finds by clear and convincing evidence that the report of child abuse or neglect is substantiated, the bill requires the Secretary to place the individual on the Registry. The bill requires the presiding officer to otherwise direct the Secretary to not place the individual on the Registry. The bill requires the presiding officer to provide a copy of such order to the individual with information regarding how to appeal such order.

If a county or district attorney files a petition alleging an individual has committed a crime against a child, including abuse and neglect, the attorney is required to transmit the information regarding the petition to the Secretary so the individual may be placed on the Registry.

If an individual is convicted of a crime against a child or has been found to have abused or neglected a child, the Secretary is required to place the individual on the Registry per order of the court.

Appeal and Expungement

The bill allows an individual ordered to be placed on the Registry to appeal such decision to the district court within 30 days after the order was entered.

The bill allows the Secretary to expunge the name of an individual ordered to be placed on the Registry from the Registry when:

- The individual has requested expungement in a form and manner prescribed by the Secretary;
- Three years have lapsed since the order was entered;
- The Secretary has considered the following in granting such expungement:
    - The nature and severity of the abuse or neglect case against the applicant;
    - The number of any other substantiated reports of abuse or neglect involving the applicant;
    - Circumstances that no longer contribute to the finding;
    - Whether the applicant was a juvenile at the time of the finding; and
    - Actions taken by the applicant to prevent the re-occurrence of abuse or neglect.

The bill requires the Secretary to provide notice to the individual indicating whether a request for expungement was granted or denied, accompanied by information on how to appeal such decision. The individual may appeal a denial of expungement within 30 days of receiving such notice.

The bill requires that after an individual has been on the Registry for 20 years, the Secretary review and may expunge such individual.

Rules and Regulations

The bill requires that after July 1, 2027, any existing rules and regulations adopted by the Secretary concerning any child abuse or neglect registry be null, void, and unenforceable. The bill requires the Secretary to adopt new rules and regulations pursuant to the processes provided by the bill.

References to Registry in Other Laws

The bill amends several laws that reference the existing child abuse and neglect registry to replace such references with the Registry created by the bill.

Reporting of Child Abuse and Neglect

The bill amends law concerning the reporting of child abuse and neglect in the CINC Code to add to the list of information to be included in such reports, if known, any custody dispute involving the child who is the subject of the report. If there is a known dispute, the bill requires any information regarding such dispute be included in the report.

The bill also requires on or before January 11, 2027, and the first day of the regular Legislative Session each year thereafter, the Secretary to submit a report to the House Committee on Child Welfare and Foster Care, the Senate Committee on Judiciary, and the Joint Committee on Child Welfare System Oversight. The report is required to include the number of reports of abuse or neglect made to and received by the Secretary that include a known custody dispute and whether such report:

- Was anonymously reported;
- Has been assigned for investigation;
- Leads to a family needs assessment;
- Resulted in an unsubstantiated or substantiated report; or
- Leads to an out-of-home-placement.

Public Nuisance Claims; Negligence Actions Prohibited for Persons Engaged in Wrongful Conduct; SB 462

SB 462 prohibits certain public nuisance claims and requires special injury for certain public nuisance actions. The bill also prohibits persons who engaged or participated, or attempted to engage or participate, in wrongful conduct from bringing an action for negligence, or collecting damages for negligent conduct, related to such wrongful conduct.

Public Nuisance Claims

The bill prohibits the following actions or conditions from being considered a public nuisance or to form the basis of a public nuisance cause of action, notwithstanding any existing law to the contrary:

- The design, manufacturing, distributing, selling, labeling, or marketing of a product sold in commerce unless such product is an illegal product, but nothing could preclude these types of claims or causes of action based on other theories of tort liability;

- An action or condition that is authorized, approved, licensed, or mandated by law unless such action or condition is alleged to have resulted from negligent conduct; or

- The aggregation of individual injuries or private rights, including, but not limited to, private nuisances.

Public Nuisance Claim Brought by a Political Subdivision

The bill allows a political subdivision to bring a public nuisance claim if the alleged public nuisance is wholly contained within the jurisdiction of such political subdivision.

Public Nuisance Claim Brought by the Attorney General

If the alleged public nuisance is not wholly contained within a political subdivision, the bill authorizes the Attorney General as the only governmental official or agency that may file a claim regarding such public nuisance, unless the Attorney General delegates authorization, in writing, to one or more political subdivisions to file a public nuisance claim.

Public Nuisance Claim Brought by a Private Person

The bill requires a private person to have sustained a special injury to bring a public nuisance claim. A “special injury” would be defined as one that is different in kind, not just degree, from an injury sustained by the general public exercising the same public right. The bill would prohibit a private person from bringing a class action for a public nuisance claim.

Severability

The provisions of the bill are severable; if any provision of the bill, or its application to any person or circumstance, is found to be unconstitutional or invalid, the rest of the bill continues to stand and is enforceable as long as it can be enforced without the unconstitutional or invalid provisions.

Application

The bill's provisions apply to all claims pending or filed on or after July 1, 2026.

Negligence Actions—Wrongful Conduct

The bill prohibits persons who engaged or participated, or attempted to engage or participate, in wrongful conduct from bringing an action for negligence, or collecting damages for negligent conduct, related to such wrongful conduct.

For purposes of the bill, "wrongful conduct":

- Means any violation of:
    - Federal law that constitutes a crime, regardless of whether such violation results in an arrest, citation, indictment, or conviction; or
    - State law, an ordinance, or resolution adopted by a political subdivision of the state that constitutes a felony or a class A or B misdemeanor, regardless of whether such violation results in an arrest, citation, indictment, or conviction; and
- Does not include conduct that constitutes trespass if:
    - The person committing such conduct is under 18 years of age;
    - The attractive nuisance doctrine applies to such conduct; and
    - Such person did not have the intent to commit any other violation described above.

The bill places the burden of proof on the defendant, to prove by a preponderance of the evidence, that a person was engaging or participating, or attempting to engage or participate, in wrongful conduct.

Reviving Repealed Statutes Related to Estates of Absentees; Non-resident Fiduciaries; SB 480

SB 480 revives certain repealed statutes related to estates of absentees and amends law concerning non-resident fiduciaries to require any agents of such fiduciaries to be residents of the state.

The bill revives the following statutes of the Probate Code that were previously repealed:

- KSA 59-2701, regarding jurisdiction and defining "absentee";
- KSA 59-2702, regarding appointment of trustees for absentees;
- KSA 59-2703, regarding powers and duties of such trustees;
- KSA 59-2704, regarding presumption of death of absentees;
- KSA 59-2705, regarding termination of trust estate of absentees;
- KSA 59-2707, the Act supplemental; and
- KSA 59-2708, regarding presumptive death of absentees in cases of catastrophic events.

The bill also amends these statutes to make technical changes and to reflect that KSA 59-2706 remains repealed. Revived KSA 59-2708 includes rule and regulation authority of the Secretary of Health and Environment to implement KSA 59-2704 and 59-2705.

The bill also amends law concerning non-resident fiduciary agents appointed pursuant to the Probate Code. Every non-resident appointed as a fiduciary in Kansas, before entering upon the duties of the trust, must appoint in writing an agent residing in Kansas, changed from residing in the county where the appointment is made.

Nuisance Immunity for Certain Racetracks; HB 2416

HB 2416 provides immunity from liability in any civil action based on nuisance, taking, or similar legal theories for a racing facility or racetrack (racetrack) if the racetrack was located and established before the owner of surrounding property acquired or constructed buildings used for residential or commercial purposes on the property. The name given to the provisions of the bill is the Kansas Motorsports Venue Protection Act.

The immunity does not apply to:

- A civil action alleging a material violation of applicable state or local laws or a condition prohibited by a valid permit governing the racetrack; or

- A civil action brought by an owner of surrounding property against a racetrack that has not conducted a competitive race during the four years immediately preceding the date when the owner of the surrounding property purchased or otherwise acquired that real property.

The bill states the provisions shall not be construed to affect any civil action unrelated to nuisance, taking, or similar legal theories, or to limit the enforcement authority of the State or any political subdivision for violations unrelated to nuisance, taking, or similar legal theories.

The bill includes a severability provision.

The bill defines "racetrack" as a designated area or facility where competitive races are conducted, including the track, spectator areas, garages, and associated grounds or buildings. The bill defines a "surrounding property owner" as a natural person or entity owning real property within a five-mile radius of the racetrack.

Cognitive Impairment Training; HB 2536

HB 2536 prohibits a court from appointing a person as a guardian for an adult diagnosed with Alzheimer's disease, dementia, or a similar neurological condition until the person to be appointed files an affidavit with the court verifying completion of an approved training program. The bill authorizes the court to waive the training if it is in the best interest of the adult diagnosed with the condition, and any such waiver will be entered into the record of proceedings.

Training Program

The Secretary for Aging and Disability Services (Secretary) is required to approve training programs for proposed guardians of adults who have cognitive impairment or are diagnosed with Alzheimer's disease, dementia, or a similar neurological condition.

The training provides specific guidance for proposed guardians, including:

- Common aspects of normal aging;
- Warning signs of Alzheimer's disease and dementia;
- Effective strategies for communicating with such adults; and
- Effective strategies and resources available for supporting such adults in exercising their rights.

Program approval applications are filed with the Secretary in a manner the Secretary directs. The bill authorizes the Secretary to suspend or revoke approval if the Secretary finds a program is not in compliance with the established criteria pursuant to the bill or rules and regulations adopted pursuant to the bill.

The Secretary is required to adopt rules and regulations to administer the provisions of the bill. The bill is part of and supplemental to the Kansas Uniform Guardianship, Conservatorship and Other Protective Arrangements Act.

Kansas Community Property Trust Act; HB 2590

HB 2590 creates the Kansas Community Property Trust Act (Act) and amends the Kansas Uniform Trust Code (Trust Code).

Definitions

The bill defines terms, including:

- "Community property" means property owned by a community property trust during the marriage of the settlor spouses;

- "Community property trust" means an express trust that complies with the requirements of the bill; and

- "Qualified trustee" means a natural person who is a resident of Kansas or a company authorized to act as a fiduciary in Kansas.

Kansas Community Property Trusts

The bill states that an arrangement is a Kansas community property trust (community trust) if one or both spouses transfer property to a trust that:

- Expressly declares the trust is a community trust;

- Has at least one qualified trustee whose powers include maintaining records for the trust and preparing for the preparation of any income tax returns that must be filed by the trust. Both spouses or either spouse may be a trustee;

- Is signed by both spouses; and

- Contains specific disclaimer text about the consequences of the trust, as noted in the bill.

The bill states that a community trust is enforceable without consideration. All property owned by a community trust is community property during marriage. When property is distributed from a community trust, the property no longer constitutes community property.

The right to manage and control property transferred to a community trust is determined by the terms of the trust.

Establishing and Amending a Community Trust

The agreement establishing the community trust allows spouses to agree on:

- Rights and obligations in the property transferred to the trust regardless of where the property is acquired or located;

- Management and control of the property transferred to the trust;

- Disposition of the property transferred to the trust upon dissolution, death, or the occurrence or non-occurrence of another event;

- Choice of law governing the trust's interpretation; and

- Any other matter affecting property transferred to the trust and does not violate public policy or a statute imposing a criminal penalty.

A community trust cannot be amended or revoked unless the community trust agreement provides for amendment or revocation. Regardless of the agreement, the bill allows either spouse to amend a community trust regarding the disposition of the spouse's one-half

share of the community trust if the spouse dies. A community trust may not adversely affect the right of a child to support.

Obligations

An obligation incurred by only one spouse before or during marriage may be satisfied from the spouse's one-half share of a community trust. An obligation incurred by both spouses may be satisfied by the community trust.

Domicile and Property Laws

For purposes of the Internal Revenue Code of 1986, the bill states a community trust is considered a trust established under the community property laws of Kansas. Regardless of a spouse's state domicile, a spouse may transmute any or all of their property to community property by transferring the property to a community trust.

Community property, as classified by a non-Kansas jurisdiction, transferred to a community trust retains its character as community property while in the community trust. If the community trust is revoked, property transferred upon revocation of the community trust as classified by the non-Kansas jurisdiction retains its character as community property to the extent otherwise provided by Kansas law.

Death and Dissolution

Upon the death of a spouse, the bill provides that one-half of the aggregate value of the community trust property would reflect the surviving spouse's share and not be subject to testamentary disposition by the decedent spouse or distribution under Kansas succession laws. The other one-half share is subject to testamentary disposition or distribution under Kansas succession laws.

Unless otherwise provided in the community trust agreement, the trustee has the power to distribute the community trust assets to adjust resulting differences in valuation. A distribution in kind may be made on the basis of a non-*pro rata* division of the community trust's aggregate value of the trust assets, on the basis of each individual asset in the community trust, or by using both distribution bases. The decedent's spouse's one-half share is not included in the elective estate.

Marriage Dissolution

Upon the dissolution of marriage of the spouses, the bill provides for the community trust to terminate and the trustee must distribute one-half of the trust assets to each spouse. The bill does not allow the community trust to automatically terminate upon the initiation of an action to terminate a marriage, unless the spouses have a signed agreement in writing or otherwise ordered by the court having jurisdiction over the dissolution proceedings between the spouses.

If a marriage dissolution action remains pending for 180 days, the trust would automatically terminate, and the trustee would be required to distribute one-half of the community trust assets to each spouse, unless any of the following apply:

- A spouse objects to the termination within 180 days following the filing of the dissolution action, at which time either party could request the court determine whether good cause exists to terminate the community trust during the pendency of the dissolution of marriage action;

- The court over the dissolution proceedings enters an order directing otherwise;

- The spouses agree in writing while the dissolution of marriage action is pending; or

- The community trust agreement provides otherwise.

Unless the community trust agreement provides otherwise, the trustee has the power to distribute trust assets in divided or undivided interests and adjust resulting differences in valuation. A distribution in kind maybe made on the basis of a non-*pro rata* division of the aggregate value of the trust assets, on the basis of a *pro rata* division of each individual asset, or by using both distribution bases.

A trustee may not distribute real property or business interests in a manner that would leave the spouses as co-owners of such assets after the dissolution of the marriage or the termination of the community trust, unless otherwise agreed to by the spouses in a separate written agreement executed during the marriage dissolution action.

The community trust agreement may not be terminated and the assets distributed in a manner that could cause the trust assets to not be treated as community property.

The court over the dissolution proceedings has personal and subject matter jurisdiction over the spouses and the trustee of the community trust for the purpose of effectuating the distribution of the community trust assets consistent with the terms of the community trust agreement and in a manner ensuring the community trust assets retain their community property character.

Enforceability

A community trust executed during marriage is not enforceable if the spouse against whom enforcement is sought proves that:

- The trust was unconscionable, as determined by a court, when made;

- The spouse against whom enforcement is sought did not execute the community trust agreement voluntarily;

- The community trust agreement was the product of fraud, duress, coercion, or overreaching; or

- Before executing the community trust agreement, the spouse against whom enforcement is sought:

- Was not given a fair and reasonable disclosure of the other spouse's property and financial obligations;
- Did not voluntarily sign a written waiver expressly waiving right to disclosure of the property and financial obligations of the other spouse beyond the provided disclosure; or
- Did not have notice of the property or financial obligations of the other spouse.

A community trust cannot be deemed unenforceable solely on the fact the spouses did not have separate legal representation when executing the community trust agreement.

Designated Representative

The bill defines and adds to the Trust Code a "designated representative" as a person who has delivered to the trustee the person's written acceptance of the office of designated representative or has agreed to serve as such through at least one of the manners provided in the bill. The designated representative may be appointed for representing a beneficiary and would be presumed to be a fiduciary.

Freedom of Disposition

The bill gives maximum effect to the principle of freedom of disposition and to the enforceability of governing instruments.

The bill allows the agreement to expand, restrict, eliminate, or vary any laws of general application to fiduciaries, trusts, and trust administration. It does not allow the agreement to permit exculpation or indemnification of a fiduciary for the fiduciary's own willful misconduct or preclude a court of jurisdiction from removing a fiduciary due to the fiduciary's willful misconduct.

Additionally, the bill allows the agreement to expand, restrict, eliminate, or otherwise vary the right of a beneficiary to be informed of the beneficiary's interest in a trust for a period of time. During the restriction or elimination of a beneficiary's right to be informed of their interest in the trust, any designated beneficiary is required to represent and bind such beneficiary for purposes of any judicial proceeds or any nonjudicial matter. If a corporate trustee is serving for any governing instruments, the corporate trustee must maintain a Kansas presence.

The bill adds provisions regarding freedom of disposition to the Trust Code.

Taxes and Distributions

The bill amends the Trust Code by not considering amount paid by a trustee's discretionary authority as a distributed benefit.

Keeping Beneficiaries Informed

The bill amends the Trust Code's provision related to keeping qualified trust beneficiaries reasonably informed about the administration of the trust. The bill provides an exception to allow the community trust agreement to instruct otherwise.

Trustee Powers

The bill amends the Trust Code's list of powers a trustee could exercise by permitting a trustee to exercise discretionary power to reimburse a settlor under current federal tax laws, except as otherwise provided under the terms of the trust.

Supported Decision-making Agreements Act; SB 84

SB 84 creates the Supported Decision-making Agreements Act (Act) allowing adults, or "principals," to enter into supported decision-making agreements to receive decision-making assistance with the adult's affairs from one or more other adults, or "supporters."

Principals

The bill defines a "principal" as an adult who enters into a supported decision-making agreement under the Act to receive decision-making assistance.

Supporters

A "supporter" is defined by the bill as an adult who enters into a supported decision-making agreement and provides decision-making assistance.

A supporter may not be a person against whom a protective order or restraining order has been entered by a court at the request of or on behalf of the principal.

A supporter is required to:

- Act as a fiduciary to the principal in accordance with the agreement; and
- Keep information collected on behalf of the principal:
    - Confidential;
    - Protected from unauthorized access, use, or disclosure; and
    - Only for the use authorized by the principal.

A supporter may provide the principal with assistance:

- Making decisions, communicating decisions, and understanding information about, options for, the responsibilities of, and consequences of decisions;
- Accessing, obtaining, and understanding information relevant to decisions necessary for managing the principal's affairs:
    - This includes medical, psychological, financial, educational, treatment, and other records; and
    - A supporter may also use dated consent to assist the principal in obtaining protected health information or educational records;

- Ascertaining the wishes and decisions of the principal, assisting in communicating those wishes and decisions to others, and advocating to ensure implementation of the principal's wishes and decisions; and

- Accompanying the principal and participating in discussions with other persons when the principal is making decisions or attempting to obtain information for such decisions.

The bill defines accessing or obtaining financial information; the definition does not include access to online banking accounts.

A supporter is prohibited from:

- Exerting undue influence on the principal;

- Making decisions for or on behalf of the principal;

- Signing for the principal or providing the electronic signature of the principal to a third party;

- Obtaining information not reasonably related to the matters the supporter is authorized to assist the principal with under the agreement, without the consent of the principal; or

- Using information acquired for a purpose authorized under the agreement for a purpose other than assisting the principal with a decision authorized by the agreement, without the consent of the principal.

A supporter acting in good faith and in accordance with the Act is not liable to the principal or a third party for injuries, damages, or other losses arising from a decision made by a principal in which the supporter assisted or was otherwise involved.

Entering Agreements

The bill requires supported decision-making agreements to be entered into voluntarily and without coercion or undue influence, and the adult entering into one (the principal) must understand the nature and effect of the agreement. Such agreements may not be entered into if they encroach on the authority of a guardian or conservator of the adult making the agreement, unless approved in writing by the guardian or conservator.

The bill specifies adults who enter into supported decision-making agreements may act without the decision-making assistance of the supporter, and the execution of a supported decision-making agreement does not constitute evidence that the principal does not have capacity.

Requirements for Agreements

The bill requires supported decision-making agreements to:

- Name one or more adults to provide a principal with decision-making assistance;
- Describe the assistance each supporter may provide the principal;
- Contain a notice to third parties that summarizes the rights and obligations of each supporter under the agreement and expressly identifies the provisions of the Act; and
- Contain a separate declaration by each supporter or alternate supporter, signed by the supporter, stating:
    - The supporter's relationship with the principal;
    - The supporter's willingness to act as a supporter for the principal; and
    - The supporter acknowledges the duties of a supporter under the Act.

Validity of Agreements

A supported decision-making agreement is valid if:

- It is dated;
- It is in writing;
- It is signed by the principal and each named supporter or alternative supporter, under penalty of perjury;
- A guardian or conservator, if any, has been notified of the agreement by the principal; and
- The agreement otherwise complies with the provisions of the Act.

The bill requires supported decision-making agreements to be substantially in compliance with a form the bill directs the Judicial Council to establish.

Terminating Agreements

Supported decision-making agreements may indicate their effective dates and duration. If no effective date is specified, the agreement becomes valid immediately. A principal is able to terminate all or any portion of an agreement at any time. A supporter is able to terminate all or a portion of their obligations under the agreement at any time.

If no duration is specified, the agreement is effective until a dated termination is made in writing and signed by the terminating party.

The bill requires notice of a termination to be given to the other party (supporter or principal) in person, by certified mail, or by electronic means.

If a portion of the agreement is terminated and the termination is consistent with the provisions of the Act, the remainder of the agreement remains in effect.

Effect of Agreements

Decisions or requests made or communicated with the assistance of a supporter under the Act are recognized as a decision of the principal.

Persons who act in good faith are not subject to civil or criminal liability or discipline for unprofessional conduct for:

- Complying with an authorization pursuant to a supported decision-making agreement based on an assumption the agreement is valid and not terminated;

- Declining to comply with an authorization based on actual knowledge that the agreement is unauthorized because:

    - The financial institution cannot in good faith comply with the limitation set forth in the agreement; or

    - The person makes or has actual knowledge that another person has made a report pursuant to continuing law stating a good faith belief that the principal may be subject to physical or financial abuse, neglect, exploitation, or abandonment by the supporter; or

- Declining to comply with an authorization related to health care if the person declines because the action proposed is contrary to the good faith medical judgment of the person declining or a written policy of a health care institution based on reasons of conscience.

Application of the Act

The bill specifies that, in the application of the Act:

- All adults are assumed to have capacity to manage their affairs as defined in the Act;

- The Act does not preclude the ability of the adult who has entered into such an agreement to act independently of the agreement;

- A decision that a principal is incapable of managing the principal's affairs may not be based on the manner in which the principal communicates with others; and

- Execution of an agreement may not be used as evidence for the petition or appointment of a guardianship or conservatorship.

Definitions

The bill defines, for purposes of the Act, the following terms in addition to "principal" and "supporter": "adult," "affairs," "capacity," "conservator," "decision," "decision-making assistance," "good faith," "guardian," "immediate family member," "person," "support services," and "supported decision-making agreement."

Criminal Penalties

Violation of the Act is added to the crime of mistreatment of a dependent adult or an elder person, for which felony or misdemeanor penalties apply, depending on the amount of financial resources involved.

Proxy Advisor Transparency Act; SB 375

SB 375 enacts the Proxy Advisor Transparency Act (Act) requiring proxy advisors to make certain disclosures when recommending an action against company management, and authorizing the Attorney General to investigate and take enforcement actions against violators.

Legislative Findings

The bill states several findings of the Kansas Legislature related to proxy advisors.

Definitions

The bill defines several terms used throughout the Act, including:

- "Affiliated group" means a group of one or more entities in which a controlling interest is owned by a common owner or owners, either corporate or non-corporate, or by one or more of the member entities;

- "Charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986;

- "Company proposal" means any proposal made by a company to its shareholders that is included in the company's proxy statement, including, but not limited to, director nominations or elections, or any proposal relating to director nominations or elections, executive compensation, corporate transactions, corporate structure, auditor selection, or company policy on any subject;

- "Proxy advisory" means a person who, for compensation, provides a proxy advisory service to shareholders of a company or to other persons with authority to vote on behalf of the shareholders of a company;

- "Proxy advisory service" means any of the following services that are provided in connection with or in relation to a company, or are provided to any person in this state:
    - Advice or a recommendation on how to vote on a company proposal or proxy proposal;
    - Proxy statement research and analysis regarding a company approval or proxy proposal; or
    - Development of proxy voting recommendations or policies, including establishing default recommendations or policies;
- "Proxy advisory service" does not mean a service that is provided by a:
    - Charitable organization if such charitable organization's gross annual revenue from proxy advisory services is less than $500,000 and, if applicable, each affiliated group of such charitable organization has a combined gross annual revenue from proxy advisory services that is less than $500,000; or
    - Bank, savings and loan association, or savings bank, or an affiliate thereof, if such entity derives less than 10 percent of such entity's gross annual revenue from proxy advisory services;
- "Proxy proposal" means any proposal made by a shareholder of a company that is included in the company's proxy statement or has been submitted for inclusion in the company's proxy statement, including, but not limited to, a proposal relating to any of the subjects that could be covered by a company proposal; and
- "Written financial analysis" means a written document that:
    - Analyzes the expected short-term and long-term financial benefits and costs to the company regarding the implementation of a company proposal or proxy proposal;
    - Concludes what vote or course of action is most likely to positively affect shareholder value; and
    - Explains the methods and processes used to prepare the analysis, including the experience and geographic location of the personnel who formed the recommendation.

Disclosures

The bill requires disclosures to be made to each person receiving proxy advisory service in the event that a proxy advisor makes a recommendation against company management on a company or proxy proposal. What would be included in such disclosure would depend on whether the proxy advisor makes such recommendation based on a written financial analysis. The bill describes what is to be included in each type of disclosure.

Violations and Enforcement

The bill specifies a violation of the Act would be a deceptive and unconscionable act or practice under the Kansas Consumer Protection Act (KCPA), subject to any and all enforcement provisions in the KCPA.

The bill authorizes the Attorney General to investigate under the KCPA if the Attorney General has reason to believe that a violation of the Act has occurred, is occurring, or is about to occur. The bill provides that only the Attorney General or the Attorney General's designee can bring a civil action alleging a violation of the KCPA pursuant to the bill, and nothing in the bill can be construed as creating or allowing a private right of action under the KCPA.

Severability

The bill's provisions are severable. If any provision of the bill, or its application to any person or circumstance, is found to be unconstitutional or invalid, the rest of the Act would continue to stand and be enforceable so long as it could be enforced without the unconstitutional or invalid provisions.

Conservator Notification Requirement; SB 412

SB 412 requires a conservator to, within 15 calendar days of any court order commanding performance or safekeeping of a conservatee's estate assets, notify any entities and persons that the conservator has identified as the location of an asset of the conservatee's estate.

Kansas Transparency in Consumer Legal Funding Act; HB 2518

HB 2518 creates the Kansas Transparency in Consumer Legal Funding Act (Act).

Consumer Legal Funding Contract

The bill requires a consumer legal funding contract (contract) to:

- Be written clearly using words with common, everyday meanings so that a reasonable consumer could read it and understand it and be completely filled in when presented to the consumer for signature;
- Contain the initials of the consumer on each page;
- Contain a right of rescission that will allow the consumer to cancel the contract without penalty within 10 business days after the funding date if the consumer returns to the consumer legal funding company (company) the full amount of the disbursed funds;
- Contain a statement that there are no fees or charges other than those disclosed on the form;

- Clearly and conspicuously detail how charges are incurred or accrued and contain a statement of the maximum amount the consumer may be responsible for under the contract;

- Disclose the cumulative amount due for all transactions if the consumer seeks more than one contract from the same company;

- Be translated into the consumer's native language, upon written request, if the consumer's primary language is not English; and

- State that if there is no recovery from the consumer's civil action, the consumer shall owe nothing to the company unless the consumer violated any material term of the contract or committed fraud against the company.

The bill requires a copy of the contract to be delivered by the consumer to the consumer's attorney if requested, and to contain a written acknowledgment by the consumer's attorney that:

- The attorney reviewed the disclosure requirements;

- The attorney is being paid on contingency;

- All proceeds of the claim will be disbursed via the attorney's trust account or settlement fund;

- The attorney is obligated to disburse funds to the company from the legal claim and take any other steps to ensure that the terms of the contract are fulfilled;

- The attorney has not received a referral fee from the company; and

- The attorney has provided no tax, public, or private benefit planning or financial advice regarding the consumer legal funding transaction.

If no such acknowledgment is made, the bill requires the contract to be null and void. If the consumer terminates the relationship with the initial attorney or retains a new attorney, the contract shall remain valid and enforceable as long as it complies with the acknowledgment requirements.

Payment Requirements

Prepayment penalties or fees are prohibited by the bill, and a consumer legal funding transaction (transaction) that complies with the provisions of the bill shall not be considered a loan.

A transaction shall not be subject to any provision of law governing loans or investment contracts and, to the extent that the bill's provisions conflict with any other law, the bill's provisions control for the purposes of regulating such transactions.

An amount paid by the consumer to the company shall be a predetermined amount based on intervals of time from the funding through the resolution date and shall not comprise a percentage of the recovery.

If a party to a legal claim requests disclosure of a consumer legal funding contract, the bill requires the consumer to disclose the existence of such contract to any requesting party and to each insurer within 30 days after receipt of the request.

Additionally, the contingent right to receive an amount of the potential proceeds of the legal claim is assignable by a consumer to a company, and communications between a consumer's attorney and a company to ascertain the status or expected value of a legal claim are not discoverable by a person against whom the legal claim is asserted or filed.

Disclosures

The bill requires certain disclosures to be made within the contract, including:

- The funding amount to be paid by the consumer;
- An itemized list of one-time charges;
- The maximum total amount to be assigned by the consumer to company;
- A payment schedule;
- Rights to cancellation;
- A statement that the company has no role in decision-making regarding the legal claim;
- A statement that charges shall be paid only from the proceeds of the legal claim; and
- The circumstances under which a person should not sign the contract.

The bill requires the disclosure to be in a bold type font of a certain type size and in certain locations within the contract.

Company Obligations

The bill prohibits the company from:

- Paying consideration to or accepting commissions from an attorney or specified other professionals for referring a consumer to the company;

- Advertising false or misleading information regarding services;

- Knowingly providing funding to a consumer who has previously assigned or sold a portion of the consumer's right to proceeds from the legal claim without first making payment to a prior unsatisfied company's entire funded amount unless a lesser amount is agreed to in writing;

- Influencing decision-making in the legal claim;

- Attempting to obtain a waiver of a consumer remedy or right, including the right to trial by jury;

- Knowingly paying for court costs or attorney fees during or after the resolution of the legal claim using funds from the transaction;

- Knowingly offering to collude to provide funding to a consumer to terminate a legal relationship and engage another attorney;

- Colluding with an attorney to entice a consumer to bring a claim the company knows is fabricated or brought in bad faith; and

- Accepting funds from a foreign government or adversary.

The bill requires all consumer legal funding companies to register with the Secretary of State.

Company Penalties for Violations

The bill authorizes the Attorney General to enforce the Act. If the Attorney General has reason to believe a company has willfully violated the Act, after providing notice and an opportunity for hearing, a civil penalty may be assessed, not to exceed $10,000 per violation. A company who is found to be in violation of the Act shall be prohibited from recovering the funded amount or charges under the contract at issue. Any civil penalty recovered shall be remitted to the State Treasurer in accordance with continuing law, and be deposited in the State Treasury to the credit of the State General Fund.

The bill requires any penalties assessed to be due and payable within 10 days after written notice of assessment is served. After 10 days of nonpayment, the Attorney General is authorized to file a copy of the notice of assessment with the clerk of the district court in the county where the violation occurred, and such notice shall be enforceable as a judgment of the district court.

Any action of the Attorney General under these provisions is subject to review under the Kansas Judicial Review Act.

Consumer's Attorney Obligations

The bill prohibits the consumer's attorney or such attorney's immediate family member from having a financial interest in a company offering funding to that consumer or that consumer's immediate family. The bill also prohibits the consumer's attorney from providing consumer legal funding, loans, or advances for personal needs to current or prospective consumers or the consumer's immediate family members.

The bill prohibits an attorney who referred a consumer to another attorney from having a financial interest in the company offering funds to that consumer.

The bill also prohibits the consumer's attorney from disclosing any confidential or privileged information to the company without consent of the consumer.

The bill authorizes only the consumer to enter into a contract unless such consumer lacks legal capacity to do so, and it prohibits the consumer's legal representative from executing any contract.

Definitions

The bill provides definitions for certain terms for purposes of the Act, including:

- "Consumer" means a natural person who resides or is domiciled in Kansas and is a plaintiff in a civil action in Kansas, and includes the estate of a decedent who was domiciled in Kansas at the time of death if the civil action is a wrongful death claim;

- "Consumer legal funding" means a non-recourse transaction in which the company purchases and a consumer assigns to the company a contingent right to receive an amount of the potential proceeds of any recovery, including a settlement or judgment, in the consumer's legal claim, and the funds to the consumer are used for household or personal expenses, but the term does not include expenses directly related to prosecuting the legal claim;

- "Consumer legal funding company" means a person or entity that enters into or facilitates a consumer legal funding contract with a consumer, but the term does not include:

    - An immediate family member of the consumer;

    - A bank, lender, financing entity, or other special-purpose entity that provides financing to a consumer legal funding company or to which a consumer legal funding company grants a security interest in or transfers any rights or interest in a consumer legal funding contract; or

    - An attorney or accountant who provides services to the consumer;

- "Funding date" means the date on which the funded amount is transferred to the consumer by the company;

- "Immediate family member" means a parent, sibling, child, stepchild, spouse, domestic partner, cohabitant, immediate in-law, aunt, uncle, first cousin, grandparent, or grandchild; and

- "Resolution date" means the date the funded amount, plus the agreed-upon charges, is delivered to the company by the consumer, the consumer's attorney, or otherwise.

Severability

The bill's provisions are severable. If any provision of the bill, or its application to any person or circumstance, is found to be unconstitutional or invalid, the rest of the Act will continue to stand and be enforceable as long as it can be enforced without the unconstitutional or invalid provisions.

Digital Right-to-repair Act; HB 2700

HB 2700 creates the Kansas Digital Right-to-repair Act (Act), which creates requirements for original equipment manufacturers (OEMs) and legal authorization for consumers as it pertains to the maintenance and repair of certain digital electronic equipment.

For purposes of the bill, "digital electronic equipment" is defined as any product with a wholesale price of at least $50 sold or leased to a Kansas consumer that depends on digital electronics embedded in or attached to the product for its intended functionality (equipment).

Requirements for Original Equipment Manufacturers

The bill requires the OEM of digital electronic equipment or a component part to make available to any independent repair provider or owner of the equipment manufactured, sold, or supplied by the OEM, replacement parts and tools or their equivalents that the OEM makes available to authorized repair providers for diagnosis, maintenance, or repair of the equipment no later than one year after the date of first sale in Kansas.

The bill requires such replacement parts and tools to be provided at no cost to use or operate the tool or at a cost equivalent to the lowest actual cost at which the OEM offers the tool to an authorized repair provider, along with any discounts, rebates, or other financial incentives, and if the tool is requested in physical form, for a charge equal to the actual cost of procuring, preparing, and sending the tool.

Documentation, parts, and tools can be made available directly by an OEM or through a third-party provider or an authorized repair provider if the authorized provider is contractually permitted by the OEM to sell the documentation, parts, or tools to an independent provider or owner.

The bill does not require any third-party provider to make available documentation, replacement parts, or tools independent of an OEM and does not require the OEM to divulge any trade secret to any independent repair provider or owner, except as necessary for the diagnosis, maintenance, or repair of the digital equipment in accordance with the Act.

Application

The Act only applies to digital equipment made for sale in Kansas by an OEM on or after July 1, 2027.

The Act does not apply to:

- Motor vehicles, motor vehicle parts, or farm equipment if the OEM complies with a memorandum of understanding or any other industry-recognized agreement relating to the diagnosis, maintenance, or repair of digital electronic equipment;

- Medical devices as defined in 21 USC 321(h) as in effect on July 1, 2027;

- Powersports vehicles as defined in the bill;

- Aircraft as defined in continuing law;

- Train equipment regulated under 49 USC 20103, as in effect on July 1, 2026;

- Heavy equipment;

- Commercial and industrial electrical equipment as defined in the bill;

- Home appliances with embedded digital electronics;

- Safety communications, life safety, and physical access control equipment;

- Equipment leased or sold by a provider of information services, a telecommunications carrier, or a cable service provider as defined in 47 USC 153, as in effect on July 1, 2027;

- Lighting that is not meant to be repairable, not including replaceable component parts;

- Toys intended for children under 14;

- Video game consoles; and

- Critical infrastructure information technology equipment as defined pursuant to 42 USC 5195c(e) as in effect on July 1, 2027.

Compliance Alternative

In lieu of complying with the requirement to provide repair documentation, parts, or tools, an OEM can provide the original purchaser and current owner of digital equipment, at such owner's discretion:

- A reimbursement in the amount of the purchase price the purchaser paid for the digital equipment; or

- An equivalent or better, readily available replacement for the digital equipment at a price that has a value equal to or less than the total cost of the sum of the replacement parts and provided at the consumer's discretion.

Exemption

The bill exempts an OEM from the documentation, parts, and tools requirements with respect to:

- Parts, tools, or documentation no longer available to the OEM or that is made available to authorized repair providers;

- Documentation or tools used by the OEM only to perform free diagnostic services virtually, unless the OEM also makes the documentation or tools available to an individual or business that is unaffiliated with the OEM; or

- Documentation or tools used exclusively by the OEM for diagnosis, maintenance, or repairs completed by machines that operate on several products simultaneously, if the OEM makes available sufficient alternative documentation or tool to effect the diagnosis, maintenance, or repair.

OEMs are not required to make source code available nor provide any documentation, part, or tool when:

- Reconditioning or repair of the product is prohibited by law;

- It would disable, reset, or override electronic security locks or other security-related measures or functions set by the equipment owner without the owner's authorization;

- Repair of the equipment could threaten the safety of life or health of individuals, if the OEM provides physical evidence that providing the documentation, part, tool, or repair would cause a threat; or

- The purpose is to modify the equipment.

OEMs are not prevented from:

- Requiring authorization or an internet connection before an independent repair provider or owner could use a part or tool; or

- Providing parts to an independent repair provider or owner that are preassembled with other parts rather than as individual components if the preassembled parts or their equivalents are also available to an authorized provider or owner.

Enforcement by Attorney General

The bill gives the Attorney General exclusive power to enforce the Act. Prior to initiating an action, the Attorney General is required to provide at least 30 days' written notice of the alleged violation to the alleged violator listing the specific provision alleged to have been

violated and allow an opportunity to cure the violation. The bill requires written notice to be delivered by certified mail, return receipt requested, or first-class mail with proof of delivery.

No enforcement action can be brought if within the 30-day period, the alleged violator cures the violation and provides a written statement to the Attorney General certifying the cure and the violator's intent to comply with this Act.

The Attorney General can bring an action following the 30-day cure period to restrain or enjoin a person from violating the Act. The Attorney General can recover reasonable attorney fees and other reasonable expenses incurred in investigating and bringing an action under the Act.

Liability

The bill cannot be construed to create, provide a basis for, or be subject to a private right of action for a violation of the Act.

An OEM or authorized repair provider is not liable for any damage or injury to an individual, digital equipment, or any property that occurs as a result of the repair, diagnosis, maintenance, or modification performed by an independent repair provider or owner, or any other use of documentation, parts, or tools made available by an OEM, including:

- Indirect, incidental, special, or consequential damages;
- Loss of data, privacy, or profits; or
- Inability to use or reduced functionality of the digital equipment.

An OEM is not liable for any act that is reasonably necessary to protect user privacy, security, or digital safety. An OEM is not liable for improper use of personal data or any data privacy or security breach in connection with the repair, diagnosis, maintenance, or modification performed by an independent repair provider or owner.

A contractual provision between an authorized repair provider and OEM that purports to waive, avoid, restrict, or limit the OEM's obligation to comply with the Act is void and unenforceable.

An agreement's provision prevails if a conflict arises between the Act and an agreement's provision between an authorized repair provider and OEM entered into before July 1, 2027.

Holding Certain Convicted Individuals Without Bond Until Sentencing; SB 358

SB 358 requires individuals convicted of certain felonies to be held without bond in the county jail until sentencing.

The bill provides that a person who has been convicted of an off-grid felony; a severity level 1, 2, 3, or 4 nondrug felony; or a severity level 1 or 2 drug felony must remain in the county jail until sentencing.

If such a person was released on bond prior to trial, bond must be revoked immediately and the person must be remanded and held without bond in the county jail until sentencing.

If such person was in custody without having posted bond prior to trial, that person's bond must be modified immediately so that the person is held without bond and must remain in the county jail until sentencing.

Establishment of Prisoner Review Board; SB 459

SB 459 establishes an independent Prisoner Review Board (Board), creates authority for the appointment of Board members, and requires parole hearings to be postponed if proper notice of the pubic comment session is not made to the victim.

[*Note:* Under prior law, the Board had been within the Department of Corrections.]

Prisoner Review Board Membership

The bill establishes the membership of the Board as consisting of five members subject to Senate confirmation. The bill directs the Governor to appoint three of the members, one of which must have five years of law enforcement experience and another of which must have experience serving victims of crime. The bill directs the Attorney General (AG) to appoint the remaining two members, one of which must have at least five years of experience as a prosecutor.

The bill directs the Governor to select a member to serve as chairperson and the AG to select a member to serve as vice-chairperson.

The bill requires each of the members of the Board to have knowledge of the rights of victims of crimes and associated issues, the criminal justice system, and the necessary factors for successful reintegration and reduced recidivism.

The bill sets the terms for Board members at four years and provides for staggered terms for the first Board members appointed pursuant to the bill.

The bill directs the Governor and AG, before July 1, 2026, to appoint interim members of the Board who meet the requirements of the bill. The bill directs interim Board members to serve on and after July 1, 2026, while such members are awaiting confirmation by the Senate.

The bill requires the terms of the members who are serving on the Board prior to July 1, 2026, to expire on that date. [*Note:* Such Board is currently made up of three members who are appointed by the Secretary of Corrections.]

The bill provides a procedure for addressing member vacancies and sets the salary for Board members at 70.0 percent of the salary of a district judge's salary, as set by law. Members are required to serve as full-time employees and are also allowed travel and other expenses while carrying out Board duties.

The bill also amends law related to the Kansas Public Employees Retirement System (KPERS) to include Board members within the definition of "state officer," which automatically includes members in KPERS unless such member opts out within the specified time period.

Prisoner Review Board Hearings

Notice of Hearing

The bill requires the Board to provide notice to the AG of each parole hearing.

If notification is not given to a victim or the victim's family, pursuant to continuing law, the bill requires the Board to postpone the public comment session to a time at least 30 days after the appropriate notification is given.

The Board is required to postpone the public comment session until 30 days after notice if the inmate was convicted of an off-grid or class A felony.

Public Comment Session

The bill requires public comment sessions to be held in-person unless a victim or the victim's family requests otherwise.

The bill exempts the Board from the Kansas Open Meetings Act when conducting parole hearings or parole violation hearings held at a correctional institution, except the bill requires the hearings to comply with the public comment requirements of continuing law.

Board Decisions

The bill prohibits the Board from making a decision on parole of an inmate until after the public comment session for the inmate is held. Further, the bill removes capacity of state correctional institutions from the list of items the Board is directed to consider at each parole hearing.

The bill requires a unanimous vote of all Board members in order to grant parole to an inmate convicted of the following offenses:

- An off-grid felony;
- A class A felony; or
- A sexually violent crime as defined in the bill.

Administrative Procedures

The bill directs the Board to submit an annual report to the Governor and the Legislature, containing statistical and other data of its work, including relevant research studies.

The bill also directs the Board to adopt rules and regulations governing the Board's procedures for the administrative management of applications filed on behalf of persons deemed to be functionally incapacitated and persons deemed to have a terminal medical condition likely to cause death within 30 days. The bill also authorizes the Board to promulgate rules and regulations prescribing conditions under which a person may waive the right to a final revocation hearing. For any new rules and regulations promulgated by the Board, the bill authorizes the Board to provide notice to or an opportunity to be heard by inmates, as the Secretary was authorized to do under prior law.

Offender Registration; SB 487

SB 487 amends the Kansas Offender Registration Act (Act) to direct the Kansas Bureau of Investigation (KBI) to provide a statewide offender registration system (system) meeting certain criteria and to amend provisions regarding registration fees.

Statewide Offender Registration System

The bill directs the KBI, on and after July 1, 2028, to provide a system in compliance with the Act and that ensures real-time delivery of offender relocation notifications. Further, the bill directs the KBI, in consultation with the Kansas Sheriff's Association, to provide each registering agency with access to the system. The bill directs the KBI to be responsible for the costs of administering, purchasing, and maintaining the system.

The bill makes conforming amendments to the Act to require entry of offender data into the system by replacing references to sending paper copies of registration forms to the KBI.

Fees

On and after July 1, 2028, the bill requires all fees associated with offenders registering in accordance with the Act to be paid only to the sheriff's office in the county in which the offender resides.

Technology Fee

The bill implements an additional technology fee of $10 paid by offenders who are required to register in accordance with the Act, which will be due at the time of their registration with the sheriff's office in the county in which the offender resides. On and after July 1, 2028, the bill requires the KBI Director (Director) to set the amount of the fee, not to exceed $10, in rules and regulations.

Offender Registration Technology Fund

The bill creates the Offender Registration Technology Fund (Fund). The bill requires the Director to administer the Fund and direct all funds remitted from technology fees into the Fund.

Petition for Indigency

The bill authorizes offenders to file a petition with the district court in their county of residence to establish such offender is indigent for the purpose of paying fees associated with registering in accordance with the Act. The bill requires the petition to be accompanied by an affidavit that sets the facts asserting the offender's claim of failure to pay by reason of poverty. The affidavit shall contain substantially similar information to the information required in a poverty affidavit in the Code for Civil Procedure, and be signed and sworn to by the offender under penalty of perjury.

The bill authorizes the court to conduct a hearing on the petition and requires additional evidence from the offender, but a hearing will not be required for the court to determine whether to grant or deny the petition.

Failure to Pay

The bill amends the deadline for full payment of a registration fee to the sheriff's office at the time of registration by removing the grace period of payment within 15 days of registration.

The bill would extend the registration fee grace period to 20 calendar days.

Further, the bill authorizes the registering law enforcement agency to issue a notice to appear, in accordance with the Code of Criminal Procedure, to an offender that does not pay in full at the time of registration. However, if payment is made within 20 calendar days of registration, the bill directs the criminal charge to be dismissed.

Work Release and Assessments for Domestic Violence Offenders and Drug Abuse Treatment Program Eligibility; HB 2192

HB 2192 amends criminal laws related to assessments and work release for persons convicted of domestic battery, and laws related to eligibility and assessments for certain drug abuse treatment programs.

The bill also makes conforming amendments.

Domestic Violence Offender Assessment

Continuing law requires a person convicted of a second or consecutive offense of domestic battery within five years to undergo a domestic violence offender assessment as a condition of probation, suspension of sentence, parole, or any other release. The bill requires the same assessment as a condition of any similar release for a person convicted of a first offense.

Domestic Battery—Second Offense

The bill extends the time a person convicted of a second domestic battery offense within five years must be imprisoned before being permitted to participate in certain work release programs.

The bill increases the mandatory minimum imprisonment time from 5 to 20 days, and continues to allow work release for the remainder of the sentence. [*Note:* Continuing law allows a court to sentence a second-time offender to a sentence of imprisonment of between 90 days and 1 year.]

Domestic Battery—Third Offense

The bill removes a provision allowing a person convicted of a third or subsequent domestic battery offense within five years to serve their sentence in a work release program after serving 48 consecutive hours of imprisonment.

SB 123+ Program Eligibility

The bill amends statutory eligibility for participation in a non-prison sanction of a certified drug abuse treatment program (SB 123+ program) and authorizes community correctional services officers to complete risk-need assessments for defendants being considered for diversion that includes certified drug abuse treatment programs.

Exclusion of Certain Offenders from Special Sentencing Rules of Presumptive Imprisonment

The bill excludes offenders convicted of non-drug felonies where special sentencing rules of presumptive imprisonment apply from participation in an SB 123+ program.

Continuing law allows participation in a certified drug abuse treatment program for certain persons who enter into diversion agreements in lieu of further criminal proceedings. The bill authorizes community correctional services officers to conduct a criminal risk-needs assessment as part of consideration of whether to allow such diversion to a defendant.

Juvenile Placement in Youth Residential Facilities; Juvenile Stabilization Centers; HB 2329

HB 2329 amends provisions in the Revised Kansas Juvenile Justice Code (Juvenile Code) relating to sentencing alternatives, the placement matrix, and detention length limit. The bill also directs the Secretary of Corrections (Secretary) to contract for beds for juvenile alternative sentences to out-of-home placements, directs the funding for such placements to come from the Evidence-based Programs Account (EBPA), and removes expired sunsets regarding such out-of-home placements. The bill also authorizes the Secretary to enter into a memorandum of agreement (MOA) to provide money from the EBPA to additional types of facilities with a program purpose of behavioral health crisis intervention for juveniles.

The bill also changes the name of juvenile crisis intervention centers to juvenile stabilization centers throughout the Revised Kansas Code for the Care of Children (CINC Code) and the Juvenile Code and modifies the intake criteria for, and the treatment and services provided by, such centers. The bill also transfers money from the EBPA in the State General Fund (SGF) to the Department for Children and Families (DCF) to provide juvenile stabilization services.

The bill also makes conforming amendments.

Juvenile Placement Matrix

The bill authorizes the court to sentence juveniles considered chronic offenders, as defined in continuing law, to a juvenile correctional facility if they are assessed as moderate-risk or high-risk on a risk and needs assessment.

[*Note:* Prior law restricted this discretion to chronic offenders assessed as high-risk on a risk and needs assessment.]

The bill also adds the following category of juvenile offender to those considered chronic offenders: an offender adjudicated as a juvenile offender for an offense committed while such offender was on probation or conditional release for a prior felony adjudication.

Juvenile Sentencing Alternatives

Youth Residential Facility

Establishment. The bill directs the Secretary, between July 1, 2026, and July 1, 2030, to contract for the use of no less than 35 nor more than 45 non-foster home beds in youth residential facilities, with no more than 15 beds in one facility. The bill allows the Secretary, on and after July 1, 2030, to contract for the use of not more than 50 non-foster home beds in youth residential facilities.

The bill further directs the Secretary to use available data on juvenile case filings to determine regional need and corresponding allocation of non-foster home beds.

Payment. The bill directs the Secretary to cover the cost associated with all aspects of juveniles in youth residential facilities, and authorizes the Secretary to make expenditures from the EBPA not to exceed $4.5 million, subject to appropriations, to do so. These provisions will expire on July 1, 2030. The bill prohibits any expenditure from the EBPA for non-foster home beds in youth residential facilities after July 1, 2030.

Placement. The bill authorizes the court to place a convicted juvenile with the Secretary and order the Secretary to place the juvenile in a youth residential facility between July 1, 2026, and July 1, 2030.

Oversight. The bill directs the Juvenile Justice Oversight Committee (JJOC) to monitor the impact and effectiveness of placement of juvenile offenders in youth residential facilities. In addition to the JJOC's annual report that is required to be issued to the Governor, legislative leaders, and the Chief Justice, the bill requires the JJOC to submit a report to the Legislature on

or before February 1, 2030, evaluating the effectiveness and outcomes of placement of juvenile offenders in youth residential facilities. The bill requires the report to include a recommendation of whether to increase, modify, or discontinue expenditures made for placement of juvenile offenders in youth residential facilities.

The bill removes expired sunsets regarding youth residential facilities from January 1, 2018.

Possession or Use of a Firearm

The bill authorizes the court to commit a juvenile, regardless of their risk level as determined by a risk and needs assessment, directly to the custody of the Secretary for placement in a juvenile correctional complex for a minimum of 12 months and a maximum of 24 months, if:

- A firearm was possessed or used during the commission of the offense; and
- The offense would constitute a felony if it were committed by an adult.

Emergency Shelters and Therapeutic Foster Homes

Continuing law authorizes the court to order a short-term placement of a juvenile in an emergency shelter, therapeutic foster home, or community integration program if the juvenile has been adjudicated of certain specified offenses, and the victim resides with the juvenile offender.

The bill directs the Secretary to contract with emergency shelters and therapeutic foster homes in order to facilitate the placement of such juvenile offenders.

Juvenile Detention

Detention Limit

The bill extends the maximum detention limit from 45 cumulative days to 90 cumulative days. [*Note:* This limit does not apply to juveniles adjudicated of an offense that constitutes an off-grid or nondrug severity level 1 through 4 person felony.]

Detention Risk Assessment Override

Continuing law provides for the juvenile intake and assessment process, including the completion of a detention risk assessment on the juvenile.

The bill directs the court to approve an override function of the detention risk assessment tool when a juvenile is alleged to have possessed or used a firearm during the commission of an offense or has been presented to a juvenile intake and assessment system pursuant to the Juvenile Code for an offense which, if committed by an adult, constitutes the commission of a misdemeanor or felony for the second time within three months. The bill directs the juvenile intake and assessment worker or the court to order direct placement of the juvenile

in a juvenile detention facility when the detention risk assessment tool is overridden pursuant to the bill.

Juvenile Crisis Intervention Services Funding

Under prior law, the Secretary could enter into MOAs with other cabinet agencies to provide up to $2.0 million annually from the EBPA for juvenile crisis intervention services. The bill clarifies and expands this authorization to allow such funding for:

- Juvenile crisis intervention services provided by a licensed juvenile crisis intervention center; or

- Other residential facility licensed by DCF or the Kansas Department for Aging and Disability Services that has a program purpose of behavioral health crisis intervention for juveniles.

Juvenile Stabilization Centers

Prior law defined a juvenile crisis intervention center as a facility that provides short-term observation, assessment, treatment, and case planning, and referrals for any juvenile who is experiencing a behavioral health crisis and likely to cause harm to self or others. The bill renames this type of center a juvenile stabilization center and removes the phrase regarding causing harm from the definition.

Services Provided

The bill specifies that such stabilization centers must provide services to the juvenile and the juvenile's family, including, but not limited to, parent skill-building, family and individual communication skill-building, and case management supports as necessary to address the immediate needs of the juvenile and the juvenile's family. The bill also provides that such centers allow access to faith-based services.

The bill also allows such centers, as needed to support the safety and stability of the juvenile and the juvenile's family, to:

- Be available to serve juveniles 24 hours a day, 7 days a week;
- Provide short-term stabilization services for continuous stays; or
- Provide respite periods throughout the day or night.

Admittance Criteria

Under prior law, a juvenile could be admitted to a juvenile crisis intervention center when:

- The head of such center determines such juvenile is in need of treatment and likely to cause harm to self or others;

- A qualified mental heath professional from a community mental health center has given authorization for such juvenile to be admitted to a juvenile crisis intervention center; and

- No other more appropriate treatment service is available and accessible to the juvenile at the time of admission.

The bill provides that admittance to a juvenile stabilization center would occur when the head of such center determines a juvenile is in need of stabilization services and would benefit from treatment provided by such center. The bill further requires that priority for admission be given to cross-over youth. "Cross-over youth" is defined by the bill as a young person, 10 years of age or older, who is at risk of being adjudicated or is already adjudicated as a child in need of care due in whole or in part to:

- Conduct or involvement in the juvenile justice system;
- Allegations that could result in involvement in the juvenile justice system; or
- Any level of concurrent involvement with the child welfare and juvenile justice systems.

The bill allows a juvenile to be admitted to a juvenile stabilization center for no more than 90 days and no more than 3 times within a 12-month period.

Discharge

The bill amends law on procedures involving the discharge of a juvenile to require that a juvenile stabilization center coordinate discharge planning and facilitate timely referral and connection to appropriate community-based services for ongoing care.

Rules and Regulations

The bill requires the Secretary for Children and Families to promulgate rules and regulations to implement the bill's provisions on or before January 1, 2027, and prohibits such rules and regulations from containing any requirement:

- That the juvenile stabilization center have a licensed physician, dietician, clinical director, psychiatrist, advanced practice registered nurse, or any other medical professional on staff;

- Prohibiting juveniles who are admitted to such centers from sharing rooms or being placed in rooms that are in the basement of such facility;

- That a juvenile stabilization center notify or obtain approval from a local school district prior to obtaining licensure;

- Related to gender-based staffing; or

- Staffing ratios beyond the levels for youth residential facilities as defined in the CINC Code.

Report to Legislative Committees

The bill requires the Secretary for Children and Families to annually report information on outcomes of juveniles admitted into juvenile stabilization centers to the J. Russell (Russ) Jennings Joint Committee on Corrections and Juvenile Justice Oversight and the Joint Committee on Child Welfare System Oversight.

References in CINC Code and Juvenile Code

The bill replaces references to "juvenile crisis intervention centers" with "juvenile stabilization centers" throughout the CINC Code and Juvenile Code. The bill also removes references to "written authorization by a community health center" throughout the CINC Code and Juvenile Code to reflect such authorization is not needed for a child to be admitted to a juvenile stabilization center under the bill.

Evidence-based Programs Account Transfer

The bill requires on July 1, 2026, July 1, 2027, and July 1, 2028, or as soon thereafter as moneys are available, the Director of Accounts and Reports to transfer $4.0 million from the EBPA to a Special Revenue Fund of the DCF designated by the Secretary for Children and Families for juvenile stabilization services.

Referral and Transport to Juvenile Stabilization Center

The bill amends law concerning juvenile intake and assessment to provide that if a child is conditionally released to the child's parent or guardian, such conditions may include a referral of the child to a juvenile stabilization center.

The bill also amends law concerning juvenile intake and assessment to specify that upon request of a parent, guardian, custodian, or juvenile intake and assessment worker, law enforcement may assist with the safe transportation of a juvenile to an appropriate placement, including a juvenile stabilization center, when such assistance is necessary to ensure the safety of the juvenile or others. The bill states such assistance may not be construed as an arrest, detention, or criminal custody.

Consecutive Sentences; Appearance Bond Minimums and Special Sentencing Rule for Certain Repeat Offenders; HB 2444

HB 2444 amends provisions in sentencing laws regarding computation of time served for persons who have had consecutive sentences imposed, requires bond for misdemeanor and felony offenses unless certain conditions are met or findings are made, sets minimum appearance bond amounts for certain persons charged with a subsequent felony offense while under supervision for a prior felony, and creates a new special sentencing rule for persons convicted of a subsequent felony offense while in custody or under supervision for a prior nondrug felony.

Consecutive Sentences—Jail Credit Application

[*Note:* Under continuing law, a judge generally has discretion to sentence persons convicted of multiple crimes in the same case to serve terms of imprisonment either consecutively or concurrently. During the sentencing hearing, a convicted offender may receive credit for days spent in jail prior to being transferred to custody of the Department of Corrections (KDOC). This credit may be applied to reduce the imprisonment portion of the offender's sentence.]

The bill specifies that when consecutive sentences are imposed on a person, credit for days spent in custody prior to sentencing may be credited only once against the term of the aggregated consecutive sentences. The court is also allowed to allocate the credited days toward one case or apportion the credit among the cases, but it is prohibited from applying the credit for a particular day served more than once to reduce multiple portions of consecutive terms.

The bill specifies that the limits on jail credit application apply to:

- All sentences, whether pronounced before, on, or after July 1, 2026, and to all computations of jail credit by KDOC and the courts; and

- Any case posture, including, but not limited to, direct appeals, probation revocation proceedings, motions to correct illegal sentence, and *habeas corpus* actions pending on, or filed after, July 1, 2026.

The bill supersedes any judicial interpretation regarding application of jail time credit to consecutive sentences in conflict with or inconsistent with its provisions.

Appearance Bonds

The bill amends law related to appearance bonds for misdemeanor offenses, felony offenses, and new felony offenses committed while in custody or under supervision.

[*Note:* Under prior law, a court could release a person charged with a crime upon their own recognizance by guaranteeing the bond amount set by the court, which would be due in full if the person does not comply with the court's requirements or appear in court. No cash deposit is currently required for such release. Persons who are not released on their own recognizance must execute a bond or make a cash deposit with the court prior to release.]

Appearance Bond—Misdemeanor Offense

The bill requires that an appearance bond for a misdemeanor offense be set and executed as provided under continuing law unless the court determines that requiring an appearance bond is not necessary to assure public safety or to assure the person's appearance in court. The bill requires that a person's immigration status be verified with the federal government if such person is not a citizen of the United States, and there is a rebuttable presumption that a person who has been determined to be an alien unlawfully present in the United States is a flight risk.

Appearance Bond—Felony Offense

The bill requires that an appearance bond for a felony offense be set and executed as provided under continuing law, unless the court determines at a hearing with the person present by clear and convincing evidence that requiring an appearance bond is not necessary to assure public safety or to ensure the person's appearance in court.

During the bond hearing, and prior to releasing a person without requiring a bond, the court is required to determine whether the person meets the following qualifications:

- Is a U.S. citizen or lawful alien of the United States whose status has been verified with the federal government;
- Is a resident of Kansas;
- Has no prior felony conviction;
- Has no prior history of failure to appear for any court appearances;
- Has no detainer or hold from any other jurisdiction;
- Has not been extradited from, and is not awaiting extradition to, another state;
- Has not been detained for an alleged violation of probation;
- Has not been charged with a felony violation of driving under the influence; and
- Has not been charged with an off-grid felony, a person felony, or a drug severity level 1, 2, or 3 felony.

The bill specifies that if the person does not meet one or more of the listed qualifications, there is a presumption that the person is a flight risk or a danger to public safety. Such presumption may be overcome only by clear and convincing evidence. Prior to releasing the person without requiring bond, the court is required to make a written finding on the record that the person is not a public safety risk or a flight risk, while specifying which of the listed qualifications are met.

Appearance Bond—Cash Deposit

The bill specifies that a person must be a citizen of the United States or a lawfully present alien whose immigration status has been verified with the federal government and a resident of Kansas to be eligible to make a cash deposit in the amount of 10 percent of the person's bond.

Appearance Bond—New Felony Offense

The bill sets a minimum secured appearance bond amount for offenders whose criminal history is classified as E or higher who are charged with a new felony offense while on probation, assigned to community corrections, under a suspended sentence, or on parole or postrelease supervision for a prior felony offense.

Minimum appearance bond amounts are set at the following amounts:

- $50,000 if the most serious new charge against the person is a severity level 7–10 felony or a drug severity level 4 or 5 felony;
- $100,000 if the most serious new charge against the person is a severity level 4–6 felony or a drug severity level 3 felony; and
- $250,000 if the most serious new charge against the person is a severity level 1–3 felony or a drug severity level 1 or 2 felony.

The bill prohibits the court from setting a lower amount for the secured appearance bond by reducing or modifying the amount downward unless it determines by a preponderance of the evidence during an evidentiary hearing and makes a written finding that the person is not a flight risk. Further, the bill specifies that at such hearing, the person is presumed to be both a public safety risk and a flight risk.

The court may modify the bond or otherwise reduce the amount of bond without an evidentiary hearing and written finding if both parties have agreed to the proposed bond, except that such bond may not be modified to allow release of the defendant on the defendant's own recognizance.

Sentencing—New Felony Offense

The bill creates a new special sentencing rule to override the sentencing grid recommendation to result in presumptive imprisonment, to be applicable to offenders who are sentenced for a new felony offense while such person is in custody for a prior nondrug felony, on probation, assigned to community corrections, under a suspended sentence, or on parole or postrelease supervision for a prior nondrug felony offense. The bill specifies that if the offender's criminal history is classified as E or higher, the sentence for the subsequent felony offense is classified as presumptive imprisonment, regardless of the sentencing grid box recommendation.

The bill requires the new sentence to be served consecutively to that of the prior nondrug felony sentence for which the offender is under supervision and that it is not considered a departure or to be subject to an appeal based on such departure.

The bill also prohibits the sentencing judge from imposing a downward dispositional or durational departure when imposing the sentence for the subsequent felony offense unless such departure is an agreed recommendation of both parties.

Kansas Sentencing Commission—Digital Filings; HB 2552

HB 2552 requires certain forms filed with the Kansas Sentencing Commission (Commission), including presentence investigation reports and certain journal entries, to be completed and submitted in the form and manner prescribed by the Commission.

The bill prohibits a court from receiving or recognizing the validity of such documents completed and submitted in any other form and manner.

Prison-made Manufactured Homes; HB 2596

HB 2596 creates a limited exception to the Prison-made Goods Act of Kansas to authorize the Secretary of Corrections (Secretary) to establish a pilot program at the Hutchinson Correctional Facility (HCF) to enter into contracts for production of manufactured or modular homes.

The bill requires any private individual, corporation, partnership, or association contracting with the Secretary as a part of the pilot program to:

- Provide a nationally recognized construction education certification program for participants;
- Evaluate the success of such program after participation and release; and
- Pay all costs related to the project.

Any nonprofit organization contracting with the Secretary is required to agree not to request a property tax exemption for such housing units and to pay property or ad valorem taxes on units it retains and owns.

The bill requires the Secretary to:

- Charge private contractors the regional average commercial rate for the rent for the square footage used in the modular housing project, and the regional average wage for the skills utilized, without any deviations for training wages; and
- Submit an annual report to the Senate Committee on Ways and Means and House Committee on Appropriations relating to such contracts.

The bill requires a Legislative review of the pilot program after three years, and discontinues the pilot program on December 31, 2031.

Requiring Assistance in Obtaining an ID for Certain Inmates Before Release; HB 2653

HB 2653 requires the Secretary of Corrections (Secretary) to prepare inmates for release from custody by assisting with gathering identification documentation and providing

records of the inmate's education and work while in custody. The bill requires the Secretary and all state agencies to coordinate to implement the provisions of the bill.

The bill specifies its documentation provisions do not apply to inmates who are to be released to another jurisdiction on a warrant or detainer, or who are physically or mentally unable to return to the workforce upon release, as determined by the Secretary.

Citizenship Documentation

The bill requires the Secretary, within nine months prior to release, to determine whether an inmate has current versions of certain identification documentation. Specifically, the bill requires the Secretary to determine whether the inmate's documentation includes a certified copy of the inmate's birth certificate, Social Security card or replacement Social Security card, and driver's license or non-driver's identification card. If any documentation is determined to be missing or unavailable, the Secretary is required to make reasonable efforts to provide any such documentation to the inmate.

Other Documentation

Additionally, the bill requires the Secretary to provide each inmate with certain Department of Corrections records, if applicable, including the inmate's:

- Vocational training record;
- Work record;
- Any educational certificate or diplomas received by the inmate; and
- A resume that includes any trade or skills learned by the inmate.

Competency Proceedings for Defendants Charged with Serious Offenses; Municipal Court Competency; SB 374

SB 374 requires further consideration of evaluation and treatment during the course of competency proceedings for defendants charged with the most serious offenses and establishes procedures in the Kansas Code of Procedure for Municipal Courts (Municipal Code of Procedure) concerning a defendant's competency to stand trial. The bill also amends law in the Municipal Code of Procedure and the Kansas Code of Criminal Procedure to reflect the new procedures created by the bill.

Commitment of Incompetent Defendants

Outpatient Evaluation and Treatment Prohibited

The bill amends law governing the commitment of incompetent defendants to remove provisions allowing outpatient evaluation and treatment for defendants charged with misdemeanor or felony offenses.

Under prior law, for a defendant charged with a felony offense, a commitment to the state security hospital or a state hospital may be conducted on an inpatient basis, but could occur on an outpatient basis if the defendant meets the screening criteria established by the state security hospital.

The bill directs that for defendants charged with a felony offense, evaluation and treatment shall be ordered to be conducted on an inpatient basis by the state security hospital or a state hospital, or their agents.

However, the bill allows outpatient evaluation and treatment if it is ordered by an appropriate state, county, or private institution or facility, provided the defendant meets the screening criteria established by the state security hospital.

Victim Notification

Under prior law, the institution or facility conducting outpatient treatment must notify the prosecuting attorney in the county where the criminal proceeding is pending for the purpose of providing victim notification. The bill directs that such notification be made instead to the prosecuting attorney for the pending criminal proceeding for the purpose of providing victim notification.

Who May Commence Involuntary Commitment Proceedings

The bill provides that when the defendant has not attained competency to stand trial within six months after the date of the commencement of treatment, the court must order the prosecuting attorney for the pending criminal proceeding to commence involuntary commitment proceedings. Under prior law, involuntary commitment proceedings were to be commenced by the prosecuting attorney where the charges were filed or by the Secretary for Aging and

Disability Services (Secretary). The bill removes several references to the process as described by current law.

Effect of Charge of Attempt, Conspiracy, or Criminal Solicitation on the Definition of "Mentally Ill Person Subject to Involuntary Commitment for Care and Treatment"

Under continuing law, when a defendant is charged with certain felonies and commitment proceedings have commenced, for the purposes of such proceeding, the law defines such person as a "mentally ill person subject to involuntary commitment for care and treatment." The bill provides that, in addition to the specified felonies described in continuing law, an attempt, conspiracy, or criminal solicitation of any such offense is also included. References to this change are repeated throughout the bill.

When Defendant Objects to Psychotropic Medications

The bill amends law concerning when a defendant objects to receiving psychotropic medication to restore competency. The bill requires the matter to be set for a hearing when the medical director, within 30 days of receipt of a defendant's objection, certifies to the court whether medication would aid in restoring the defendant's competency. The hearing would be set within 30 days after receipt of certification unless exceptional circumstances warrant delay. The bill requires the prosecuting attorney to establish by clear and convincing evidence certain relevant facts, including whether the medication is substantially likely to render the defendant competent to stand trial.

The bill requires the defendant to be represented by counsel at such hearing but the defendant is not required to be present at the hearing. However, the court may permit the prosecuting attorney and the defendant to appear at the proceedings, call or question witnesses, and offer argument to the court. The defendant's attorney in the pending criminal proceeding also has the same standing to participate in the hearings to the same extent as the defendant's competency counsel.

When Involuntary Commitment Proceedings Have Commenced

Whenever involuntary commitment proceedings have been commenced, the bill requires the petition to be accompanied by:

- The court order to commence involuntary commitment proceedings;
- The initial evaluation to determine competency; and
- The reports pertaining to whether the defendant has a substantial probability of attaining competency to stand trial in the foreseeable future.

The bill does not require such petition to include a state screen or signed certificate.

The bill requires the written report of the evaluation to include:

- A report on the reason for admission or case filing;

- The current mental status of the defendant;
- The medications that the defendant is currently taking, if any;
- The likelihood of the defendant causing harm to self or others, including an analysis of whether the defendant understands the seriousness of the charges alleged; and
- Any diagnosis of the defendant.

The bill specifies, having been found incompetent in the pending criminal case, the defendant would be deemed to lack capacity to make informed decisions concerning treatment until such time as the chief medical officer overseeing the defendant's treatment determines that competency is restored.

Procedure When Defendant is Not Civilly Committed or is Discharged

Concurrent Standing of Prosecuting Attorneys

The bill provides that the prosecuting attorney for the pending criminal proceeding has standing, concurrent with the prosecuting attorney of the county in which the involuntary commitment hearing is held, to:

- Appear at such proceedings;
- Call or question witnesses; and
- Offer argument to the court.

The bill also specifies that the defendant's attorney in the pending criminal proceeding has the same standing to participate in the hearings to the same extent as any prosecuting attorney that is allowed to participate in the hearing.

Additional Evaluation and Treatment

The bill also specifies that if the defendant is not committed to a treatment institution or facility as a patient, the defendant would remain in such institution or facility until the court has determined that additional evaluation and treatment is no longer warranted pursuant to provisions in the bill.

When Defendant Has Not Been Committed or Has Been Discharged But is Not Likely to Regain Competency Within the Foreseeable Future

Whenever involuntary commitment proceedings have been commenced, and the defendant has not been committed or has been released from such commitment pursuant to continuing law but the court determines that a probability still does not exist that the defendant will regain competency within the foreseeable future, the court is required to consider the nature of the pending criminal proceedings to determine if additional evaluation and treatment are necessary.

If the defendant is charged with a misdemeanor or nonperson felony, the court is required to dismiss the criminal proceedings without prejudice, and the prosecuting attorney provides victim notification.

If the defendant is charged with a person felony, the court is required to provide notice to the parties of the pending criminal proceedings that, unless the prosecuting attorney objects in writing within 14 days of receipt of such notice, the criminal proceedings must be dismissed without prejudice. If the prosecuting attorney objects, the court is required to set the matter for hearing within 14 days after receipt of such objection to determine whether to enter an order of further commitment for additional evaluation and treatment pursuant to the bill. The court is allowed to grant a continuance of the hearing for good cause.

If the defendant is charged with an off-grid felony, any nondrug severity level 1 through 3 felony, aggravated indecent liberties with a child, aggravated indecent solicitation of a child, or certain violations of unlawful sexual relations, or an attempt, conspiracy, or criminal solicitation of any offense described above, the court is required to set the matter for hearing to determine whether to enter an order of further commitment for additional evaluation and treatment pursuant to the bill.

Hearing to Determine Further Evaluation and Treatment

The prosecuting attorney has the burden to establish, by clear and convincing evidence, that there is a compelling state interest in ordering further evaluation and treatment for the defendant. The defendant is required to be represented by counsel at the hearing but the defendant is not required to be present at the hearing, at the discretion of the court.

However, the defendant's attorney in the pending criminal proceeding has the same standing to participate in the hearings to the same extent as any prosecuting attorney that is allowed to participate in the hearing.

In making a determination whether there is a compelling state interest in ordering further evaluation and treatment, the court is required to review the nature and seriousness of the pending charges, including whether there is probable cause to support the pending charges. The court is required to consider:

- Whether the alleged offenses create a serious risk to public safety and evaluate:
    - Whether the charge includes an allegation that the defendant actually inflicted bodily or emotional harm on another person or created a reasonable apprehension of bodily or emotional harm to another person;
    - The extent of the impact of the alleged offense on public safety;
    - The number and nature of related charges pending against the defendant;
    - The length of potential confinement if the defendant is convicted; and
    - The number of potential and actual victims or persons impacted by the defendant's alleged acts;

- The prior history of the defendant, including, but not limited to, criminal history, treatment history, and history of violence; and

- Any evidence of whether further treatment is likely to be successful in restoring competency or reducing the risk of offender recidivism.

If the court finds that there is a compelling state interest in ordering further evaluation and treatment of the defendant, the court is required to proceed in accordance with continuing law.

If the court finds that there is no compelling state interest in ordering further evaluation and treatment of the defendant, the court is required to dismiss the case without prejudice, and the prosecuting attorney would provide victim notification.

Hearing to Determine Whether a Defendant is Likely to Cause Harm to Self or Others

If the criminal defendant is charged with an off-grid felony or severity level 1 through 3 felony, aggravated indecent liberties with a child, aggravated indecent solicitation of a child, or certain violations of unlawful sexual relations, or an attempt, conspiracy, or criminal solicitation of any offense described above, there is a presumption that such criminal defendant is likely to cause harm to self or others whenever the court is required to determine whether a criminal defendant is a mentally ill person subject to involuntary commitment pursuant to the Care and Treatment Act for Mentally Ill Persons (Act).

During the course of an involuntary commitment proceeding to determine whether a defendant is likely to cause harm to self or others, the bill requires the court to conduct a hearing to consider the totality of the circumstances, including, but not limited to, prior convictions or adjudications pending crimes allegedly committed by the defendant, and any presumption as described by the bill.

The bill prohibits a criminal defendant from being discharged from an involuntary commitment without the court conducting a hearing in accordance with continuing law in the Act and in accordance with the bill to determine whether the criminal defendant remains a mentally ill person subject to involuntary commitment.

Municipal Court Competency to Stand Trial

The bill allows a municipal judge to order a psychiatric or psychological examination of a defendant when the judge finds reason to believe that such defendant is incompetent to stand trial. Such examination may be ordered at any time after a defendant has been served with the complaint and before the satisfaction of the sentence, but once ordered, is required to be completed within 60 days. An examination may only be ordered after a hearing and all speedy trial requirements would be suspended during such examination.

The bill authorizes the court to order such examination and report be conducted by:

- An appropriate state, county, or private institution or facility;

- A licensed physician or psychologist who is qualified through training or experience; or

- An examiner from a list of competency examiners used in the district court where the municipal court is located.

The bill provides that no statement made by a defendant during any examination may be admitted in evidence against such defendant in any criminal proceeding. This rule applies regardless of whether the defendant consents to the examination.

The costs for an examination ordered pursuant to the bill are paid from the municipal court funds or the general fund of the municipality.

Before the expiration of the 60-day examination period, the bill requires the court-approved examiner to certify to the court whether such defendant is competent to stand trial. Upon certification to the court that a defendant subject to examination has been determined by the examiner to be competent to stand trial, the suspended proceedings are required to resume.

Upon certification to the court that a defendant has been determined by the examiner to be incompetent to stand trial, the bill requires the court to conduct a hearing with the defendant present and make a written finding regarding the competency of such defendant. If after the hearing the court finds that a defendant is incompetent to stand trial, the criminal charges against the defendant are required to be dismissed without prejudice, and the city attorney may file a petition pursuant to the Act or request that the district attorney or county attorney review the case for the filing of a complaint in district court.

If the city attorney receives credible information that a defendant who was previously found to be incompetent has regained competency, the bill allows the city attorney to refile the charge within the applicable statute of limitations. In this scenario, the bill requires the court to conduct a hearing with the defendant present to make a finding in writing regarding the current state of the defendant's competency.

The bill amends the definitions section of the Municipal Code of Procedure to include a definition of "incompetent to stand trial" and "treatment provider."

The bill amends law in the Kansas Code of Criminal Procedure concerning the ability of a court to determine competency to specify the court may rely on the examination ordered by a municipal court.

Effective Date

The provisions concerning municipal court competency become effective on July 1, 2026.

Expert Witness Testimony; SB 398

SB 398 amends the Kansas Rules of Evidence regarding expert testimony to allow an expert witness to testify in the form of an opinion that is limited to one that is:

- Rationally based on the perception of the witness;
- Helpful to clearly understanding the testimony of the witness or to determining a fact in issue; and
- Not based on scientific, technical, or other specialized knowledge.

Such expert witness testimony may be offered if the proponent demonstrates to the court that it is more likely than not that the:

- Expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact at issue;
- Testimony is based on sufficient facts or data;
- Testimony is the product of reliable principles and methods; and
- Expert's opinion reflects a reliable application of such principles and methods to the facts of the case.

List of Appellate Cases Not Decided or Reviewed; HB 2652

HB 2652 requires the Clerk of Appellate Courts (Clerk) to publish a list of cases of the appellate courts every month in which the following has occurred within six months of submission:

- A decision has not been entered and filed; or
- A petition for review has not been granted or denied.

The bill requires the Clerk to include the case name, case number, and date of filing or petition, and such lists are required to be publicly available on the Supreme Court's website. The posting would be publicly viewable until a filing is decided or a petition is granted or denied.

The bill requires the Clerk to transmit each list to the House Committee on Judiciary, Senate Committee on Judiciary, the Speaker of the House, the President of the Senate, the Attorney General, and the Governor.

The bill also deems a petition for review to be submitted for decision on the earlier date of any filing of a responsive pleading to the petition or the time for filing any responsive pleading expires.

Sidnee's Law; HB 2747

HB 2747 requires courts to consider certain factors in determining whether a prior violation of law is comparable to any act described in certain driving under the influence (DUI) crimes when calculating a person's criminal history score under the Kansas Sentencing Guidelines. The bill is known as "Sidnee's Law."

Criminal History Considerations When Current Crime of Conviction is for Involuntary Manslaughter by DUI or Aggravated Battery by DUI

Current law provides that certain prior adult convictions or juvenile adjudications for DUI and similar laws are scored as felonies for criminal history purposes if the current crime of conviction is for a violation of involuntary manslaughter by DUI or aggravated battery by DUI.

The bill adds a provision specifying for the purposes of determining whether a violation of a law of another state, an ordinance of any city, or resolution of any county prohibits any act described in the crimes of DUI or commercial DUI, the bill requires the court to consider the following factors found in continuing law:

- The name of the out-of-jurisdiction offense;
- The elements of the out-of-jurisdiction offense; and
- Whether the out-of-jurisdiction offense prohibits similar conduct to the conduct prohibited by the closest approximate Kansas offense.

Criminal History Considerations When Current Crime of Conviction is for Leaving the Scene of Certain Vehicle Accidents

Current law provides that certain prior convictions are scored as person felonies for criminal history purposes if the current crime of conviction is for a violation of leaving the scene of certain vehicle accidents.

The bill adds a provision specifying for the purposes of determining whether a violation of a city ordinance of law of another state also constitutes a violation of DUI, the bill requires the court to consider the factors described above.

Uniform Controlled Substances Act; Reconciliation of Specific Statutes; SB 430

SB 430 includes mitragynine, the primary psychoactive component of kratom, on Schedule I of the Uniform Controlled Substances Act. [*Note:* Mitragynine was inadvertently excluded from the enrolled version of HB 2365, which was signed by the Governor on April 10, 2026.]

The bill also reconciles amendments to specific statutes regarding theft and expungement that were amended more than once during the current and prior legislative sessions. For such statutes, the bill repeals one version and, if necessary, amends the continuing version with non-contradictory amendments, creating a single version of the statute containing all amendments.

Interference with a Religious Assembly; Senate Sub. for HB 2018

Senate Sub. for HB 2018 creates the crimes of "interference with the conduct of a religious assembly" and "aggravated interference with the conduct of a religious assembly," provides for the severity levels and penalties associated with such crimes, and provides the Attorney General with the authority to prosecute such crimes under certain circumstances.

Interference with the Conduct of a Religious Assembly

The bill creates the crime of "interference with the conduct of a religious assembly" and defines the crime in two ways: in terms of force used and in terms of property damage.

Interference Related to Force

The crime is defined as, by force, threat of force, or by physical obstruction, intentionally injuring, intimidating, or interfering with any person lawfully exercising or seeking to exercise the right of religious freedom under the First Amendment of the *U.S. Constitution* or under Sections 3 and 7 of the Bill of Rights of the *Kansas Constitution* at a place of religious worship. [*Note:* Section 3 is regarding the right of peaceable assembly and petition. Section 7 is regarding religious liberty and that no religious test or property qualification is required for holding public office.] Such interference is:

- A severity level 10 person felony, except when a second or subsequent conviction; and
- A severity level 6 person felony for a second or subsequent conviction.

Interference Related to Reckless Damage, Defacement, or Destruction

"Interference with the conduct of a religious assembly" also means recklessly damaging, defacing, or destroying the property of a place of religious worship by means other than by fire or explosive. Such interference is:

- A class A nonperson misdemeanor if the property that is damaged, defaced, or destroyed has a value of less than $1,000;

- A severity level 9 nonperson felony if the property that is damaged, defaced, or destroyed has a value of $1,000 or more but less than $25,000; and

- A severity level 7 nonperson felony if the property that is damaged, defaced, or destroyed has a value of $25,000 or more.

Aggravated Interference with the Conduct of a Religious Assembly

The bill creates the crime of "aggravated interference with the conduct of a religious assembly," which elevates the crime of interference with the conduct of a religious assembly when certain firearms or weapons are present. "Aggravated interference with the conduct of a religious assembly" applies if an individual is by force, threat of force, or by physical obstruction intentionally injuring, intimidating, or interfering with any person lawfully exercising or seeking to exercise the right of religious freedom while in possession of any firearm or weapon that is a criminal weapons offense under the Kansas Criminal Code.

Aggravated interference with the conduct of a religious assembly is a severity level 4 person felony.

Definitions

The bill defines the following terms:

- "Interfere with" means to restrict a person's freedom of movement;

- "Intimidate" means to place a person in reasonable apprehension of bodily harm to such person or another person; and

- "Physical obstruction" means rendering impassable ingress to or egress from a place of religious worship, or rendering passage to or from such place of religious worship unreasonably difficult or hazardous.

Damages

The bill authorizes a person injured as a result of another's interference with the conduct of a religious assembly to bring an action in an appropriate state court against the person or persons who engaged in that interference. A prevailing plaintiff may be awarded actual damages, punitive damages in an amount up to three times the actual damages the person sustained, and the cost of the suit, including reasonable attorney's fees. In lieu of actual damages, the bill allows a plaintiff to seek statutory damages in the amount of $5,000 for each violation. The court is authorized to award any equitable or injunctive relief as the court deems appropriate.

The bill requires, notwithstanding any other provision of law, any action commenced under the bill to be filed within five years after the later of:

- The date of discovery of the crime; and
- The conclusion of a related criminal case.

Civil Penalties

In the interest of vindicating public interest, the bill provides for the court in any action brought under the bill to, in addition any damages or other relief awarded to the plaintiff, assess a civil penalty against each respondent in the amount of:

- $10,000 for the first nonviolent violation of interference by force, threat of force, or by physical obstruction, intentionally injuring, intimidating, or interfering with any person lawfully exercising or seeking to exercise the right of religious freedom and $15,000 for a second or subsequent nonviolent violation; and

- $15,000 for a first violation of recklessly damaging, defacing, or destroying the property of a place of religious worship or aggravated interference with the conduct of a religious gathering and $25,000 for a second or subsequent violation.

Other Remedies

The bill does not preclude any other remedy available to the victim of interference with the conduct of a religious assembly under federal law or state law.

Attorney General Authority

At the victim's request, or upon the Attorney General's own determination, the Attorney General is authorized to pursue cases on behalf of any Kansas victim of interference or aggravated interference with the conduct of a religious assembly. All damages obtained must go to the victim, and the Attorney General may seek reasonable attorney's fees and costs.

The bill authorizes the Attorney General, in concurrent authority with any county or district attorney, to prosecute interference with the conduct of a religious assembly and aggravated interference with the conduct of a religious assembly when such crimes are part of an alleged course of criminal conduct occurring in two or more counties.

Technical and Conforming Amendments

The bill removes a duplicative crime of criminal desecration from the definition of "criminal desecration" and makes other technical and conforming amendments.

Theft; Buying Sexual Relations; Criminal Use of a Financial Card; Unlawful Use of a Laser Pointer; HB 2347

HB 2347 amends and creates laws related to the crimes of theft, buying sexual relations, criminal use of a financial card, and unlawful use of a laser pointer.

The bill makes technical amendments to remove outdated statutory references.

Theft—Culpability and Motor Vehicles

The bill changes the required culpability of a person obtaining control over stolen property or services contained within the theft statute from "knowing" such property or services were stolen from another to a requirement the person "has reason to know" such property or services were stolen from another.

The bill also makes theft of a motor vehicle that is valued between $500 and $1,500 a severity level 10 nonperson felony.

Buying Sexual Relations

The bill increases criminal penalties and amends laws concerning diversion agreements for buying sexual relations, requires certain offenders to complete an educational or treatment program regarding commercial sexual exploitation, and requires the Attorney General to approve such programs in consultation with the Office of Judicial Administration (OJA).

Educational or Treatment Programs Regarding Commercial Sexual Exploitation

The bill requires, prior to July 1, 2027, the Attorney General, in consultation with OJA, to approve one or more educational or treatment programs regarding commercial sexual exploitation.

The bill requires the Attorney General to adopt rules and regulations necessary for the governing of the educational or treatment programs on or before January 1, 2027. The bill requires the rules and regulations to include, but not be limited to:

- Criteria for the evaluation, approval, and monitoring of such programs;
- Any form required to implement such programs;
- Any requirements for staff who will be directly providing services to clients of such programs; and
- Any report, record, or other information that may be required to be kept and maintained by such programs.

The bill requires these educational or treatment programs to be completed by persons convicted after July 1, 2027, of human trafficking, commercial sexual exploitation of a child, or buying sexual relations, if ordered by a court. For convictions occurring prior to this date, a court may, but is not required to, order a suitable educational or treatment program.

For convictions of buying sexual relations occurring prior to July 1, 2027, a court is required to order a suitable educational or treatment program, while a person convicted after that date is required to complete an Attorney General-approved program. [*Note:* Prior law

provided discretion for a court in ordering a person convicted of buying sexual relations to complete a suitable educational or treatment program.]

Increased Penalties for Buying Sexual Relations

Under prior law, the offense of buying sexual relations was classified as a class A person misdemeanor on a first offense and a severity level 9 person felony on a second or subsequent offense. The bill reclassifies all violations of buying sexual relations as a severity level 9 person felony and increases the minimum fine amount from $1,200 to $2,000.

The bill also amends the Code for Municipal Courts to remove references to misdemeanor violations of city ordinances prohibiting persons from buying sexual relations.

Diversion Agreements for Buying Sexual Relations

The bill amends law concerning diversion agreements entered into in lieu of further criminal proceedings for a violation of buying sexual relations to prohibit a person from entering into a diversion agreement if such person has entered into a diversion agreement for a violation of a municipal ordinance that prohibits buying sexual relations, when the violation occurred prior to July 1, 2026.

Criminal Use of a Financial Card—Gift Cards

The bill amends the crime of criminal use of a financial card to include certain conduct involving gift cards and defines related terms.

The bill redesignates the crime as criminal use of a financial card or gift card, and adds the following conduct as an act constituting the crime, when committed with the intent to defraud and to obtain money, goods, property, or services:

- Acquiring or retaining possession of a gift card or gift card redemption information without consent of the cardholder, issuer, or seller; or

- Altering or tampering with a gift card.

The bill provides that conduct involving a gift card is classified and penalized in the same manner as conduct involving a financial card in continuing law, as follows:

- Severity level 7 nonperson felony if the money, goods, property, or services obtained within a seven-day period are of the value of $25,000 or more;

- Severity level 9 nonperson felony if the money, goods, property, or services obtained within a seven-day period are of the value of at least $1,000 but less than $25,000; and

- Class A nonperson misdemeanor if the money, goods, property, or services obtained within a seven-day period are of the value of less than $1,000.

Definitions

The bill adds definitions of "closed-loop gift card," "gift card," "gift card issuer," "gift card redemption information," "gift card seller," and "open-loop gift card," and amends the definition of "cardholder" to mean:

- The person or entity to whom or for whose benefit a financial card is issued; or
- The person to whom a physical or virtual gift card is issued or any person who has agreed with the card issuer to pay obligations arising from the issuance of a gift card to another person.

Unlawful Use of a Laser Pointer

The bill creates the crime of unlawful use of a laser pointer and establishes related penalties in the Kansas Criminal Code.

The crime is defined as knowingly directing light from a laser pointer at:

- A law enforcement officer engaged in the performance of the officer's duties, which would be a class A person misdemeanor; or
- An aircraft in flight or the flight path of an aircraft, which would be a severity level 9 person felony.

The bill exempts certain persons from the application of the crime:

- Any person who is authorized by an aircraft manufacturer or the Federal Aviation Administration to conduct research and development or flight test operations, while conducting such research or flight tests;
- Members or elements of the U.S. Department of Defense or U.S. Department of Homeland Security acting in an official capacity for the purpose of research, development, operations, testing, or training; or
- An individual using a laser emergency signaling device to send an emergency distress signal.

"Laser pointer" is defined by the bill as a device that emits light amplified by the stimulated emission of radiation that is visible to the human eye.

The bill specifies that anyone who commits the crime of unlawful use of a laser pointer may also be prosecuted for, convicted of, and punished for assault or battery.

Uniform Controlled Substances; HB 2365

HB 2365 amends the Uniform Controlled Substances Act (CSA) by adding and removing certain substances in Schedules I, III, and IV; modifies language related to fentanyl and cannabis to conform state statute with federal law; adds 7-substances related to kratom to Schedule I of the CSA; and makes conforming amendments to the definition of "fentanyl-related controlled substance" in the Kansas Criminal Code.

The bill also makes technical and conforming amendments.

Schedule I

The bill adds 14 substances to Schedule I of the CSA, including 11 opioids or synthetic opioids; ethylphenidate, a stimulant; hexahydrocannabinol, a derivative of Delta 9; tetrahydrocannabinol (THC); CUMYL-PEGACLONE, a synthetic cannabinoid; and 7-hydroxymitragynine, also known as 7-OH, a derivative of kratom.

Dibenzopyran Numbering Convention for Cannabis

The bill modifies the numbering convention used to identify carbon atoms of the chemical structure of THC to adopt the commonly used dibenzopyran numbering convention and make these references consistent in statute. Delta 1 becomes Delta 9, Delta 6 becomes Delta 8, and Delta 3 and 4 become Delta 6a and 10a, respectively.

Fentanyl

Unless specifically exempted or unless listed in Schedules II through V of the CSA, any material, compound, mixture, or preparation that contains any quantity of a fentanyl-related substance or that contains the salts, isomers, and salts of isomers of a fentanyl-related substance whenever their existence is possible within the specific chemical designation will be added to Schedule I. The bill also adds a definition of "fentanyl-related substance" to Schedule I and makes conforming amendments, adding and removing specific fentanyl derivatives and analogs to Schedule I and to the definition of "fentanyl-related substance" in the Kansas Criminal Code.

[*Note:* This change conforms to the 2025 federal Halt All Lethal Trafficking (HALT) of Fentanyl Act, which created a fentanyl class in Schedule I of the federal Controlled Substances Act.]

Derivatives of Kratom

The bill adds 7-OH and mitragynine, the primary psychoactive component of kratom, to Schedule I of the CSA.

Schedule III

The bill adds 22 federally scheduled steroids to Schedule III.

Schedule IV

The bill adds zuranolone, a prescription medication approved to treat postpartum depression, to Schedule IV. The bill also corrects the spelling of the drug modafinil.

Including Theft of Certain Agricultural Assets as Crime, Exempting Certain Feral Cat Advocates from Crime of Cruelty to Animals, and Increasing Penalties for Transnational Repression; HB 2413

HB 2413 amends the crime of theft to include theft of an implement of husbandry, livestock, grain, and hay. The bill amends law related to the forfeiture of contraband property used in the theft of livestock to also apply to the theft of an implement of husbandry. The bill also amends the criminal statute for cruelty to animals to exclude the actions of a person who catches a feral cat to provide vaccination, spaying, or neutering and returns the cat back to the location where the cat was caught after providing such care. The bill also provides enhanced penalties for offenses committed related to transnational repression (TNR) and requires the development of TNR recognition and response training. The bill also makes conforming amendments.

Theft of Livestock and Implements of Husbandry

Under the bill, theft of livestock or an implement of husbandry is classified as a severity level 5 nonperson felony.

As defined by the bill, the term "livestock" means cattle or horses.

[*Note:* The term "implement of husbandry" is defined by continuing law to generally include every vehicle designed or adapted and used exclusively for agricultural operations, including feedlots. The term includes, but is not limited to:

- A farm tractor;
- A self-propelled farm implement;
- A fertilizer spreader, nurse tank, or truck permanently mounted with a spreader used for spreading water, dust, or liquid fertilizers or agricultural chemicals;
- A truck mounted with a fertilizer spreader used for spreading animal dung; and
- A mixer-feed truck owned and used by a feedlot for dispensing food to livestock in such feedlot.]

The bill amends law related to forfeiture of contraband related to theft of livestock or an implement of husbandry to update references to specific formats of books, records, and research products and materials, to include both physical or electronic formats and amends the definition of "livestock" to include only cattle or horses.

Theft of Grain and Hay

Under the bill, theft of grain is classified as a severity level 6 nonperson felony.

As defined by the bill, the term "grain" means at least 400 bushels of:

- Barley;
- Corn;
- Flaxseed;
- Oats;
- Rye;
- Sorghum;
- Soybeans;
- Wheat;
- Any other food grains, feed grains, and oilseeds subject to federal oilseeds standards as in effect on July 1, 2026; or
- Any mix of the listed grains.

The bill classifies theft of at least 20,000 pounds of hay as a severity level 6 nonperson felony.

As defined by the bill, "hay" includes:

- Alfalfa;
- Brome;
- Clover;
- Prairie hays; or
- All other grasses or plants which are harvested for forage.

Amending Criminal Statute for Cruelty to Animals

Excluded conduct under the bill applies to:

- Knowingly abandoning a feral cat in any place without making provisions for its proper care; and

- Having physical custody of a feral cat and knowingly failing to provide food, potable water, protection from the elements, opportunity for exercise, and other care as is needed for the health or well-being of the feral cat.

The bill does not exclude conduct such as killing, injuring, maiming, torturing, burning, mutilating, or other defined acts of cruelty against feral cats.

The bill defines a "feral cat" as a cat that has no apparent owner or identification and appears to be unsocialized to humans and unmanageable or otherwise demonstrates wild or undomesticated characteristics.

Transnational Repression

Definition of TNR

For the purposes of the bill, "transnational repression" means actions and behaviors that are committed by an agent of a foreign principal:

- Within or outside the jurisdiction of a foreign adversary. For the purposes of the bill, "foreign adversaries" includes:
    - People's Republic of China, including the Hong Kong Special Administrative Region;
    - Republic of Cuba;
    - Islamic Republic of Iran;
    - Democratic People's Republic of Korea;
    - Russian Federation;
    - Bolivarian Republic of Venezuela; and
    - Any organization that is designated as a foreign terrorist organization as of July 1, 2026, pursuant to the Immigration and Nationality Act, except where otherwise provided by rules and regulations adopted by the Fusion Center Oversight Board; the bill authorizes the Fusion Center Oversight Board to adopt such rules and regulations;
- From or attributable to such foreign principal. For the purposes of the bill, "foreign principal" means:
    - The government or any official of the government of a foreign adversary;
    - A political party or member of a political party or any subdivision of a political party of a foreign adversary;
    - A partnership, association, corporation, organization, or other combination of persons owned or controlled by, organized under the laws of, or having its principal place of business in, a foreign adversary;
- With the intention of harassment, intimidation, censorship; or
- Otherwise extending the ability of the foreign principal to influence, control, or impose such foreign principal's preferences on the behavior of individuals outside the jurisdiction of the foreign adversary associated with the foreign principal either directly or through physical contact, threats, or electronic targeting, or through indirect means, such as:
    - The actual or credible threat of collective punishment or harassment of individuals under the foreign adversary's effective control;
    - Financial coercion;
    - Abuse of administrative processes;

- Selective prosecution of laws of general application; or
- The use or direction of social media and telecommunications entities.

Crime With Intent to Commit TNR

The bill provides that a person commits a crime with intent to commit TNR if such crime is:

- Undertaken by an agent of a foreign principal or foreign terrorist organization who acts knowingly at the direction of, on behalf of, or under the influence of such principal or organization or any agent thereof with the intent to:
  - Coerce another person to act on behalf of a foreign principal or foreign terrorist organization;
  - Coerce or cause another person to leave the United States;
  - Cause another person to forebear from engaging in conduct that is otherwise protected by the First Amendment to the *U.S. Constitution*; or
  - Retaliate against another person for engaging in conduct that is otherwise protected by the First Amendment; and
- Not protected by the First Amendment to the *U.S. Constitution*.

Increased Severity Level for TNR Crimes

The bill adds a special sentencing rule related to TNR to the Kansas Sentencing Guidelines grid for nondrug crimes. The special rule increases the severity level for any offense committed with the intent to commit TNR. Such increase is:

- One severity level above the appropriate level for offenses classified in severity level 2 through 10; and
- Imprisonment for life with no opportunity for probation, suspension, modification, or reduction if the offense is classified in severity level 1 and such offender is not eligible for parole until serving 25 years with no reduction for good time credit. The 25-year minimum does not apply if, because of the offender's criminal history score, such offender is subject to presumptive imprisonment and the sentencing range exceeds 300 months. In such case, the offender must serve a mandatory minimum term equal to the sentence established by the sentencing range.

Kansas Bureau of Investigation Training Requirements

The bill requires the Director of the Kansas Bureau of Investigation (KBI) to develop and adopt training in TNR recognition and response on or before July 1, 2027. The bill requires the training to be updated regularly to address emerging threats and specific information on tactics used by specific foreign adversaries. Such training includes:

- How to identify different tactics of TNR in physical and non-physical forms;

- Identification of foreign principals that are known to employ TNR, including not only those who use TNR most frequently, but also those who use TNR most egregiously, including, but not limited to, tools of digital surveillance and other cybertools frequently used to carry out TNR activities;

- Best practices for appropriate local and state law enforcement prevention, reporting, and response tactics; and

- Information about communities targeted by TNR.

KBI Public Awareness Requirements

The Director of the KBI is required to develop public awareness information to inform members of the public about how to identify and report instances of TNR. Such public awareness information must include:

- A website, advertised widely to the public, for the purpose of reporting TNR with a link to such website prominently displayed on the KBI homepage;

- Reporting mechanisms available in multiple languages, including the languages of commonly persecuted communities; and

- Annual reporting on the number of complaints received and outcomes, including any instances of foreign interference in the reporting process.

University of Kansas and Kansas State University Campus Disciplinary Policy Requirements

The bill requires the University of Kansas and Kansas State University to include information on TNR in campus disciplinary policies and provide for direct complaints of TNR to be made to a university liaison.

Electronic Monitoring for Certain Violent Offenders and Amending Law for Certain Crimes Against Children; HB 2479

HB 2479 creates and amends law within the Kansas Code for Criminal Procedure to require a court to consider ordering electronic monitoring with victim notification as a condition of release for persons charged with certain domestic violence-related offenses and establishes parameters for the use of such monitoring. The bill increases the penalties for the crimes of endangering a child and aggravated endangering a child when such child is less than 6 years of age, and it amends provisions of the Kansas Criminal Code related to the crimes of breach of privacy, blackmail, and unlawful sexual relations. The bill also defines necessary terms.

Electronic Monitoring

Electronic Monitoring as a Condition of Release

Under continuing law, a person charged with a crime appearing before a court can be released pending trial if they execute an appearance bond. Appearance bonds require the person to appear in court when ordered and to follow certain conditions stipulated by the court.

In addition to any conditions of release set forth by the court, the bill requires the court to consider ordering electronic monitoring of the person with victim notification if the person is charged with:

- A domestic violence offense;
- Domestic battery or aggravated domestic battery;
- Stalking; or
- Violation of a protective order.

[*Note:* The term "domestic violence offense" is defined in the Kansas Criminal Code to mean any crime committed whereby the underlying factual basis includes an act of domestic violence.]

Court Consideration of Electronic Monitoring

The bill allows a court to impose an electronic monitoring condition of release with victim notification under the bill, if it is required to consider such condition. However, the bill also specifies that it does not limit the authority of a court to order electronic monitoring without victim notification.

In determining whether to order electronic monitoring with victim notification, a court may hold a hearing to consider the likelihood that the condition would keep the person from injuring a protected person. The bill requires the court to consider the following factors:

- The gravity and seriousness of harm that the person inflicted on another person in the commission of any act of domestic violence;
- The person's previous history of domestic violence;
- The person's history of other criminal acts, if any;
- The person has access to a weapon;
- Whether the person has threatened suicide or homicide;
- The person has a history of mental illness or has been civilly committed; and
- Whether the person has a history of alcohol or substance abuse.

Informed Consent

The bill allows electronic monitoring with victim notification only if the protected person gives informed consent after receiving the following information:

- The protected person's right to refuse to participate in such monitoring and the process for requesting that the court terminate such participation after monitoring has been ordered;
- The manner in which the electronic monitoring technology functions and the risks and limitations of such technology;
- The boundaries imposed on the person being monitored during the electronic monitoring;
- The sanctions that the magistrate may impose for violation of its orders;
- The procedure that the protected person is to follow if the person being monitored violates an order or the electronic monitoring equipment fails;
- Identification of support services available to assist the protected person in developing a safety plan to use if the person being monitored violates an order or the electronic monitoring equipment fails;
- Identification of community services available to assist the protected person in obtaining shelter, counseling, education, child care, legal representation, and other help in addressing the consequences and effects of domestic violence; and
- The nonconfidential nature of the protected person's communications with the court concerning electronic monitoring and the restrictions to be imposed upon the monitored person's movements.

Notification Area

Before ordering electronic monitoring of a person with victim notification, the bill requires the court to allow the alleged victim 48 hours to provide a list of areas from which they would like the monitored person excluded.

The court must consider such list when determining the locations that the monitored person will be ordered to avoid, and the court must specifically describe such locations, including minimum distances the monitored person should maintain from the locations.

Costs

The bill requires the monitored person to pay the related costs and expenses of such monitoring.

Monitoring Alert—Probable Cause

The bill directs courts and state and local law enforcement agencies to share information obtained by electronic monitoring conducted pursuant to the bill, and specifies that an alert from an electronic monitoring device is probable cause to arrest the monitored person for a violation of a protective order.

Endangering a Child

The bill provides that endangering a child who is at least 6 years of age but less than 18 years of age is classified as a class A person misdemeanor. For endangering a child who is less than 6 years of age, the bill classifies such crime as a severity level 9 person felony. [*Note:* Prior law provided that endangering a child regardless of the child's age is a class A person misdemeanor.]

Aggravated Endangering a Child

The bill provides that aggravated endangering a child who is at least 6 years of age but less than 18 years of age is classified as a severity level 9 person felony. The bill classifies aggravated endangering a child who is less than 6 years of age as a severity level 8 person felony. [*Note:* Prior law classifed aggravated endangering a child regardless of the child's age as a severity level 9 person felony.]

Aggravated Endangering a Child When Bodily Harm Inflicted

The bill classifies aggravated endangering a child when bodily harm is inflicted as a severity level 6 person felony. For aggravated endangering a child when bodily harm is inflicted and such child is less than 6 years of age, the bill classifies the crime as a severity level 5 person felony. [*Note:* Prior law classified aggravated endangering a child when bodily harm is inflicted, regardless of the child's age, as a severity level 6 person felony.]

Breach of Privacy

Criminal Culpability

The bill revises the required criminal culpability for the crime of breach of privacy from knowingly committing the offense without lawful authority to intentionally committing the offense without lawful authority.

Elements of the Offense

Criminal breach of privacy includes several actions that meet this definition of the crime.

Recording nudity or undergarments. The bill amends provisions related to using technology to record another person for the purpose of viewing their nude body or undergarments.

The bill revises these elements to:

- Specify methods of recording include any device or software;
- Specify the recording mediums include any image, video, or other recording;
- Add an element of viewing; and
- Specify the purposes of creating or viewing the recording would be for the purpose of recording or viewing the nude body of another identifiable person or their worn undergarments.

Revised elements: image, video, or other recording. The bill amends elements of other specific offenses within the crime of breach of privacy to include any image, video, or other recording, and to remove reference to videotape, photograph, and film. These offenses include:

- Disseminating or permitting the dissemination of a record obtained through breach of privacy; and
- Disseminating any record obtained through breach of privacy, including a record that has been altered or modified by artificial intelligence, that depicts a person over age 18 or who is nude or engaged in sexual activity with the intent to harass, threaten, or intimidate without their consent.

Image, Video, or Other Recording

The bill defines "image, video, or other recording" to mean any photograph, film, video picture, digital or other computer-generated image, or picture, whether made or produced by electronic, mechanical, or other means.

Criminal Penalties

The bill amends criminal penalty levels for those breach of privacy offenses amended by the bill.

Recording nudity or undergarments. The offense had been a severity level 8 person felony and a second or subsequent offense within the previous 5 years a severity level 5 person felony.

The bill provides that for the first offense where the victim is age 14 or older, but less than age 18, the offense is classified as a severity level 5 person felony.

If the victim is under age 14 and the offender is at least age 18, the offense is classified as an off-grid person felony. This penalty is also applied to an attempt, conspiracy, or criminal solicitation of the offense.

Disseminating or permitting an image or recording obtained through breach of privacy to be disseminated. This offense had been a severity level 5 person felony. If the victim is under age 14 and the offender is at least age 18, the offense is classified as an off-grid person felony. This penalty is also applied to an attempt, conspiracy, or criminal solicitation of the offense.

Blackmail

Under continuing law, "blackmail" is defined to include intentionally gaining or attempting to gain anything of value or compelling or attempting to compel another to act against such person's will by making certain threats.

The bill excludes gaining, compelling, or attempting to gain or compel sexual contact, sexual intercourse, or sexual conduct from the definition of blackmail.

Threat to Disseminate Recordings

One set of blackmail elements relates to making a threat to disseminate certain records obtained through breach of privacy by knowingly using certain technology to make a recording of another person who is nude or in a state of undress with intent to invade their privacy. Violation of these elements is classified as a severity level 4 person felony.

The bill broadens the applicable recordings to include any image, video, or other recordings and removes references to a videotape, photograph, or film.

Additionally, the bill includes recordings that are of an identifiable person who is nude or engaged in sexual activity, including but not limited to recordings that are created in whole or in part, altered, or modified by artificial intelligence or any digital means to appear to depict or purport to depict such identifiable person, regardless of whether the identifiable person was involved in the creation of the recording.

Offenses committed in violation of the elements of blackmail added by the bill are classified as a severity level 4 person felony.

Image, Video, or Other Recording

The bill defines "image, video, or other recording" to mean any photograph, film, video picture, digital or other computer-generated image, or picture, whether made or produced by electronic, mechanical, or other means.

Unlawful Sexual Relations

Under continuing law, the crime of unlawful sexual relations is defined as engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy with a person who is not married to the offender.

Of the conduct elements that constitute the offense, the bill amends elements for which the offender is a teacher or other person in position of authority to clarify that for the crime to

apply, such offender held that position of authority for a school. [*Note:* The offense under this set of elements continues to be classified as a severity level 5 person felony.]

The bill defines the term "person in a position of authority for a school" to include, but not be limited to, a person who is:

- Not a student enrolled at the school;
- Delegated authority by the school to interact with students; and
    - A volunteer for the school who is 21 years old or older;
    - Designated or assigned through such person's employment to provide services for the school; or
    - A contractor or an employee of a contractor who is under contract to provide services for the school.

The bill also defines the term "school" to mean any public or private school offering any of the grades kindergarten through 12. [*Note:* These provisions are contained in the definition of "teacher."].

The bill redefines the term "teacher" as part of the amendments that alphabetize the definitions and reconstitutes the definition with language referring to such persons being employed at a school.

Technical Amendments

The bill also clarifies that certain conduct defers to the provisions of criminal statutes listed in continuing law, alphabetizes the definitions section, and makes conforming amendments to carry out the provisions of the bill and implement the new definitions.

Caleb's Law—Crime of Sexual Extortion; HB 2537

HB 2537 enacts "Caleb's Law," which amends the definition of the crime of sexual extortion to include additional conduct; creates the crimes of aggravated sexual extortion causing great bodily harm and aggravated sexual extortion causing death; and requires the Attorney General to prepare and provide certain educational materials and information concerning sexual extortion.

Sexual Extortion

The bill amends the definition of "sexual extortion" by adding provisions that include communicating, by any means, a threat to distribute an image, video, or other recording of a person that is of a sexual nature, or depicts a person in a state of nudity:

- With the intent to coerce such person to produce or provide anything of value; or
- That causes the person to produce or provide anything of value.

Sexual Extortion Criminal Penalties

The bill raises criminal penalties for existing sexual extortion offenses in certain circumstances and specifies the criminal penalty for the offenses created by the bill.

Communicating Threats with Intent to Coerce—Engage in Sexual Conduct or Create, Provide, or Distribute a Sexual Recording

[*Note:* The base offense continues to be classified as a severity level 7 person felony.]

If the offender is over age 18, and the victim is less than age 18, or the victim is a dependent adult, the offense is classified as a severity level 6 person felony.

Communicating Threats with Intent to Coerce—Produce or Provide Anything of Value

The offense is classified as a severity level 7 person felony.

If the offender is over age 18, and the victim is less than age 18, or the victim is a dependent adult, the offense is classified as a severity level 6 person felony.

Communicating Threats That Causes Victim to Engage in Sexual Conduct or Create, Provide, or Distribute a Sexual Recording

[*Note:* The base offense continues to be classified as a severity level 4 person felony.]

If the offender is over age 18, and the victim is less than age 18, or the victim is a dependent adult, the offense is classified as a severity level 3 person felony.

Communicating Threats That Causes Victim to Produce or Provide Anything of Value

The offense is classified as a severity level 4 person felony.

If the offender is over age 18, and the victim is less than age 18, or the victim is a dependent adult, the offense is classified as a severity level 3 person felony.

Aggravated Sexual Extortion Causing Great Bodily Harm

The bill creates a new offense of aggravated sexual extortion causing great bodily harm, which is defined as sexual extortion resulting in great bodily harm to the victim and the trier of fact finds that the sexual extortion of the victim was the proximate cause of such harm. It shall not be a defense that the victim contributed to their own great bodily harm.

Aggravated sexual extortion causing great bodily harm is classified as a severity level 3 person felony.

Aggravated Sexual Extortion Causing Death

The bill creates a new offense of aggravated sexual extortion causing death, which is defined as sexual extortion resulting in death to the victim, and the trier of fact finds that the sexual extortion of the victim was the proximate cause of the victim's death. It shall not be a defense that the victim contributed to their own death.

Aggravated sexual extortion causing death is classified as a severity level 1 person felony.

Definitions

The bill defines the terms "image, video, or other recording" to mean any photograph, film, video, picture, digital or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, including, but not limited to, any such item that has been created, in whole or in part, altered, or modified by artificial intelligence, or any digital means to appear to depict or purport to depict a person, regardless of whether such person was involved in the creation of the original image, video, or other recording.

The term "dependent adult" means the same as defined in the crime of mistreatment of a dependent adult or elder person in the Kansas Criminal Code.

Attorney General Educational Materials

The Attorney General is required to prepare and provide educational materials and information concerning sexual extortion as defined by the bill. The Attorney General is also required to collaborate with the State Board of Education and law enforcement agencies to educate and notify schools, students, parents and guardians, and the public about the amendments made by the bill and the availability of educational materials and information concerning sexual extortion.

On or before July 1, 2027, and annually thereafter, the Attorney General is required to file a report regarding implementation of the educational materials requirements of the bill with the Governor, the Senate President and Senate Minority Leader, the Speaker of the House and the Minority Leader of the House, and the State Board of Education.

STAR Bonds Changes; Kansas Sports Facilities Authority; HB 2466

HB 2466 creates the Kansas Sports Facilities Authority Act (Act) to provide for the construction of a sports facility and related infrastructure (Facilities) for a National Football League franchise team (Team) to play its home games; makes changes to the STAR Bonds Financing Act (STAR Bonds) and extends its sunset to July 1, 2031; and modifies the authorized uses of the Attracting Professional Sports Fund.

Kansas Sports Facilities Authority Act

The bill establishes the Kansas Sports Facilities Authority (Authority) as a body corporate and politic and a political subdivision of the state. The Authority is not an agency or instrumentality of any city or county. Any obligation, liability, or debt of the Authority belongs to the Authority and not the State, and any property owned, acquired, or used by the Authority under the bill is deemed exclusively used for state purposes within the meaning of the *Kansas Constitution*.

Authority Membership

The Authority is to consist of 11 voting members who are Kansas residents and have relevant education, training, and experience related to facility administration, accounting, law, marketing, or other pertinent fields.

Members are to serve at the pleasure of the appointing authority and until a successor is appointed and takes office. One member is to be appointed by each of the following:

- The Governor;
- The President of the Senate;
- The Speaker of the House;
- The Majority and Minority Leaders of the Senate and House of Representatives; and
- The Team.

The mayors of up to two cities in which a Facility of the Authority is located are each also entitled to appoint a member which can be themselves, provided the city participates in a STAR Bond project in which pledged revenue does not impose conditions limiting the Secretary of Commerce's (Secretary) authority to establish and implement the project or conflict with the terms and conditions agreed upon between the State and the Kansas City Chiefs.

The Secretary, or Acting Secretary, is to be a voting member and serve at the pleasure of the Governor. Prospective appointees must be fingerprinted and submit to a state and national criminal history record check by the Kansas Bureau of Investigation (KBI) before appointment. The KBI is required to maintain custody and control of the criminal history information and to allow the appointing authority and the Majority and Minority Leaders of the House and Senate to view such information. If a mayor is self-appointed, the governing body of the respective city must select a member of such body for purposes of reviewing the criminal history information.

The bill requires initial Authority members to be appointed by August 31, 2026.

Compensation. Authority members are authorized to receive compensation, including per diem and mileage reimbursement.

Chairperson and other officers. The Chairperson of the Authority is to be elected by a majority of the voting members for a four-year term and is required to preside at all Authority meetings, if present, and perform all other assigned duties and functions.

The Authority may appoint a voting member as Vice-chairperson to act for the Chairperson during a temporary absence or disability. The voting members can also elect a voting member to any other officer positions the Authority determines necessary or convenient.

Authority rights, responsibilities, and powers. The Authority has the right, as necessary to accomplish the purposes of the Act, to:

- Sue and be sued;
- Acquire and dispose of real property, air rights, and personal property;
- Enter into agreements;
- Contract for services and employment and enter into other agreements;
- Develop and control facilities constructed or acquired under the Act; and
- Procure insurance consistent with professional sports industry standards.

The Authority is required to:

- Adopt bylaws;
- Contract annually for an independent financial audit with a new auditor selected every three years;
- Utilize retail electrical service, subject to negotiation with retail providers; and
- Establish a website to provide public information, to include, at minimum:
    - A current version of the bylaws;
    - Notices of upcoming meetings;
    - Meeting minutes; and
    - A phone number and email address for public comments.

The Authority may appoint an Executive Director to serve at the pleasure of the Authority as its Chief Executive Officer and receive compensation as determined by the Authority and as approved by the State Finance Council. The Executive Director has powers to perform duties as required, but does not have authority to independently incur liability or make expenditures on the Authority's behalf. The Executive Director can hire, supervise, and dismiss additional employees as authorized by the Authority. The Executive Director's compensation must be paid from rents paid to the Authority by the Team; the bill prohibits public funds from being used for compensation.

The Authority is authorized to fix, charge, and collect fees or rents to recover all or part of the operating expenses incurred in carrying out its functions.

The bill grants the Authority all powers necessary or incidental to the expressly granted powers in the Act that do not conflict with any agreement between the Authority and the Team, including, but not limited to:

- Managing funds, including making investments and granting moneys of the Authority; and

- Borrowing money or pledging assets of the Authority or controlled affiliates for operating needs.

The bill prohibits the Authority from entering into any contract, agreement, or business relationship with any other professional sport or franchise other than the Team. Any such action taken by the Authority would be in violation of the Act and considered null and void.

Authority meetings. Any seven voting members constitute a quorum and action may be taken upon the vote of a majority of members present at a meeting duly called and held. The bill specifies the Authority is subject to the provisions of the Kansas Open Meetings Act (KOMA) and Kansas Open Records Act (KORA).

If immediate action is required and a meeting cannot be timely convened, the bill allows the Authority to act with the same effect as unanimous action taken at a meeting as long as all voting members sign written consent for such action. In such instances, unanimous written consent and any attachments are required to be posted on the Authority's website as soon as practicable after the action.

Sports Facilities

Any Facilities constructed or acquired by the Authority are to be part of the Authority, and other sports facilities can be acquired as part of the Authority, provided:

- The governing body of the other sports facility has requested to become part of the Authority;

- The governing body and the Authority have negotiated an agreement to transfer such other facility;

- The governing body provides information or meets additional requirements requested by the Authority;

- The governing body and the Team have made a joint recommendation to the Authority that such other facility should become a part of the Authority; and

- The Authority finds that inclusion of the other facility would not negatively affect the Authority or the State General Fund, or become a State obligation.

The Facilities under the Act are required to be operated in a manner similar to other comparable sports facilities. The Authority and the Team are required to agree to minimum annual sports facility use requirements by the State and its designees in order to host non-competing community events subject to Facility availability, with the Team having scheduling priority.

Facility usage. The bill authorizes the Authority to enter into agreements for the use, lease, license, occupation, and availability of part or all of any of its premises, property, or facilities that will provide athletic, cultural, entertainment, instruction, or activity for Kansas citizens and visitors. Such agreements may grant contracting parties exclusive use of the premises at times agreed upon, as well as retention of some or all revenues from:

- Ticket sales;
- Suites, club seats, or personalized seat licenses;
- Concessions;
- Advertising and signage;
- Naming rights;
- Team designated broadcast or media; and
- Other revenues derived from a sports facility.

Facility wind down. The bill requires any lease or use agreement between the Authority and the Team to provide for the disposition of the Facility upon expiration or non-renewal of the agreement and relocation of the Team outside Kansas in a manner that ensures the Authority has no ongoing financial obligation, liability, or maintenance responsibility.

Tax Exemptions

The Authority is exempt from any property or general ad valorem taxes levied upon any property acquired by the Authority and used for the Facilities or such taxes levied upon any Authority property used for the Authority's public purposes.

The bill exempts the Authority from any taxes or assessments levied upon any project, property, or local obligation acquired or used by the Authority under the Act.

All sales of tangible personal property or services purchased for the purpose of, and in conjunction with, the constructing, equipping, or furnishing of the Facilities is exempt from state and local sales and use taxes. This exemption terminates upon repayment of bonds.

When contracting for such purposes, an exemption certificate for the project must be obtained for the contractor to be furnished to suppliers and referenced in applicable invoices to obtain the exemption.

Upon completion of a project, the contractor is required to provide a sworn statement, on a form provided by the Director of Taxation of the Department of Revenue that all purchases made were entitled to the exemption. All invoices must be held for five years and are subject to an audit by the Director of Taxation.

Any contractor or their agent, employee, or subcontractor who makes a purchase under a certificate for any purpose other than that for which the certificate was issued, without payment of sales or use tax, is guilty of a misdemeanor.

Other Exemptions

The Authority is exempted from the competitive bidding requirements in continuing law that apply to state agencies, but the bill requires the Authority to utilize competition among contractors and vendors to the extent practicable under the circumstances, at the discretion of the Authority.

The Authority is also exempted from the Kansas Administrative Procedure Act, the Kansas Civil Service Act, and various statutes related to development, procurement, property, and financing that pertain to operations of state agencies and other governmental subdivisions.

The Authority is also not subject to any building permit requirement or building code of any political subdivision of this state or related fees. The Authority is permitted, but not required, to consult with local governments regarding planning and development of projects, but no such consultation confers any authority to such government.

Funding

The bill authorizes the Authority to accept monetary contributions; pledges of revenues, services, and grants, or loans of money; or other property from any source. The Authority is required to hold and dispose of the money, property, or services according to the terms of any required agreements in connection with such contributions.

Legislative Oversight

The bill requires a written report to be submitted to the Legislative Coordinating Council, Senate Committee on Commerce, and House Committee on Commerce, Labor and Economic Development by January 15, 2027, and on January 15 each year thereafter.

At the request of any such committee, the Authority's chairperson and Executive Director are required to appear before the committee and provide testimony on the report.

The report is required to include, at the level of detail as requested by the respective committee or chairperson:

- The current status of the Facility;
- The Authority's actions and operations during the previous year with respect to the acquisition, construction, and development of the Facility;
- Projected construction and development of the Facility and planned Authority operations and actions in the current year ahead;
- Any other Authority actions taken under the Act; and

- Any other information requested by the committee or chairperson pertaining to the Authority.

Other Provisions

Liability. The bill subjects the Authority and its members to the Kansas Tort Claims Act. Participation in an insurance plan or self-insurance fund by the Authority is not deemed to be a waiver or relinquishment of any sovereign immunity for the Authority or its directors, employees, or agents.

Severability. The bill's provisions are severable. If any provision of the bill, or its application to any person or circumstance, is found to be unconstitutional or invalid, the rest of the Act continues to stand and is enforceable as long as it can be enforced without the unconstitutional or invalid provisions.

Attracting Professional Sports Fund

The bill adds to the authorized uses of the Attracting Professional Sports Fund the costs associated with the development of a professional sports team's primary facility, and costs associated with approved community impact projects.

STAR Bonds Changes

STAR Bond Project Approval and Participation

The bill allows city and county governments to elect to participate in a major sports facility project after the initial 60-day deadline for such participation following Legislative Coordinating Council approval as required by current law.

For any STAR Bonds project approved on and after July 1, 2026, the bill requires the Secretary to establish project-specific visitation goals for visitors from at least 100 miles away and from out of the state. Starting the fifth year after the creation of a new STAR Bond district, the bill requires the Secretary to monitor visitation data on an annual basis. If it is determined the project is not meeting the applicable goals, the Secretary is required to review visitation performance with the developer and discuss reasonable strategies to increase visitation at the developer's cost, which can include marketing efforts, programming adjustments, or other measures.

The bill prohibits the issuance of additional STAR Bonds for a project for which a developer fails to address visitation performance issues to the Secretary's satisfaction. A summary of such monitoring and review, including discussion and actions taken, must be included in the annual report to the Legislature.

District Boundaries

The bill allows more than one STAR Bonds project to be included within a STAR Bond project area and allows project areas to include an area that facilitates the development of such projects.

The bill allows the Secretary to modify project area boundaries after initial project approval and clarifies that such changes will not affect city or county participation or their pledged revenues without the approval of the city or county government.

New Projects in Existing Districts

The bill requires a new STAR Bond project, within an existing STAR Bond project district whose existing project bonds have been paid in full, to use a new tax increment base, as calculated in accordance with the STAR Bonds Financing Act, and to be expressly approved in writing by the Secretary and the governing body of the city or county that created the district.

Amusement Park Projects

The bill authorizes the use of STAR Bonds to finance amusement park rides, including buildings necessary to house and operate such rides, buildings adjacent or attached to such rides, and a building necessary to house a conference center. The bill authorizes such amusement park rides to include interactive visitor experiences with licensed intellectual property that are greater than 25,000 square feet and have capacity to attract more than 100,000 people per year.

Eminent Domain Authority

The bill eliminates the authority of city or county governments to exercise eminent domain for the purpose of acquiring property for a STAR Bond project.

Restrictions on Pledged Revenues

The bill prohibits State General Fund revenues from being pledged for the repayment of special obligation STAR Bonds. The bill also prohibits tax increment revenue generated within a STAR Bond district from being pledged toward any subsequent STAR Bond project.

The bill allows the incremental revenue from Community Improvement Districts and Transportation Development Districts to be utilized for the repayment of STAR Bonds.

The bill clarifies that the capture of any incremental revenues used to repay bonds is limited to 20 years or, in the case of revenue pledged to repay bonds used to pay for professional sports facilities, 30 years.

The bill also specifies that the revenue base established to determine the incremental revenue of a project must be reset upon the new issuance or reissuance of bonds.

The bill clarifies that sales tax revenue apportioned with cities pursuant to the collection of a countywide sales tax are not to be included in the incremental revenue pledged to repay STAR Bonds.

Kansas Development Finance Authority

The bill allows the Secretary to authorize the Kansas Development Finance Authority (KDFA) to issue special obligation bonds to finance a STAR Bond project that has been established by a municipality. Such bonds are not a general obligation of the State, only an obligation of the KDFA, and do not constitute a debt of the State. Such bonds are also not pledged with the full faith and credit, or the taxing power, of the State.

Visitor Data Reporting

The bill requires the Secretary to collaborate with the STAR Bond project and governing body in establishing the district to collect visitor data using ticket sales tracking, reliable software, or other similar technology to track visitation trends for each STAR Bond district that receives sales tax revenues. Such visitor data collection is to occur until the bond debt service has been satisfied and no later than the maturity period of the bond issuance.

The bill requires the visitor data to include visitor ZIP codes but can also include other data. The bill requires the data to be collected in aggregate and without personally identifiable information and to be reported to the Secretary on a quarterly basis. The Secretary is required to include aggregate visitor data and the method of tracking visitor origin in the annual report to the Legislature required by continuing law.

Notice and Disclosure Requirements

The bill requires the Secretary to make certain documents available on the Department of Commerce's website after the adoption or modification of a project plan, including:

- The project feasibility study;
- The STAR Bond project plan; and
- On a continuing basis, any subsequent modification of the above information.

Clarification of STAR Bond Act's Purpose

The bill clarifies the purpose of STAR Bonds is to promote the welfare of the State of Kansas and its communities and assist in development and redevelopment of eligible areas to promote the general welfare of the people of the state through tourism. The bill also states the powers conferred by the STAR Bonds Financing Act are for a public purpose and public use for which public money may be expended.

Taxpayer Agreement Act as Alternative to Tax Increment Financing; HB 2737

HB 2737 enacts the Taxpayer Agreement Act (Act) concerning economic development projects of a city eligible for tax increment financing (TIF) and taxpayer agreements, which are defined as agreements between a city and a project developer that meet the requirements of, and will be subject to, the Act.

Entering Into a Taxpayer Agreement

The bill authorizes a city to issue bonds pursuant to a taxpayer agreement in accordance with the Act as an alternative to financing a redevelopment project, as provided in TIF law, using tax increments and tax increment bonds.

The bill allows a city authorized to undertake a TIF project to enter into a taxpayer agreement with the owner or developer of real property located within a tax increment or redevelopment district after obtaining a written statement of consent from each holder of an existing mortgage or deed of trust on the real property. The bill requires the written statement of consent to indicate the agreement does not constitute an event of default under the existing mortgage or deed of trust.

The bill authorizes use of a taxpayer agreement to:

- Limit such owner's or developer's rights to challenge the owner's or developer's assessment or property taxes or enforcement of a tax lien established pursuant to the Act;

- Guarantee, enhance, or otherwise secure the repayment of bonds, notes, or other obligations issued to finance project costs by the city;

- Provide for payments in lieu of, or in addition to, tax increment revenues; or

- Provide for any payment obligation designed to support the financing or refinancing of project costs.

The bill specifies a taxpayer agreement will constitute a voluntary and binding payment obligation of the owner or developer and will not constitute a pledge of the credit or taxing power of the state or any city.

Payments and Real Property Liens

The bill specifies, in the absence of a written statement of consent, that any lien created by the taxpayer agreement will be subordinate to the existing mortgage or deed of trust.

If a taxpayer agreement provides that payments due under the agreement are secured by a real property lien, such lien:

- Will be in full force and effect automatically upon the execution and recording of the agreement;

- Will constitute and be treated in the same manner as a municipal claim and real estate tax lien pursuant to law, except for limitations on the owner's or developer's rights to challenge the lien, assessment, or property taxes pursuant to provisions described above;

- Will have parity with real estate tax liens, taking priority over any existing or subsequent mortgage, judgment, lien, or encumbrance, except for previously filed real estate tax liens; and

- Can be enforced, collected, and foreclosed in the same manner as real estate taxes, except for limitations on the owner's or developer's rights to challenge the lien, assessment, or property taxes pursuant to the provisions described above, including tax claim bureau sale, sheriff's sale, or judicial foreclosure.

The bill requires a taxpayer agreement containing a lien to be recorded with the Register of Deeds in the county where the property is located. Such recording makes the lien publicly known and legally effective.

Payments due under the agreement will be deemed delinquent if unpaid on the required date as provided by the taxpayer agreement. The bill allows a delinquency to be certified and enforced in any manner pursuant to the taxpayer agreement and as delinquent real estate taxes pursuant to law. All interest, penalties, fees, and collection costs applicable to delinquent real estate taxes will apply to delinquent taxpayer agreement payments.

The bill authorizes a taxpayer agreement and any lien securing the agreement to be assigned to a trustee or purchaser of bonds issued to finance project costs secured by the taxpayer agreement. The assignee will possess all enforcement rights held by the city.

Upon full payment of all obligations under the taxpayer agreement, a city will be required to execute and record a release of lien to extinguish the lien upon recording.

Bond Issuance

The bill authorizes a city to issue bonds as a conduit issuer to finance project costs within a tax increment or redevelopment district. Bonds issued under the Act could be secured by:

- A pledge or assignment of:
    - Payments due under a taxpayer agreement;
    - Any lien created by a taxpayer agreement; or
    - Reserves, guaranties, or private security; or
- A pledge of incremental tax revenues.

These payments, liens, revenues, or other securities could be pledged, assigned, or granted a security interest by the city to a trustee or purchaser of the bonds.

Bonds issued will:

- Be payable solely from the revenues and security pledged;

- Not constitute a general obligation of the city or State;

- Not constitute municipal debt for purposes of any statutory or constitutional debt limitation; and

- Not impose a financial obligation on a city beyond receipt and remittance of pledged payments.

A city issuing bonds under the Act will act solely as a conduit issuer, and repayment will be limited to:

- Taxpayer agreement payments;
- Pledged incremental tax revenues; or
- Any additional private security.

A city also will be authorized to enter into agreements with any trustee, servicer, or bondholder to implement any taxpayer agreement or any provisions of the Act. A city will be permitted to assign to a trustee or bondholders the city's right to receive taxpayer agreement payments, any lien securing such payment, and any enforcement rights under the Act. An assignee will have all enforcement powers held by the city.

The bill prohibits its provisions from being construed to:

- Limit the power of a city under TIF law;
- Require any city to enter into a taxpayer agreement;
- Impose any financial obligation on a city; or
- Constitute a guarantee by a city or the State of any bond issued under the Act.

Education Levels for Instructors at Nursing Schools; SB 334

SB 334 establishes education levels for instructors at nursing schools as a requirement for state approval.

The bill requires, in addition to other requirements in continuing law, that faculty at a school seeking approval from the Board of Nursing (Board) as a school for professional nurses or at a school for practical nurses possess a nursing degree awarded by a state or nationally accredited school of nursing approved by the Board that is at least one level more advanced than the degree awarded by the program in which they are teaching. The bill prohibits the Board from requiring additional or more advanced credentials for such faculty.

The bill authorizes the Board to grant an exemption from this requirement to a school facing hardships in hiring faculty.

Federal Tax Credit Participation; SB 361

SB 361 authorizes the state of Kansas to participate in the federal tax credit program for contributions of individuals to scholarship granting organizations (SGOs).

The bill states that Kansas elects to participate in the federal tax credit for contributions of individuals to SGOs pursuant to Section 25F of the federal Internal Revenue Code for all taxable years beginning after December 31, 2026. [*Note:* This federal tax credit was created by Public Law 119-21, also known as HR 1 of the 119th Congress.]

The bill directs the State Treasurer to annually provide to the U.S. Secretary of the Treasury, or the Secretary's delegate, any required information, including, but not limited to, a list of the SGOs that meet the requirements described in Section 25F of the Internal Revenue Code and are located in Kansas.

The bill also prohibits any state department, division, or other agency from promulgating any rules and regulations that are more stringent than the applicable federal law or rules and regulations in implementing this section.

KSHSAA Participation, Open Enrollment, and Virtual Schools; SB 382

SB 382 authorizes nonpublic schools to permit students attending a non-accredited private school (participating students) to take part in activities governed by the Kansas State High School Activities Association (KSHSAA) on behalf of the nonpublic school. The bill also amends law regarding foreign exchange students' participation in the open enrollment lottery, the eligibility of special teachers contracted by a third party to receive Special Education State Aid reimbursement, and the administration of state assessments by virtual schools.

Student Participation in KSHSAA Activities at Nonpublic Schools

Nonpublic Schools

The bill permits nonpublic schools to allow eligible, participating students to take part in:

- Any activities offered by the nonpublic school that are regulated, supervised, promoted, and developed by KSHSAA;

- Any activity's events, ceremonies, programs, or other functions directly related to the KSHSAA activity in which an eligible student is participating and is sponsored by the nonpublic school; and

- Any school-sponsored events, ceremonies, programs, or other functions that are not directly related to the KSHSAA activity in which an eligible student is participating.

The bill also allows the governing body of a nonpublic school to require participating students, as long as such requirement is applicable to all students participating in an activity, to:

- Enroll in or complete a particular course or courses as a condition of participation; and

- Be subject to tryout and other participation requirements.

Student Eligibility

The bill requires, for purposes of eligibility, that a participating student:

- Be a resident of Kansas;

- Be enrolled and attending a non-accredited private elementary or secondary school;

- Meet any applicable age and eligibility requirements set forth by KSHSAA;

- Pay any fees required by the nonpublic school for participation in such activity, if such fees are generally imposed upon all other students who participate in the activity;

- Is permitted to participate in the activity by the governing body of the nonpublic school; and

- Is determined by the governing body of the nonpublic school to meet KSHSAA's academic eligibility requirements.

The bill states that participating students who take part in KSHSAA activities are entitled to all rights and subject to all responsibilities of any other participating student, except as otherwise provided for by the bill, regardless of the student's enrollment status.

Prohibition on Discrimination

The governing body of a nonpublic school and KSHSAA are prohibited from discriminating against any eligible student under the bill based upon a student's enrollment status.

Open Enrollment and Foreign Exchange Students

The bill would exempt foreign exchange students from public school district open-enrollment lotteries and authorize such students to enroll in the public school district in which their host family resides.

Virtual Schools

Distribution of Special Education State Aid

Definition of special teacher. The bill amends the definition of "special teacher," as used in the distribution calculations, to include persons employed by a third party that has a contract with a school district to provide special education or related services.

[*Note:* The bill maintains all other elements of the definition of "special teacher" found in continuing law.]

Distribution of state aid. The bill also amends the distribution calculation of Special Education State Aid for school districts that are not part of an interlocal agreement or cooperative to be based on a school district's full-time equivalent (FTE) of special teachers providing approved services to students with individualized education plans (IEPs) administered by the school district.

[*Note:* Prior law used the FTE total of special teachers employed by a school district who are qualified to provide special education or related services for the distribution calculation.]

Administration of State Assessments by Virtual Schools

The bill requires that any state assessment administered virtually to a virtual school student be administered by the student's virtual school. The bill also makes the following changes to the conditions under which a virtual state assessment may be administered:

- Requires the assigned date and time for the administration of a state assessment by a virtual school to be in the same range of dates as assigned to the non-virtual students enrolled in the virtual school's school district;

- Authorizes the virtual school to designate the assessment proctors for virtual state assessments;

- Authorizes the virtual school proctor to both administer the virtual state assessment and monitor the student taking it from the same device as long as the assessment platform provides integrated camera proctoring;

- Requires a second device with a functioning camera, provided by either the student or virtual school, for the virtual school proctor to monitor the student taking the virtual state assessment should the assessment platform not have integrated camera proctoring; and

- Requires the virtual school to designate an assessment administrator to verify completed assessments.

The bill also authorizes the Kansas State Department of Education to monitor the administration of state assessments to virtual students in the same manner as state assessments administered to non-virtual students.

The bill requires all costs incurred for any proctor designated by a virtual school to be the responsibility of the virtual school.

Required Personal Communication Device and Social Media Policies; Senate Sub. for HB 2299

Senate Sub. for HB 2299 requires each school district and accredited nonpublic school, as defined in the bill, to adopt policies and procedures regarding the use of personal electronic communication devices (personal devices) and social media platforms. The bill also provides indemnity for lost or damaged devices, exempts virtual schools, and adds provisions regarding nonpublic school accreditation and the rights of certain accredited nonpublic schools.

Personal Electronic Communication Device Policies

Required Policy

The bill requires each school district and accredited nonpublic school, defined as a nonpublic school accredited by the State Board of Education (State Board), to adopt policies and procedures regarding student use of personal devices during the school day, to:

- Prohibit student access and use of personal devices during the school day;

- Require all personal devices to be turned off and securely stored in a location that is:

    - Not on the student's person; and
    - Inaccessible;

- Authorize students to not bring personal devices to school by leaving the devices at home or in a vehicle, even if such vehicle is on school grounds;

- Set enforcement procedures and disciplinary actions for violations of the policies and procedures;

- Authorize students to use personal devices during the school day if such use is:

    - Required to implement a student's individualized education plan (IEP) or 504 plan or approved by a licensed physician as a medical necessity to support the health or well-being of the student; and

    - The intervention of last resort after determining there is no other reasonable alternative option available for such student; and

- Designate and make available a school telephone or other communication device that a student is allowed to use to contact a parent or person acting as parent.

[*Note:* A "504 plan" is a document required under Section 504 of the Rehabilitation Act of 1973 regarding accommodations for students with disabilities.]

Optional Policy

The bill also permits school districts and accredited nonpublic schools to adopt policies and procedures to limit or prohibit student use of personal devices during school-sponsored events or events occurring outside of the school day.

Exemptions

The bill exempts any time associated with a student's travel to or from a learning experience not located on the school premises from both the required and optional policies and procedures discussed previously. Such learning experiences include any:

- Postsecondary educational course;
- Career technical education course;
- Work-based learning program; or
- Other alternative educational opportunity.

Definitions

The bill defines three terms used in the bill:

- "Accredited nonpublic elementary or secondary school" means a nonpublic elementary or secondary school that is accredited by the State Board. "Accredited nonpublic elementary or secondary school" includes any nonpublic elementary or secondary school that is dually accredited by the State Board and an accrediting entity other than the State Board;

- "Personal electronic communication device" means any wireless electronic communication device that:
    - Provides for voice, text, or video communication between two or more parties, including, but not limited to, a mobile or cellular phone, tablet, computer, watch, wireless headphones or earbuds, text messaging device, or personal digital assistant; and
    - Is not owned or issued to students by the school district or accredited nonpublic elementary and secondary school; and
- "School day" means the time from the start of school until dismissal at the end of the day on the school premises, including, but not limited to, in any classroom, structured or unstructured learning setting, recess, lunch, or passing period.

Social Media Policies

Required Policy

The bill requires all school districts and accredited nonpublic schools to adopt policies and procedures to prohibit school employees from:

- Privately or directly communicating with any students via social media platforms; and
- Requiring the use of social media for any assignment or extracurricular activity.

The bill allows school districts and accredited nonpublic schools to approve a social media platform to be used for official school purposes, which is defined:

- To mean the broadcasting or posting of public, one-way communications that pertain to school functions, activities, or events; and
- To exclude private communications, direct communications, or two-way communications with any student.

Definition of Social Media Platform

The bill defines the term "social media platform" to mean an online website or application that permits a person to become a registered user and create an account or profile for the primary purpose of creating, sharing, or interacting with user-generated content that is publicly viewable by users. Such term includes, but is not limited to, Snapchat, Instagram, Facebook, X, and TikTok.

The bill also states that the term "social media platform" does not include:

- Any online website or application whose primary purpose is educational;

- Any platform approved by the board of education or governing authority of an accredited nonpublic school that:
    - Is owned, licensed, or contractually controlled by the school district or nonpublic school;
    - Allows for required user accounts;
    - Allows communications to be monitored, archived, retained, or audited in compliance with policy or law;
    - Is accessible to parents or guardians; and
    - Is used by employees in accordance with policy;
- Email;
- Direct messaging services that only share messages between a sender and named recipient and do not display or post messages publicly or to users not identified as recipients by the sender of the message; and
- Any online product or service that does not have school-specific features or identifiers and the predominant purpose is to post educational materials, news, or resources, and user comments or other interactive functionality is incidental to such predominant purpose.

Certification Requirement

The bill requires the governing body of each school district and accredited nonpublic school to certify to the State Board, on or before September 1, 2026, that it has adopted the policies and procedures required by the bill. The certification will be submitted in a form and manner prescribed by the State Board.

Indemnity Provision

The bill states that no school district, accredited nonpublic school, or employees or agents thereof are liable for any damage to or storage of personal electronic devices brought to school.

Virtual Schools

The bill states that none of the policies and procedures required by the bill apply to any virtual school as defined in the Virtual School Act.

Accredited Nonpublic Schools

General Definition

The bill states that whenever the terms "accredited nonpublic school," "accredited nonpublic elementary or secondary school," "accredited nonpublic high school," "accredited private schools," or words of like effect are referred to or designated by statute in Chapter 72 of the Kansas Statutes Annotated, and amendments thereto, those references or designations mean a nonpublic school accredited by the State Board unless otherwise indicated in that statute.

School District Accreditation System

The bill amends a statute regarding the school district accreditation system to state that:

- Accreditation by the State Board is voluntary for nonpublic schools operating in Kansas;
- Nonpublic schools accredited by the State Board may also be accredited by a regional or national accrediting agency; and
- Nonpublic schools accredited by a regional or national accrediting agency, recognized by the State Board, are to be entitled to the same rights as nonpublic schools accredited by the State Board.

The bill also states that such regional or national accrediting agencies recognized by the State Board on or before March 1, 2026, cannot lose recognition without approval of the Legislature.

Kansas State High School Activities Association

The bill amends law regarding the Kansas State High School Activities Association to require the organization to recognize and accept accreditation of nonpublic schools that are accredited by a regional or national accrediting agency.

Foster Student School Transfers; HB 2320

HB 2320 amends law regarding best interest determinations, public school enrollment, and the creation of transportation plans for children in the custody of the Secretary for Children and Families (foster students). The bill also changes requirements for the transfer of records between public schools for children in the custody of the Secretary for Children and Families, Secretary of Corrections, or Commissioner of Juvenile Justice.

Public School Enrollment

Best Interest Determination

The bill requires the Secretary for Children and Families to make a best interest determination before any planned placement change or within two business days following an unplanned placement disruption for a foster student. The bill requires any determination to follow federal and state law as well as the procedure set forth in the Department for Children and Families' (DCF) manual.

Foster Student Public School Choice

The bill allows foster students to either attend any school district within the state or to remain in their school of origin, if it is determined to be in the best interests of the child.

The bill also permits foster students whose placement is changed, with the result that they cross a school boundary within the same school district, to choose to either remain at their school of origin or attend the school of the school district where they are placed.

Transportation Plan

Should a foster student's placement change, and it is determined they should remain at their school of origin, the bill requires the affected school district and the Secretary for Children and Families to coordinate the development of a transportation plan to transport the foster student to and from the school of origin.

The bill requires that any plan address the availability and cost of transportation, including whether the costs would be reimbursed by the Secretary for Children and Families, paid by the school district, or shared by both. Additionally, the bill requires that when a plan is being developed that consideration be given to:

- Age, maturity, and behavioral capacity of the child;
- Type of transportation available;
- Flexibility in the school schedule;
- The effect of extracurricular activities on transportation options;
- Traffic routes and patterns; and
- Individualized needs of the child.

Transfer of School Records

The bill requires the Secretary for Children and Families, Secretary of Corrections, and Commissioner of Juvenile Justice to notify the affected school district that a student's placement has changed. The school district is then required to transfer the student's school records within two business days following the day the school district received notification.

For the purposes of the bill, a "business day" is defined as a weekday in which the school district or school's administrative office is open and does not include any federal or state

holiday, any weekday the school district or administrative office is closed, or any weekday where the school day has been canceled due to inclement weather or other unforeseen circumstance.

The bill prohibits a school that receives a foster student from denying or delaying enrollment of said student due to not yet having the school records.

Establishment of the KIRK Act Regulating Expressive Activities at Public Colleges While Expanding Legal Protections for Violations; HB 2333

HB 2333 establishes the Kansas Intellectual Rights and Knowledge (KIRK) Act (Act). The bill sets restrictions on and requirements of public postsecondary educational institutions regarding individuals participating in non-commercial expressive activities and establishes a cause of action to be brought by either the Attorney General or the individual harmed should a college or university violate the Act. The bill also amends the Kansas Preservation of Religious Freedom Act.

Legislative Findings

The bill makes findings regarding the life and death of Charlie Kirk and freedom of speech on campuses of public postsecondary educational institutions. The bill deems the conduct of expressive activities, as defined in the bill, to be protected and deems outdoor areas on the campuses of public postsecondary institutions to be public forums.

Kansas Intellectual Rights and Knowledge Act

Expressive Activities

The bill authorizes any individual to engage in non-commercial expressive activity, defined as any lawful means by which individuals communicate ideas to one another, on the campus of any postsecondary educational institution so long as the individual does not materially and substantially disrupt the functioning of the postsecondary educational institution.

[*Note:* For purposes of the Act, the bill defines “postsecondary educational institution” to mean any public university, municipal university, community college, technical college, or institute of technology.]

Restrictions on Postsecondary Educational Institutions

Expressive activity restrictions. The bill prohibits postsecondary educational institutions from creating free speech zones or other designated areas outside of which expressive activities are prohibited.

The bill restricts postsecondary educational institutions to maintaining and enforcing reasonable time, place, and manner restrictions only when the restrictions:

- Are in service of a significant institutional interest;
- Are narrowly tailored;
- Are clear;

- Are content- and viewpoint-neutral;
- Are published in advance;
- Provide alternative means of expression; and
- Allow the campus community to spontaneously and contemporaneously assemble or distribute literature.

Security fees. The bill authorizes postsecondary educational institutions to charge security fees to a student or student association as part of an application for any expressive activity that requires a permit, with the exception that a postsecondary educational institution cannot charge security fees to a student or student association based on the content of the expressive activity by the student, student association, or invited guest thereof. The bill requires any security fee charged by a postsecondary educational institution to be based on content- and viewpoint-neutral criteria, including but not limited to:

- The location of the activity;
- The anticipated size of the audience; and
- Whether alcohol will be served.

The bill provides that its provisions shall not be construed to:

- Limit the right of student expression in campus spaces that are not outdoor areas of campus;

- Prevent postsecondary educational institutions from maintaining and enforcing reasonable time, place, and manner restrictions on expressive activity as allowed under the Act;

- Prevent postsecondary educational institutions from prohibiting, limiting, or restricting expression not protected by the First Amendment of the *U.S. Constitution* or prohibiting harassment; or

- Enable individuals to engage in conduct that intentionally, materially, and substantially disrupts another individual's expressive activity when occurring in a campus space that has been reserved for such activity by the individual, student, or student association.

Responsibilities of Postsecondary Educational Institutions

The bill requires each postsecondary educational institution to:

- Publish its policies, regulations, or expectations of students regarding free expression on campus to the postsecondary educational institution's website and include such policies in student handbooks and orientation programs;

- Develop materials, programs, and procedures to ensure any individual who is responsible for student discipline or education understands the policies,

regulations, and duties of the postsecondary educational institution regarding free expression on campus; and

- Submit annual reports to the Governor and the Legislature on or before the first day of the regular legislative session that include:
    - The course of action implemented to comply with the Act and any changes or updates thereto;
    - A description of any barriers to or incidents of disruptions of expressive activity on campus; and
    - Other information the postsecondary educational institution deems valuable for the public evaluation of the equal protection and enforcement of free expression rights on campus.

The bill requires that the descriptions required in the report include the natures of each barrier or incident and include any disciplinary action taken against the campus community responsible for it. The bill also requires that personally identifiable information of each student involved in the report be kept confidential.

The bill requires the report to be accessible on the postsecondary educational institution's website home page by use of not more than three links, searchable by keyword and phrases, and accessible to the public without requiring registration or identification measures, such as passwords or usernames.

Should a postsecondary educational institution be sued for an alleged violation of First Amendment rights, the bill requires the submission of a supplementary report to the Governor and the Legislature within 30 days of receipt of the notice that a complaint has been filed. The bill requires such a report to include a copy of the complaint or any amended complaint.

Enforcement

The bill creates a cause of action for either the Attorney General or an individual whose rights under the Act are violated against a postsecondary educational institution, or its officials acting in their official capacity. [*Note:* The bill states that such institutions and officials would not be immune from suit for violations of the Act.]

If the court finds a violation of the Act, the bill allows for the awarding of monetary damages, reasonable court costs, and attorney fees.

The bill establishes minimum damages to be awarded of $500 for the initial violation and $50 for each day the violation continues or a policy in violation of the Act remains in effect, starting the day after a complaint is served to a postsecondary educational institution.

Definitions

The bill defines a variety of terms, including but not limited to:

- "Campus community" means students, administrators, faculty, and staff of a postsecondary educational institution and invited guests thereof;

- "Expressive activity" means lawful verbal, written, audio-visual, or electronic means by which individuals may communicate ideas to one another and includes, but is not limited to, peaceful assembly, protests, speeches, guest speaker presentations, distribution of literature, holding signs, and circulating petitions; and

- "Student association" means any group of admitted students officially recognized or seeking official recognition by a postsecondary educational institution and seeking to receive benefits through said institution.

Severability

The bill states that provisions of the Act are severable. If any portion of the Act is declared unconstitutional or invalid, or the application of any portion of the Act to any person or circumstance is held unconstitutional or invalid, the invalidity would not affect other portions of the Act that can take effect without the invalid portion or application.

Kansas Preservation of Religious Freedom Act

The bill amends the Kansas Preservation of Religious Freedom Act to include political and ideological student associations as groups that postsecondary educational institutions may not take action against or enforce any policy that would deny the group any benefit available to any other student association.

Additionally, the bill expands the sincerely held beliefs and standards that a student association could require of its leaders or members to include political beliefs, ideological beliefs, values, and missions.

[*Note:* Under prior law, the Kansas Preservation of Religious Freedom Act provided such prohibitions only for religious student associations and sincerely held religious beliefs and standards.]

Specialty Practice Medical Student Loan Program; HB 2374

HB 2374 creates the Specialty Practice Student Loan Program and amends provisions of the Medical Student Loan Act.

Specialty Practice Student Loan Program

The bill establishes a Specialty Practice Student Loan Program (Program) administered by the University of Kansas (KU) School of Medicine. The school is authorized to enter into medical student loan agreements with undergraduate students who intend to pursue practice in an approved specialty and commit to satisfy obligations to engage in the full-time practice of medicine and surgery in a service commitment area. The Chancellor of KU (Chancellor) has the

authority to administer the Program, including discretion to allocate which specialties are eligible for the loan based on workforce needs.

Medical Student Loan Act

The bill amends definitions applicable to the provisions of the Medical Student Loan Act (Act) to:

- Expand the definition of "approved postgraduate residency training program" to include residency or fellowship training in an approved specialty;
- Define "service commitment area" for approved specialty providers as any community within any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee, or Wyandotte;
- Define "approved specialty" as gynecology, general psychiatry, and any specialty approved by the Chancellor; and
- Define "primary care" as general pediatrics, general internal medicine, family medicine, family practice, and emergency medicine.

The bill further amends the Act to provide Program stipends for a 12-month period rather than months the recipient is enrolled in school.

The bill removes language requiring KU to enter into agreements with up to 12 recipients, subject to appropriation, who would commit to satisfy obligations by serving as a full-time faculty member of the KU School of Medicine in general psychiatry or child psychiatry or to perform at least 100 hours per month of on-site mental health care. The bill removes the option for a participant to satisfy the obligation by serving as a full-time faculty member in general or child psychiatry.

The bill prohibits the Chancellor from expending Medical Loan Repayment Fund moneys for participants in an approved specialty; however, the bill allows the Chancellor to transfer funds from the Medical Loan Repayment Fund to the Specialty Loan Repayment Fund for medical student loans for students in approved specialty programs.

The bill establishes the Specialty Medical Loan Repayment Fund. The bill allows any moneys remaining at the end of the year for specialty agreements to be used for primary care agreements. The bill abolishes the OBGYN Medical Loan Repayment Fund and the Psychiatry Medical Loan Repayment Fund and requires any remaining moneys and liabilities to be those of the Specialty Medical Loan Repayment Fund.

School Meals and Public Innovative District Act; Senate Sub. for HB 2402

Senate Sub. for HB 2402 requires certain school districts to annually consider participation in the Community Eligibility Provision (CEP) of the National School Lunch Program (NSLP) and makes changes to the Public Innovative District Act (Act).

Community Eligibility Provision Consideration

The bill requires the local school board of a district that has one or more schools with at least 50.0 percent of the school's students directly certified as eligible to receive free lunch under the NSLP to annually determine the number of students who:

- Are enrolled in and attending school in the school district; and
- Qualify for free meals through direct certification under the NSLP.

The bill allows for school districts to provide appropriate instruction and assistance to students and families to ensure accurate student participation in NSLP.

Consideration of Participation

Following such determination, the local board of education is required by the bill to consider participation in CEP for the school district as a whole or any school within the district determined to be eligible. If participation is desired and would not cause financial hardship, the board is required to approve participation by a majority vote and direct the superintendent to perform any necessary tasks for participation.

Financial Hardship

If the local board of education determines that participation in CEP would cause financial hardship for the school district, the bill requires the local board of education to demonstrate such financial hardship in an open public meeting and, by a majority vote, declare that the school district, or school within the school district, elects not to participate in CEP.

Kansas State Department of Education Assistance

The Kansas State Department of Education (KSDE) is required to assist any school district with one or more schools that qualify for CEP in the school district's efforts to participate in CEP.

Public Innovative District Act

The bill makes the following changes to the various deadlines within the Act:

- Changes the deadline for school district applications to the State Board of Education (State Board) for approval to operate as a public innovative district from December 1 to May 1;

- Reduces the State Board's window to review and act upon a school district application from 90 to 45 days after receipt of an application; and

- Reduces the State Board's window to act upon a request for reconsideration from 60 to 45 days after receipt of such request.

The bill also provides that a school district's application will be automatically deemed approved if the State Board or the Public Innovative District Coalition Board does not act upon such school district's application within the time frames established in the Act.

State-provided College Entrance and Career Readiness Examinations; HB 2482

HB 2482 changes statutory references to examinations that the State Board of Education (State Board) must provide from specific examinations offered by ACT to:

- A nationally recognized college entrance exam that measures math, science, reading, and writing skills of each student enrolled in grades 11 and 12;
- A pre-college entrance exam that is aligned with the nationally recognized college entrance exam to each student enrolled in grade 9; and
- A career readiness assessment or a series of career readiness assessments that lead to a nationally recognized credential to each student enrolled in grade 11.

The bill takes effect on July 1, 2027.

Service Scholarships; College Courses in Secondary Schools; Every Child Can Read Act; Kansas Promise Act; Workforce Pell Grants; ACT WorkKeys; HB 2485

HB 2485 makes changes regarding the authority to negotiate and settle repayment obligations under the Kansas Board of Regents (KBOR) service scholarship programs, agreements between public school districts and community or technical colleges for the provision of college courses in secondary schools, the Every Child Can Read Act and the Kansas Blueprint for Literacy, workforce training programs for federal Workforce Pell Grants, ACT WorkKeys and other similar career readiness assessments, and the Kansas Promise Scholarship.

Repayment Obligations Under Service Scholarship Programs

The bill authorizes KBOR to negotiate and settle repayment obligations under the KBOR service scholarship programs and prohibits service scholarship recipients who are subject to a repayment obligation from receiving any additional service scholarship funds.

Public School Agreements with Community and Technical Colleges

Agreement Requirements

The bill permits community and technical colleges to enter into agreements with school districts for the provision of college courses at a high school or high schools within a school district. The bill requires all agreements to adhere to KBOR service areas and concurrent enrollment policies.

Beginning July 1, 2026, the bill requires agreements to contain the following requirements for community or technical colleges:

- Directly purchase any instructional materials and supplies required for the course, if such materials and supplies are not provided by the school district;
- Pay the standard amount, as provided in the bill, for teaching services to the school district; and
- Pay an amount, not to exceed the standard amount for non-teaching site coordinator services, directly to any school district employee providing such services to the community or technical colleges.

The bill further requires that any payments made to school districts for teaching services must be paid directly to the teacher providing the course as a supplement to the teacher's regular salary.

For a school district employee providing site coordinating services for a community or technical college, the bill provides for such employee to be considered a contractor of the community or technical college for purposes of payment.

Community or technical colleges will not provide financial or other compensation to school districts or school district employees beyond what is required under the bill for the provision of college courses in a school district building during the normal school day.

Standard Amounts

The bill defines "standard amounts" for community or technical colleges for the 2026–2027 academic year as:

- $600 per credit hour, not to exceed 10 credit hours per semester, for teaching services; and
- Not to exceed $1,500 per semester for non-teaching site coordination services.

If a course has fewer than eight students enrolled in and attending the course, the bill allows a community or technical college to prorate payments for teaching services based upon student enrollment.

For the 2027–2028 academic year and beyond, the bill requires the standard amounts to be adjusted annually by adding an amount equal to the average percentage increase in the Consumer Price Index for All Urban Consumers in the Midwest region (CPI-U Midwest) for the three immediately preceding academic years, rounded to the nearest dollar.

Other Provisions

The bill also states that nothing in the bill may be construed to include an accredited independent institution, as defined by law, or to limit, preempt, or otherwise restrict:

- Any negotiated agreement;
- The terms and conditions of any negotiated agreement between a school district and the district's faculty; or
- Any negotiated agreement or terms and conditions of such an agreement between a community or technical college and its faculty.

Workforce Pell Grants

The bill requires the Governor, in consultation with the state workforce development board, to approve eligible workforce training programs for federal Workforce Pell Grants and establishes requirements for the state workforce development board regarding the Workforce Pell Grant Program.

The bill requires the state workforce development board to:

- Establish an internal process for eligibility approval of postsecondary educational institutions and programs for Workforce Pell Grants;
- Establish an appeals process for postsecondary educational institutions and programs denied eligibility for Workforce Pell Grants;
- Coordinate approval of eligible workforce training programs with other state and federal workforce programs to prevent duplicative funding for similar programs; and
- Align and leverage available state and federal moneys to support the implementation and expansion of eligible workforce training programs.

[*Note:* The state workforce development board in Kansas is the KANSASWORKS State Board that was established pursuant to the federal Workforce Innovation and Opportunity Act.]

For purposes of the bill, an "eligible workforce training program" means any program that meets federal requirements in Section 481(b) of the Higher Education Act of 1965, including:

- A program offered by an eligible institution that:
    - Is at least 150 but less than 600 clock hours of instruction or an equivalent number of credit hours; and
    - Is at least 8 and and less than 15 weeks of duration;

- Not offered as a correspondence course, as defined in federal regulations;

- Determined by the Governor, in consultation with the state workforce development board, that the program:

  - Provides an education aligned with the requirements of high-skill, high-wage, or in-demand industry sectors or occupations;

  - Meets the hiring requirements of potential employers in the in-demand industry sectors or occupations;

  - Leads to either a postsecondary credential that is stackable and portable across more than one employer or is for an occupation for which the postsecondary credential is the only one recognized; and

  - Prepares students to pursue one or more certificate or degree programs at an institution of higher education where the student would receive academic credit for the workforce development program toward the certificate or degree program; and

- Upon approval by the Governor, is determined by the U.S. Secretary of Education (Secretary) that, for each award year, the program:

  - Has been offered by the eligible institution for one or more years prior to the Secretary's determination;

  - Has a verified completion rate of at least 70.0 percent or more within 150.0 percent of the normal time for completion;

  - Has a verified job placement rate of at least 70.0 percent or more 180 days after completion; and

  - Has total published tuition and fees that do not exceed the value-added earnings of students who received federal financial aid and completed the program three years prior by calculating the difference between 150.0 percent of the poverty line for a single individual and the adjusted median earnings for such students based upon the location of the program.

The bill states that these requirements of the bill must be consistent with applicable federal rules governing the Workforce Pell Grant Program and that, if any provision conflicts with federal law, federal law will govern.

Every Child Can Read Act

Universal Screener

The bill adds the usage of a single, statewide, universal screening tool that is recommended in the comprehensive literacy implementation plan due to the State Board of Education (State Board) on June 1, 2026, and implemented for the 2027–2028 school year to the list of required measurements of student achievement under the Act.

[*Note:* Continuing law would still require measurements of student achievement through participation in state assessments and through universal screening and assessment tools approved by the local board of education (local board) or State Board.]

School District Reporting Requirements

The bill also adds additional data to be reported to the Kansas State Department of Education (KSDE), on or before June 30 of each school year, by school districts, including:

- The number of students in grades pre-kindergarten (Pre-K) through eight who performed in the high-risk category on the fall screening measure;
- The number of students in grades kindergarten through three with an individual student literacy plan beginning in school year 2027–2028; and
- The number of students in grades kindergarten through three who exited the high-risk category or such student's individual student literacy plan by the end of the school year beginning in school year 2027–2028.

Annual Report

The bill includes the State Board and the Literacy Advisory Committee as recipients of the KSDE required report on the data provided to it by school districts and change the due date of such report from on or before January 15 to on or before October 1 of each year.

[*Note:* Both the Governor and the Legislature continue to be required recipients of the report.]

Kansas Blueprint for Literacy

Literacy Advisory Committee

Committee members. The bill requires that members appointed to the Literacy Advisory Committee (Committee) have expertise in:

- Evidence-based literacy practices;
- Educator preparation;
- Science of Reading research and evaluation;
- Dyslexia research;
- Literacy intervention;
- Implementation science policy development; or
- Implementation literacy policy development.

Responsibilities. The bill transfers the attainment of a transformational goal for the credentialing of specific teachers in the Science of Reading and structured literacy by 2030 and

student achievement on the English Language Arts (ELA) State Assessment by 2033 from being a responsibility of the Committee to being a joint responsibility of the State Board and KBOR.

[*Note:* Additional details regarding the transformational goal and amendments made to said goal by the bill can be found under the "Joint Responsibilities" heading of the Responsibilities of the State Board and the KBOR section of this summary.]

Reporting. The bill removes select reporting criteria and various reporting dates for the Committee and, instead, requires the Committee to make an annual progress report on or before January 31 of each year to the:

- State Board;
- Legislature;
- House Committee on Education; and
- Senate Committee on Education.

Director of Literacy Education

The bill replaces the term "tier I literacy methodologies" with the term "structured literacy and evidence-based practices" in regards to the responsibility of the Director of Literacy Education to ensure use of such methodologies or practices by state educational institutions, elementary schools, and secondary schools.

School Districts

Individual student literacy plans. Beginning in school year 2027–2028, the bill requires each school district to develop individual student literacy plans (ISLP) for all students that:

- Are in grades kindergarten through three; and
- Performs at a high-risk level on fall literacy screening measures.

ISLPs are required by the bill to be developed in partnership with a student's parent or person acting as parent, and are to include:

- A minimum of 90 minutes per week of interventions that are:
    - Targeted and tiered;
    - Designed to address the student's individual deficiencies; and
    - Delivered as one-on-one instruction, small group instruction, tutoring, or a summer school program; and
- A diagnostic assessment, progress monitoring, and interventions until the student achieves grade level performance.

The bill also requires a teacher of any student that requires an ISLP to communicate with the student's parent or person acting as parent and provide such individual with information required by the Every Child Can Read Act.

Required Staff. The bill requires that each school district employ, either directly, through shared cooperative agreement, or by contract, a licensed reading specialist for each elementary school within the district, beginning in school year 2029–2030.

Retired and Substitute Teachers

The bill states that retired or substitute teachers cannot be required to complete approved training in the Science of Reading, structured literacy, or other training to achieve a seal of literacy.

Responsibilities of the State Board and KBOR

State Board. The bill requires the State Board to:

- Designate best practices based on the Science of Reading, with structured literacy as the core literacy methodology;
- Prohibit the use or teaching of any discredited methodologies, including the three-cueing system;
- Require applicants for licensure for special education and grades Pre-K through 8 to complete a minimum of 45 clock hours in a literacy practicum designed to increase skills and expertise in:
    - Screening, diagnostic, and formative assessments;
    - Developing instructional plans; and
    - Applying evidence-based practices in an elementary and secondary school setting;
- Require reading specialists to complete a minimum of 45 clock hours in a literacy clinical that:
    - Utilizes assessment tools and data interpretation;
    - Applies evidence-based practices in small or whole group instruction; and
    - Is under the supervision of a literacy expert with a minimum certification that demonstrates expertise in structured literacy;
- Ensure school districts develop ISLPs as required by the bill and that such development utilizes a literacy plan template developed by KSDE;
- Ensure educator preparation programs provide evidence that teacher candidates can demonstrate competency of:
    - Literacy assessment tools and data interpretations;
    - Utilization of literacy screening;

  - Diagnostic, progress monitoring, and formative assessment tools recommended by KSDE;
  - Skills to administer and interpret a variety of assessments to effectively instruct students in small groups and individually in authentic school settings; and
  - Develop plans to guide instruction based on the needs of diverse learners; and

- Submit an annual report to the Committee on or before November 1 of each year, and publish said report to the KSDE website, that must include:
  - Literacy screening measures for each grade level and all subgroups including, but not limited to, those defined in the bill;
  - ELA State Assessment scores for each grade level and all subgroups including, but not limited to, those defined in the bill; and
  - Literacy training for in-service and pre-service teachers.

KBOR. The bill requires the KBOR to:

- Support State Board action to officially designate best practices based on the Science of Reading, with structured literacy as the core literacy methodology;
- Support elementary and secondary schools, as necessary, to eliminate any discredited methodologies;
- Recommend literacy-specific universal screening measures and diagnostic, formative, and summative assessments to the State Board; and
- Approve reading instruction methodologies recommended by the Committee for state educational institutions.

Joint responsibilities. The bill establishes the State Board and KBOR as having joint oversight and responsibility to:

- Approve credential requirements for in-service teachers or certification requirements for pre-service teachers at state educational institutions in the Science of Reading and structured literacy;
- Develop, or make accessible, professional development programs and credential courses through a national online learning program or accredited Kansas postsecondary educational institutions for all Kansas licensed and practicing teachers at low or no cost to such teachers;
- Ensure all pre-service teacher preparation programs at state educational institutions are:

  - Based on the Science of Reading and structured literacy;
  - Exclusively utilizing Science of Reading and evidence-based practices; and
  - In accordance with the State Board accreditation of undergraduate and graduate postsecondary educational programs;

- Publish standards and course progressions to achieve transparency of Kansas reading education programs;

- Provide data for the program that tracks the Science of Reading and structured literacy training progression, course materials, and rigor of application for all Kansas licensed and practicing teachers and administrators;

- Make recommendations to the State Board on vetted high-quality instructional materials that include tier one curriculum resources and intervention curriculum and provide a list of such content to school district boards of education;

- Review undergraduate literacy courses, materials, and resources at least once every three years and make recommendations for improvements to such courses, materials, and resources;

- Implement ongoing professional learning in evidence-based practices in literacy, at low or no cost for reading specialists, special education teachers, paraeducators, school psychologists, and school and school district leaders;

- Accept certifications from programs accredited by the:
  - Academic Language Therapy Association;
  - International Dyslexia Association; and
  - International Multisensory Structured Language Education Council;

- Seek reciprocity for advanced degrees in literacy from international dyslexia accreditation programs within accredited institutions recognized by one of the six regional U.S. Department of Education accrediting organizations until such program is established in Kansas; and

- Attain the transformational goal of 100.0 percent of specific teachers to achieve a credential in the Science of Reading and structured literacy by 2030, to lead to 90.0 percent of students in grades three through eight achieving Level 3 or higher on the ELA State Assessment by 2033.

[*Note:* Prior law made the attainment of these goals the responsibility of the Literacy Advisory Committee and that student achievement for grades three through eight by 2033 would be 90.0 percent of students at Level 2 or higher and 50.0 percent of students at Level 3 or higher.]

The bill also states that all scores and other data on the ELA state assessment associated with the transformational goal must be disaggregated by grade level and all defined subgroups, a minimum of which are prescribed in the bill.

Comprehensive literacy implementation plan. The bill requires the State Board and KBOR to develop, in partnership with the Legislature, a comprehensive literacy implementation plan (comprehensive plan) for grades Pre-K through 12 and postsecondary education that considers input from educators, families, research, and evidence-based practices to:

- Address all policy requirements of the Kansas Blueprint for Literacy, including timelines and resources; and

- Include educator preparation, high-impact ongoing professional learning, and high quality instructional materials, assessments, interventions, multi-tiered systems of support, and family resources and support.

The bill requires an annual report on the comprehensive plan is required by the bill to be made to the:

- State Board;
- KBOR;
- Senate Committee on Education;
- House Committee on Education; and
- House Committee on Higher Education Budget.

The bill requires an initial report of the comprehensive plan to be submitted to those legislative committees previously listed on or before May 1, 2026, with the full comprehensive plan to be submitted to all the entities previously listed on or before January 15, 2027.

Postsecondary Educational Institution Responsibilities

The bill requires KBOR, the provost, and the dean of the college or school of education of each postsecondary educational institution to have joint oversight and responsibility for undergraduate and graduate level reading and literacy courses at their respective institutions and to:

- Integrate explicit courses and ensure candidate competency in the Science of Learning, Science of Reading, and structured literacy, including the five pillars of reading, for all undergraduate early childhood and elementary teacher preparation programs at state educational institutions;

- Appoint one representative from each postsecondary educational institution to, at least once every three years as part of the accreditation process, conduct a systemwide analysis of the curriculum maps across all literacy courses and include clear evidence of instructional approaches and core components of reading development such as, but not limited to:

    - Curriculum maps demonstrating that literacy coursework addresses phonemic awareness, phonics, fluency, vocabulary, and reading

comprehension and includes screening, diagnostic assessment, progress monitoring, and interventions;

- Documentation that language structures related to reading development, including phonology, morphology, syntax, and semantics are addressed;
- Data demonstrating teacher candidate competency regarding evidence-based literacy instruction through course assessments and clinical evaluations;
- Teacher candidate performance on literacy-related licensure assessments or competency measures;
- Observation or evaluation data demonstrating a teacher candidate's ability to deliver explicit and systematic reading instruction;
- Documentation of ongoing faculty professional learning related to current research on reading development and literacy instruction; and
- Documentation of program revisions or instructional changes made in response to teacher candidate performance data, licensure outcomes, or workforce feedback;

- Provide evidence that 80.0 percent of teacher candidates pass the State Board's approved licensure exam in literacy instruction;
- Provide evidence that practicum supervisors demonstrate expertise in structured literacy, evidence-based practices, and supervision;
- Present a report on such systemwide analysis and any results from such analysis to the Committee, State Board, and KBOR; and
- Provide information, advice, and recommendations to the Committee.

Definitions

New definitions. The bill includes additional definitions for purposes of the Act:

- The term "field experience" means learning opportunities for pre-service educators that:
  - Are structured and supervised;
  - Allow for the observation and interaction with students; and
  - Include the application of evidence-aligned reading practices in authentic and diverse classroom settings;
- The term "literacy practicum" means field experience that provides:
  - Explicit guided, hands-on practice delivering evidence-based instructional practices in one-on-one or small group instruction;

- Administration of literacy assessments;
- Designing and implementing diagnostic and prescriptive instructional plans with joint supervision; and
- Mentorship by both literacy faculty and an experienced mentor teacher;

- The term "mentor teacher" means a licensed teacher who has earned a Kansas seal of literacy and models evidence-aligned literacy instruction to ensure pre-service educators gain meaningful, high-impact teaching experience that bridges theory and practice; and

- The term "ongoing professional learning" means the continuous, embedded process to improve teaching effectiveness and student achievement, including active collaborative learning that integrates new knowledge and skills into daily practice.

Amended definitions. The bill amends definitions within the Act:

- The term "Science of Reading" is amended to mean an interdisciplinary body of evidence that informs how students learn to read and write proficiently. The definition also states that the Science of Reading informs evidence-based practices that includes phonemic awareness, phonics, fluency, vocabulary, and comprehension; and

- The term "structured literacy" is amended to mean a comprehensive instructional approach that guides how reading and writing are taught by providing direct, explicit, sequential, data-driven, and systematic instruction that leads to the mastery of reading and writing.

Repealer and Technical Changes

The bill repeals law requiring the Committee to develop a plan for the establishment of six regional centers of excellence in reading.

The bill also makes a variety of technical amendments, some of which remove required actions or reports that were required to occur prior to July 1, 2026.

ACT WorkKeys and Career Readiness Assessments

The bill amends law to require postsecondary institutions to adopt and implement credit transfer policies for the ACT WorkKeys assessments or other similar career readiness assessments.

The bill requires each postsecondary institution to adopt and implement a policy to use a platinum, gold, or silver credential earned through the ACT WorkKeys assessments, or other similar credential earned through a similar career readiness assessment, as transferable credit toward the attainment of a postsecondary technical degree. The transferability will be based on the recommendations of the American Council on Education National Guide.

The bill defines "postsecondary educational institution" as it is defined in the Kansas Higher Education Coordination Act.

Kansas Promise Scholarship Act

The bill amends the Kansas Promise Scholarship Act to prohibit Kansas Promise Scholarship awards from being used to fund remedial hours offered as part of a corequisite course.

[*Note:* Prior law prohibited Kansas Promise Scholarship awards from being used on any remedial course, except for those offered in a corequisite format.]

Kansas Education Opportunity Scholarship; HB 2487

HB 2487 amends the Kansas Education Opportunity Scholarship Program Act (Act) to add a definition of the phrase "employed in Kansas as a teacher or paraprofessional."

Under the Act, an individual is eligible for a scholarship if such individual is a resident of Kansas, has been accepted for admission or is enrolled full time in an educational program at an eligible institution, has established financial need, and is a first-generation student or has a parent who is employed in Kansas as a teacher or paraprofessional for any of the grades pre-kindergarten (pre-K) through 12. The bill defines the phrase "employed in Kansas as a teacher or paraprofessional" to mean an individual:

- Who is an employee of a unified school district or the governing authority of any nonpublic school located in Kansas; and

- Whose primary employment duties are providing classroom instruction or instructional support to students in any of the grades pre-K through 12.

The bill requires an administrator for the school at which an individual is employed to certify to the State Board of Regents (KBOR), in the form and manner prescribed by KBOR, that such individual satisfies these requirements.

Student Safe at School Act, Fentanyl Abuse Education, Naloxone in Schools, and At-Risk Accountability Plans; HB 2534

HB 2534 requires school districts to develop fentanyl abuse education programs and maintain stock supplies of naloxone, creates the Student Safe at School Act (Act) regarding the conduct of active shooter drills and simulations in public and accredited nonpublic schools, amends the definition of "crisis drill" for purposes of rules and regulations promulgated by the State Fire Marshal, and amends requirements concerning school district at-risk accountability plans.

Fentanyl Abuse Education Programs

State Board of Education Guidance

The bill requires the State Board of Education (State Board) to develop guidance for age-appropriate instruction on the prevention of the abuse of and addiction to fentanyl and other opioids and distribute such guidance to school districts.

Fentanyl Abuse Education Programs

The bill requires the board of education of a school district to develop fentanyl abuse education programs (programs), based upon the guidance provided by the State Board, and that such programs be provided to all students enrolled in grades 9 through 12. The bill requires all programs to include instruction on:

- The prevention of abuse of and addiction to fentanyl and other opioids; and
- The awareness of school and community resources available to help with abuse and addiction issues.

The bill allows programs to be provided as part of any other drug abuse awareness and prevention program and school districts to work in cooperation with local health departments, public or private third-party organizations, or law enforcement agencies to deliver such programs.

Naloxone

The bill requires school districts to maintain a stock supply of naloxone, as recommended by a school nurse, at each school operated by the district and specifies that such supply may consist of one or more standard-dose, prepackaged, nasal spray devices. The bill also authorizes a school nurse or designated school personnel, as defined by the bill, to administer naloxone in an emergency situation to any individual who displays the signs and symptoms of opioid overdose if:

- The school nurse or designated school personnel reasonably believes that an individual is exhibiting the signs and symptoms of an overdose; and
- The individual is at school, on school property, or at a school-sponsored event.

Policies and Procedures

The bill requires the board of education of a school district to establish policies and procedures related to:

- The storage of naloxone in a safe location that is:

  - Readily accessible to the school nurse or designated personnel; and
  - In accordance with manufacturer temperature recommendations;

- The periodic monitoring of the inventory and expiration dates of such medication; and

- The administration of naloxone by designated school personnel.

The bill requires each school district to publish information related to policies and procedures for the administration of naloxone.

Other Funding Sources

The bill allows a school district to accept monetary gifts, grants, and donations to carry out the provisions of this section or to accept naloxone nasal spray devices from a manufacturer or wholesaler.

Definitions

The bill defines two terms regarding the supply and administration of naloxone:

- "Designated school personnel," to mean an employee, officer, agent, or volunteer of a school who is authorized by the board of education of the school district to administer naloxone on a voluntary basis outside the scope of employment; and

- "School nurse," to mean a registered nurse licensed by the Board of Nursing to practice nursing in Kansas or a licensed nurse working under a registered nurse who is employed by a school to perform nursing services in a school setting.

Student Safe at School Act

The bill establishes the Student Safe at School Act (Act).

Active Shooter Drills

State guidelines. The bill requires the Kansas State Department of Education (KSDE), on or before October 1, 2026, to establish and publish best practice guidelines for conducting an active shooter drill in school. Such guidelines are required to include, but not be limited to:

- Developmental, trauma-informed, and age-appropriate design, including appropriate safety vocabulary;

- Accessibility and accommodations for students with mobility restrictions, sensory needs, developmental or physical disabilities, mental health needs, and auditory or visual limitations;

- Prior notification of parents or persons acting as parents, including options to exempt a student from participation in any such drill;

- Prohibition of punitive or negative treatment for a student's non-participation in any such drill;

- An announcement, prior to commencement of the active shooter drill, that informs students that such drill is practice and that there is no immediate danger;

- Provision of debriefing time following any active shooter drill before regular classroom activity resumes;

- Alternative safety education for students who do not participate in active shooter drills, including, but not limited to, essential safety instruction and training that is appropriate for students with mobility restrictions, sensory needs, developmental or physical disabilities, mental health needs, and auditory or visual limitations; and

- Any other matters that KSDE determines appropriate to minimize psychological harm to students while maintaining preparedness.

KSDE is required to review and update the guidelines as necessary, but not less than once every three years, and such review must incorporate current peer-reviewed research, federal agency recommendations, and nationally recognized best practices regarding school safety drills and their effects on student mental health behavior.

Local requirements. The bill requires each board of education of a school district or governing body of an accredited nonpublic school to:

- Adopt policies for the conduct of active shooter drills that are consistent with KSDE guidelines; and

- Annually review the efficacy and effect of active shooter drills and any impacts such drills have on the safety and mental health of students, teachers, and other school personnel and staff.

Definition. For purposes of the Act, "active shooter drill" means an emergency preparedness drill designed to inform and instruct students, teachers, school personnel, and other school staff on how to respond in the event that an armed intruder is on the campus or an armed assailant is in the immediate vicinity of the school. This includes:

- Instruction through tabletop exercises and identification of appropriate places for students to locate during an emergency, for grades kindergarten through five; and

- The information described above as well as the practice of active shooter drills, for grades 6 through 12; but

- Not include any sensory components, activities, or elements that mimic a real-life shooting, nor be an active shooter simulation.

Active Shooter Simulations

Prohibition. This bill prohibits schools from conducting, sponsoring, or permitting any active shooter simulation on school property where students in grades kindergarten through 8 regularly attend. Active shooter simulations are permitted at schools where only students in grades 9 through 12 regularly attend.

Exemption. The bill allows law enforcement agencies and adult school personnel to conduct and participate in tactical training exercises that:

- Do not occur during regular school hours or any time when students are present or expected to be present;

- Have no students participating in such exercises; and

- Have received prior, written authorization for the use of school property for such exercises from the local board of education.

Definition. For purposes of the Act, "active shooter simulation" means an emergency exercise including full-scale or functional exercises, designed to inform and instruct adult teachers, school personnel, and other school staff on how to respond in the event of an armed intruder on the school campus or an armed assailant in the immediate vicinity of the school. This includes activities or elements mimicking a real-life shooting, including, but not limited to, simulation of tactical response by law enforcement. This does not include active shooter drills.

24-Hour Notice and Opt-out Policy

The bill requires schools to notify each parent or person acting as parent at least 24 hours prior to an active shooter drill, active shooter simulation, or tactical training exercise. The notice of an active shooter drill or simulation must provide that a parent or person acting as parent may opt a student out of participation.

Any student who is opted out of the drill or simulation will have the opportunity to participate in alternative safety education and cannot receive any negative or punitive treatment for not participating in the drill.

If notice cannot be provided 24 hours prior to an active shooter drill or simulation, the bill requires notice to be provided within 24 hours of the conclusion of the drill or simulation.

The bill also states that it will not:

- Supersede or limit the ability of a parent or a person acting as parent to opt a student out of participation in an active shooter drill or simulation; or

- Require any school to conduct an active shooter drill in a manner that conflicts with the guidelines published by KSDE.

State Fire Marshal Rules and Regulations

The bill defines the term "crisis drills" used in continuing law regarding Fire Marshal rules and regulations to include intruder response drills, lockdown drills, and active shooter drills. The bill also requires any public or private school that conducts an active shooter drill to conduct such drill in accordance with the provisions of the bill. The bill prohibits crisis drills from including an active shooter simulation or any element of an active shooter simulation as defined within the bill.

[*Note:* The State Fire Marshal is required to adopt reasonable rules and regulations to safeguard life and property from fire, explosion, and hazardous materials, including requiring public and private K-12 schools and educational institutions to conduct at least three crisis drills each school year and during school hours. The manner in which crisis drills are conducted is subject to approval by the Safe and Secure Schools Unit of KSDE.]

Additional Definitions

For purposes of the Act, the bill also establishes definitions for terms including, but not limited to, the following:

- "Evidence-based" means a program or practice that demonstrates:
  - A statistically significant effect based on:
    - Strong evidence from no fewer than one well-designed and well-implemented experimental study;
    - Moderate evidence from no fewer than one well-designed and well-implemented quasi-experimental study;
    - Promising evidence from no fewer than one well-designed and well-implemented correlational study with statistical controls for selective bias; or
  - A rationale based on high-quality research findings or positive evaluations that the program or practice is likely to improve relevant outcomes and includes ongoing efforts to examine the effects of the program or practice;
- "School" means any elementary or secondary public school maintained and operated by a school district and any accredited nonpublic school that provides any of the grades kindergarten through 12; and
- "Tabletop exercise" means an exercise designed to help students better understand their individual or group roles and responsibilities. These exercises could include constructive problem-solving as it relates to an armed intruder on the school campus or an armed assailant in the immediate vicinity of the school, and could incorporate age-appropriate written or video scenarios for students to follow.

The bill also defines the terms "Department," "parent," "person acting as parent," and "vendor."

School District At-risk Accountability Plans

The bill modifies requirements for the establishment and measurement of student cohort groups in School District At-Risk Accountability Plans, including to:

- Replace the requirement that at least one cohort be composed of students in grade three with the requirement that at least one cohort be composed of students in grade four;

- Replace the requirement that one cohort group consist of students who qualify for free meals under the National School Lunch Program with the requirement that:

    - Each of the cohort groups must be composed of a subgroup identified for state assessment purposes; and

    - That if two cohorts cannot be identified using said subgroups, then the school district will identify a student cohort group of students eligible to receive at-risk education programs and services;

- Provide that if no cohort group can be formed with the required minimum number of students, then the district will consult with KSDE to determine an appropriate alternative cohort group; and

- Change the requirement that one of the quantitative measures used to evaluate a cohort group be such group's performance on the English language arts (ELA) and mathematics state assessments to being either the ELA or mathematics state assessment that corresponds to the quantitative academic improvement goal for such cohort group.

The bill also removes outdated provisions that applied only to the pilot program.

[*Note:* School District At-Risk Accountability Plans were first established in 2024 SB 387 (KSA 72-3574) and required a two-year pilot program, commencing in school year 2024-2025, to be conducted with all school districts being required to participate starting in school year 2026-2027. Continuing law requires school districts to establish at-risk student accountability plans, annually report on at-risk student performance, and show longitudinal academic improvement for those students. The 2024 bill also established requirements for cohort groups for both the pilot and statewide programs.]

Higher Education Policy Promulgation Authority; HB 2560

HB 2560 authorizes the sale of certain property on behalf of Kansas State University (KSU) and amends statute to exempt state educational institutions from certain statutes upon promulgation of policy by the state educational institution and the subsequent approval by the Kansas Board of Regents (KBOR), including statutes concerning the execution of contracts,

procurement of goods and services, transactions involving easements, disposition of surplus property, establishment of hospitality limitations, and participation in the Kansas Quality Program.

Sale of Property

The bill authorizes KBOR, on behalf of KSU, to sell and convey all rights, title, and interest, subject to all easements and appurtenances, of certain real property described in the bill. The bill also provides that, if KBOR determines the legal description of the real estate described in the bill is incorrect, then the conveyance may include the correct legal description.

The bill exempts the sale of the real property described within it from statutory appraisal and state surplus property requirements and direct all proceeds from the sale to be credited to the Housing System Repair, Equipment and Improvement Fund of KSU.

The bill requires the Attorney General to review and approve the deed, titles, and conveyances prior to KBOR making or accepting any conveyance of such property or upon the correction of the legal description of such property.

The bill also requires such real estate to be conveyed on or before July 1, 2028.

State Educational Institutions Contracts, Easements, and Procurement

For purposes of the bill, "state educational institution" means Emporia State University, Fort Hays State University, Kansas State University, Pittsburg State University, University of Kansas, and Wichita State University.

Authorizing Promulgation of Certain Policies

The bill authorizes state educational institutions (institutions) to promulgate policies, approved by KBOR, to:

- Execute contracts and other agreements for the operation, management, or support of facilities, programs, or activities;

- Procure goods, services, materials, supplies, printing, and insurance, provided that:

    - The procurement policy provides for a competitive bid process;

    - Prohibit a contractor from using an architect that is employed by, or a part of, the same business entity as such contractor unless the architectural drawings are reviewed by the institution's director of facilities, or their designee, to ensure compliance with contract documents and the institution's building standards; and

    - Establish a qualifications-based selection process based upon the qualifications and competence of a firm for the procurement of architectural, engineering, surveying, and related design services and

does not request or consider the price of services prior to commencing negotiations with the most qualified firm; and

- Grant or convey right-of-way easements on any land owned by the state educational institutions, provided that such policies safeguard public interest and protect use and provided that the easements are granted to a public entity or public utility.

The bill authorizes institutions to have policy reference the list of firms qualified to provide engineering or land surveying services prepared pursuant to continuing law.

The bill also states that institutions are exempt from any additional policy, process, or procedure requiring the submission, review, or approval of any such procurement, purchase, or contracting for goods or services or of any easement, provided that the policies relate to statutory requirements for which an institution would be exempt by having promulgated policies that have been approved by KBOR.

The bill also prohibits KBOR from granting or conveying right-of-way easements to any person and requires any such easements to be granted or conveyed to a public entity or utility.

Property Inventory

The bill requires the state educational institutions to maintain an inventory record showing all fixed and movable property.

Legislative Request

The bill allows a legislator to request and receive, from an institution and KBOR:

- A copy of all policies promulgated pursuant to this section of the bill; and

- A copy of any signed contract with public or private entities for the operation, management, or support of any state educational institution facilities, programs, or activities.

The bill requires each request to be acted upon no later than the end of the fifth business day following the date the request is received.

Exemptions from Certain Related Statutes

The bill also exempts a state educational institution from certain statutes that correspond to policies promulgated by a state educational institution and approved by KBOR concerning:

- Granting or conveying right-of-way easements on any land owned by the state educational institutions;

- Architectural, engineering, and land surveying services;

- Maintaining inventory records designed by the Director of Accounts and Reports, Department of Administration (Director), and taking physical inventory as directed by the Director;

- Determining limitations and procedures relating to official hospitality expenditures;

- Requiring certain contracts to be reviewed by the Attorney General, purchase orders to be made on forms prescribed by the Director, and purchase orders to be signed by the Director of Purchases, Department of Administration;

- The requirements of the Kansas Quality Program, including in rules and regulations;

- Following board policies concerning disposition of personal property of the institutions; and

- Following board policy concerning purchases, procurement, and competitive bidding; project architects; negotiating committee requirements; exemptions from local building codes, permits, and fees; and written program statements for the construction of buildings and major repairs.

Attorney Training Program for Rural Kansas Act; Sub. for HB 2595

Sub. for HB 2595 establishes the Attorney Training Program for Rural Kansas Act (Act) and sunsets its provisions on July 1, 2031.

Purpose and Definitions

The bill states the purpose of the Act is to provide encouragement, opportunities, and incentives for licensed attorneys or individuals pursuing law degrees at the University of Kansas (KU) or Washburn University (Washburn) to practice law in rural Kansas.

The bill defines “department,” “law school,” “law student,” “practice of law,” and other terms, including:

- “Program agreement,” to mean an agreement to meet all the obligations provided in the bill; and

- “Rural” or “rural community,” to mean any county of the state other than Douglas, Johnson, Sedgwick, Shawnee, and Wyandotte counties.

Law Student Training and Stipend Program for Rural Kansas

The bill establishes the Law Student Training and Stipend Program for Rural Kansas (Student Program). The Student Program is administered by the Department of Commerce (Department) in coordination with Washburn, for Washburn law students, and KU, for KU law students.

Program Agreements

The bill authorizes each law school, subject to appropriations, to enter into program agreements with law students who meet certain requirements and any other requirements established by the Department and the applicable law school. Preference is given to students who are Kansas residents.

The bill does not require a law school to enter into a program agreement with a law student.

Stipends

The bill provides a stipend of an amount no more than $3,000 per school year for no more than three years to each student entering into a program agreement. The stipend may be used for tuition, books, supplies, or other school expenses incurred by a law student pursuing a law degree.

The stipends provided through the bill are deemed satisfied and forgiven upon satisfaction of all obligations required by the bill and by the program agreement.

Program Agreement Requirements

The bill requires the program agreement to require each law student who participates in the Student Program to:

- Complete the law degree program at the law school; and

- Engage in the full-time practice of law in rural Kansas within 90 days after admittance to the Kansas Bar for a period of at least 12 continuous months for each separate school year that a student receives a stipend, unless the obligation is otherwise satisfied.

Repayment Requirements

The bill requires, upon failure to satisfy the obligation of the program agreement, the repayment of the amount equal to the amount of the stipends within 90 days, less a prorated amount based on any periods of practice of law in rural Kansas that meet the requirements of the program agreement.

The bill requires payment of interest at a prime rate of interest plus 2.0 percent from the date the stipend accrued. The interest is compounded annually.

Postponement

The bill allows for a postponement of the obligation to engage in the practice of law in accordance with the bill during any period of temporary medical disability during which the person is unable to practice law due to the disability.

Satisfaction Obligation

An obligation to engage in the practice of law in accordance with the program agreement is satisfied if:

- The obligation to engage in the practice of law has been completed;
- The obligated person is unable to practice law due to permanent disability; or
- The person dies.

Report to the Legislature

The bill requires the Dean of the KU School of Law and Dean of the Washburn School of Law to annually submit a report to the following committees:

- Senate Committee on Ways and Means;
- Senate Committee on Judiciary;
- House Committee on Appropriations;
- House Committee on Judiciary; and
- House Committee on Higher Education Budget.

Attorney Training and Loan Repayment Program for Rural Kansas

The bill establishes the Attorney Training and Loan Repayment Program for Rural Kansas (Attorney Program). The Attorney Program is administered by the Department in coordination with Washburn and KU.

Nothing in the bill creates a legal entitlement to loan repayment assistance.

Kansas Rural Attorney Loan Repayment Program

The bill requires the Department, in coordination with Washburn and KU, and subject to appropriations, to develop and maintain the Kansas Rural Attorney Loan Repayment Program (Repayment Program) in which the State agrees to pay all or part of the principal, interest, and related expenses of the educational loans of each eligible rural attorney selected for participation in the Repayment Program.

The Department establishes the total amount of annual financial assistance available under the Repayment Program. The amount provided to each eligible attorney is determined by the Department and cannot exceed $20,000 for each year the attorney establishes eligibility for assistance. The total amount of repayment assistance made to any eligible rural attorney cannot exceed $100,000, and participation cannot exceed five years.

Eligibility

A rural attorney is eligible for loan repayment assistance from the Repayment Program if the rural attorney:

- Applies to the Department on a form and in a manner determined by the Department;
- Holds a law degree from an accredited postsecondary educational institution;
- Is licensed to practice law in Kansas and is in good standing at the time of application;
- Has outstanding student loan debt;
- Resides in a rural community; and
- Is engaged in the practice of law in a rural community.

Approval of Applications

The bill authorizes the Department, in coordination with Washburn and KU, to approve applications and provide repayment assistance for any student loan for education at a postsecondary educational institution, including, but not limited to, loans for undergraduate education received by the rural attorney through a lender.

Availability of Loan Repayment

The bill requires loan repayment to be available to eligible rural attorneys on an annual basis. To receive loan repayment, the eligible rural attorney is required to enter into an agreement to practice law in a rural community for a period of at least 12 continuous months for each separate year the attorney receives loan repayment assistance under the Repayment Program, unless the loan repayment obligation is satisfied.

Breach of Contract

The bill requires each agreement entered into to include reasonable penalties for breach of contract. The Department is responsible for enforcing the contract and collecting any damages or owed penalties.

Postponement

The bill allows for a postponement of the obligation to engage in the practice of law in accordance with the bill during any:

- Period of temporary medical disability during which the person is unable to practice law due to the disability;

- Period of time during which the reason for not engaging in the practice of law is covered under the Family and Medical Leave Act; or

- Other period of postponement agreed to or determined in the program agreement.

Satisfaction Obligation

An obligation to engage in the practice of law in accordance with the program agreement is satisfied if:

- The obligation to engage in the practice of law has been completed;
- The obligated person is unable to practice law due to permanent disability; or
- The person dies.

Reports to the Legislature

The bill requires the Department to submit an annual report to the following committees:

- Senate Committee on Ways and Means;
- Senate Committee on Judiciary;
- House Committee on Appropriations;
- House Committee on Judiciary; and
- House Committee on Higher Education Budget.

The bill requires the report to include the:

- Amount of moneys allocated to the Attorney Training Program for Rural Kansas Fund (Fund);

- Number of eligible rural attorneys who applied for the Attorney Program;

- Number eligible rural attorneys who received loan repayment assistance;

- Portion of moneys appropriated from the Fund reported by use, county, number, and categories of clients served in a manner that does not violate attorney-client privilege; and

- Process for allocating funding.

Attorney Training Program for Rural Kansas Fund

The bill establishes the Fund in the State Treasury, to be administered by the Department. All moneys credited to the Fund are expended only for the Student Program or Repayment Program.

Coordination with the Office of Judicial Administration

The bill requires the Office of Judicial Administration to coordinate with the Department as requested by the Department to administer the provisions of the bill. Such coordination includes, but is not limited to providing verification of:

- Bar admission;
- Law school graduation; and
- Employment, for students who participate in the Attorney Program.

The bill authorizes the Supreme Court to establish rules to provide for securely sharing such information.

Withdrawal from Certain Elections; Vacancy in Joint Candidacy of Governor and Lieutenant Governor; Campaign Finance Act Amendments; Board of Director Elections for Irrigation Districts; House Sub. for SB 260

House Sub. for SB 260 makes various amendments to election law, the Campaign Finance Act, and the Mail Ballot Election Act concerning the withdrawal of candidates from certain elections, a vacancy in the joint candidacy of the Governor and Lieutenant Governor, "paid for" or "sponsored by" attributions, campaign expenditures for vendors, and elections for members of the boards of directors of certain irrigation districts.

Withdrawal from Certain Elections

The bill permits a candidate for school board, city official, or community college trustee to withdraw their candidacy if:

- The candidate certifies to the county election officer that the candidate is withdrawing because of severe medical hardship on the candidate or the candidate's immediate family. The candidate would be required to send the county election officer a certification of the severe medical hardship signed by a physician; or

- The candidate certifies to the county election officer that the candidate no longer resides in the district for which the candidate filed for office.

If the county election officer receives a certification or a candidate dies on or before September 1 of the year of the election, the candidate's name will be withdrawn and will not be printed on the ballots.

The bill also authorizes withdrawal of a candidate for any national, state, county, or township office if the nominee certifies to the Secretary of State (Secretary) the nominee does not reside in Kansas or in the county or district in which the candidate was nominated.

Vacancy in the Joint Candidacy of Governor and Lieutenant Governor

The bill states that no vacancy in the candidacy of Governor or Lieutenant Governor shall be filled after a joint candidacy has been filed with the Secretary. If such vacancy occurs for any reason, that joint candidacy will be terminated. The bill allows the remaining candidate to file a new joint candidacy with another individual in accordance with all statutory requirements for filing, including payment of the filing fee.

Removing Treasurer in "Paid For" or "Sponsored By" Attributions

The bill amends the definition of "corrupt political advertising" within the Campaign Finance Act and election crimes law to remove the requirement to list the treasurer in "paid for" or "sponsored by" attributions in political advertisements.

The Campaign Finance Act and election crimes law currently define the crime of "corrupt political advertising" as communications advocating for the nomination, election, or defeat of a clearly identified candidate for state or local office without including either the name of the chairperson or the treasurer of the sponsoring organization. The bill requires the name of only the chairperson of the sponsoring organization to be on such communications.

The bill further amends election crimes law to remove the requirement to list the treasurer's name in attributions on certain communications intended to influence the vote of any person or persons for or against certain question-submitted elections. The bill requires the name of only the chairperson of the sponsoring organization to be on such communications.

Expenditures for Vendors

The bill amends the Campaign Finance Act regarding the campaign treasurer's report. When an expenditure is made by payment to an advertising agency, public relations firm, or political consultants for disbursements to vendors, the bill requires the treasurer's report to show the amount, date, and purpose of each expenditure.

[*Note:* Prior law required the report of such expenditure to show in detail the name of each vendor and the amount, date, and purpose of payments to each.]

Board of Director Elections for Irrigation Districts

The bill modifies the Mail Ballot Election Act to permit the elections for members of the board of directors (directors) of irrigation districts of more than 35,000 acres to be conducted by mail ballot, specify the timing and procedures of such election, and modify the term length for directors.

Mail Ballot Election Act

The bill amends the Mail Ballot Election Act to allow the elections for directors of irrigation districts of more than 35,000 acres to be conducted by mail ballot. [*Note:* Prior law prohibited elections by mail ballot unless the election is not one at which any candidate is elected, retained, or recalled.]

Resolution Providing for Mail Ballot Election

The bill allows each board of directors to adopt a resolution providing for mail ballot elections in an even-numbered or odd-numbered year and that any such resolution be submitted to the county election officer of each county containing territory of the irrigation district.

In the resolution, each board of directors is required to establish the term of such members to be a period of two, three, or four years. [*Note:* Prior law provided that the term of office for directors is a period of two years or four years.]

Timing and Procedures

The bill requires the election to be held on the first Tuesday in March in each even-numbered or odd-numbered year.

At least 90 days before the date of each election to select the directors, the county election officers of each county containing territory of the irrigation district is required to jointly file a mail ballot election plan with the Secretary.

The bill prohibits any person from filing as a candidate for a position on the board of directors after 12:00 p.m., 10 weeks prior to the date of the election.

The bill requires all elections held in accordance with the provisions of the bill to be conducted in accordance with the general election laws of the State and the Mail Ballot Election Act.

SAVE Kansas Act, Voter Registration Record Maintenance, and Voter Registration Websites; HB 2437

HB 2437 enacts the SAVE Kansas Act, concerning voter registration record maintenance, and creates restrictions for voter registration websites.

[*Note:* The bill refers to "voter registration rolls," "registration books," and "registration lists." These are all in reference to the voter registration record maintained by county election officials. For the purpose of the summary, the phrase "registration list" will be used.]

SAVE Kansas Act

Authorized Sources

The bill expands the sources the Secretary of State (Secretary) and county election officers are authorized and directed to utilize when maintaining the registration list and the "statewide voter registration system," or the centralized electronic voter registration database maintained by the Secretary (system), in accordance with the National Voter Registration Act (Act).

Quarterly reports. The bill requires certain entities to make quarterly reports to the Secretary containing personally identifiable information pertaining to individuals as specified in the bill. The bill requires quarterly reports from:

- The Director of Vehicles, Division of Vehicles, Kansas Department of Revenue (Director), pertaining to permanent and temporary driver's licenses issued to noncitizens;

- The Director, pertaining to permanent and temporary driver's licenses issued to persons who have subsequently been issued a driver's license by another jurisdiction;

- Every state agency that is designated as a voter registration agency pursuant to the Act that also provides public assistance benefits regarding noncitizen recipients of such public assistance benefits.

Additional sources. The bill adds the following to the list of sources the Secretary is required to use to maintain the system:

- SAVE, the Systematic Alien Verification for Entitlements database administered by the U.S. Department of Homeland Security;

- The results of duplicate voter registration checks performed on state voter registration records;

- The quarterly report from the Director regarding persons issued a driver's license in a new jurisdiction, which has been investigated by the Secretary and narrowed to include only voters who may no longer intend to be registered voters in Kansas; and

- An annually requested list of deceased residents of the state provided by the Social Security Administration.

[*Note:* The SAVE database has additional provisions governing its utilization described under the SAVE subheading.]

Additionally, the bill authorizes the following resources for the Secretary to utilize to maintain the system:

- Any change of residency information provided by a state or federal agency; and
- Comparisons of voter registration records held and maintained by other jurisdictions.

The bill directs the Secretary to provide the above-listed information to the appropriate county election officer for maintenance of the registration lists, as specified in the bill.

Privacy standards. The bill directs all SAVE data and related voter information to be processed in a secure environment consistent with state and federal data-protection standards, and for personally identifiable information to not be disclosed publicly, except as required by law.

The bill exempts the remaining sources listed above from the provisions of the Kansas Open Records Act, except for releasing the records to county election officials as described in the bill. This exemption expires on July 1, 2031.

Confirmation notice. The bill directs the Secretary to notify appropriate county election officers to send confirmation notices to registered voters within 45 days of the following events:

- The National Change of Address Program identifies a registered voter whose address may have changed; or

- It appears from information provided by the Director that a registered voter moved to a different residence outside the county where the voter is currently registered.

Regarding the information from the Director, the bill requires the confirmation notice to be sent to both the registrant's address in the system and to the current address on the new driver's license, upon which notice the registrant may state their permanent address.

[*Note:* Under prior law, the provision regarding the National Change of Address Program event had been the charge of county election officials, to send confirmation notice to such registered voter without receiving notice from the Secretary to do so.]

Removal of a voter from the system. The bill directs county election officers to remove a voter from the registration list and party affiliation lists when such voter is declared deceased on a notarized form prescribed by the Secretary and executed by such voter's spouse, grandparent, parent, child, grandchild, or sibling. The bill further directs county election officers to remove a voter from the registration list when an obituary notice is published online by a funeral home.

[*Note:* Prior law restricted county elections officers to obituary notices published online by a funeral home located in the county where the voter was registered in order to remove such voter from the registration list.]

The bill removes the Social Security Administration from the list of agencies that may provide a death certificate to instigate a removal from the registration list and party affiliation lists, and instead directs county election officials to verify the death by other reliable means before removing such voter.

When a registered voter has been sent a confirmation notice as a result of the event of information from the Director, the bill gives 45 days for such registered voter's response to reach the county election officer. If no response is received or if the registered voter confirms their intent to no longer be registered to vote in Kansas, the bill directs the county election officer to remove such voter from the voter registration rolls within five business days and to notify any person removed from the voter registration rolls this way that such person may be reinstated on the rolls by providing proof of residency in Kansas.

The bill clarifies the Secretary must notify the appropriate county election official within five business days, rather than five days, of receiving written notice of a felony conviction in a U.S. district court and the election official has five business days to remove such offender from the registration list.

SAVE database. The bill directs the Secretary to:

- Conduct two checks each calendar year to compare the system against SAVE;

- Ensure that one check is completed no later than 180 days before a regularly scheduled federal general election; and

- Transmit any potential noncitizen matches to the appropriate county election official for immediate review.

Upon receipt of such information from the Secretary, the bill requires the county election officer to:

- Notify the voter pursuant to the Act requirements before any voter registration cancellation occurs;
- Place the voter in challenged or pending verification status until resolution;
- Require confirmation of the identified voter's citizenship status; and
- Remove any individual confirmed to be ineligible from the voter registration rolls.

The bill directs the Secretary to submit an annual report in conjunction with county election officials on the outcomes of the periodic checks to the House Committee on Elections and the Senate Committee on Federal and State Affairs by January 31 of each year. The bill requires the report to include:

- The number of records checked against SAVE during the prior year;
- The number of voters flagged as potential noncitizens;
- The number of voters identified as potentially deceased;
- The number of voters ultimately removed from the statewide voter registration system first identified in the SAVE verification process; and
- Any recommendations for statutory or administrative improvements to ensure voter roll accuracy.

The bill declares any provision of the bill concerning SAVE severable from the other provisions in the event one or more provisions are held to be invalid. If at any time SAVE stops functioning as provided by the bill, the bill requires the Secretary to publish a notice of such change in the *Kansas Register*, upon which the SAVE provisions would no longer have force and effect.

Electronic Voter Registration Applications

The bill restricts a person registering to vote (applicant) through a website to using only a website with a .gov domain or a website that has been approved to accept and transmit electronic voter registration applications (applications) by the Secretary. The bill provides criteria a website must meet in order to be approved by the Secretary of State for such purposes and creates a crime for persons or groups running such websites without approval.

Secretary of State

Website approval criteria. In order for the Secretary to approve a website to accept applications for voter registration, the website must provide that:

- Certain protocols are in place to protect the applicant's data. This includes:
    - Transmitting registrant information through an online system protected with encryption;
    - Transmitting information directly to systems owned, operated, or contractually controlled by the applicable county election officer;
    - Ensuring applicant data is transmitted only to authorized government endpoints as designated by the Secretary;
    - Using the applicant data collected for the sole purpose of voter registration and election administration as authorized by law;
    - Not selling, licensing, renting, transferring, or using applicant data for commercial or non-election-related purposes; and
    - Not disclosing registrant data to any third party, except as required by state or federal law for certain election administration purposes, or to a contractor acting on behalf of a county election officer and who is bound by written agreements to comply with the provisions in the bill;
- Protocols are in place to provide a paper trail of the application, including:
    - Confirmation to the applicant of submission to the correct county election officer; and
    - Maintenance of audit logs documenting submission receipt, system access, and data transmission; and
- All encryption protocols comply with applicable National Institute of Standards and Technology (NIST) standards.

Rules and regulations. The bill directs the Secretary to adopt rules and regulations necessary to implement the provisions of the bill.

Violations

The bill defines a violation as any person or group operating a voter registration website that is not in compliance with the bill. Such a violations is a class A nonperson misdemeanor. [*Note:* As provided in statute, a class A nonperson misdemeanor is punishable by up to one year in jail and a fine not to exceed $2,500.]

Effective Date

The provisions of the bill regarding electronic voter registration application take effect upon publication in the *Kansas Register* of the rules and regulations adopted by the Secretary to implement such provisions.

Article V Convention of States; SCR 1604

SCR 1604 serves as Kansas' application to Congress, under the provisions of Article V of the *U.S. Constitution*, for the purpose of calling a convention of the states. The convention would be limited to proposing amendments to the *U.S. Constitution* that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for members of Congress and federal officials.

The resolution is a continuing application to Congress for a convention of the states until two-thirds of the state legislatures have applied to Congress on the same subject.

The resolution contains whereas clauses setting out legislative findings regarding the roles of the states and the federal government, particularly regarding amending the *U.S. Constitution* through a convention of the states under Article V and the authority under Article V allowing states to call for such convention. The resolution also contains a whereas clause citing the *Kansas Constitution* requirement for a two-thirds vote of each legislative chamber to make an application to Congress to call such a convention.

The resolution requires the Secretary of State to send an enrolled copy of the resolution to the President and Secretary of the U.S. Senate, the Speaker and the Clerk of the U.S. House of Representatives, the Kansas members of the U.S. House and Senate, and the presiding officers of each legislative chamber in each state.

Data Sharing Requirements for Federal Benefit Programs; Senate Sub. for HB 2004

Senate Sub. for HB 2004 establishes and amends law regarding the sharing of information related to federal assistance programs with the Office of the Inspector General (OIG), U.S. Department of Agriculture (USDA), and U.S. Department of Health and Human Services (HHS).

Data Sharing with the OIG

The bill requires the Department for Children and Families (DCF) and the OIG to cooperate in the facilitation of detection, investigation, and prosecution of public assistance by exchanging information, including:

- Documents and information related to cash assistance, child care assistance, and food assistance applicants or recipients;
- Documents and information related to cash assistance, child care assistance, and food assistance eligibility determinations;
- Electronic benefit card (EBT) transaction data or documents; and
- Any other materials received, compiled, or created by the agency related to an audit, inquiry, or investigation of cash assistance, child care assistance, and food

assistance applicant, recipient, authorized retailer, or any other individual suspected of, or being investigated for, fraud in the food assistance program.

Such information is required to be exchanged at the request of either DCF or the OIG, and completed in a reasonable time frame that cannot exceed 30 days from the day the request is received.

The bill also requires that all information and documents exchanged between DCF and the OIG be used for the purposes of detecting, investigating, and prosecuting fraud in the cash assistance, child care assistance, or food assistance programs.

Federal Data Requests

The bill requires, upon a written request regarding a federal program administered by either the Secretary for Children and Families or the Secretary of Health and Environment, that the Secretary for Children and Families provide data contained in state records related to such federal program to the USDA and that the Secretary of Health and Environment provide such federal data to HHS.

The bill requires both the Secretary for Children and Families and the Secretary for Health and Environment to fully respond to the respective federal agencies in a timely manner by executing a memorandum of understanding, data use agreement, or other form of written data-sharing instrument necessary to provide the information required. Such data must be shared with the respective federal agency within 60 days of the Secretary receiving a written request.

Unlawful Approach of a First Responder; Federal Immigration Detainer Detention; Liability Coverage for Law Enforcement; 287(g) Agreements; Interference Crimes; HB 2372

HB 2372 creates the crime of unlawful approach of a first responder and creates law related to immigration enforcement to allow sheriffs to detain persons subject to a facially sufficient immigration detainer request, requires certain municipal insurance pools cover federally approved immigration detainer operations conducted by a law enforcement agency, requires the State to pay for certain federal civil judgment costs, requires the Attorney General to represent law enforcement in certain civil lawsuits, and provides civil immunity to officers or agencies acting in good faith under a 287(g) agreement or detainer. The bill amends the Interlocal Cooperation Act to specify that a sheriff does not need approval of a county commission to enter into a federal 287(g) agreement with U.S. Immigration and Customs Enforcement (ICE). The bill also incorporates federal law enforcement officers, their vehicles, and enforcement of federal law into certain traffic, criminal, and tort laws.

Unlawful Approach of a First Responder

The bill creates a new crime within the Kansas Criminal Code of unlawful approach of a first responder, which is defined as knowingly:

- Approaching or remaining within 25 feet of an individual who the person knows or reasonably should have known is a first responder;

- Acting while the first responder is engaged in the performance of their first responder's duties;

- Acting after receiving a visual or audible signal not to approach or remain within 25 feet of the first responder given by a first responder because of reasonable belief, under the totality of circumstances, that separation is necessary for the safety of any person or property; and

- Causing such first responder to:

    - Be distracted from performing their first responder's duties; or
    - Have an increased level of concern of physical harm to any person or damage to property.

The bill allows enforcement of the 25 feet boundary only by a state or local law enforcement officer.

The bill classifies unlawful approach of a first responder as a class B person misdemeanor.

The bill defines:

- "First responder" to mean a law enforcement officer, an emergency medical services provider as defined in law, or a firefighter as defined in law; and

- "Law enforcement officer" to mean the same as defined in continuing law and any federal law enforcement officer as defined in federal law.

Federal Detainer Detention

Pursuant to the federal Immigration and Nationality Act (INA), ICE may issue an immigration detainer request to a county sheriff to request that the sheriff detain an individual who ICE has probable cause to believe is unlawfully present in the country and subject to removal.

The bill authorizes a sheriff or keeper of the jail operating a county jail to detain a person with:

- A facially sufficient immigration detainer request issued by ICE on form I-247A; or
- A U.S. Department of Homeland Security (DHS) or ICE warrant.

Immigration Detainer Request

Under the bill, a form I-247A issued pursuant to the INA allows a sheriff or keeper of the jail to hold the listed person without criminal charges for the purposes of transferring custody to ICE.

The form is considered facially sufficient if it:

- Clearly states the identity of the person to be detained;
- Has box 1, statement of probable cause, or box 2, transfer of custody, completed; and
- Is signed by the federal immigration official.

If the form meets the identity and signature requirements but does not meet the probable cause or transfer of custody requirements, the bill deems the form facially sufficient if it is supported by a signed warrant as described by the bill or other affidavit or official documentation provided to law enforcement stating ICE has probable cause to believe the person to be detained is unlawfully present in the United States.

Federal Warrant

For purposes of the bill, a valid warrant includes:

- A DHS form I-200, warrant for arrest of an alien; or
- An ICE form I-205, warrant of removal, or a successor warrant or other warrant authorized by federal law.

Detention Procedure

After reviewing a form I-247A and finding it to be facially sufficient, a sheriff or keeper of the jail who has custody of the person named in the form is required to:

- Inform the person that they are being held pursuant to an immigration detainer request issued by ICE;

- Provide a copy of the facially sufficient form I-247A to the person as soon as practicable;

- Inform ICE that the person is in the custody of the sheriff or keeper of the jail pursuant to the detainer; and

- Complete the law enforcement agency section of the form I-247A and submit such completed form to ICE.

Release

A sheriff or keeper of the jail is required to release a person held under the bill upon:

- Receipt of a subsequent form I-247A with a checkmark in a box indicating cancellation of the detainer request;

- A finding that the detainer is not facially sufficient; or

- The person who is being held providing proof of U.S. citizenship or being confirmed by ICE as being a person lawfully present in the United States.

For purposes of the bill, the term "proof of citizenship" includes:

- A birth certificate;
- A U.S. passport indicating citizenship;
- An official U.S. document showing completed naturalization of citizenship;
- A court order declaring a person's U.S. citizenship; or
- Any other official U.S. or State of Kansas document indicating the person is a U.S. citizen.

Municipal Insurance Pool—Local Law Enforcement Coverage

Under the bill, any municipal insurance pool that issues liability coverage for law enforcement under the Kansas Municipal Group-funded Pool Act is required to continue such coverage and to include coverage for law enforcement operations authorized by the covered agency when enforcing federal law.

The bill requires the pool to cover such federal law enforcement operations to the same extent it covers the enforcement of state and local law, regardless of whether the federal operations are subject to a written agreement with the federal agency or whether the local law enforcement officers are deputized by the federal agency.

For actions against the covered local law enforcement agency, the bill requires the pool coverage provide legal representation. The pool is also allowed to provide legal representation to protect its own interest in a case in which the U.S. Department of Justice (DOJ) or the Kansas Office of the Attorney General is providing legal representation.

Legal Representation, Immunity, Judgment Costs—287(g) Agreement

Under the federal INA, the U.S. Attorney General is authorized to enter into a written agreement with a state or a political subdivision of a state, commonly referred to as a 287(g) agreement, which allows officers or employees of the state or local government entity to assist with or carry out certain federal immigration enforcement actions.

Legal Representation

If a federal civil action is brought against a law enforcement agency that has entered into an ICE 287(g) agreement or an officer who was deputized under the agreement, and such agency or officer was acting in good faith under the terms of the agreement, the Kansas Attorney General is required by the bill to represent or provide representation of the agency and officer in federal litigation.

Legal Representation—Habeas *Action*

If a person being held by an agency that has entered into an ICE 287(g) agreement and was acting in good faith pursuant to an ICE detainer files a *habeas corpus* action, the Kansas Office of the Attorney General is required to provide legal representation at the *habeas* hearing.

Immunity

In any state civil action where a law enforcement officer or law enforcement agency acts in good faith under an ICE 287(g) agreement or detainer and takes a person into custody or attempts to take a person into custody, the officer or agency is entitled to immunity for any civil liability.

Judgment Costs

If a judgment is rendered against a law enforcement agency or officer in a federal civil action based on operations conducted under a 287(g) agreement, the State of Kansas will pay the judgment costs or any portion of the costs that the DOJ has failed to cover if the agency or officer was acting in good faith.

Sheriff Authority—287(g) Agreement

The bill amends the Interlocal Cooperation Act (Act) to provide that a sheriff seeking to enter into a 287(g) agreement with ICE is exempt from certain requirements of the Act and is allowed to sign such agreement without authorization of the county's board of county commissioners.

Abandoned Vehicles

The bill amends law regarding abandoned and disabled motor vehicles to specify that any law enforcement officer is authorized to move an unattended vehicle that interferes with public highway operations or any law enforcement operations.

The bill defines "law enforcement officer" as defined in the Kansas Criminal Code and includes any federal law enforcement officer as defined in federal law.

The bill allows enforcement of the abandoned vehicle provisions only by a state or local law enforcement officer.

Emergency Vehicles

The bill amends the definition of "authorized emergency vehicle" in the Uniform Act Regulating Traffic on Highways to include law enforcement vehicles owned by the federal government.

The bill adds to the list of vehicles not required to be designated by the board of county commissioners as authorized emergency vehicles: any fire department vehicles or police vehicles that are publicly owned, including any such vehicle owned by the federal government.

Interference Crimes

The bill amends law governing the crime of interference with law enforcement to define "any person authorized by law" to include, but not be limited to, a law enforcement officer as defined in continuing law and any federal law enforcement officer as defined in federal law.

The bill amends law governing the crime of interference with the conduct of public business in public buildings to include conduct at public buildings owned, operated, or controlled by the United States.

The bill allows enforcement of the interference crimes provisions only by a state or local law enforcement officer.

Kansas Tort Claims Act

The bill amends the Kansas Tort Claims Act to add that a governmental entity or an employee acting within the scope of employment is not be liable for damages resulting from enforcement of or failure to enforce any federal law or executive order, whether valid or invalid.

Article V Convention of States; HCR 5022

HCR 5022 serves as Kansas' application to Congress, under the provisions of Article V of the *U.S. Constitution*, for Congress to call a convention of the states for the exclusive purpose of proposing an amendment to the *U.S. Constitution* that would impose term limits on members of Congress.

The resolution contains whereas clauses stating the conditions that would require Congress to call a convention of states and setting out legislative findings regarding the role of special interests in elections and how that role would be impacted by term limits.

The resolution also contains whereas clauses stating the Kansas delegation would be made up equally of individuals elected to state and local offices or that such delegation would be made up of individuals selected by election in each congressional district, and it prohibits any past or present federal officeholder from being a delegate. The resolution states Kansas intends to retain the ability to enforce the responsibility and conduct of its delegation as expressed in the resolution.

The resolution requires the Secretary of State to send an enrolled copy of the resolution to the President and Vice President of the United States, the President *Pro Tempore* of the U.S. Senate, the Speaker and the Minority Leader of the U.S. House of Representatives, the Kansas members of the U.S. House and Senate, the presiding officers of the Kansas legislative chambers, and the presiding officers of each legislative body of each of the states. The resolution requests that the text of the resolution be printed in the Congressional Record.

Banking, Trusts, and Cryptocurrency Updates; HB 2591

HB 2591 allows a financial institution to establish a trusted contact program, report suspected financial exploitation, and delay suspicious transactions; creates the Virtual Currency Kiosk Consumer Protection Act as part of the Kansas Money Transmitter Act; prohibits state receivership of a technology-enabled fiduciary financial institution (TEFFI) that becomes insolvent or declares bankruptcy; repeals law related to negotiable instruments; and requires earned wage access service registrants to be subject to the Kansas Financial Institutions Information Security Act by adding such registrants to the list of covered entities under the Act.

Financial Exploitation and Trusted Contact

Financial Exploitation Definition

The bill defines "financial exploitation" to mean the unlawful or improper use, control, or withholding of an adult's property, income, resources, or trust funds by any other person or entity in a manner that is not for the profit of or to the advantage of the adult.

"Financial exploitation" includes, but is not limited to, the:

- Breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust, or a guardianship or conservatorship appointment, as it relates to the property, income, resources, or trust funds of the adult;

- Unauthorized use of an adult's personal identifying information, financial documents, or access devices;

- Use of deception, intimidation, coercion, extortion, or undue influence by a person or entity to obtain control over or use an adult's property, income, resources, or trust funds in a manner that is for the profit of or to the advantage of such person or entity; or

- Use of fraud, false pretense, or misrepresentation for personal gain at the expense of the adult.

The bill also defines "adult," "bank holding company," and other terms named in subsequent sections.

Reporting

The bill allows a financial institution to, in good faith and with reasonable cause, report any suspected financial exploitation of an adult account holder to a designated agency, meaning any law enforcement agency with jurisdiction over the matter or the Kansas Department for Children and Families (DCF).

The bill defines "financial institution" to mean a bank, savings bank, savings and loan association, trust company, credit union, or any similar institution chartered and supervised under state or federal law.

A report can be made orally or in writing and is required to include the information reasonably necessary to assist the designated agency in investigating the suspected financial exploitation.

This reporting provision does not affect the reporting requirements in continuing law regarding abuse, neglect, and exploitation.

Trusted Contact

The bill allows a financial institution to, in good faith, notify a trusted contact of an adult account holder of suspected financial exploitation, unless the institution reasonably believes that the trusted contact has committed or attempted financial exploitation of the account holder.

The bill defines "trusted contact" as any adult designated by an adult account holder who a financial institution may contact in the event of suspected financial exploitation of such account holder.

The bill allows, when providing information pursuant to this section, a financial institution to disclose that the institution has reasonable cause to suspect that the account holder is a victim or target of financial exploitation without disclosing any other details or confidential personal information regarding the financial affairs of the account holder.

The bill specifies that this section could not be construed to provide a trusted contact who is notified pursuant to this section with the authority to take any action on behalf of an account holder.

Temporary Hold

If a financial institution makes a report pursuant to the bill and the institution reasonably believes that the reported transaction or disbursement may further the financial exploitation of an adult account holder, the bill permits the institution to place a temporary hold, with management approval, on the reported transaction or disbursement from the adult's account for up to 10 business days.

A temporary hold could not be based solely on the:

- Age or perceived vulnerability of the adult account holder;
- Size, frequency, or timing of the transaction or disbursement; or
- Adult account holder's refusal to provide additional information related to the transaction or disbursement.

These provisions do not affect a financial institution's other rights or obligations under contract or other law.

The financial institution is permitted to extend such a hold for a period not to exceed 30 business days after the expiration of the initial 10 business days if requested by a state or federal agency or a law enforcement agency investigating the suspected financial exploitation. The financial institution could also petition a court to extend a hold placed on any applicable transaction beyond the additional 30 business days.

Immunity

The bill provides that a financial institution or bank holding company or any officer, employee, or agent thereof, that in good faith and with reasonable cause takes any of following actions would not be liable in any civil or criminal action, including claims of negligence, breach of fiduciary duty, breach of privacy, or any other claim under state law, arising from:

- Reporting any suspected financial exploitation of an adult account holder to a designated agency pursuant to the bill;

- Notifying a trusted contact of an adult account holder of suspected financial exploitation pursuant to the bill; or

- Placing or continuing a temporary hold on a transaction or disbursement from an adult's account pursuant to the bill.

The bill also provides that any applicable institution or their agent who chooses, in good faith and without gross negligence, to not take an action listed above would not be liable in any civil or criminal action arising from such inaction.

The bill's immunity provision extends to participation in any judicial or administrative proceeding resulting from a report or decision made pursuant to the bill.

The bill defines terms such as "blockchain," "blockchain analytics," "digital wallet," "virtual currency," and "virtual currency kiosk," among others. For the purpose of the bill, "virtual currency" is defined as a digital representation of value that is used as a medium of exchange, unit of account, or store of value that is not money, and does not include a:

- Transaction involving an affinity or awards programs in which a merchant grants value that cannot be taken from or exchanged with the merchant for money, bank credit, or virtual currency; or

- Digital representation of value issued by or on behalf of a publisher and used solely within an online game, game platform, or family of games sold by the publisher.

Virtual Currency Kiosk Consumer Protection Act

The bill establishes the Virtual Currency Kiosk Consumer Protection Act as part of the Kansas Money Transmission Act. The bill outlines disclosure requirements for virtual currency kiosks (also referred to as cryptocurrency ATMs) and their operators, requires several fraud prevention measures, and establishes a cap on certain fees.

Disclosures

The bill requires, prior to entering into an initial virtual currency transaction for, on behalf of, or with a person in Kansas, virtual currency kiosk operators (operators) to disclose in clear, conspicuous, and legible writing in the English language, whether in accessible terms of service or elsewhere, all material risks associated with the operator's products, services, and activities and virtual currency, generally, including disclosures substantially similar to the following:

- Virtual currency is not legal tender and is not backed or insured by the government;
- Legislative and regulatory changes or actions at the state, federal, or international level may adversely affect the use, transfer, exchange, and value of virtual currency;
- Transactions in virtual currency may be irreversible, and, accordingly, losses due to fraudulent or accidental transactions may not be recoverable;
- Some virtual currency transactions shall be deemed to be made when recorded on a public ledger that is not necessarily the date or time that you initiate the transaction;
- The value of virtual currency may be derived from the continued willingness of market participants to exchange money for virtual currency, which may result in the potential for permanent and total loss of value of a particular virtual currency should the market for that virtual currency disappear;
- There is no assurance that a person who accepts a virtual currency as payment today will continue to do so in the future;
- The volatility and unpredictability of the price of virtual currency relative to the U.S. dollar may result in significant loss over a short period of time;
- The nature of virtual currency may lead to an increased risk of fraud or cyber attack;
- The nature of virtual currency means that any technological difficulties experienced by the virtual currency kiosk operator may prevent the access or use of your virtual currency; and
- Any bond or trust account maintained by the virtual currency kiosk operator for the benefit of such operator's customers may not be sufficient to cover all losses incurred by customers.

In a similar fashion, the bill requires disclosures substantially similar to the following to be made when opening an account and prior to entering into an initial transaction:

- The person's liability for unauthorized virtual currency transactions;

- Under what circumstances the virtual currency kiosk operator will, absent a court or government order, disclose the person's information to third parties;

- The person's right to receive periodic account statements and valuations from the virtual currency kiosk operator;

- The person's right to receive a receipt, trade ticket, or other evidence of a transaction;

- The person's right to prior notice of a change in the virtual currency kiosk operator's rules or policies; and

- Such other disclosures as are customarily given in connection with the opening of accounts.

The bill requires that, prior to each virtual currency transaction with a person in Kansas, each operator ensure that a warning is clearly and conspicuously disclosed on screen, that must be acknowledged by tapping the screen or similar manner, and by email, in at least 12-point or the largest available font size that is substantially similar to the following, including bold and capitalization:

WARNING: CONSUMER FRAUD OFTEN STARTS WITH CONTACT FROM A STRANGER WHO IS INITIATING A DISHONEST SCHEME. CRIMINAL ACTIVITY MAY APPEAR IN MANY FORMS, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

1. Impersonating a family member or friend while claiming to be in financial or criminal trouble.

2. Communication from someone impersonating a representative of your financial institution or a law enforcement officer.

3. Claims of a frozen bank account or credit card.

4. Claims of fraudulent financial transactions.

5. Claims of identity theft or job offers in exchange for payment.

6. Requests for payment to government agencies or companies.

7. Requests for disaster relief donations or loans.

8. Offers to purchase tickets for lotteries, sweepstakes or drawings for vehicles.

IF YOU BELIEVE YOU ARE BEING SCAMMED, CONTACT YOUR LOCAL LAW ENFORCEMENT.

The bill also requires virtual currency kiosk providers conducting the transaction in Spanish to provide the same disclosure written in Spanish and administered in the same manner.

Under the bill, each operator is required to retain evidence of the disclosures detailed above for three years in addition to meeting all other retention requirements in continuing law.

The bill expresses the intent of the disclosures is to serve as warning to users who may be conducting a transaction as a result of a scam. The disclosures do not affect or prevent a fraud victim's ability to be eligible for a refund.

Receipts. Upon completion of any virtual currency kiosk transaction, each operator is required to provide to the person in Kansas a receipt containing the following information:

The name and contact information of the virtual currency kiosk operator, including a telephone number established by the virtual currency kiosk operator, to answer questions and register complaints;

The type, value, date, and precise time of the transaction in the local time zone;

The fee charged;

The exchange rate, if applicable;

The difference, if any, between the exchange rate and the market rate of any virtual currency involved in the transaction realized by the person in Kansas if the difference represents a decrease in value. The difference shall be expressed in the equivalent U.S. dollar and labeled as a "spread fee";

A statement of the liability of the virtual currency kiosk operator for non-delivery or delayed delivery;

A statement of the refund policy of the virtual currency kiosk operator in compliance with the bill; and

The complete wallet address where money or virtual currency is deposited or sent.

This receipt is required to be provided in paper form if the operator first placed a virtual currency kiosk into service in Kansas on or after July 1, 2026. If a virtual currency kiosk is placed into service before July 1, 2026, the operator is required to provide a paper or digital receipt. All digital receipts require a clicked acknowledgment that the consumer has provided their email address.

Fraud Prevention

Blockchain analytics software. The bill requires kiosk operators to use blockchain analytics software to assist in the prevention of sending purchased virtual currency from an operator to a digital wallet known to be affiliated with fraudulent activity at the time of transaction.

The bill allows the State Bank Commissioner (Commissioner) to request evidence from any virtual currency kiosk operator of current and historical use of blockchain analytics. The operator is held harmless if such operator refuses to complete a transaction based upon the

knowledge or a credible suspicion that a digital wallet in the transaction is affiliated with fraudulent activity.

Customer service. Under the bill, operators performing business in Kansas are required to provide live customer service during kiosk operating hours and to display the customer service toll-free number on the kiosk or the kiosk screens. The customer service toll-free number is staffed by trained individuals who are employed by or on behalf of the virtual currency kiosk operator and who provide customer assistance to a caller in real time.

Anti-fraud and enhanced due diligence policies. The bill requires operators to take reasonable steps to detect and prevent fraud, including establishing and maintaining a written anti-fraud policy. The anti-fraud policy, at a minimum, must include:

- The identification and assessment of fraud-related risk areas;
- Procedures and controls to protect against identified risks;
- Allocation of responsibility for monitoring risks; and
- Procedures for the periodic evaluation and revision of the anti-fraud procedures, controls, and monitoring mechanisms.

Each operator is required to maintain, implement, and enforce a written enhanced due diligence policy. The policy is to be reviewed and approved by the operator's board of directors or an equivalent governing body. The enhanced due diligence policy must identify, at a minimum, individuals who are at risk of fraud based on age and mental capacity.

Consumer protection officer. Each operator is required to designate and employ a consumer protection officer with the following requirements:

- The individual is qualified to coordinate and monitor compliance with this section and all other applicable federal and state laws, rules, and regulations;
- The individual is employed full-time by the virtual currency kiosk operator;
- The designated consumer protection officer cannot be an individual who owns more than 20 percent of the virtual currency kiosk operator by which the individual is employed; and
- The designated consumer protection officer has a direct dedicated telephone number outside of any call routing system and an email address for facilitating law enforcement and regulatory agency communications.

Location report. Each operator is required to submit a report to the Commissioner, including the location of each virtual currency kiosk within Kansas, within 45 days of the end of each calendar quarter in the form and manner directed by the Commissioner.

The location report must include, at a minimum:

- The legal name of the company;
- Any fictitious or trade name;
- The physical address;
- When the virtual currency kiosk was first placed into service in Kansas;
- The virtual currency kiosk's operating hours;
- The start date of operation of a virtual currency kiosk at each location; and
- The end date of operation of a virtual currency kiosk at each location, if applicable.

Licensure. The bill clarifies that any operator who owns, operates, solicits, markets, advertises, or facilitates virtual currency kiosks in Kansas is deemed to be engaged in money transmission, which would require licensure pursuant to law and full compliance with money transmitter reporting.

Any unlicensed operator is required to apply for a money transmitter license within 60 days after July 1, 2026. Operators who apply within the time provided are allowed to continue operations while the Commissioner reviews a complete application. Any operator whose application is denied by the Commissioner is required to cease operations until granted a money transmitter license.

User identification. For each virtual currency transaction, the operator or their authorized delegate is required to verify the identity of the user prior to accepting payment from the user.

The operator or their delegate must obtain a copy of a government-issued identification card that identifies such user and collect additional information, including the user's name, date of birth, telephone number, address, and email address prior to accepting a payment from such user at a kiosk.

A user is not allowed to engage in any transaction at a kiosk under any name, account, or identity other than such user's own true name and identity. An operator is strictly liable for any violation of this section.

Fee Caps

The bill prohibits a virtual currency kiosk operator from collecting direct or indirect charges related to a virtual currency transaction from a person in Kansas that exceeds the greater of the following:

- $5 in U.S. currency or the equivalent; or
- 18 percent of the full money transmission amount in U.S. currency or the equivalent.

The bill considers a spread on a virtual currency purchase or sale between the market price and the price offered to be an indirect charge.

The bill requires each kiosk provider to retain documentation of the relevant virtual currency market price at the time of each transaction.

Holding Period, Transaction Limits, and Refunds

Holding period. For any transaction conducted within 14 days of the initial transaction, the bill requires each operator to retain, hold, and safekeep any money or virtual currency provided as part of a transaction with a person in Kansas for 72 hours.

Irrespective of this holding period, the transaction is required to be completed at the agreed rates at the time the person initiated the transaction unless the operator is required by law or judicially ordered to safekeep the funds due to criminal activity or receives a refund request.

Transaction limits. Under the bill, an operator can only engage in a transaction with a person in Kansas under the following transaction and day limitations:

- For the initial transaction, up to $1,000;
- Within 14 days of the initial transaction, up to $10,000 per day and only one transaction within 72 hours of the initial transaction, and a maximum of $10,000 in total transactions within the first 14 days of the initial transaction; and
- More than 14 days from the initial transaction, up to $10,500 per day.

Refunds. The bill allows any person in Kansas to request a full refund of the initial transaction or any transaction within 14 days of the initial transaction from an operator. The operator is required to issue a full refund unless safekeeping the funds due to criminal activity is required by law or is judicially ordered.

An existing customer of the operator is able to request only a refund of direct and indirect charges, including any spread fee and transaction fee, if such existing customer:

- Reports that a money transmission or a series of money transmissions was fraudulent to the Commissioner, the Attorney General, or a law enforcement agency within 30 calendar days after the date of the last fraudulent money transmission; and
- Submits to such operator a police report or a sworn declaration detailing the fraudulent nature of the money transmission involving such operator.

For any initial transaction, upon the request of any person in Kansas, the Commissioner, the Attorney General, or any law enforcement agency, the operator is required to issue a refund for the full money transmission amount and any fees charged, including any spread fee, if the person in Kansas:

- Reports that a money transmission or a series of money transmissions was fraudulent to the Commissioner, the Attorney General, or a law enforcement agency within 30 calendar days after the date of the last fraudulent money transmission; and

- Submits to such virtual currency kiosk operator a police report or a sworn declaration detailing the fraudulent nature of the money transmission involving such virtual currency kiosk operator.

Under the bill, the operator is required to issue any refund requested under this section via a cash payout, the automated clearing house, or a paper check within 10 business days after receiving the refund request.

Notwithstanding the refund requirements of this section, under reasonable suspicion of fraud or wrongdoing by any person on behalf of the person in Kansas who initiated the transaction, an operator may delay sending a refund for cause if the operator immediately reports such suspected fraud or wrongdoing to the Commissioner, the Attorney General, or any law enforcement agency, until the receiving agency has advised the operator of the conclusion of any investigation into such alleged fraud or wrongdoing.

Authority to Investigate Fraud

The bill grants the Office of the Attorney General and any law enforcement agency the authority to investigate any fraudulent money transmission reported by a person in Kansas. The bill requires the money transmitters to comply with any investigation to the extent permitted by state and federal law.

The bill requires the Office of the Attorney General and any law enforcement agency in Kansas to periodically report to the Commissioner any fraud or activity that violates this statute and is conducted by or alleged against a money transmitter. In deciding whether to revoke or refuse to renew a license, the Commissioner may consider previous fraudulent activity or any activity violating this statute that is conducted by a money transmitter. The Commissioner is required to share any reported fraudulent money transmission with the Office of the Attorney General and any relevant law enforcement agency in Kansas.

Amendments to Statutes

The bill updates the definition of “money transmission” to include:

- Engaging in virtual currency transactions or other transactions for a fee from a virtual currency kiosk physically located in Kansas; or

- Three-party exchanges with at least one person located in Kansas in which money is exchanged for virtual currency.

The definition of money transmission does not include:

- Two-party exchanges with at least one person located in Kansas in which money is exchanged for virtual currency in any manner other than from a virtual currency kiosk physically located in Kansas; and

- Exchanges of virtual currency for another virtual currency in any manner other than from a virtual currency kiosk physically located in Kansas.

The bill also defines "three-party exchange" and "two-party exchange."

The bill adds "copies of a virtual currency kiosk operator's location report" to the list of records of the Office of the State Bank Commissioner (OSBC) that are not confidential and may be made available to the public.

The bill makes technical changes, updates statutory references, and removes language referencing a January 1, 2025, effective date.

TEFFI Receivership

The bill prohibits the OSBC or any other state agency from becoming a receiver for a technology-enabled fiduciary financial institution (TEFFI) that becomes insolvent or declares bankruptcy.

The bill states that a TEFFI would be deemed to be insolvent if:

- The actual cash market value of the TEFFI's assets is insufficient to pay such TEFFI's creditor liabilities; or

- The TEFFI is unable to meet the demands of such TEFFI's creditors in the usual and customary manner.

The bill adds these provisions to the Technology-Enabled Fiduciary Financial Institutions Act.

Negotiable Instruments

The bill repeals KSA 52-717, regarding the payment of negotiable instruments, such as checks or other bills of exchange, on Saturdays or legal holidays.

Earned Wage Service Registrants

The bill requires earned wage access service registrants to be subject to the provisions of the Kansas Financial Institutions Information Security Act (Act) by adding such registrants to the list of covered entities under the Act. The bill also clarifies that financial institutions engaging in money transmission and not subject to licensure under the Kansas Money Transmission Act are covered entities under the Act.

Firearms Hold Agreements; Firearm Suppressors; Short-barrel Shotguns; Senate Sub. for HB 2501

Senate Sub. for HB 2501 creates law concerning firearms hold agreements, amends Kansas Criminal Code prohibitions related to firearm suppressors and short-barrel shotguns, and creates enhanced sentencing rules for persons who use a firearm suppressor or short-barrel shotgun while committing a nonperson or drug felony.

Firearms Hold Agreements

Definitions

The bill defines the following terms:

- "Federal firearms licensee" and "firearm" to mean the same as in federal firearms law;

- "Firearm hold agreement" to mean a private agreement between a federal firearms licensee (FFL) and an individual firearm owner in which the licensee takes physical possession of the owner's lawfully possessed firearm at the owner's request, holds the firearm for an agreed period of time, and returns the firearm to the owner according to the terms of the agreement. If the agreement does not provide for the disposition of a firearm abandoned by the owner, state law regarding the disposition of abandoned property applies; and

- "Municipality" to mean any city, county, and consolidated city-county.

FFL Immunity and Privilege of Refusal

The bill provides that, regardless of federal or state law, an FFL conducting business in the state that has entered into an agreement with a firearm owner shall be immune from any civil liability, including, but not limited to, statutory claims or common law claims arising from tort or contract for any act or omission concerning, arising out of, or related to the temporary storage of the firearm on the FFL's licensed business premises or for the return of a firearm to the firearm owner per the agreement, including, without limitation, claims related to personal injury or death of a person resulting from the return of a firearm to the firearm owner upon termination of the agreement.

Refusal to enter into an agreement. The bill allows an FFL to have complete discretion in refusing to enter into an agreement and it states that its provisions cannot not be construed to require that an FFL accept a firearm for temporary storage on the licensee's premises at the request of the owner as a condition of the FFL's license.

Agreement Information

If an FFL has entered into an agreement with a firearm owner, the bill requires the firearm owner to provide the make, model, and serial number of each firearm to be held as part of the agreement.

Secondary contact information. The bill also requires the agreement to contain an option for the firearm owner to list a second person to contact in the event of death or serious illness of the firearm owner.

End of Agreement—Return of a Firearm

The bill requires, unless expressly agreed to by the parties in the agreement, or the firearm owner is otherwise prohibited by law from possessing the firearm at the time of return, that an FFL return a firearm to the firearm owner without unreasonable delay upon termination of the agreement without any additional penalties or fees.

The bill states that its provisions shall not be construed to impair, waive, or limit a firearm owner's right to recover possession of property or pursue relief for wrongful retention under contract or property law.

Destruction of records. The bill requires an FFL to destroy, and not retain in any form, including digital or electronic records, any agreement, lists of agreements, or identifying information for more than 90 days after the termination of the agreement and return of the firearm to the owner, unless otherwise required by federal law. The bill requires destruction of these records be done in a manner that prevents reconstruction of the records.

Prohibition of Local Regulations on Agreements and FFLs

The bill preempts municipalities from imposing any regulation or additional terms on agreements or from creating any civil course of action involving the parties of the agreement.

The bill's provisions also preempt any local statutes, laws, or regulations that require or impose obligations on an FFL beyond the requirements to receive a firearm by a lawful owner for temporary storage according to an agreement.

Exercise of Property Rights

The bill provides that the voluntary exercise by a firearm owner of the right to temporarily transfer possession of a lawfully owned firearm pursuant to an agreement, and the subsequent exercise of the right to reclaim possession of such firearm, shall be deemed the lawful exercise of a property right and shall not give rise to:

- Any presumption of negligence, fault, recklessness, or foreseeability;
- Any inference that the firearm owner lacked the legal capacity or fitness to possess a firearm; or

- Any duty, obligation, or expectation that the firearm owner continue, extend, or delay reclaiming possession of the firearm beyond the terms of the agreement.

Protection of lawful possession of firearms. The bill provides that an agreement, the decision to enter in an agreement, or the timing of a firearm's return according to the agreement shall not be used to diminish, condition, or burden a firearm owner's lawful right to possess property. The bill further provides that an agreement shall not, standing alone, be admissible to establish a standard of care, breach of duty, or comparative fault in any civil action against the firearm owner.

Repealing the Prohibition on Firearm Suppressors and Barrel-length Requirements

The bill removes firearm suppressors and the requirement that a shotgun have a barrel at least 18 inches long from laws in the Kansas Criminal Code regarding the criminal use of weapons and criminal carrying of a weapon.

Enhanced Sentencing for Crimes Involving Certain Firearms

When a firearm is used to commit any nonperson felony or any drug felony, the bill requires the offender's sentence to be classified one severity level above the appropriate level for such offense if the trier of fact makes a finding beyond a reasonable doubt that the firearm was:

- Equipped with a device designed to suppress the report of the firearm; or
- A shotgun equipped with a forend and having a barrel less than 18 inches in length.

For nonperson felonies, the sentence imposed pursuant to this provision will not be considered a departure and shall not be subject to appeal.

GAMING

Kansas Racing and Gaming Commission Rules and Regulations Authority; SB 356

SB 356 authorizes the Kansas Racing and Gaming Commission to adopt proposed permanent administrative rules and regulations regarding sports wagering as identified and described in the economic impact statement approved by the Division of the Budget on February 13, 2025. The bill lists the rules and regulations by number.

[*Note:* KSA 2025 Supp. 77-441 requires the Legislature to ratify, through passing legislation, any proposed rules and regulations by a state agency that have an economic impact statement that indicates the implementation and compliance costs will total $1.0 million or more over the initial five-year period following adoption of the proposed rules and regulations.]

Approving the Gaming Compact Between the Wyandotte Nation and the State of Kansas; SR 1728 and HR 6033

SR 1728 and **HR 6033** approve the Class III gaming compact between the Wyandotte Nation and the State of Kansas.

The major provisions of the gaming compact are substantially similar to those of the 1995 gaming compacts with the Prairie Band Potawatomi Nation, Iowa Tribe of Kansas and Nebraska, and Sac and Fox Nation of Missouri in Kansas and Nebraska. The major provisions of the gaming compact include authorized Class III games, prohibited games, age limits, location, Tribal regulation and enforcement, state responsibilities under the compact, the Tribal-State relationship and joint enforcement and regulation, Tribal authority in the event that the State declines to exercise jurisdiction, the Tribal relationship with local units of government, state assessment for costs of oversight, public health and safety, taxation, and amendment or modification of the compact. The gaming compact also incorporates recently adopted sports wagering amendments.

The gaming compact between the Wyandotte Nation and the State also makes various amendments to ensure compliance with federal regulations and case law regarding the Indian Gaming Regulatory Act (IGRA) and in accordance with technical assistance provided by the U.S. Department of the Interior. The amendments apply to provisions concerning the scope of the compact, application of the Kansas Tort Claims Act, definitions of terms, Tribal gaming regulations, state enforcement of the compact, crimes and enforcement, licensing of gaming employees, licensing of primary management officials and manufacturers and distributors, accounting and audit procedures, state assessment for costs of oversight, public health and safety, contribution to local government, dispute resolution, and reservation of rights under the IGRA.

State Children's Health Insurance Program and Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight; SB 271

SB 271 changes the household gross income eligibility requirement for the State Children's Health Insurance Program (CHIP) and changes the meeting dates of the Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight.

State Children's Health Insurance Program

The bill changes the household gross income eligibility requirement for the State CHIP from 250.0 percent of the 2008 federal poverty level to 250.0 percent of the current federal poverty income guidelines, with coverage subject to appropriation of funds and eligibility requirements.

The bill also requires the Secretary of Health and Environment (Secretary) to adopt rules and regulations to establish a premium by sliding-fee scale that charges per family.

The bill allows coverage for pregnant Kansas children, subject to verification of pregnancy by the Secretary, as allowed by the Centers for Medicare and Medicaid Services.

The bill also provides coverage for an eligible child at the time of renewal, if a family is eligible for coverage and pays all of the delinquent premiums.

Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight Meeting Dates

The bill changes the meeting day requirements of the Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight, to meet at least once each quarter, while retaining the requirement for the meetings to be two consecutive days in the third and fourth quarters. [*Note:* Prior law specified the Committee was to meet at least once in January and once in April when the Legislature was in regular session.]

Updates to Pharmacy Act of the State of Kansas and the Pharmacy Practice Act; HB 2068

HB 2068 amends various provisions in the Pharmacy Act of the State of Kansas (Pharmacy Act) and the Pharmacy Practice Act regarding pharmacist scope of practice, pharmaceutical compounding, authority to delegate access to the state's prescription monitoring program database, and the remote practice of pharmacy.

Conditions to Initiate Therapy

Notwithstanding provisions in continuing law, the bill allows a pharmacist to initiate therapy for a condition consisting of medications and durable medical equipment if the condition:

- Does not require a new diagnosis;
- Is minor and generally self-limiting;
- Has a test that is used to guide diagnosis or clinical decision-making that is waived under the federal Clinical Laboratory Improvement Amendments of 1988; or
- In the professional judgment of the pharmacist, constitutes a patient emergency that threatens the health or safety of the patient if the prescription is not immediately dispensed. Only the sufficient quantity may be provided until the patient can consult with or be seen by the patient's personal physician or other primary care provider.

The bill provides for a pharmacist to dispense a one-time emergency refill of a non-controlled prescription drug for up to a 90-day supply when no refills remain and, in the pharmacist's professional judgment, continuation of therapy is necessary to prevent interruption of care.

The bill does not authorize a pharmacist to prescribe a controlled substance, except for medications prescribed for the treatment of opioid use disorder or for medication-assisted treatment.

To determine if a specific act is within the scope of practice of pharmacy for the purposes of the Pharmacy Act, a pharmacist would independently determine whether the act is:

- Expressly prohibited by the Pharmacy Act or other law;
- Consistent with the pharmacist's education, training, and experience; and
- Within the accepted standard of care that would be provided in a similar setting by a reasonable and prudent pharmacist with similar education, training, and experience.

Professional Liability Insurance

Beginning on January 1, 2028, if a pharmacist chooses to independently initiate therapy, the bill requires the pharmacist to maintain professional liability insurance approved by the Commissioner of Insurance and issued by an insurer able to transact business in Kansas. The limit of the insurer's liability would be no less than $500,000 per claim, subject to no less than a $1,500,000 annual aggregate for all claims made during the policy period.

U.S. Pharmacopeia Compounding Standards

The bill amends law regarding the compounding of drugs to adopt the compounding standards established by the following general chapters of the U.S. Pharmacopeia (USP) and its referenced companion documents in effect on July 1, 2027:

- USP 795 Pharmaceutical Compounding – Nonsterile Preparations;
- USP 797 Pharmaceutical Compounding – Sterile Preparations; and
- USP 825 Radiopharmaceuticals – Preparation, Compounding, Dispensing, and Repackaging.

The State Board of Pharmacy (Board) has the authority to adopt rules and regulations regarding compounding practices, and the bill allows the Board to establish exemptions or waivers from the requirements established in the USP.

The provisions regarding compounding standards are effective on July 1, 2027.

Access to K-TRACS

The bill removes the ability of the Board to maintain the list of individuals authorized to access the Prescription Monitoring Program database, K-TRACS, through rules and regulations.

Remote Practice of Pharmacy

Definitions

The bill defines the following terms:

- "Employing pharmacy" means a pharmacy that employs a remote worker and receives tangible work product from such remote worker;

- "Remote practice of pharmacy" or "remote practice" means the practice of pharmacy conducted at any location other than an employing pharmacy;

- "Remote worker" means a pharmacist, pharmacist intern, or pharmacy technician who is engaged in the remote practice of pharmacy; and

- "Pharmacy intern" means one of the following:

    - A student currently enrolled in and in good standing with an accredited pharmacy program;
    - A graduate of an accredited pharmacy program serving an internship; or
    - A graduate of a pharmacy program located outside of the United States that is not accredited and who has successfully passed equivalency examinations approved by the Board.

Remote Work

The bill permits any pharmacy to employ a remote worker to engage in the remote practice of pharmacy subject to meeting all the requirements of the Pharmacy Act.

The bill requires that the pharmacist-in-charge display a notice of remote work on the premises if the pharmacy employs remote workers.

Records

The bill establishes the types and contents of records to be maintained, the custodian of records, and retention period of records that must be maintained by the pharmacy. The pharmacy owner and pharmacist-in-charge are responsible for ensuring that any record documentation related to pharmacy interns and pharmacy technicians is maintained at the pharmacy.

Remote Practice Area Requirements

The bill requires each pharmacy owner, pharmacist-in-charge, and remote worker engaged in the remote practice of pharmacy to ensure the following:

- Each remote practice area is free from third-party interference or observation;
- Each remote work device used to engage in the remote practice of pharmacy:
    - Is provided and maintained by the employing pharmacy;
    - Is configured and properly equipped to engage in the remote practice of pharmacy and be secure from unauthorized access;
    - Has the ability to maintain all prescription and patient information in a manner that protects the integrity and confidentiality of such information; and
    - Provides for all communication to any third-party outside the employing pharmacy to be made on a remote work device.

Written Policy and Procedure Manual

The bill establishes the requirement for a written policy and procedure manual for each pharmacy and pharmacist-in-charge that employs remote workers, the required contents of such manual, and the requirements for the manual to be updated and maintained by the pharmacist-in-charge at least annually with the documentation of each review maintained at the pharmacy.

The bill requires that the policy and procedure manual contain the following:

- Procedures for the operation of the remote practice of pharmacy;
- Maintenance of security for remote work devices;
- Procedures to ensure that the remote practice of pharmacy is conducted in a manner in which patient privacy and confidentiality are maintained, including provisions that patient information cannot:

  - Be printed at a remote practice area;
  - Exist in any non-electronic format at a remote practice area; and
  - Exist in any electronic format except on a remote work device that complies with the provisions of the Pharmacy Act;

- An acknowledgment that a physical or virtual inspection could be conducted by the Board or the employing pharmacy at any location where each remote worker engages in remote practice;

- Procedures for routine audits of a remote worker's activity;

- Procedures to ensure compliance with an ongoing continuous quality improvement program, review of incident reports, and necessary training or education of remote workers in response to any incident;

- Procedures to ensure that the employing pharmacy maintains an updated list of each remote worker engaged in the remote practice of pharmacy to include each remote worker's name and current contact information;

- Procedures for any pharmacist intern or pharmacy technician engaged in the remote practice of pharmacy to contact a supervising pharmacist; and

- Procedures for any pharmacist intern or pharmacy technician to follow if a supervising pharmacist is no longer able to supervise.

Remote Practice of Pharmacy Exclusions

The bill does not permit a pharmacist engaged in the remote practice of pharmacy to do any of the following:

- Handling or possessing any drug or device owned by the pharmacy;
- Packaging or prepackaging; and
- Compounding, dispensing, or labeling.

Pharmacy Interns

The bill requires that before a pharmacy intern can participate in the remote practice of pharmacy, the intern must complete their first year of pharmacy school in good standing. The pharmacist-in-charge is responsible for verifying the requirement has been met.

The bill does not permit the counting of hours engaged in remote practice by a pharmacy intern to count toward required intern hours unless the supervising pharmacist is continuously present and observing the intern by video and audio link.

Pharmacy Technicians

The bill requires a pharmacy technician to complete the following education, experience, and training before participating in the remote practice of pharmacy:

- At least 240 clock hours of training in the pharmacy either with the current pharmacist-in-charge or the pharmacist-in-charge's designee;
- An acknowledgment of understanding of the policy and procedure manual for the remote practice of pharmacy; and
- Documentation of passing a certification examination approved by the Board.

Remote Practice of Pharmacy by Pharmacy Intern or Pharmacy Technician

The bill allows either a pharmacy intern or pharmacy technician working remotely to be supervised by a pharmacist working at either the physical location or engaged in remote practice. The bill exempts medical care facility pharmacies or medical care pharmacy personnel from compliance with this part of the Act.

A pharmacist working remotely is only permitted to supervise others working remotely and is required to be in compliance with the technician-to-pharmacist ratios found in rules and regulations: no more than four technicians to one pharmacist, and no more than two pharmacy technicians who have not passed a certification exam to each pharmacist.

The bill permits either a pharmacy intern or pharmacy technician to, while engaged in the remote practice of pharmacy:

- Perform activities related to the prescription process; and
- Send communications and requests to prescribers through automated methods.

The bill permits the following to be completed under supervision:

- Contacting prescribers or prescriber offices;
- Contacting patients for clarification of personal data and payment processing information; and
- Transferring prescriptions.

Optometry Scope of Practice; HB 2223

HB 2223 amends the optometry law regarding scope of practice. The bill also makes technical and conforming amendments.

Scope of Practice for Optometry

The bill amends the scope of practice for optometrists to:

- Allow the use of medical devices for the relief of any insufficiencies or abnormal conditions of the human eye and associated anatomical parts;

- Allow the use of medical devices and the administering, prescribing, or dispensing of pharmaceutical drugs through all routes of administration, except for those administered within the eye (intraocular injections), for the examination, diagnosis, and treatment of conditions affecting the eyes or vision;

- Allow the following specified procedures and treatments:

    - The removal of non-perforating foreign bodies from the clear, dome-shaped outer layer of the eye that covers the iris and pupil (cornea), the mucous membrane that covers the front of the eye and lines the inside of the eyelids (conjunctiva), or eyelids;
    - The removal of eyelashes;
    - The scraping of the cornea for diagnostic tests, smears, or cultures;
    - The dilation, probing, irrigation, or closing of the tear drainage structure of the eye;
    - The expression of small, dome-shaped lesions that appear on the inner surface of the eyelid (conjunctival follicles) or small, fluid-filled sacs that form on the clear membrane covering the white of the eye (conjunctival cysts);
    - The removal of dead, damaged, or infected tissue (debridement) from the thin, transparent layer of cells that covers the outer surface of the cornea (corneal epithelium);
    - The making of a small incision in the eyelid to drain swelling of the meibomian gland, which is located under the eyelid, resulting in a cyst-like lump (chalazion), and removal of the contents (incision and curettage of a chalazion);
    - The removal and biopsy of skin lesions without known cancer growth or tumor (malignancy);
    - The performance of laser procedures after cataract surgery to create a small opening in the cloudy capsule to restore clear vision (laser capsulotomy); and
    - The performance of laser treatment for certain glaucomas to improve fluid drainage in the eye to lower intraocular pressure (laser trabeculoplasty); and

- Permit the performance of additional procedures that are not specifically prohibited by the bill that are within the scope of a licensee's education and training for the treatment of any insufficiencies or abnormal conditions of the human eye and its attachments or appendages (adnexa) as authorized by rules and regulations adopted by the Board of Examiners in Optometry (Board). The bill prohibits the Board from adopting such a rule and regulation without receiving a recommendation from the Interprofessional Advisory Committee that such procedure is appropriate for an optometrist to perform.

Specific Exclusions from the Scope of Practice of Optometry

The bill specifies the scope of practice of optometry could include pre- and post-operative care for any of the following procedures, but will not include the performance of the following specified procedures:

- Surgery to repair or prevent damage to the retina, the light-sensitive tissue at the back of the eye (retinal surgery);
- Replacement of the entire damaged or diseased cornea with a healthy donor cornea (penetrating keratoplasty or corneal transplant);
- Administration of or surgery performed under general anesthesia;
- Surgery related to the removal of the eye from a living human being;
- Surgical extraction of the flexible clear membrane that sits between the pupil and retina (crystalline lens);
- Surgical intraocular implants;
- Removal of tissue from the muscles that control the movements of the eye (incisional or excisional surgery of extraocular muscles);
- Surgery of the skeletal cavity in the skull that houses the eyeball and its associated structures (bony orbit);
- Laser vision correction surgeries that reshape the cornea to improve vision (laser-assisted in situ keratomileusis [LASIK] or photorefractive keratectomy [PRK]);
- Laser procedures to treat small, opaque spots that appear in the field of vision (YAG laser vitreolysis); and
- Surgery of the eyelid for cosmetic or mechanical repair of eyelid conditions, including procedures to address recurrent swelling (blepharochalasis) or drooping eyelid (ptosis) and procedures to partially close the eyelids (tarsorrhaphy).

The bill requires any licensee who performs the incision and curettage of a chalazion, removal and biopsy of skin lesions, laser capsulotomy, and laser trabeculoplasty to be held to the same standard of care in the diagnosis and treatment as that of a person licensed to practice medicine and surgery.

Credentialing

The bill requires any licensee applying for credentialing to complete and swear to an application form supplied by the Board as well as pay any additional fees as set by the Board in rules and regulations.

The bill requires licensees who seek to administer or perform the newly added procedures set forth in the bill or procedures recommended in the future to receive credentialing from the Board as follows:

- Licensees who graduated from an accredited college of optometry on or after July 1, 2020, will be granted a credential by submitting a request to be credentialed to the Board; and

- Licensees who graduated from an accredited college of optometry prior to July 1, 2020, will be granted a credential by providing proof of successful completion of a 32-hour certification program that includes lecture (didactic), clinical or laboratory experiences, and testing components approved by the Board and the program is presented by an approved school or college of optometry or school of medicine.

The bill also requires the Board to maintain and make available a public directory including the names and addresses of all optometrists licensed by the Board.

Interprofessional Advisory Committee

The bill allows the Interprofessional Advisory Committee (Committee) to review new technologies to make recommendations to be considered by the Board. The bill also allows the Board to request the Committee to meet to review a procedure and make a recommendation to the Board as to whether a procedure is appropriate for an optometrist to perform.

The bill also requires the nominations for Committee membership of ophthalmologists to be made by the Kansas Society of Eye Physicians and Surgeons.

Health Care Stabilization Fund

The bill requires optometrists who are credentialed to perform certain procedures to carry professional liability insurance of no less than $500,000 and to be included in the Health Care Stabilization Fund for the additional $500,000 of professional liability coverage. The credentialed optometrist will not be required to participate if the initial surcharge to participate in the Health Care Stabilization Fund exceeds 15 percent. The requirement to participate will take effect January 1, 2028, for credentialed optometrists.

The bill also amends the membership of the Health Care Stabilization Fund Board of Governors to add an optometrist.

Reporting Requirements

The bill requires credentialed optometrists to submit a quarterly report to the Board that is to include the name of the optometrist, the total number of procedures performed during the quarter, the location where each procedure was performed, and the outcome of each procedure on the patient. The reporting optometrist is to certify the accuracy of each report.

The bill also requires the Board, beginning July 1, 2027, to compile the quarterly reports from credentialed optometrists and make the annual report available to the public. The Board will be required to redact any personally identifiable information prior to making the reports public.

The reporting requirements will sunset on July 1, 2031.

Emergency Medications: Opioid Antagonists, Kits for Private Psychiatric Hospitals, and Epinephrine Delivery Systems for Emergency Medication Kits in Schools; Expedited Partner Therapy Authorized; Sub. for HB 2250

Sub. for HB 2250 adds administering an emergency opioid antagonist as a protected act immune from criminal prosecution if the person to whom aid was rendered reasonably appeared to need medical assistance or requested medical assistance from law enforcement or emergency medical services as a result of the use of a controlled substance, and it adds civil liability protection for first responders.

The bill also authorizes a licensed private psychiatric hospital to maintain a stock supply of emergency medication kits for pharmaceutical emergencies, permits pharmacists to distribute epinephrine delivery systems to schools for emergency medication kits, and authorizes the use of expedited partner therapy (EPT) to treat sexually transmitted diseases (STDs).

The bill also makes technical and conforming amendments as well as authorizes adoption of rules and regulations by identified agencies to implement the provisions of the bill.

Emergency Opioid Antagonist

Definition

As defined by the bill, “emergency opioid antagonist” means an intranasal form of a drug that inhibits the effects of opioids and is approved by the U.S. Food and Drug Administration for the treatment of an opioid overdose.

Expiration Date

The bill permits the administration of an emergency opioid antagonist up to 10 years past the product’s expiration date. The bill prohibits pharmacists, health care providers, and school nurses from prescribing, dispensing, distributing, or furnishing expired emergency opioid antagonists.

Emergency Medication Kits

The bill requires the emergency medication kit to be used only in emergency cases at a private psychiatric hospital to be under the supervision and direction of a prescriber and a pharmacist who will have supervisory responsibility of maintaining the kit.

Drugs in the emergency medication kit are to be maintained under the control of the pharmacist-in-charge of the pharmacy from which the kit came until administered to the patient upon the proper order of a practitioner.

The bill allows drugs to be included in the emergency medication kit to include controlled substances, but a Pharmaceutical Services Committee would be responsible for specifically limiting the type and quantity of the controlled substance to be placed in each kit. The bill will require administration of controlled substances contained within the kit to comply with the provisions of the Uniform Controlled Substances Act.

The pharmacist-in-charge of the licensed private psychiatric hospital will be responsible for developing procedures, proper control, and accountability for the emergency medication kit as well as maintaining complete and accurate records.

Definitions

The bill defines terms, including:

- "Emergency medication kit," to mean a stock supply of such drugs as are required to meet the immediate therapeutic needs of patients when the drug is not available from another source in sufficient time to prevent harm; and

- "Licensed private psychiatric hospital," to mean an institution, excluding state institutions such as a state hospital, that is primarily engaged in providing services, by and under the supervision of qualified individuals, for the diagnosis and treatment of mentally ill individuals that is licensed pursuant to state law.

Rules and Regulations

The bill authorizes the Secretary of Health and Environment and the State Board of Pharmacy (Board) to jointly adopt the rules and regulations necessary to effectuate these provisions. The topics of the rules and regulations are required to include, but not be limited to, record keeping, the contents of the emergency medication kit, procedures for control and accountability of the kit, and storage of the kit.

Epinephrine Delivery Systems

The bill permits pharmacists to distribute epinephrine delivery systems to schools for emergency medication kits, and amends the definition of "medication" to expand the type of epinephrine that a pharmacist is allowed to distribute to a school, from only epinephrine auto-injectors to epinephrine delivery systems.

Expedited Partner Therapy

Definitions

The bill defines several terms, including the following:

- "Expedited partner therapy," to mean to prescribe, administer, dispense, or otherwise provide antimicrobial drugs to a sexual partner of a patient clinically diagnosed by a health care provider as infected with an STD without a physical examination of such sexual partner;

- "Healthcare provider," to mean a person licensed by the State Board of Healing Arts to practice medicine and surgery; an advanced practice registered nurse issued a license pursuant to the Kansas Nurse Practice Act, who has authority to prescribe drugs; or a physician assistant licensed under the Physician Assistant Licensure Act who has authority to prescribe drugs according to a written protocol with a responsible physician; and

- "Sexually transmitted disease," to mean any disease transmitted through sexual contact and designated through rules and regulations by the Secretary of Health and Environment as appropriate for EPT. [*Note*: EPT is recommended for chlamydia, gonorrhea, and trichomoniasis in other jurisdictions that use EPT.]

Health Care Provider Responsibilities

The bill authorizes a health care provider who clinically diagnoses a patient with an STD to provide EPT if the health care provider determines the patient's sexual partner is unlikely or unable to present for examination, testing, and treatment.

A health care provider will be authorized to use EPT only for a patient's sexual partner who could have been exposed to an STD within 60 days immediately prior to the patient's clinical diagnosis and who could be contacted and identified by the patient. A child who is 16 years of age or older will be able to consent to receive EPT when no parent or guardian is immediately available.

The bill will require a health care provider who provides EPT to provide counseling to the patient, including distributing written materials developed and provided by the Kansas Department of Health and Environment, to be given by the patient to the patient's sexual partner.

Immunity from Civil Damages and Disciplinary Action

The bill states no health care provider or pharmacist will be liable for civil damages from any act or omission in good faith compliance with EPT, including civil damages for refusing to provide EPT, other than an act or omission constituting gross negligence or intentional or reckless misconduct.

The bill states no health care provider or pharmacist will be subject to disciplinary action by the State Board of Healing Arts, the Board of Nursing, or the State Board of Pharmacy, on the basis of an act or omission in good faith compliance with EPT, other than an act or omission constituting gross negligence or intentional or reckless misconduct.

Written Material Requirements

The bill requires the following information to be included in the written materials distributed by a health care provider who provides EPT:

- A warning that a woman who is pregnant or might be pregnant should not take certain antibiotics and should immediately contact a health care provider for an examination;
- Information about the antimicrobial drug and dosage provided or prescribed, including a warning that a sexual partner who has a history of allergy to the drug or the pharmaceutical class of drug should not take the drug and should immediately contact a health care provider for examination;
- Information about the treatment and prevention of STDs;
- The requirement of sexual abstinence until a period of time after treatment to prevent infecting other sexual partners;
- Notification of the importance of the sexual partner receiving examination and testing for human immunodeficiency virus and other STDs and information about available resources;
- Notification of the risk to the patient, the patient's sexual partner, and the general public if the STD is not completely and successfully treated;
- The responsibility of the sexual partner to inform the sexual partner's own sexual partners of the risk of STD and the importance of prompt examination and treatment by a health care provider; and
- Such other information deemed necessary by the Secretary.

Rule and Regulation Authority

The bill directs the Secretary of Health and Environment to adopt rules and regulations necessary to implement and administer the EPT provisions of the bill.

Advanced Practice Registered Nurses Added to Health Care Stabilization Fund and Physical Therapists May Perform Certain Capillary Blood Tests; HB 2509

HB 2509 amends the Health Care Provider Insurance Availability Act (Act) to add advanced practice registered nurses (APRNs) to the list of health care providers participating in the Health Care Stabilization Fund (Fund); adds a member who is an APRN to the Board of Governors of the Fund (Board); and permits licensed physical therapists to perform certain capillary blood tests.

APRNs Added to the Health Care Stabilization Fund

The bill adds, commencing on January 1, 2028, any APRN licensed or granted a temporary authorization by the Board of Nursing to practice as an APRN to the definition of "healthcare provider" as it pertains to the Fund, which provides excess professional liability coverage for health care providers defined under the Act. APRNs will have six months to comply with the membership requirements of the Fund.

An APRN will not be required to participate if the initial surcharge to participate in the Fund exceeds 15 percent.

Board Membership

The bill adds one member to the Board, which will then have 12 members. The bill requires the added member to practice as a licensed APRN and be appointed by the Commissioner of Insurance (Commissioner) from a list of nominees approved by the Board of Nursing. The bill also provides that nominees to fill a vacancy on the Board may be submitted to the Commissioner by an alliance or academy in addition to a professional society or association, as provided in continuing law.

Point-of-care Testing

The bill defines "point-of-care testing" as laboratory-based capillary assays and does not include:

- Point-of-care ultrasounds;
- Other imaging modalities and venipuncture; or
- Other procedures requiring vascular access beyond the use of a fingerstick or other capillary methods.

The bill allows physical therapists to perform point-of-care laboratory testing that is classified by the Centers for Medicare and Medicaid Services as Clinical Laboratory Improvement Amendments (CLIA)-waived tests. The bill allows point-of-care testing of lactate and blood glucose tests only by physical therapists for the purpose of obtaining information related to:

- Muscle metabolism;
- Exercise tolerance; or
- Rehabilitation status.

Permitted Use of Point-of-care Testing

The bill requires that results of point-of-care testing be used as adjunct information for physical therapists in evaluation and treatment planning, or to comply with a physician's orders.

The bill does not allow point-of-care testing by physical therapists to be construed as granting independent authority to diagnose medical conditions.

CLIA Certificate of Waiver and Billing

The bill requires a physical therapist or facility where testing is being performed to obtain and maintain a CLIA Certificate of Waiver. The bill also requires that all testing be performed in accordance with manufacturer instructions, including all training requirements for staff performing the point-of-care tests.

The bill does not allow physical therapists to bill third-party payers for the point-of-care laboratory testing as stand-alone reimbursement services. The bill also does not prohibit a physical therapist or a facility from charging a patient for the reasonable cost of supplies used in connection for testing.

Written Consent

The bill requires a physical therapist to obtain written consent from a patient or the patient's representative prior to performing point-of-care testing. Written consent will include disclosure of costs and an acknowledgment of financial responsibility to the patient or the patient's representative.

Maximum Number of Residents in Home Plus Facilities; HB 2520

HB 2520 amends the Adult Care Home Licensure Act to allow a maximum of 16 individual residents, increased from 12, in Home Plus facilities.

The bill requires Home Plus facilities that provide care for more than 12 individuals after July 1, 2026, to develop and maintain written plans demonstrating the ability of the facility to meet residents' needs, respond to emergencies, and maintain resident health and safety at the increased capacity. The plans must be available for review during survey or inspection to ensure the Home Plus has the capacity to safely serve additional residents without diminishing the quality of care.

Pregnancy Center Autonomy and Rights of Expression Act; HB 2635

HB 2635 creates the Pregnancy Center Autonomy and Rights of Expression Act (Act). The Act makes several findings related to pregnancy centers and the services provided at such centers, and it prohibits regulations, policies, procedures, or other measures that prohibit a pregnancy center from taking certain actions or require that a pregnancy center take specific actions. The bill also defines certain terms.

Prohibited Policies

The bill prohibits a state agency, department, division, bureau, institution or subdivision, or any county, city, or other political subdivision from enacting or adopting any law, ordinance, resolution, rule and regulation, policy, procedure, or any other similar measure that requires a pregnancy center or medical pregnancy center to:

- Offer or perform abortions;
- Offer, provide, or distribute abortion-inducing drugs;
- Make a referral for an abortion or an abortion-inducing drug;
- Counsel in favor of abortion or abortion-inducing drugs; and
- Post any advertisement, sign, flyer, or similar material that promotes abortion or abortion-inducing drugs or provides any information about obtaining an abortion or abortion-inducing drugs.

The Act also prohibits policies that apply to the pregnancy center or medical pregnancy center because it does not perform, refer, or counsel in favor of abortion or abortion-inducing drugs. Specifically, the Act prohibits policies that prohibit a pregnancy center or medical pregnancy center from providing:

- Information, care, counseling, classes, or other services related to pregnancy, childbirth, or parenting because the pregnancy center or medical pregnancy center does not perform, refer, or counsel in favor of abortion or abortion-inducing drugs;
- Prenatal and postnatal resources, including diapers, baby clothes, baby furniture, formula, and similar items because the pregnancy center or medical pregnancy center does not perform, refer, or counsel in favor of abortion or abortion-inducing drugs; and
- Medical testing, medical counseling, and medical care or treatment related to pregnancy or childbirth.

The Act also prohibits policies that:

- Prohibit a medical pregnancy center from counseling a woman on any pregnancy-related care or treatment; or
- Interfere with staffing or hiring decisions of a pregnancy center or medical pregnancy center by requiring such center to interview, hire, or continue to employ any person who does not affirm the center's mission statement or agree to comply with the center's pro-life ethic and operating procedures.

Civil Cause of Action—Damages

A pregnancy center, medical pregnancy center, or any party aggrieved by a violation of the Act may bring a civil action for damages, declaratory relief, injunctive relief, or any other appropriate relief. The bill allows a court to award costs, including attorney fees, to the prevailing party.

Intervention by the Legislature

The Act allows the Legislature to pass a concurrent resolution that appoints one or more members of the Legislature to intervene as a matter of right in any legal proceeding in which the constitutionality or enforceability of the Act's provisions are challenged. The appointment shall remain effective in the event the appointee ceases to no longer be a member of the Legislature.

Severability

The Act's provisions are declared severable, and the application to any person or circumstance that is held to be unconstitutional or invalid will not affect the validity of the remainder of the Act's provisions.

Physician Assistant Licensing Act; HB 2702

HB 2702 amends the Kansas Healing Arts Act regarding practice protocols to provide for collaboration between a physician assistant or associate (PA) and a physician and to amend the Physician Assistant Licensure Act (Act).

The bill also authorizes the use of a criminal history record check and the collection of fingerprints for an applicant for PA licensure by the State Board of Healing Arts (Board).

The bill will be in effect on and after January 1, 2027.

[*Note:* The bill defines "physician assistant" and "physician associate" as the same type of health care provider. "PA" may refer to either title.]

Physician Assistant and Physician Associate Licensure Act

The bill amends the Act to add the term "physician associate" to the title of the Act.

Definitions

The bill amends multiple terms used in the Act:

- "Collaboration" means consultation or referral to the appropriate member of the health care team, as indicated by the patient's condition; the education, experience, and competencies of the PA; and the standard of care. Collaboration does not require the personal presence of a physician at the time or place the PA provides care;

- "Collaborating physician" means a physician who is engaged in a practice agreement in which the physician and PA collaborate to use their complementary training, skill, knowledge, and experience to provide patient care;

- "Licensee" means all persons issued a license or temporary license pursuant to the Act;

- "License" means any license or temporary license issued pursuant to the Act;

- "Healthcare services" means services provided by a PA licensed pursuant to the Act;

- "Practice agreement" means a written or electronic document that describes the manner in which a PA will provide health care services in accordance with the provisions of the Act;

- "Physician" means any person licensed by the Board to practice medicine and surgery;

- "Physician assistant" or "physician associate" means a person who is licensed to provide health care services in accordance with the Act;

- "Supervision" means overseeing the activities and health care services rendered by a PA. The constant physical presence of the physician is not required if the physician and PA can easily communicate through telecommunication; and

- "Supervising physician" means a physician who has accepted responsibility for the health care services rendered by and actions of the PA while performing under the direction and supervision of such supervising physician.

Practice Protocols

The bill amends law regarding licensees who provide supervision or enter into practice protocols in the healing arts by adding "collaboration," as defined in the bill, to the types of agreements individuals practicing the healing arts may establish in practice. The bill also allows any agreement to be electronic in format.

The bill states that the Act will govern the supervision of and collaboration with PAs by physicians. The Board will also be permitted to adopt rules and regulations on the collaboration of services constituting the practice of medicine.

Licensure

The bill amends the provisions regarding requirements for applicants who could be granted a PA license by the Board to include:

- Submitting an application on forms approved by the Board;

- Paying the appropriate fees as determined by the Board;

- Successfully completing an educational program for PAs accredited by the Accreditation Review Commission on Education for the PA or, prior to 2001, either by the Committee on Allied Health Education and Accreditation or the Commission on Accreditation of Allied Health Education Programs;

- Passing the Physician Assistant National Certifying Examination (PANCE) administered by the National Commission on Certification of Physician Assistants (NCCPA);

- Having no license as a PA that is currently under discipline, revocation, suspension, or probation for cause resulting from the applicant's practice as a PA, unless the Board considers such condition and agrees to licensure; and

- Submitting to the Board any other necessary information to evaluate the applicant's qualifications.

The bill also permits the Board to grant a license to an applicant who:

- Does not meet the educational requirement but who, prior to 1986, passed the PANCE administered by the NCCPA; and

- Presents to the Board proof that the applicant has acquired experience while serving in the U.S. Armed Forces which is equivalent to the minimum experience requirements established by the Board.

Disciplinary Action by the Board

The bill amends the provisions permitting revocation, suspension, or limitation of a license or denial of an original application or reinstatement of a canceled license to include the following:

- When an applicant or licensee has a conviction, on or after July 1, 2000, in Kansas or another jurisdiction for a felony, class A misdemeanor, or substantially similar offense or special or general court-martial, whether or not such conviction is related to the practice of healing arts, unless a two-thirds majority of the Board present and voting determine by clear and convincing evidence that the licensee will not pose a threat to the public and has been sufficiently rehabilitated to warrant the public trust;

- When a licensee has violated any other laws governing licensed health care professionals or any stipulation or agreement of the Board;

- When a licensee has violated other regulations governing licensed health care professionals or any stipulation or agreement of the Board; or

- When a licensee has exceeded or acted outside the practice agreement.

Permitted Use of the Title

The bill allows a person who meets the qualifications for licensure under the Act but does not possess a current license to use the title "PA," "physician assistant," or "physician associate," but does not allow the practice as a PA unless licensed in accordance with the Act.

Act Exclusions

The bill clarifies the list of to whom the provisions of the Act do not apply:

- PA students enrolled in a PA program accredited by the Accreditation Review Commission on Education for the Physician Assistant or its successor agency while performing health care services under the supervision of an approved instructor; or

- PAs employed in the service of the federal government while performing duties pursuant to that employment.

The bill also clarifies that violations of this section would be a class B nonperson misdemeanor.

Scope of Practice of Physician Assistants

The bill clarifies that a PA could provide health care services within the education, training, experience, and competence of the PA. A PA will be responsible for the health care services that such PA provides. Health care services provided by a PA can include, but are not limited to:

- Obtaining and performing a comprehensive health history and physical examination;

- Evaluating, diagnosing, managing, and providing medical treatment, including prescribing drugs;

- Ordering and evaluating a diagnostic study and therapeutic procedure;

- Educating a patient on health promotion and disease prevention;

- Providing patient consultation or referral;

- Writing medical orders;

- Obtaining informed consent;

- Authenticating any document with the PA's signature, certificate stamp, or endorsement if such document could be authenticated in the same manner by a physician;

- Pronounce death; and

- Supervise, delegate, and assign therapeutic measures to licensed or unlicensed personnel.

The bill also permits a PA to certify the health or disability of a patient as required by a local, state, or federal program. A PA is also be authorized to provide services in health care facilities or programs, including, but not limited to, clinics, hospitals, ambulatory surgical centers, patient homes, adult care homes, hospices, and other medical institutions.

Prescribing Authority

The bill permits a PA to prescribe durable medical devices and medical equipment and prescribe, procure, or administer any drug. PAs can plan and initiate a therapeutic regimen that includes ordering and prescribing non-pharmacological interventions, including, but not limited to:

- Durable medical equipment and diagnostic support services; and

- Drugs, including prescribing, procuring, and administering drugs in schedules II through V of the Uniform Controlled Substances Act (CSA) and all legend drugs.

Any controlled substance must be prescribed, procured, or administered in accordance with the CSA and registration with the federal Drug Enforcement Administration.

A PA is authorized to request, receive, and sign for professional samples and can distribute professional samples to patients.

Dispensing Activities

The bill requires dispensing activities of a PA to:

- Comply with appropriate state and federal regulations;

- Occur when pharmacy services are not reasonably available, when it is in the best interest of the patient, or during an emergency; and

- Include any medication that may be dispensed by a physician.

Prohibited Health Care Services

The bill does not allow a PA to perform any act or procedure performed in the practice of optometry, except as may be legally delegated. The bill does not permit a PA to perform any health care service, act, or procedure that is not authorized by applicable law.

Collaboration with Physician

The bill requires a PA with less than 4,000 hours of postgraduate clinical experience to practice with physician supervision under the terms of a written practice agreement.

The bill allows a PA who attests to having 4,000 hours or more of postgraduate clinical experience and has not had a disciplinary action against their license to practice in collaboration with a physician or physician group.

The collaboration must be set out in a practice agreement available on file at the practice site and available to the Board on request.

Collaboration means that a PA will collaborate with, consult with, or refer to the appropriate member of the health care team as indicated by the patient's condition; the education, experience, and competencies of the physician assistant; and the standard of care. The terms, conditions, and limitations of collaboration will be determined by the collaborating physician or collaborating physician group and the PA. If the collaboration will take place in a licensed health care facility, then the terms, conditions, and limitations of collaboration will be determined by the collaborating physician, collaborating physician group, PA, and the credentialing and privileging systems of the licensed health care facility.

Loss of Practice Agreement

After the loss or absence of a collaborative practice agreement, the bill allows a PA to continue to practice for 180 days if:

- The PA has not had a disciplinary action taken against their license; and
- The PA seeks any necessary collaboration for patients who require health care services beyond the training and experience of the PA through referral patterns established with a physician or other health care providers as indicated by the patient's condition.

The bill permits a PA to request, and the Board to approve, one additional extension to practice for 180 days.

Criminal History Check

The bill allows the Board to require an applicant for original licensure, reinstatement, or in connection with any investigation of a licensee to be fingerprinted and submit to a state and national criminal history check. The Board is allowed to charge a fee for the cost of the background check.

The bill also adds the Board to the list of authorized agencies to which the Kansas Bureau of Investigation may release the results of a background check.

Speech-Language Pathology Assistant Licensure Act; HB 2761

HB 2761 establishes the Speech-Language Pathology Assistant Licensure Act (Act) and establishes the powers, duties, and functions of the Secretary for Aging and Disability Services (Secretary) in carrying out the Act. The bill provides for speech-language pathology assistant (SLPA) licensure, defines the scope of practice, specifies required qualifications, and requires SLPAs to practice under a supervising speech-language pathologist (SLP).

The bill requires the Secretary to issue an SLPA license to an individual who meets the educational and training requirements of the Act and any other reasonable qualifications that may be adopted by the Secretary in rules and regulations. Such license expires after two years.

Citation of the Act and Definitions

The bill establishes the title of the Act and provides definitions for terms including, but not limited to, "certified speech-language pathology assistant," "direct supervision," "licensed speech-language pathology assistant," "speech para," and "supervising speech-language pathologist."

Speech-Language Pathology Assistant Requirements

Educational and Training Requirements

The Act requires an individual seeking an SLPA license to have:

- Completed a certificate, technical, associate, or baccalaureate program including:
    - A bachelor's degree in communication sciences and disorders from an accredited institution;
    - A bachelor's degree in another field and 24 hours of core coursework in communication sciences and disorders; or
    - An SLPA program from a regionally accredited institution that offers an associate's degree, technical training program, or a certificate program; and
- Completed a supervised clinical experience that consists of 100 clock hours of supervised clinical fieldwork with direct client or patient contact or clinical practicum. [*Note:* Supervision may occur as either an academic practicum or on the job under a supervising SLP.]

Continuing Education Requirements

The Act requires that individuals seeking to renew an SLPA license need to show proof of having completed the required 12 hours of approved continuing education or 1.2 continuing education units during each 2-year licensing period.

The bill requires a licensee's continuing education to be reported on forms, in the time, and in a manner specified by the Secretary; be retained by the licensee for a four-year period; and be provided to the Secretary upon request.

Scope of Practice

The Act establishes the scope of practice for an SLPA to be the following activities as designated and directed by a supervising SLP:

- Conduct speech-language or hearing screenings without interpretation following specified screening protocols developed by the supervising SLP;
- Provide direct treatment to patients or clients who are identified by the supervising SLP;
- Follow documented treatment plans or protocols developed by the supervising SLP;
- Document patient or client progress toward meeting established objectives as stated in the treatment plan, assist with data collection for patient or client responses, and prepare therapy materials and activities;
- Assist the supervising SLP during assessment of patients or clients;
- Prepare charts, records, and graphs and assist with other clerical tasks as directed by the supervising SLP;
- Perform checks and maintenance of equipment on a regular basis and verify calibration on audiometric equipment at least annually;
- Assist the supervising SLP in research projects, in-service training, and public relations programs;
- Share documentation and treatment notes with the supervising SLP, who would be required to review and co-sign such documentation and treatment notes;
- Provide caregiver coaching as directed by the supervising SLP;
- Provide teletherapy services as directed by the supervising SLP;
- Program augmentative and alternative communication devices;
- Provide training and technical assistance to students, patients, clients, and families in the use of augmentative and alternative communication devices;

- Develop low-tech augmentative and alternative communication materials for students, patients, and clients;

- Collaborate with team members under the guidance of the supervising SLP and all applicable guidelines of the federal Health Insurance Portability and Accountability Act and the Family Educational Rights and Privacy Act;

- Clearly identify oneself as an SLPA to students, clients, families, and others; and

- Adjust communication practices and expectations as necessary to effectively serve clients, patients, and students.

Speech-Language Pathology Assistants Prohibited Activities

The Act prohibits an SLPA from:

- Performing diagnostic tests of any kind, including formal or informal evaluations, or interpret test results;

- Acting as a decision-maker in individualized education program meetings, special education eligibility meetings, or any interdisciplinary team meetings in which diagnostic information is interpreted or treatment plans are developed without the presence of a supervising SLP or an SLP qualified to provide supervision;

- Independently providing diagnostic or assessment results to patients, clients, or their parents or guardians;

- Writing, developing, or modifying a patient's or client's treatment plan;

- Providing services outside of a documented treatment plan prepared by the supervising SLP;

- Providing services for which the SLPA has not received appropriate or adequate training;

- Signing any formal documents without the signature of the supervising SLP;

- Identifying, recommending, or discharging patients or clients for services;

- Making referrals for additional services without consultation with the supervising SLP;

- Providing any interpretative information that is contained in reports written by any licensed SLP;

- Representing oneself as an SLP;

- Making advertisements or public announcements of professional services independent of the supervising SLP;

- Assisting in feeding or swallowing therapy without direct supervision from the supervising SLP; or

- Treating a person who is medically fragile as determined by the supervising SLP.

Supervising Speech-Language Pathologist

The Act requires a supervising SLP to accept full and complete responsibility for all services and tasks performed or omitted by an SLPA under their supervision.

Supervising Speech-Language Pathologist Qualifications

The Act requires an SLP wishing to supervise an SLPA or multiple SLPAs to:

- Hold a current Kansas SLP license or a privilege to practice in the state;

- Have two years of full-time experience as an SLP following the successful completion of the post-graduate profession experience;

- Have earned at least two hours of professional development in the area of supervision or clinical instruction following licensure; and

- Earn at least one hour of professional development in the area of ethics every three years.

The Act restricts a supervising SLP to supervising either two full-time SLPAs or three part-time SLPAs. If an SLP is supervising three part-time SLPAs, the aggregate hours worked by the SLPAs cannot exceed those worked by two full-time SLPAs.

The Act also requires supervising SLPs to:

- Institute a training program for each SLPA that encompasses all of the procedures to be performed and retain documentation in the SLPA's file in a form acceptable to the Secretary;

- Inform the client or patient about the use of an SLPA;

- Provide and document appropriate supervision of the SLPA to the Secretary as outlined in rules and regulations;

- Assume the legal and ethical responsibilities of the SPLA's day-to-day conduct;

- Maintain original documentation for three years; and

- Have no pending or previous disciplinary action or allegations or possess only a provisional or temporary license.

Supervision of Speech-Language Pathology Assistants

The Act requires that an SLP supervising one or more SLPAs:

- Document direct supervision provided by the SLP for each student, patient, or client at least every 60 days;

- Provide direct supervision of at least 10.0 percent of an SLPA's total client contact time, which may be performed either in person or through live video conferencing; and

- Provide any additional amount of supervision determined at the discretion of the supervising SLP consistent with the:

    - SLPA's skills and experience;
    - Needs of the students, patients, and clients;
    - Service setting;
    - Tasks assigned; and
    - Laws and rules and regulations that govern SLPAs.

The Act requires an SLPA to notify the Secretary within seven business days following any change in an SLPA's supervising SLP.

Speech-Language Pathology Assistant License

Issuance and Renewal Applications

The Act requires applicants seeking issuance or renewal of an SLPA license to submit an application to the Secretary, in the manner, and in the form prescribed and furnished by the Secretary, and pay all required fees. The Act also authorizes the Secretary to issue licenses for periods of less than two years for purposes of administratively adjusting renewals and, in such case, a licensee will be charged a prorated renewal fee.

Licensees who fail to renew their licenses can seek reinstatement of the license by:

- Paying the renewal fee;
- Paying the reinstatement fee; and
- Submitting evidence of satisfactory completion of any applicable continuing education requirements, as established by the Secretary.

Notification of License Expiration

The Act requires the Secretary to electronically notify the licensee of their license expiration date at least 30 days before the expiration date through the email address on file with the Secretary. If the licensee does not submit a renewal application and pay the appropriate fee prior to the expiration of their license, the Act requires the Secretary to provide a second notice stating that the license has expired and that it may be renewed only if the renewal application, renewal fee, and late renewal fee are received within 30 days of the license expiring.

Denial, Revocation, Suspension, or Limitation on License

The Act requires the Secretary to deny, revoke, suspend, or limit a licensee's license if the licensee:

- Makes a false statement on an application for a license or any other document required by the Secretary;
- Engages, attempts to engage, or represents oneself as being allowed to perform procedures not authorized by the license;
- Demonstrates incompetence or makes consistent negligent errors in tests or procedures;
- Engages in dishonorable, unethical, or unprofessional conduct, as defined in rules and regulations;
- Provides professional services while:
    - Mentally incompetent; or
    - Under the influence of alcohol, narcotics, or controlled substances that are in excess of therapeutic amounts or without valid medical indications;
- Violates any provisions of the Act or any rules and regulations adopted under the Act;
- Aids and abets the violation of any provisions of the Act or any rules and regulations adopted under the Act; or
- Has been convicted of a crime found by the Secretary to have a direct bearing on whether one should be entrusted to serve the public in the capacity of an SLPA.

Reciprocity Requirements

The Act permits the Secretary to grant an SLPA license to an applicant who is licensed to practice in another state if:

- The Secretary receives documentation from the issuing state or states that the licensee is currently in good standing without violations or sanctions, pending or in effect;

- The applicant meets the current educational and clinical experience requirements established in the Act or holds a current, unrestricted license to practice as an SLPA in another jurisdiction in the United States;

- The applicant meets other qualifications as determined in rules and regulations adopted by the Secretary; and

- The applicant pays an endorsement and application fee.

Temporary License

The Act authorizes the Secretary to issue a temporary SLPA license for a period of 12 months as established in rules and regulations by the Secretary.

The bill allows such temporary license to be renewed for 1 consecutive 12-month period upon payment of the fee and documentation of the applicant's failure to complete the requirements for which the temporary license was originally issued.

Licensure Fees

The Act requires the Secretary, if necessary, to set fees for licensure, temporary licensure, renewal, late renewal, reinstatement, and examination fees in an amount to cover the costs of administering the Act. The bill prohibits any such fee from being more than $200. All fees will be remitted to the State Treasury to be credited to the Health Occupations Credentialing Fee Fund.

Violations of the Act

The Act, on and after January 1, 2027, makes it unlawful for any person to represent oneself in any manner as an SLPA if the person is not licensed under the Act or has a license that has been suspended or revoked, unless such person is exempt from the provisions of the Act.

The Act also states that any violation of its provisions will be a class C nonperson misdemeanor with each day an individual is in violation of the Act being considered a separate offense.

Rules and Regulations

The Act requires the Secretary to adopt rules and regulations to:

- Establish appropriate continuing education requirements for licensees seeking reinstatement of a lapsed license;

- Define dishonorable, unethical, or unprofessional conduct for purposes of denial, revocation, suspension, or limitation of an SLPA license;

- Establish documentation requirements for appropriate supervision of an SLPA by a supervising SLP; and

- Fix licensure, temporary licensure, renewal, late renewal, reinstatement, and examination fees as deemed necessary by the Secretary.

The Act also authorizes the Secretary to adopt rules and regulations regarding:

- Other reasonable qualifications of an applicant to receive an SLPA license; and

- The creation of a 12-month Temporary Speech-Language Pathology Assistant License.

State Preemption of Local Rental Housing Ordinances and Resolutions; SB 391

SB 391 prohibits any city or county from adopting or enforcing any ordinance or resolution that:

- Prohibits landlords from refusing to lease privately owned single-family or multi-unit residential property or commercial property to a person because their source of income to pay rent consists, in whole or in part, of a financial payment or consideration from or through the federal Housing Choice Voucher Program, or any successor program, or any other housing assistance program in which participation by a landlord is voluntary;

- Restricts a landlord's ability to use or consider income-qualifying methods, credit scores, credit reports, eviction history, property damage history, or criminal history or to request such information when done to determine whether to lease a property to a prospective tenant according to the landlord's customarily applied criteria in making such determinations;

- Limits the amount of a security deposit a landlord may require to lease a property to a prospective tenant; or

- Requires landlords to grant an automatic right of first refusal to tenants.

The bill makes null and void any ordinance or resolution prohibited by these provisions that was adopted before July 1, 2026.

By-right Housing; SB 418

SB 418 enacts the By-right Housing Development Act and makes various changes to law regarding residential housing planning, development, and construction.

By-right Housing Development Act

The By-right Housing Development Act (Act) provides a streamlined approval process for certain housing developments, including single-family homes, townhouses, and accessory dwelling units (secondary housing units subordinate to a primary dwelling unit on the same lot).

The stated purpose of the Act is to promote the development of housing by streamlining the residential housing development approval process in order to facilitate construction of additional housing units to address statewide housing shortages and promote affordability.

The bill requires regulatory authorities to approve such proposed developments as a matter of right ("by-right") and without discretionary review or approval if they:

- Meet the criteria outlined in the zoning code, land-use regulations, and any applicable subdivision statutes and regulations;

- Have a maximum of 12 attached units as part of any townhouse project;

- Would not increase impervious surface in a manner adversely affecting drainage into a special flood hazard area; and

- Are not within a registered historical district or subject to historic preservation review.

After receipt by the regulatory body, a complete application demonstrating the proposed development meets such criteria is deemed approved if not otherwise denied within the following time frames:

- 90 days, for applications requiring approval of a subdivision plat of more than 40 single-family homes;

- 60 days, for other applications requiring subdivision plat approval; or

- 30 days for other applications.

Denied applications may be appealed through a process established by the Act.

Regulatory authorities are required to monitor compliance with approved by-right housing developments to ensure adherence to applicable regulations and standards, and non-compliance may result in enforcement actions such as fines, penalties, or project modifications to bring the development into compliance.

Nothing in the Act should be construed to invalidate or limit restrictive covenants or condominium association or homeowners association regulations.

Third-party Review and Inspection

The bill allows a governing body to adopt a resolution authorizing third parties to review residential development documents and conduct inspections of residential improvements.

Upon adoption of such a resolution, legally required applications for a residential housing plat, plan, or development that are not approved, conditionally approved, or denied by the applicable regulatory authority within 15 days of receipt may be reviewed by a licensed engineer, an employee of the regulatory authority, or an employee of another political subdivision if approved by the regulatory authority. The review cannot be performed by the applicant nor an individual whose work is the subject of such review.

The bill authorizes required inspections not conducted within 15 days after a request is made to be conducted by a certified building inspector, an employee of the regulatory authority, or an employee of another political subdivision if approved by the regulatory authority. The bill prohibits the review from being performed by the landowner or an individual whose work is the subject of such inspection.

A third party performing the required review or inspection is required to take all other related actions in accordance with applicable law and provide the regulatory authority notice of the results of the review or inspection not later than 30 days after its completion.

Notwithstanding any provision of law to the contrary, an aggrieved person can appeal decisions regarding inspections and reviewed applications to the applicable governing body. The bill requires such appeal to be filed within 15 days of the decision. The bill requires the appeal to adhere to current Kansas law providing an action in district court could be brought by an aggrieved person unless the regulatory authority has already established an appeal process to consider such appeals. Such a process could be completed first.

If the governing body or designated appeal board were to not affirm or modify the decision within 60 days of the filing of the appeal, the applicable development document is deemed approved or the applicable inspection is deemed to be waived by the governing body or designated appeal board.

The bill authorizes a court to review a denied permit application and, upon a finding that the permitting authority acted in bad faith, award reasonable attorney fees and costs to a prevailing applicant.

Building Provisions for Single-family Residences

The bill requires political subdivisions to allow all of the following for new construction of single-family residences of less than 2,500 square feet in size and constructed on their own separate lots or parcels:

- Use of the 2018 edition of the International Residential Code (IRC), a version of the 2018 IRC previously adopted by the political subdivision, or a version of the 2018 IRC adopted by another political subdivision;
- Construction of single-car garages;
- Only one side of architectural finish; and
- A minimum lot size of 3,000 square feet, subject to reasonable setback requirements.

The bill provides that any part of any building code, ordinance, regulation, or rule in violation of these requirements would be null and void as applied to such property.

Rezoning Protest Petitions

The bill amends law governing notice of rezoning amendments to provide that rezoning to single-family residential use initiated by the owner that is not a city or county is subject to the notice by publication and public hearing requirements in continuing law, but does not require written notice and is not subject to protest petition provisions that apply to other zoning changes.

Single-family Residential-use Zoning

The bill provides that all land zoned for any type of residential use within the corporate limits of a city is considered zoned for single-family residential use in addition to any other zoning adopted by the city for such land.

The bill does not limit the city's ability to impose reasonable regulations related to setbacks, development and performance standards, utility and subdivision standards, future provision for street and utility connections, grading plans, and platting the property as they relate to single-family residential developments of land not zoned for single-family residential use.

Eviction—Mediation and Expungement; Sub. for HB 2357

Sub. for HB 2357 creates and amends law related to eviction proceedings for rental agreements subject to the Residential Landlord and Tenant Act (RLTA) to require expungement of certain court records, allow a landlord to object to an expungement request, and require the consideration of mediation for most eviction actions.

Expungement

The bill allows a defendant in an eviction action covered by RLTA to make an electronic filing for an expungement with the clerk of the district court at no cost.

[*Note:* The RLTA covers most residential rental agreements between a landlord and a tenant for a residential dwelling unit. Certain arrangements are excluded by the RLTA, including transient occupancy in a hotel or motel, occupancy by an owner of a condominium unit, and occupancy of premises used primarily for agricultural purposes.]

Expungement Filing, Notice, and Procedure

The bill requires that such expungement filing be made under the docket number of the underlying eviction action. The defendant is required to provide service of process to the plaintiff in the eviction action by return receipt delivery as required by the Kansas Code of Civil Procedure.

The plaintiff will have 30 days after delivery of the service of process to file an objection to the expungement with the court.

If no objection is filed, the bill requires the court to make an expungement determination without a hearing and with a presumption that any monetary judgments owed by the defendant to the plaintiff arising from the eviction action, if any, are satisfied.

If an objection is filed, the court is required to hold a hearing and determine whether the expungement will be granted.

The court is required to grant an expungement if:

- Three years have passed since judgment was entered in such action;

- The defendant shows that the monetary judgments owed by the defendant to the plaintiff, if any, are satisfied; and

- The defendant has no additional judgment entered in an eviction action covered by the bill within the three-year period.

Additional Judgment

If a tenant has an additional judgment entered in an eviction action covered by the bill within such three-year period, the preceding judgment may not be expunged until the ensuing judgment is eligible for expungement.

Unsatisfied Money Judgment

If a tenant has an unsatisfied money judgment entered in an eviction action covered by the bill, the records may not be expunged unless the defendant and plaintiff agree to such expungement.

Judicial Council Form

The bill requires the Judicial Council to develop a form to be utilized for obtaining expungement pursuant to the bill.

Effect of Expungement

The bill prohibits expungement from being construed to satisfy, extinguish, or otherwise affect any monetary obligation owed by the defendant to the plaintiff arising from the underlying tenancy of the expunged eviction, and nothing in the bill will impair a plaintiff's rights to maintain a separate action for rent or other damages.

Mediation and Defendant Appearance

The bill requires a court to consider mediation of the case unless the court finds that mediation will not aid both parties materially or is impracticable.

Under law applicable to eviction proceedings under the RLTA, a trial must be conducted within 14 days after the appearance date stated in the summons, and the court may not allow a continuance unless a bond is filed. The bill authorizes a court to order a continuance of no more than 14 days from the date that the mediation order is entered if both parties are participating in court-ordered mediation.

Removal of Squatters Act; HB 2378

HB 2378 enacts the Removal of Squatters Act (Act) that creates a procedure for property owners to request law enforcement remove unauthorized persons from a dwelling unit through submission of an affidavit.

Legislative Findings and Intent

The bill makes the following findings:

- The fundamental rights of owning property include the right of the owner to exclude others from entering or remaining unlawfully on the property; and
- Squatting, or the unauthorized entry into or remaining in a dwelling, is a violation of the rights of the property owners, and is against public interest.

The bill states the intent of the Act is to protect the rights of the property owners and to provide a timely and effective mechanism for removing squatters while protecting the rights of legitimate occupants.

Unauthorized Occupant Affidavit

The bill authorizes the owner of a dwelling unit or their agent to request the removal of an unauthorized person from the unit by submitting a notarized affidavit to a law enforcement agency in the county where the unit is located. The bill requires the affidavit to contain certain statements that are to be attested by the signer (affiant), including:

- The affiant is the owner of the dwelling unit or their agent;
- A person has entered and is remaining unlawfully in the dwelling unit;
- The person was not authorized to enter the dwelling unit;
- The person is not a tenant or a holdover tenant;
- The affiant has requested the unauthorized person vacate the dwelling unit and the person has not done so; and
- The unauthorized person is not an immediate family member of the property owner.

Property Owner Notice to Vacate

In addition to completing the affidavit, the bill requires the affiant to provide notice at the dwelling unit to the unauthorized person that such person has no right to occupancy and must vacate the unit immediately. The bill also requires the notice to include the street address of the law enforcement agency where the affidavit will be delivered. The bill requires a copy of the

notice to vacate with the date and time of delivery to be attached to the affidavit when it is submitted.

False Affidavit

If an affiant knowingly submits a false affidavit to a law enforcement agency in conjunction with the Act, the person may be charged with a class A nonperson misdemeanor.

Law Enforcement Procedures

The bill establishes procedures to be followed by law enforcement to verify an unauthorized occupant affidavit and, if an affidavit is verified, serve the unauthorized occupant with a notice to vacate.

Affidavit Verification

The bill requires the applicable law enforcement agency, upon receipt of a notarized affidavit, to verify that the affiant is the record owner of the dwelling unit or their agent, and appears otherwise entitled to relief. Upon verification and after 24 hours of the receipt of the affidavit, a law enforcement officer is required to serve a notice to the unauthorized person to immediately vacate the dwelling unit.

Law Enforcement Notice to Vacate

The bill authorizes a law enforcement officer to hand-deliver a notice to vacate to any unauthorized person occupying the dwelling, or post the notice on the front door or entrance of the dwelling unit.

The bill also requires the law enforcement agency to attempt to verify the identities of all persons occupying the dwelling and note the identities on the return of service.

Affidavit Processing Fee

The bill authorizes the law enforcement officer to charge a fee of not more than $50 to process an affidavit filed pursuant with the Act.

Law Enforcement Liability

The bill exempts a political subdivision of Kansas and a law enforcement agency or such agency's deputies or employees from liability for any action or omission made in good faith. Additionally, the bill exempts a law enforcement officer from liability for loss, destruction, or damage of property experienced by an unauthorized person, or other individuals, while such officer is carrying out the provisions of the Act.

Wrongful Removal

The bill allows a person who believes they have been harmed by a wrongful removal to bring a civil cause of action against the affiant owner of the dwelling unit or their agent.

If a court finds that a person was harmed by a wrongful removal, the Act allows such person to have the possession of the dwelling unit restored and to recover:

- Actual costs and damages;
- Punitive damages of triple the fair market rent of the dwelling;
- Court costs; and
- Reasonable attorney fees.

Definitions

The bill defines the following terms:

- "Squatter" means a person occupying a dwelling who is not entitled to occupy the dwelling under a lease or rental agreement nor authorized by a tenant to occupy the dwelling. The bill would clarify "squatter" does not include a tenant who holds over in periodic tenancy;

- "Dwelling unit" has the same meaning as in the Residential Landlord and Tenant Act (RLTA), except that "dwelling unit" includes commercial property and mobile homes;

- "Immediate family member" means spouse, child, grandchild of any degree, parent, mother-in law, father-in-law, grandparent of any degree, brother, brother-in-law, sister, sister-in-law, half-brother, half-sister, uncle, aunt, nephew, or niece, whether biological, step, or adoptive;

- "Law enforcement agency" and "law enforcement officer" means the same as in the Kansas Code of Criminal Procedure; and

- "Tenant" has the same meaning as in the RLTA.

Exclusion from Residential Landlord Tenant Act

The bill states occupancy by a squatter is excluded from the RLTA and the removal of a squatter shall not require the use of an eviction under such act.

Prepayment Penalties; HB 2497

HB 2497 amends the Kansas Contracts and Promises statute to limit the existing prohibition on prepayment penalties to only apply to consumer-purpose home loans.

Under prior law, no prepayment penalty could be assessed against any party of a home loan evidenced by a note secured by a real estate mortgage where such repayment was made more than six months after execution of the mortgage.

The bill amends the statute to provide that no prepayment penalty could be assessed against any party more than six months after the execution of a note evidencing a home loan made primarily for personal, family, or household purposes secured by a real estate mortgage. This will, thereby, permit the assessment of prepayment penalties on business-purpose home loans.

Residential Fire Safety Regulation; HB 2739

HB 2739 excludes the construction of certain types of residential housing from specified requirements in law and creates a limited exception to the requirements for proposed rules and regulations promulgated by the State Fire Marshal for purposes of updating the Kansas Fire Prevention Code.

Residential Housing Requirements

The bill excludes apartment houses, as defined in prior law, from fire safety rules and regulations administered by the State Fire Marshal for safeguarding life and property from fire, explosion, and hazardous materials, and excludes dwellings financed through the Kansas Housing Investor Tax Credit and Kansas Moderate Income Housing Program from accessibility standards for certain publicly financed dwellings.

The bill also repeals the definition of “apartment house” and makes other technical and conforming amendments.

Adoption of Fire Prevention Regulations

The bill exempts from the requirements for submission and review of an economic impact statement in continuing law, proposed rules and regulations adopted by the State Fire Marshal on or before December 21, 2026, to update the Kansas Fire Prevention Code with provisions of the 2024 edition of the International Fire Code.

Proposed rules and regulations submitted to the Attorney General pursuant to this provision are required to be reviewed by the Attorney General within 120 days of submission. Any such proposed rules and regulations must be ratified by enactment of a bill before adoption.

Kansas Consumer Prescription Protection and Accountability Act; SB 20

SB 20 enacts the Kansas Consumer Prescription Protection and Accountability Act (Act). The bill provides for the regulation of pharmacy benefit managers (PBMs), defining auditing procedures, outlining reporting requirements, and allowing compliance and financial examinations.

The bill requires PBMs to charge a health benefit plan the same price for a prescription drug as the PBM pays a pharmacy for the prescription drug, utilize the most recently published monthly National Average Drug Acquisition Cost (NADAC) as a point of reference, and reimburse pharmacies at an amount no less than the NADAC, plus a professional dispensing fee of $10.50. The bill provides a reimbursement procedure for drugs not on the NADAC. The bill also adds and amends definitions in the Act, amends monetary penalty fees, and adds a severability clause, among other conforming and technical changes.

Definitions

The bill adds to and amends definitions in the Act, including:

- "Health benefit plan" or "health plan" means any hospital or medical expense policy; health, hospital, or medical service corporation contract; a plan provided by a municipal group-funded pool; a policy or agreement entered into by a health insurer or health maintenance organization contract offered by an employer; or any certificate issued under any such policies, contracts, or plans. These terms do not include:
    - Policies or certificates covering only accident, credit, dental, disability income, long-term care, hospital indemnity, Medicare supplement, specified disease, vision care, coverage issued as a supplement to liability insurance, insurance arising out of a workers' compensation or similar law, automobile medical-payment insurance, or insurance under which benefits are payable with or without regard to fault and that is statutorily required to be contained in any liability insurance policy or equivalent self-insurance;
- "Covered entity" means a health insurance company; health maintenance organization; hospital; medical or dental corporation; health care corporation; any entity that provides, administers, or manages a self-funded health benefit plan including a governmental plan; or any other entity that provides prescription drug coverage unless specifically excluded by the Act;
- "National Average Drug Acquisition Cost," or NADAC, means the monthly survey of retail pharmacies conducted by the federal Centers for Medicare and Medicaid Services (CMS) to determine the average acquisition cost for Medicaid-covered outpatient drugs;
- "Pharmacy services administrative organization" means any entity that contracts with a pharmacy to assist with covered entity interactions and that may provide a

variety of other administrative services, including contracting with PBMs on behalf of pharmacies and managing pharmacies' claim payments from covered entities; and

- "Rebate" means any and all payments that accrue to a PBM or such PBM's health plan client, directly or indirectly, from a pharmaceutical manufacturer, including, but not limited to, discounts, administration fees, credits, incentives, or penalties associated directly or indirectly in any way with claims administered on behalf of a health plan client. "Rebate" does not include any discount or payment that could be provided to or made to any 340B entity through such program.

PBM Audits

The bill outlines requirements for auditing entities conducting a pharmacy audit under the Act, including:

- Keeping information collected during a pharmacy audit confidential. Auditing entities are authorized to share the information with the PBM, the covered entity for which the audit is being conducted, and any regulatory agency and law enforcement agency as required by law;

- Providing the pharmacy being audited with written notice at least 14 calendar days prior to conducting such audit unless both parties agree otherwise. If the pharmacy requests a delay of the audit, the pharmacy must provide notice to the PBM within 72 hours of receiving notice of the audit;

- Accepting paper or electronic signature logs documenting the delivery of prescription or non-proprietary drugs and pharmacist services to a health beneficiary or such beneficiary's caregiver or guardian;

- Providing a complete list of reviewed pharmacy records to an authorized representative of the pharmacy prior to leaving the pharmacy after the on-site portion of the audit has been completed;

- Providing the pharmacy with a written preliminary report of the pharmacy audit, to which the pharmacy will have at least 30 calendar days following receipt to respond. The bill requires the preliminary report to:

    - Be delivered to the pharmacy or the pharmacy's corporate parent within 60 calendar days after completion of the on-site portion of the audit;

    - Include contact information for the auditing entity conducting the audit and the contact information for an appropriate and accessible contact person so that the audit results, procedures, and any discrepancies can be reviewed; and

    - Include, but not be limited to, claim-level information for any discrepancy found and total dollar amounts of claims subject to recovery;

- Delivering the final written report to the pharmacy or the pharmacy's corporate parent within 90 calendar days after the completion of the pharmacy audit. The report must include any response provided to the auditing entity by the pharmacy or corporate parent and consider and address all such responses. The bill provides for the report to be delivered electronically; and

- Providing, upon request of the plan sponsor, a copy of the final report, including the disclosure of any money recouped from the audit.

The auditing entity must provide a copy of the report to the Commissioner of Insurance (Commissioner) upon request, but no report can include the protected health information of any individual.

An auditing entity conducting a pharmacy audit as provided for in the Act may:

- Have access to a pharmacy's previous audit report only if the report was prepared by that auditing entity, except as otherwise provided in federal or state law; and

- Not charge back, recoup, or collect penalties from a pharmacy until the time to file an appeal of a final pharmacy audit has passed or the appeals process has been exhausted, whichever is later.

An auditing entity conducting a pharmacy audit as provided for in the Act may not:

- Compensate such entity's employees or contractors contracted to conduct a pharmacy audit based solely on the amount claimed or the actual amount recouped during an audit;

- Initiate or schedule, during the first five days of any month, a pharmacy audit for any pharmacy averaging more than 600 prescriptions filled per week without the express consent of the pharmacy;

- Use extrapolation to calculate penalties or amounts to be charged back or recouped unless otherwise required by federal law;

- Include dispensing fees in the calculation of overpayments unless a prescription is considered a misfill; and

- Seek any fine, charge back, recoupment, or other adjustment for a dispensed product or any portion of a dispensed product unless one or more of the following has occurred:

    - The pharmacy has committed fraud or other intentional and willful misrepresentation, as evidenced by a review of the claims data, statements, physical review, or other investigative method;

    - The pharmacy has dispensed a product in excess of the benefit design as established by the plan sponsor;

- The pharmacy has not filled prescriptions in accordance with the prescriber's order; or
- An actual underpayment or overpayment has been made to the pharmacy.

The bill states that any fee, charge back, recoupment, or other adjustment is to be limited to the actual financial harm associated with the dispensed product or portion of the dispensed product or the actual underpayment or overpayment.

Audits Involving Clinical Judgment

The bill states that a pharmacy audit involving clinical judgment can be conducted by or in consultation with a pharmacist. The pharmacy audit cannot cover:

- A period of more than 24 months after the date that a claim was submitted by the pharmacy to the PBM or covered entity unless a longer period is required by law; or
- More than 250 prescriptions; a refill would not constitute a separate prescription for the purposes of such audits.

When a pharmacy audit is performed, a pharmacy may use:

- Authentic and verifiable statements or records, including, but not limited to, medication administration records of a nursing home, assisted living facility, hospital, or health care provider with prescriptive authority to validate the pharmacy record or delivery; or
- Any valid prescription, including, but not limited to, medication administration records, facsimiles, electronic prescriptions, or other documentation outlined in the bill.

Errors and Appeals

Under the bill, a pharmacy being audited is not subject to a charge back or recoupment for a clerical or record-keeping error in a required document or record, including a typographical or computer error, unless the error resulted in overpayment to the pharmacy. The pharmacy may appeal a final audit in accordance with procedures established by the entity conducting the pharmacy audit.

If an identified discrepancy in a pharmacy audit exceeds $25,000, future payments made by the PBM to the pharmacy in excess of such amount can be withheld pending adjudication of an appeal. No interest can accrue for any party during an audit period, beginning with the notice of the pharmacy audit and ending with the conclusion of the appeals process.

Except for Medicare claims, approval of drug, prescriber, or patient eligibility upon adjudication of a claim cannot be reversed unless the pharmacy or pharmacist obtains adjudication by fraud or misrepresentation of the claims events.

Exceptions

The provisions outlined for pharmacy audits do not apply if:

- Fraud, waste, abuse, or other intentional misconduct is indicated by physical review or review of claims data or statements; or

- Other investigating methods indicate that the pharmacy is or has been engaged in criminal wrongdoing, fraud, or other intentional or willful misrepresentation.

Auditing Entities

The bill states that no person can act or operate as an auditing entity without first registering with the Commissioner.

Each person seeking to register as an auditing entity is required to file an application with the Commissioner upon a form prescribed by the Commissioner and accompanied by a non-refundable registration fee in an amount not to exceed $500. At a minimum, the application requires:

- Identity, address, and telephone number of the applicant;
- Name, business address, and telephone number of the contact person for the applicant; and
- Federal employer identification number for the applicant, if applicable.

The Commissioner will issue a certificate of registration to an applicant if the Commissioner determines that the application is complete and the required registration fee is paid. The certificate of registration is non-transferable and will prominently list the expiration date of the registration.

Each auditing entity registration expires on March 31 of each year and will be renewed annually at the request of the pharmacy auditing entity on or before March 31 of each year. The application or renewal will be submitted by the auditing entity on a form prescribed by the Commissioner and accompanied by a renewal fee in an amount of no more than $250.

If a registered auditing entity fails to provide a completed application for renewal by March 31 or fails to pay the renewal fee, then a penalty fee will be assessed in an amount of no more than $250. The auditing entity will remit the renewal fee plus penalty fee before the Commissioner issues the auditing entity's registration renewal.

An auditing entity's registration can be suspended by the Commissioner until the renewal application has been received and the renewal fee and any penalty assessed has been paid.

No later than December 1 of each year, the Commissioner is required to set and publish the required fees in the *Kansas Register* for the next calendar year.

PBM Reporting

The bill requires each PBM to:

- Annually or more frequently upon the Commissioner's request, for each health plan or covered entity for which the PBM provides services, report the following in aggregate:
    - Amount of rebates received by the PBM;
    - Amount of rebates distributed to each health plan or covered entity contracted with the PBM;
    - Individual amount paid by the health plan or covered entity to the PBM for pharmacist services itemized by pharmacy, product, and goods and services; and
    - Individual amount that a PBM paid for pharmacist services itemized by pharmacy, product, and goods and services;
- Annually report to the Commissioner and each contracted health plan or covered entity the aggregate difference between the amount that the PBM reimbursed pharmacies and the amount that the PBM charged a health plan;
- Quarterly report to the Commissioner on all drugs appearing on the NADAC list that are reimbursed at 10.0 percent and below the NADAC and all drugs that are reimbursed at 10.0 percent or above the NADAC and the net acquisition cost for each class of drug appearing on the NADAC list that the PBM charged each health plan. For each drug in the report, the PBM must include:
    - The month the drug was dispensed;
    - The quantity of the drug dispensed;
    - The amount the pharmacy was reimbursed;
    - Whether the dispensing pharmacy was an affiliate of the PBM;
    - Whether the drug was dispensed pursuant to a government health plan; and
    - The average national drug acquisition cost for the month that the drug was dispensed.

The PBM is required to publish a copy of the report on the PBM's publicly available website for at least 24 months. The report is exempt from the confidentiality requirements established in the bill.

Annually, each health benefit plan or covered entity is required to report to the Commissioner the aggregate amount of credits, rebates, discounts, or other such payments received by the health benefit plan or covered entity from a PBM or drug manufacturer. Use of annual reporting provided pursuant to the bill by health benefit plans and covered entities is limited to verification of data for compliance purposes.

No report provided to the Commissioner will include the protected health information of any individual. The required reports will be filed electronically on a form and in a manner prescribed by the Commissioner.

With the exception of the quarterly report outlined above, all data and information provided by the PBM, health plan, or covered entity, pursuant to reporting requirements established in the bill, will:

- Be considered proprietary and confidential; and
- Not be subject to disclosure under the Kansas Open Records Act (KORA).

Examinations for Compliance

The bill states that the Commissioner may examine the affairs of a PBM for compliance with the requirements of the Act and may do so whenever the Commissioner believes it is reasonably necessary. Every examination conducted will follow the examination procedures and requirements provided for in continuing law, though the PBM is subject to the requirement that examinations must occur at least once every five years. The Commissioner is authorized to assess the costs of the examination to the PBM.

No protected health information will be provided to the Commissioner for the purposes of examinations. The information and data obtained by the Commissioner from a PBM is considered confidential by law, exempt from disclosure, and not subject to disclosure under KORA.

Requirements for PBMs

The bill requires PBMs to:

- Charge a health benefit plan the same price for a prescription drug as such PBM pays a pharmacy for the prescription drug; and

- Utilize the most recently published monthly national average drug acquisition cost as a point of reference for the ingredient drug product component of a pharmacy's reimbursement for drugs appearing on the NADAC.

Under the bill, a PBM cannot collect from a pharmacy, pharmacist, or pharmacy technician any cost share charged to a covered person that exceeds the total submitted charges by the pharmacy or pharmacist to the PBM.

PBMs are required to reimburse a pharmacy, pharmacist, or pharmacy technician for a prescription drug or pharmacy service any amount that is no less than the NADAC for the prescription drug or pharmacy service at the time that the drug is administered or dispensed, plus a professional dispensing fee that is the greater of $10.50 or the dispensing fee calculated pursuant to regulation regarding reimbursement of pharmacy services.

If the NADAC cost is not available at the time that a drug is administered or dispensed, a PBM cannot reimburse a pharmacy, pharmacist, or pharmacy technician an amount that is less than the wholesale acquisition cost of the drug as defined in federal law, plus a professional

dispensing fee that is the greater of $10.50 or the dispensing fee calculated pursuant to regulation regarding reimbursement of pharmacy services. PBMs cannot reimburse a pharmacy or pharmacist for a prescription drug or pharmacy service any amount less than the amount that the PBM reimburses itself or an affiliate for the same prescription drug or pharmacy service.

PBMs are not authorized to engage in any practice that:

- Includes imposing a point-of-sale fee or retroactive fee; or
- Derives any revenue from a pharmacy or covered person in connection with performing PBM services.

The provisions of this section cannot be construed to prohibit PBMs from processing deductibles or copayments approved by a covered person's health benefit plan.

Reimbursement Methodologies

Any methodology utilized by a PBM in connection with reimbursement will be filed with the Commissioner at the time of initial licensure and at any time thereafter that any methodology is changed by the PBM. A methodology is not subject to disclosure and is treated as confidential and exempt from disclosure under KORA.

Every filed methodology must comply with the provisions of the bill, and no PBM may enter into a contract with a pharmacy that provides for reimbursement methodology that is impermissible under the bill.

The bill requires that any rebate not applied to reduce a covered person's defined cost sharing by the insurer would be passed on to the health plan. Nothing in the Act can be deemed to require or preclude an insurer from decreasing a covered person's defined cost sharing by the application of rebates. The bill states these provisions do not apply to self-funded health plans subject to the provisions of the federal Employee Retirement Income Security Act of 1974 (ERISA).

The Commissioner is authorized to order reimbursement to a covered person, pharmacy, or dispenser who has incurred a monetary loss as a result of a violation of the Act.

Disclosure of PBM Contracts

The bill requires every PBM contract between a PBM and a pharmacy include that the PBM provide to the pharmacy a copy of any contract, amendment, payment schedule, or reimbursement rate within 10 calendar days after the execution or amendment of the contract.

The bill includes this section as be a part of and supplemental to the Act.

Financial Examinations

The bill provides for the Commissioner to make or direct to be made a financial examination or market regulation examination of any PBM that conducts business in Kansas. This examination will be in accordance with the current version of the handbook adopted by the National Association of Insurance Commissioners at the time the examination is announced by

the Commissioner. The bill subjects PBMs to the same examination conditions and requirements as insurance companies.

The Commissioner has or the persons appointed by the Commissioner have access at no cost to the books and papers of any insurance company or PBM that relates to the insurance company's or PBM's business.

Audits

The bill applies the Act to any audit of the records of a pharmacy conducted by a managed care company, third-party payer, PBM, or any entity that represents a covered entity or health benefit plan and the registration of auditing entities.

Licensure of PBMs

The Act requires the form for PBMs to apply for licensure to include an affidavit, executed by an officer or director of the PBM, affirming that any template contract submitted for this purpose is accurate and complete.

Prior law required PBM licensees to report any material change in the information required for their licensure to the Commissioner within 90 days or be subject to a fine of $500. The bill raises the maximum amount for this fine to $2,000 per occurrence.

License Expiration, Renewal, and Revocation

The bill requires the Commissioner to review a complete PBM licensure renewal application within 90 days of receipt, as well as any relevant information received, including quarterly and annual reports. If the Commissioner determines the application is incomplete or the PBM is not in compliance with the Act, the Commissioner is required to notify the applicant and specify the reason for denial of the application.

The bill sets March 31 of each year as the deadline for completed renewal applications. The bill specifies that if a PBM fails to provide the completed application or pay the license renewal fee by the deadline, the PBM will be assessed a fee of no more than $2,500, which is provided for in continuing law. The PBM is required to remit the renewal fee plus the penalty fee before the Commissioner issues the PBM's licensure renewal.

The Commissioner is authorized to suspend or revoke a PBM's license until the renewal fee and any penalty assessed is paid.

To a list of reasons for which the Commissioner could revoke, suspend, or limit a PBM's license, the licensee may be censured or placed under probationary conditions, or an application for a license or for reinstatement of a license could be denied, the bill adds failure to furnish information requested during an examination or failure to timely submit the reporting required under the Act.

If a registered auditing entity fails to provide a completed application for renewal by March 31, or if the license renewal fee is not paid by March 31, a penalty fee of no more than

$250 will be assessed. The auditing entity is required to remit the renewal fee plus the penalty fee before the Commissioner issues the auditing entity's registration renewal.

Penalties

If a PBM is found to violate the Act, the Commissioner can impose a monetary penalty of no more than $1,000 for each and every act or violation. The bill removes the limitation that such penalties could not exceed $10,000.

If the Commissioner finds that a PBM knew or reasonably should have known that such manager was in violation of the Act, the bill provides for a payment of a penalty not to exceed $5,000 for each and every act or violation. The bill removes the limitation that such penalties could not exceed $50,000 in any six-month period.

In addition to any other penalty provided in the Act, the bill provides for any person who acts as a PBM without being licensed as required by the Act to be subject to a fine not to exceed $100,000.

Copayments

The bill requires copayments applied by a health carrier for a prescription drug to not exceed the total submitted charges by the network pharmacy.

Severability

The bill states that if any provision or application of the Act to any person or circumstance is held invalid, such invalidity will not affect other provisions or applications of the Act that can be given effect without the invalid provision or application.

Nonresident Insurance Agent; Inquiry Response Deadline; SB 23

SB 23 authorizes the Department of Insurance (Department) to revoke the license of a nonresident agent no longer licensed in the agent's home state and modifies the time frame in which insurance agents and public adjusters must respond to inquiries from the Commissioner of Insurance (Commissioner).

Nonresident Insurance Agent Licensure

Notwithstanding any other provision of the Uniform Insurance Licensing Act, the bill provides for a nonresident license to be revoked without notice and a hearing 30 days after the Commissioner receives notification that the nonresident licensee no longer holds a home state license. The Commissioner is be required to provide notice to the nonresident agent within 30 days following the date of revocation. The bill does not confer the right of a hearing on any nonresident whose license has been revoked.

Response Deadline

The bill requires insurance agents and public adjusters to respond to an inquiry from the Commissioner regarding a complaint or a particular matter within 14 calendar days. The Commissioner will be allowed to deny, suspend, revoke, or refuse renewal of any license under the Uniform Insurance Agents Licensing Act or Public Adjusters Licensing Act for failure to respond to an inquiry within 14 calendar days.

Prohibiting Solicitation or Acceptance of Assignment of Post-loss Insurance Benefits; SB 55

SB 55 prohibits solicitation or acceptance of an assignment, in whole or in part, of any post-loss insurance benefit under a residential property insurance policy. The bill adds these solicitations or acceptances to the list of unfair claim settlement practices in the business of insurance and states they are considered to be against public policy, null and void, an unfair method of competition, and an unfair or deceptive act or practice.

The bill exempts an assignment, transfer, pledge, or conveyance granted to a federally insured financial institution, mortgagee, or subsequent purchaser of the property or liability coverage under a residential property insurance policy from this prohibition.

The bill defines two terms:

- "Assignment agreement" means any instrument by which post-loss benefits under a residential property insurance policy are assigned, transferred, or acquired in any other manner, in whole or in part, to or from a person providing services, including, but not limited to, inspecting, protecting, repairing, restoring, or replacing the property or mitigating against further damage to the property; and

- "Person" means any individual, corporation, association, partnership, reciprocal exchange, inter-insurer, Lloyd's insurer, fraternal benefit society, and any other legal entity engaged in the business of insurance, including agents, brokers, and adjusters. "Person" also means any nonprofit medical and hospital service corporations, administrators, and health maintenance organizations.

Procedure and Disclosure for Civil Actions for Insurance Fraud; HB 2323

HB 2323 creates procedures and penalties for civil actions brought by the Kansas Insurance Commissioner (Commissioner). The bill requires insurance producers or public adjusters to disclose expunged criminal records if the arrest, conviction, or diversion is for an act of insurance fraud (insurance fraud). The bill also adds automobile assigned claims plans to certain insurance fraud statutes.

Civil Procedures and Penalties

The bill authorizes the Commissioner to bring a civil action in the district court of any county in which the defendant resides or in the district court of any county in which the alleged insurance fraud occurred, as defined by law. In such an action, the bill requires the

Commissioner to plead with particularity the circumstances constituting fraud, and the burden of proof is on the Commissioner to prove by clear and convincing evidence that the person committed insurance fraud.

In such an action, if the court finds the person committed insurance fraud, the court may:

- Impose a civil penalty of up to $10,000 for each act of insurance fraud, which would be paid into the State General Fund;

- Order the person to pay restitution to the insurer or automobile assigned claims plan to the extent of such insurer's or plan's actual pecuniary harm;

- Order payment of reasonable expenses and investigation fees incurred by the Kansas Department of Insurance as a result of the insurance fraud, which would be paid into the Insurance Department Service Regulation Fund; and

- Order such other relief as the court considers appropriate.

The bill prohibits an aggrieved insurer or automobile assigned claims plan from being joined as a party in any action brought under the bill.

Testimony

The defendant and Commissioner are authorized to present witness testimony through a two-way electronic audio-video communication device in such actions.

In such actions, a person is not excused from testifying, producing a record or other evidence, or obeying a subpoena on the grounds that such action may tend to incriminate the individual or subject the person to a criminal fine, penalty, or forfeiture.

A court can compel such testimony, record, or compliance with the subpoena. Such compelled action cannot be allowed to be used directly or indirectly against the person in a criminal case, except in a prosecution for perjury or contempt or otherwise failing to comply with the court's order.

Expungement Disclosure

The bill requires any applicant for licensure as an insurance producer or public adjuster to disclose their arrest, conviction, or diversion related to instances of insurance fraud.

If records related to such arrest, conviction, or diversion have been expunged, the bill allows the custodian of such records to disclose the records to the Commissioner or the Commissioner's designee as long as the request is accompanied by a statement that such request is made in conjunction with an application for licensure covered by the bill.

The bill also makes conforming amendments to carry out the provisions of the bill by adding the Kansas Automobile Assigned Claims Plan to certain insurance fraud statutes.

Deferred Annuities; HB 2540

HB 2540 exempts contingent deferred annuities from the standard nonforfeiture law for individual deferred annuities.

The bill also gives authority to the Commissioner of Insurance to adopt the necessary rules and regulations regarding nonforfeiture benefits for contingent deferred annuities.

Review of Appointments Subject to Senate Confirmation; SB 427

SB 427 authorizes the Chairperson and Vice-chairperson of the Senate Committee on Confirmation Oversight (Committee) to review information from background checks conducted by the Kansas Bureau of Investigation (KBI) on persons appointed to state offices subject to Senate confirmation. [*Note:* Under continuing law, the KBI is required to conduct background investigations of appointees to positions that are subject to Senate confirmation and to require such people to be fingerprinted.]

The bill provides that, for such appointments, background information received by the appointing authority can be disclosed to the Chairperson and Vice-chairperson of the Committee or the appointee in the office of the appointing authority upon written request. Any information received from the KBI or Kansas Department of Revenue pursuant to the appointment must be kept on file in the office of the appointing authority or another secure location under the appointing authority's control. Such information, other than conviction data, is confidential and cannot be disclosed to any other person except as otherwise allowed by the *Kansas Constitution* and the provisions of the bill.

The bill removes a requirement that the Kansas Legislative Research Department request such background investigations be conducted and that the Director of Legislative Research provide for the review of non-confidential information received pursuant to such investigations by the Chairperson and Vice-chairperson of the Committee.

The bill also clarifies the process for submission of information required to accompany the nomination of an appointee to a position requiring Senate confirmation and makes other conforming changes.

Charlie Kirk Free Speech Day; SCR 1615

SCR 1615 states the Legislature condemns the assassination of Charlie Kirk and extends heartfelt condolences to his family, and to honor his legacy, the Legislature recognizes October 14, 2026, and every October 14 thereafter, as Charlie Kirk Free Speech Day in Kansas. The resolution states that because October 14 is Mr. Kirk's birthday, it is a particularly special day to recognize his legacy.

The resolution encourages the Governor to join the Legislature in recognizing October 14, 2026, and every October 14 thereafter, as Charlie Kirk Free Speech Day in Kansas to honor the life of Mr. Kirk and to provide an opportunity for all Kansans to reaffirm the importance of free speech and civil discourse.

The resolution also encourages Kansans to celebrate each Charlie Kirk Free Speech Day by exercising their freedom of speech and engaging in civil discourse to honor the memory of Mr. Kirk.

The resolution directs the Secretary of State to send enrolled copies of the resolution to Senator Shallenburger and the Governor.

Legislative Chamber Seals; HB 2332

HB 2332 establishes a seal for the House of Representatives and a seal for the Senate, specifies when the seals may be used, allows the Speaker of the House and Senate President to approve other uses of their respective seals, and revises a term in law describing the Great Seal of the State of Kansas.

Rural Health Transformation Program Grant Reporting; HB 2555

HB 2555 requires certain information regarding the Rural Health Transformation Program (Program) to be submitted to the State Finance Council and provided to the House Committee on Appropriations, the Senate Committee on Ways and Means, and the Legislative Budget Committee.

[*Note:* The Program was created under Section 71401 of Public Law 119-21 to support improvements in rural health care delivery across Kansas. The program provides federal funding to assist the state in expanding access to care, supporting rural health providers, and modernizing health systems. The Kansas Department of Health and Environment (KDHE) administers the program in coordination with other stakeholders.]

Information Provided to the State Finance Council

The bill requires all grant applications from partners, stakeholders, or subawardees requesting funds from the Program to be first reviewed by the Kansas Rural Health Innovation Alliance, followed by presentation to the State Finance Council.

The bill requires the application information presented to the State Finance Council to include the following:

- Partner, stakeholder, or subawardee receiving the grant;
- Purpose of the grant, including planned expenditures;
- Physical location and, if applicable, the local impacted community where the intended expenditures are made; and
- Outcomes achieved by each grant.

The bill requires that as soon as practicable following expenditure, expenditure records and any other reports required under federal law, including requirements of the Centers for Medicare and Medicaid Services, are presented and provided to the State Finance Council.

The bill requires each grant recipient to provide to the State Finance Council quarterly reports of the metrics used to measure success of the intended outcomes and key performance indicators achieved through the awarded grant.

Information Presented to Legislative Committees

The bill also requires the grant applications, expenditure data, and reports to be provided to the House Committee on Appropriations and the Senate Committee on Ways and Means during the legislative session, and to the Legislative Budget Committee when the Legislature is not in session.

The Governor will designate the person responsible for presenting and providing the required information.

K-12 Education Reports to the Legislature; HB 2618

HB 2618 requires the Kansas State Board of Education (State Board) to biannually report to the Legislature on federal financial assistance for education purposes. The bill also establishes sunsets and repeals various reports by the State Board and the Kansas State Department of Education (KSDE) to the Legislature or select committees of the Legislature.

Federal Financial Assistance Report

The bill requires the State Board, on or before July 1 and January 1 each state fiscal year, to prepare and submit a report to the Legislature on federal financial assistance for education purposes that was, or is anticipated to be, accepted, distributed, or expended in the preceding and current fiscal years. The report must include:

- The purpose of each federal financial assistance program;
- How the federal financial assistance was or will be used;
- The individual, office, or division of the State Board that accepts, distributes, or expends such federal financial assistance;
- The federal agency, office, or division that administers such federal financial assistance on behalf of the federal government;
- The total amount of federal financial assistance the State Board accepted, distributed, or expended in the preceding fiscal year and current fiscal year as well as any anticipated financial assistance for the current fiscal year for each federal financial assistance program;
- The anticipated time the federal financial assistance program will be made available; and
- A description outlining whether or how the educational initiatives would continue using state or local resources when the federal financial assistance program ends.

The bill establishes a sunset for the report on July 1, 2034.

Educational Report Sunsets

The bill also establishes the following sunsets for reports made by the State Board and KSDE to the Legislature or its committees on the following topics:

- January 15, 2031:
  - School district accreditation;
- July 1, 2031:
  - Expedited military licensure [*Note:* The bill only sunsets the State Board's requirement to provide information to the Director of Legislative Research for the report.]; and
  - Tax Credit for Low Income Students Scholarship program;
- July 1, 2032:
  - ACT exam and assessment data;
  - Every Child Can Read Act;
  - Foster Care Annual Academic Report Card; and
  - Performance accountability and longitudinal achievement;
- July 1, 2033:
  - At-risk student accountability plans; and
  - School district open enrollment; and
- July 1, 2034:
  - Kansas Educator Registered Apprenticeship Grant Program.

Removal of Education Reports

The bill removes reporting requirements for the State Board and KSDE on the following topics:

- Early retirement incentive program;
- School district bond elections and issuance of general obligation bonds;
- School district-level special education excess costs; and
- Student data collection beyond that established in statute and any changes to said collection.

Legislative Review of Occupational License Requirements; SB 30

SB 30 requires adoption of new occupational licenses and material changes to existing licenses by certain state Executive Branch agencies to be approved by the Legislature. The bill also requires such agencies to annually report certain information to the Joint Committee on Administrative Rules and Regulations (JCARR).

The Behavioral Sciences Regulatory Board, Board of Examiners in Optometry, Board of Nursing, Kansas Dental Board, State Board of Healing Arts, and State Board of Pharmacy are exempt from the provisions of the bill.

For purposes of the bill, an "occupational license" means an exclusive authorization in law establishing the personal qualifications necessary to engage in an occupation or profession.

Legislative Review and Approval of Licenses

The bill requires any new occupational license or material change to an existing license proposed for adoption by an applicable agency on or after January 1, 2026, to be ratified by the enactment of a bill.

Before consideration of such a bill, a standing committee of each chamber to which the subject matter of the license is customarily referred is required to conduct a review of the proposed requirements, which includes reviewing a report prepared by the Kansas Legislative Research Department (KLRD) containing the following information:

- An analysis and explanation by the agency of the necessity of such proposal for public health, safety, or welfare;
- An examination by the agency of alternative, less-restrictive measures;
- An analysis by the agency as to whether the licensing requirement is the least-restrictive means to achieve its stated purpose;
- A ranking by KLRD of the proposal on a scale of relative restrictiveness of regulatory measures;
- An examination by KLRD as to whether and how other states regulate the profession; and
- An examination by the agency of certain costs and benefits associated with the requirements and the effect it will have on job creation or retention.

The bill requires the agency to submit the necessary information in a written proposal to KLRD, which must prepare and submit the final report to the committee within two weeks of assignment.

Each committee is required to submit a written recommendation for adoption or denial of such requirements to the Speaker of the House of Representatives and the President of the Senate for consideration by the Legislature.

Annual Agency Reports to the Joint Committee on Administrative Rules and Regulations

In September of each year, each applicable agency is required to submit an annual report to the JCARR containing a list of each license the agency oversees. The bill requires the list to contain certain information, as specified by the bill, related to the rationale for and administration and regulation of each occupational license administered by the agency.

Nursing Licensure Fingerprinting; HB 2478

HB 2478 requires an applicant for an advanced practice registered nurse or registered nurse anesthetist license to be fingerprinted for state and national criminal history record checks.

Board of Nursing; HB 2528

HB 2528 amends statutes regarding the Board of Nursing (Board), including voiding certain non-practice disciplinary actions based upon a violation of certain statutes, providing a grace period for nursing license renewal and a process for late renewal, and amending the definition of "unprofessional conduct" under the Kansas Nurse Practice Act (Act), and makes additional changes.

Expungement of Disciplinary Actions

The bill voids any actions taken by the Board or records created on or after January 1, 2005, but prior to the effective date of the bill, unless otherwise noted, arising from disciplinary action related to applications for licensure, license renewal, license reinstatement, or practicing while a license has lapsed or expired in violation of the following statutes and regulations, as they were in effect upon publication in the *Kansas Register*:

Statute or Regulation	Short Title/Text
KSA 65-1117 (a) or (b)	Renewal of license; inactive license, fee; continuing education requirements; rules and regulations; notification of change in name or address or criminal conviction; multi-state license.
KSA 65-1118	Fees.
KSA 65-1119	Schools of nursing; approval; approval of providers of continuing education offerings; application fee; criteria for evaluating out-of-state schools; nationally accredited schools of nursing.
KSA 65-1120(a)(1)	(a) Grounds for disciplinary actions. (1) To be guilty of fraud or deceit in practicing nursing or in procuring or attempting to procure a license to practice nursing.
KSA 65-1120(a)(6)	Prior to July 1, 2019: (a) Grounds for disciplinary actions. (6) To be guilty of unprofessional conduct as defined by rules and regulations of the Board.

Statute or Regulation	Short Title/Text
KSA 65-1120(a)(7) or (a)(8)	(a) Grounds for disciplinary actions. (7) To be guilty of unprofessional conduct as defined by rules and regulations of the Board; (8) To have willfully or repeatedly violated the provisions of the Kansas Nurse Practice Act or any rules and regulations adopted pursuant to that act, including KSA 65-1114 (Unlawful acts.) and 65-1122 (Misdemeanors; penalties.), and amendments thereto.
KSA 65-1122(f)	It is a violation of law for any person, firm, corporation, or association to: (f) Violate any provisions of the Kansas Nurse Practice Act or rules and regulations adopted pursuant to that Act.
KSA 65-1132	Renewal of license for APRNs; reinstatement of lapsed license.
KSA 65-1154	Application; fees; deposit of moneys.
KSA 65-1155	Expiration of authorization to practice; renewal; lapsed authorization; reinstatement fee.
KSA 65-1159	Qualifications of applicant for renewal of an authorization to practice; continuing education.
KSA 65-4205(a) or (b)	Renewal of license; application; fees; continuing education; renewal of lapsed license.
KSA 65-4208	Fees.
KSA 65-4209(a)(8)	(a) The Board may deny, revoke, limit, or suspend any license to practice as a mental health technician issued or applied for in accordance with the provisions of this act, may publicly or privately censure a licensee or may otherwise discipline a licensee upon proof that the licensee: (8) Willfully or repeatedly violated the provisions of the Mental Health Technician's Licensure Act or rules and regulations adopted under that act and amendments thereto.
KSA 74-1110	Civil fine.
KAR 60-3-103	Change of name.
KAR 60-3-108	License expiration and renewal (RNs and LPNs).
KAR 60-3-110(b)	Any of the following shall constitute "unprofessional conduct": (b) Assuming duties and responsibilities within the practice of nursing without making or obtaining adequate preparation or maintaining competency.
KAR 60-3-110(v)	Prior to April 29, 2016: (v) Practicing without a license or while the license has lapsed.
KAR 60-3-110(w)	(w) Practicing without a license or while the license has lapsed.
KAR 60-4-101	On and after April 29, 2016: Payment of fees (RNs and LPNs).
KAR 60-8-101	Payment of fees (mental health technicians).
KAR 60-9-106	Continuing nursing education for license renewal.
KAR 60-9-113(a) or (b)	(a) APRN license renewal. (b) APRN continuing education.
KAR 60-12-104	Continuing education for mental health technicians.
KAR 60-12-106	License renewal for mental health technicians.
KAR 60-13-101	Payment of fees (registered nurse anesthetists).
KAR 60-13-111	Continuing education.

Statute or Regulation	Short Title/Text
KAR 60-13-112	License renewal (registered nurse anesthetists).
KAR 60-13-113	Approval of registered nurse anesthetist continuing education.

For alleged violations or disciplinary actions occurring on or before the bill's effective date, the bill states that any Board action arising from disciplinary action based upon a violation of the previously listed statutes or rules and regulations would be deemed void. These provisions will not invalidate disciplinary action or void any Board action or record based upon an allegation or violation of any other statute or rule and regulation solely because such disciplinary action also makes reference to one of the previously listed statutes or rules and regulations, or based upon an allegation or violation of KAR 60-3-110, regarding unprofessional conduct, unless otherwise specified in the bill.

The bill prohibits the Board from reporting any void material to any person or entity, including the Office of the Inspector General, Nursys Licensure and Disciplinary Data Bank, the National Practitioner Data Bank, or Coordinated Licensure Information System.

If the Board has previously provided void material to any person or entity or allowed void material to come into the possession of any person or entity, the Board is required to promptly notify the person or entity that the agency action has been reversed and is void. The Board is required to take all reasonable measures to stop publication and dissemination of the void material.

Private Cause of Action

If the Board fails to comply with the requirements of the bill by September 1, 2026, an individual aggrieved by a violation of the bill has a private cause of action for actual damages, injunctive relief, and any other appropriate relief. The bill requires any action commenced under the bill to be brought within two years following the violation. In an action brought for a violation of the bill, the prevailing plaintiff recovers damages and the cost of the suit, including reasonable attorney fees.

The bill applies to a deceased or former licensee. The bill allows a surviving spouse, next of kin, or heir to pursue any of the rights granted by the bill on behalf of the deceased or former licensee.

Open Records Act Exemption

Void materials under the bill will be confidential and not subject to the Kansas Open Records Act. This provision expires on July 1, 2031, unless the Legislature takes action prior to that date.

Required Notice

The Board is required to publish the provisions of the bill pertaining to expungement by displaying them on the front page of the Board's website and on the first two pages of the Board's newsletter in July and August 2026.

Void Materials

The bill defines "void" and "voided" to mean all allegations, proceedings, reports, investigations, findings, records, documents, contracts, consent agreements, hearings, determinations, conclusions, judgments, decisions, summary denials, inactivations, probation agreements, diversion agreements, revocations, suspensions, limitations, censures, fines, fees, cost denials, or actions will be reversed, overturned, and declared null and void.

Any record, document, or matter voided by the bill that has been transmitted to or from the Board to any person or entity will be deemed to be submitted in error, and any reference to them will be expunged and deemed to never have occurred.

License Renewals

Date of Renewal

The bill provides for all licenses issued under the Act, whether initial or renewal, to have a renewal date set every two years. The bill requires the Board to set this renewal date in the rules and regulations of the Board.

Renewal Notices

The bill requires the Board to send a renewal notice to each registered nurse (RN), licensed practical nurse (LPN), and advanced practice registered nurse (APRN) licensee at least 60 days prior to the renewal date of the person's license and allows a licensee to elect to opt out of the notice. The bill requires the Board to send a digital notice for renewal of license to every RN, LPN, and APRN licensee at 60 and 7 days prior to the renewal date of the license. If the licensee has already renewed a license, no notice will be sent.

Renewal Application

The bill requires a renewal application to require a licensee to provide current contact information, including address, phone number, and email address, and it requires a licensee to notify the Board of a change in name or contact information.

Timeline for Granting Licensure and Digital Notification

The bill requires the Board to verify the accuracy of applications and grant a renewal license within five business days after an applicant submits a complete application. The bill requires a digital notification of a complete submission that contains a receipt for payment of any fees to be promptly sent to the applicant or licensee. If the Board grants a renewal license or a late renewal license, the bill requires a digital notification of the renewal to be sent to the applicant or licensee.

Grace Period

The bill provides for a license to remain valid and active during the 30-day period following the renewal date.

Failure to Renew

If a person fails to complete a renewal application, the bill requires the Board to give the person notice of failure to complete a renewal license, including the following information:

- The license will be considered lapsed and the person no longer eligible to practice if the license is not renewed within 30 days following the renewal date;

- A license will be lapsed if a completed renewal application and late renewal fee are not received by the Board within 30 days following the renewal date. The Board will verify the accuracy of the application and grant a renewal license within five business days after the applicant meets these requirements; and

- If a completed application and the appropriate fees are not paid within the 30-day period, the license will be deemed lapsed and the person no longer eligible to practice by operation of law and without further proceedings.

If a licensee who has been provided notice of failure to renew does not renew within 30 days following the renewal date and has not submitted an affidavit or a request for an inactive license as provided in the Act, the Board will be required to digitally send a survey to the person requesting the reason for non-renewal.

If the Board determines that an applicant or licensee is not qualified for licensure or a renewal application or payment has not been received, the Board's sole recourse will be to withhold licensure or renewal until the licensee or applicant is qualified and payment is received. The bill requires, if the Board determines that an applicant or licensee is not qualified for licensure, the Board to promptly inform the applicant or licensee.

Renewal of a License Canceled for Failure to Renew

The bill allows a lapsed license to be reinstated upon:

- Approval of the Board;
- Payment of the renewal fees then due; and
- Proof of compliance with the continuing education requirements established by the Board by rules and regulations.

A person who has not been in the active practice of the profession for which reinstatement is sought or who has not been engaged in a formal education program during the five years preceding the application for reinstatement can be required to complete any additional testing, training, or education deemed necessary by the Board to establish the licensee's present ability to practice with reasonable skill and safety.

Fees

The bill adds fees for application for late renewal of a single-state license, application for late renewal of a multi-state license, and application for late renewal of an APRN license; the fee for each is set at $300.

Transcript Requests

The bill requires all approved schools for professional and practical nurses to, upon request of a current or former student, fulfill transcript requests for licensure or testing by electronically releasing the transcript within five business days of receiving the request.

Disciplinary Actions and "Unprofessional Conduct"

The bill amends the definition of "unprofessional conduct" to include, but not be limited to, an act or failure to act related to the licensee's practice of nursing that is performed intentionally or carelessly and causes or is likely to cause harm to a patient. "Unprofessional conduct" does not include behaviors that are unrelated to the licensee's practice of nursing or ability to ethically and competently practice nursing, such as failure to timely renew a license or late payments for civil debts. The term will be further defined by rules and regulations of the Board that are not otherwise inconsistent with the provided definition. These amendments to this definition will be construed and applied retroactively.

Investigative Proceedings

The bill provides that an investigation looking into a complaint against a licensee will be conducted by two or more members of the Board or Board employees or an independent contractor, one of whom will be a nurse with similar clinical or professional experience to the person charged with the violation, except that the bill provides for an alleged violation not related to or arising from the practice of nursing to be investigated by a Board member or designee without the relevant experience.

Beginning January 1, 2027, an investigation of a licensee or applicant will be considered closed after 22 months from the date that the Board is made aware of the licensee or applicant's alleged violation of the Nurse Practice Act or related rules and regulations, unless a disciplinary action has been filed against the licensee or applicant, the licensee has entered into a consent agreement or diversion program, or a licensee or applicant has caused significant investigatory delay. The bill prohibits a closed investigation from being reopened. Records from a closed investigation can be used by the Board in a new investigation if an allegation of the same nature is made against the licensee or applicant.

Costs

If an applicant or licensee prevails in a case brought to court, continuing law provides for costs to be covered by the Board. The bill requires 50 percent of reasonable attorney fees to also be paid by the Board. The bill prohibits the Board from collecting any fees for costs accrued by use of an administrative law judge unless all Board members were unable to conduct a hearing due to a conflict of interest.

Amended Language

The bill amends language in this section referencing "guilt," such as amending "to be guilty of unprofessional conduct" to "to have committed an act of unprofessional conduct" and "having been guilty of any of the unlawful practices" to "violating any of the practices."

Reporting

The bill requires the annual report from the Board regarding reinstatement of revoked licenses to be submitted in writing to the Kansas Legislative Research Department and a digital version to each member of the Senate Committee on Public Health and Welfare and the House Committee on Health and Human Services, or their successor committees.

Lawful Acts Taken in Good Faith

The bill specifies that no person reporting to the Board, under oath and in good faith under the totality of circumstances, will be subject to a civil action for damages as a result of reporting that information. The bill will also specify that any state, regional, or local association of RNs or LPNs and the individual members of any committee that investigates or communicates information in good faith under the totality of circumstances, related to malpractice or the qualifications of any licensee or registrant to the Board, will be immune from liability in any civil action based upon the information or transmittal of information if the investigation and communication was made in good faith under the totality of circumstances and did not omit any known material fact.

The bill prohibits the Board from taking, failing to take, threatening to take, or failing to take any action against a licensee or applicant and from harassing or retaliating against the licensee or applicant because of lawful acts taken in good faith by the licensee or applicant, including:

- Making public or private statements about the Board, any of the Board's current or former members, agents, employees, or individuals considered for nomination to the Board;

- Disclosing information that the licensee or applicant reasonably believes is evidence of a violation of a law or rule and regulation, gross mismanagement, waste of public funds, abuse of authority, or a substantial and specific danger to public health and safety;

- Exercising any appeal, complaint, or grievance right granted by state or federal law or rule or regulation or providing assistance to an individual exercising those rights; or

- Testifying or providing assistance to a law enforcement agency, a court, the Kansas Legislature, or any agency or entity with legal authority to investigate or provide oversight to the Board.

An individual aggrieved by a violation of this section will have a private cause of action for actual damages, injunctive relief, and any other appropriate relief. The bill requires such

actions be brought within two years following the violation. A prevailing plaintiff can recover damages for actual damages; non-economic damages, including pain and suffering; economic injuries and losses, including future losses, or $10,000, whichever is greater; and the cost of the suit, including reasonable attorney fees.

Late Renewal

The bill allows licensees to apply for late renewal of a license. For a renewal application, the bill requires a licensee to provide the licensee's current contact information, including name, address, phone number, and email address. A licensee is required to notify the Board of a change of name or contact information.

Once requirements have been met, the bill requires a digital notification of submission that contains a receipt for payment of any fees to promptly be sent to the applicant, and the Board to verify accuracy of the completed application and grant a renewal license within five business days after the applicant submitted all requirements. A digital notification will also be sent to the applicant upon the Board granting a renewal license or a late renewal license.

Senate Confirmation of Board Members

The bill provides that the Board members serve at the pleasure of the Governor. The bill requires the Senate to confirm appointments to the Board.

Continuing law states that 6 of the 11 members of the Board must be RNs; the bill states that those 6 members could be RNs or APRNs.

The bill also provides that the terms of any Board members serving on July 1, 2026, expire on July 1, 2026, and it requires the Governor to appoint interim Board members who meet the requirements of the bill to serve between July 1, 2026, and the first day of the 2027 regular Legislative Session. Prior to the first day of the 2027 regular Legislative Session, the Governor must appoint members of the Board who meet the requirements of the bill to serve while awaiting confirmation by the Senate. If confirmed, such members will serve for the terms provided in statute.

The bill prohibits the Governor, Attorney General, or a member of the Legislature from serving on the Board.

Notification of Rules and Regulations

Except for rules and regulations revoked pursuant to statute, the bill requires the Board to provide at least 60 days' notice via email to all licensees who have an email address on file with the Board of the Board's intended action to adopt, amend, or repeal any permanent rule or regulation.

Refunds

The bill requires the Executive Administrator of the Board to remit all moneys received from disciplinary fines, disciplinary fees, costs, or any other source, in addition to the fees, charges, and penalties under continuing law, to the State Treasurer.

Upon request, the Board will be required to issue a refund from the Board of Nursing Fee Fund to an applicant or licensee under reasonable circumstances, including an overpayment or duplicate payment made by the applicant or licensee.

Clarification of Violations

The bill clarifies that the Board may assess a civil fine on violations arising from the practice of nursing as defined under the Kansas Nurse Practice Act, if such violation is proven by clear and convincing evidence. The bill prohibits the Board from assessing a fine for any activity related to an initial or renewal licensure.

Compacts: Occupational Therapy Licensure, Respiratory Care, Esthetics Licensure, and Athletic Trainer Licensure; HB 2533

HB 2533 enacts four multistate licensure compacts:

- Occupational Therapy Licensure Compact (OT Compact);
- Respiratory Care Interstate Compact (RC Compact);
- Esthetics Licensure Compact (Esthetics Compact); and,
- Athletic Trainer Licensure Compact (AT Compact).

The uniform provisions for each compact are outlined below. As of June 8, 2026, the required numbers of states had enacted the OT, RC, and AT compacts to reach their activation thresholds.

Occupational Therapy Licensure Compact

Purpose

The purpose of the OT Compact is to facilitate the interstate practice of occupational therapy with the goal of improving public access to occupational therapy services and achieving a number of objectives that reduce administrative burden while increasing availability of licensed occupational therapists as well as cooperation among member state licensing bodies.

The OT Compact preserves the regulatory authority of participating states to protect public health and safety through the current system of state licensure while also providing license portability for qualifying professionals.

Definitions

The OT Compact defines 26 terms used throughout the OT Compact, including these:

- "Occupational therapist" means an individual who is licensed by a state to practice occupational therapy;

- "Occupational therapy assistant" means an individual who is licensed by a state to assist in the practice of occupational therapy;

- "Occupational therapy," "occupational therapy practice," and "the practice of occupational therapy" mean the care and services provided by an occupational therapist or an occupational therapy assistant as set forth in the member state's statutes and regulations;

- "Occupational Therapy Compact Commission" or "Commission" (OT Commission) means the national administrative body whose membership consists of all states that have enacted the OT Compact; and

- "Single-state license" means an occupational therapist or occupational therapy assistant license issued by a member state that authorizes practice only within the issuing state and does not include an OT Compact privilege in any other member state.

State Participation in the OT Compact

The OT Compact requires member states to:

- License occupational therapists and occupational therapy assistants;

- Participate fully in the OT Commission data system including using the OT Commission's unique identifiers;

- Have a mechanism in place for receiving and investigating complaints concerning licensees;

- Notify the OT Commission of any adverse actions or the availability of investigative information regarding a licensee;

- Implement or utilize procedures for considering the criminal history records of applicants for an initial OT Compact privilege. These procedures will include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining a criminal history record from the Federal Bureau of Investigation and the comparable state agency for OT Compact licensees;

- Comply with the rules of the OT Commission;

- Utilize only a recognized national examination as a requirement for licensure; and

- Have continuing competence or education requirements as a condition for license renewal.

The OT Compact requires granting a compact privilege to each licensee who has met the terms of the OT Compact and rules, authorizes member states to charge a fee for granting an OT Compact privilege, and requires each member state to provide for the state's delegate to attend all OT Commission meetings.

OT Compact Privilege

The OT Compact requires licensees to meet certain fee, reporting, and credentialing criteria to exercise OT Compact privileges and aligns OT Compact privilege with the underlying valid home state license including renewal criteria and supervision requirements set by the licensee's home state. The OT Compact requires a licensee practicing in a remote state to adhere to the remote state's laws and regulations related to providing occupational therapy.

Obtaining a New Home State License by Virtue of OT Compact Privilege

The OT Compact allows a licensee to have only one home state license at a time. The OT Compact provides a procedure to change a licensee's home state license when relocating between member states.

Active-duty Military Personnel or Their Spouses

The OT Compact allows active-duty military personnel or their spouses to designate a home state where such service member or spouse has a current license in good standing and allows such military personnel or spouse to retain that home state designation while the service member is on active duty.

Adverse Actions

The OT Compact allows a member state to take adverse action against a licensee's OT Compact privilege in that member state and to issue subpoenas. Only the licensee's home state will have the authority to take adverse action against the license issued by the home state. However, a member state will have the authority to take adverse action based on the factual findings of another remote state if the other member state follows its own procedures for adverse actions. Member states will be permitted to recover costs of investigations or dispositions if permitted by their state law. The home state will be required to promptly report the conclusions of any investigation to the data system. The OT Compact will authorize joint investigations of licensees by member states.

Establishment of the Occupational Therapy Compact Commission

The OT Compact creates the OT Commission and includes provisions relating to membership, voting, powers and duties, and financing of the OT Commission. The OT Compact establishes the Executive Committee, which will have the power to act on behalf of the OT Commission according to the terms of the OT Compact.

The OT Compact will require the OT Commission to pay or provide for the reasonable expenses of its establishment, organization, and ongoing activities. The OT Commission will be authorized to levy and collect an annual assessment from each member state and impose fees on other parties of member states to cover the cost of operations. The OT Compact requires the OT Commission to adopt an annual audit report, including a financial review, and include the audit report in the OT Commission annual report.

The OT Compact provides for the qualified immunity, defense, and indemnity of its members, officers, executive director, employees, and representatives acting within the scope of OT Commission employment, duties, or responsibilities. The protections will not apply for damage, loss, injury, or liability caused by the individual's intentional, willful, or wanton misconduct.

Data Systems

The OT Compact requires the OT Commission to develop, maintain, and utilize a coordinated data system. The OT Compact governs how the information will be provided to the data system by member states and the use of the data by member states, as well as its designation of information that could not be shared with the public without the express permission of the contributing state. The OT Compact also requires removal of expunged information from the data system.

Rulemaking

The OT Compact authorizes the OT Commission to exercise rulemaking powers. The bill requires notice of proposed rules to specified persons and locations to be provided at least 30 days prior to the meeting where the OT Commission will consider such rules. Additionally, the OT Commission will be required to provide notice of the public hearing, provide access to the meeting, and record all hearings. The OT Compact will state a majority of legislatures of the member states could reject a rule by enactment of a statute or resolution within four years of adoption of the rule. The OT Compact also provides for emergency rulemaking procedures.

Oversight, Dispute Resolution, and Enforcement

The OT Compact provides that the executive, legislative, and judicial branches in each member state will enforce and effectuate the OT Compact. The OT Compact establishes judicial venue and service of process for the OT Commission. The OT Compact also establishes a process to be followed by member states regarding default, requesting technical assistance, or termination from the OT Compact. The OT Compact requires the OT Commission, upon member request, to resolve disputes arising among member states and between member states and non-member states. In addition, the OT Commission will be authorized to enforce the provisions of the OT Compact, and, by majority vote, could initiate legal action in federal court against a member state.

Date of Implementation of the OT Compact and Associated Rules, Withdrawal, and Amendment

The OT Compact is effective on the date on which the OT Compact statute is enacted into law in the tenth member state. [*Note*: The OT Compact has been enacted in 34 states and OT Compact privileges are being issued in 8 states as of July 15, 2026.]

Any member state will be allowed to withdraw from the OT Compact by enacting a statute that would repeal the OT Compact, but this will not take effect until six months after the enactment of the repealing statute. Withdrawal from the OT Compact will not end the continuing requirement to comply with the investigative and adverse action reporting requirements prior to the effective date of withdrawal.

Member states may amend the OT Compact, but any amendment would not be effective until it is enacted by all member states. Additionally, the OT Compact will not invalidate or prevent any licensure agreement or cooperative arrangement between a member state and non-member state that did not conflict with the OT Compact.

Construction and Severability

The OT Compact states the OT Compact and the OT Commission's rulemaking authority shall be liberally construed and the provisions of the OT Compact will be severable.

Binding Effect of Compact and Other Laws

The OT Compact requires a licensee providing occupational therapy in a remote state under OT Compact privilege to comply with the remote state's laws and regulations. The OT Compact will not prevent the enforcement of any other law of a member state not inconsistent with the OT Compact. Laws in conflict with the OT Compact will be superseded to the extent of the conflict, and all lawful actions of the OT Commission will be binding upon member states. If any provision of the OT Compact exceeds constitutional limits imposed on the legislature of a member state, the provision will be ineffective to the extent of the conflict in that member state.

Respiratory Care Interstate Compact

Purpose

The purpose of the RC Compact is to facilitate the interstate practice of respiratory therapy with the goal of improving public access to respiratory therapy services and achieving a number of objectives that reduce administrative burden while increasing mobility and availability of licensed respiratory therapists as well as cooperation among member state licensing bodies.

The RC Compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure while also providing license portability for qualifying professionals.

Definitions

The RC Compact defines various terms used throughout the RC Compact, including:

- "Commission" or "Respiratory Care Interstate Compact Commission" (RC Commission) means the governmental instrumentality and body politic of member states whose membership consists of all member states that have enacted the Compact;

- "Respiratory therapist" or "respiratory care practitioner" means an individual who holds a credential issued by the National Board for Respiratory Care or its successor and a license in a state to practice respiratory therapy. For purposes of the RC Compact, any other title or status adopted by a state to replace the term "respiratory therapist" or "respiratory care practitioner" will be deemed synonymous with "respiratory therapist" and will confer the same rights and responsibilities to the licensee under the provisions of the RC Compact at the time of enactment;

- "Respiratory therapy," "respiratory therapy practice," "respiratory care," "the practice of respiratory care," and "the practice of respiratory therapy" mean the care and services provided by or under the direction and supervision of a respiratory therapist or respiratory care practitioner; and

- "Scope of practice" means the procedures, actions, and processes a respiratory therapist licensed in a state or practicing under an RC Compact privilege in a state is permitted to undertake in that state and the circumstances under which the respiratory therapist is permitted to undertake those procedures, actions, and processes. Such procedures, actions, processes, and the circumstances under which they may be undertaken will be established through means, including, but not limited to, statute, regulations, case law, and other processes available to the state respiratory therapy licensing authority or other governmental agency.

State Participation in the RC Compact

The RC Compact requires member states to:

- Enact an RC Compact that is not materially different from the model RC Compact;

- License respiratory therapists;

- Participate in the RC Commission's data system;

- Have a mechanism in place for receiving and investigating complaints against licensees and RC Compact privilege holders;

- Notify the RC Commission of adverse actions regarding a licensee, an RC compact privilege holder, or a license applicant;

- Notify the RC Commission, in compliance with the terms of the RC Compact and RC Commission rules, of the existence of significant investigative information;

- Comply with the rules of the RC Commission;

- Grant the RC Compact privilege to a holder of an active home state license and otherwise meet the applicable requirements of the RC Compact in a member state; and

- Complete a criminal background check for each new licensee at the time of initial licensure as set forth in the RC Compact.

The RC Compact authorizes member states to charge a fee for granting and renewing an RC Compact privilege.

RC Compact Privilege

The RC Compact requires respiratory therapists to meet certain educational, service of process, and credentialing criteria to exercise RC Compact privileges and aligns RC Compact privilege with the underlying valid home state license, including renewal criteria.

Active-duty Military Personnel or Their Spouses

The RC Compact allows active-duty military personnel or their spouses to designate a home state where such service member or spouse has a current license in good standing and will allow such military personnel or spouse to retain that home state designation during the period of time the service member is on active duty.

The RC Compact does not require active-duty military personnel or their spouses to pay any additional fee that may be required by either the RC Commission or a remote state that may charge for an RC Compact privilege. A remote state may offer a reduced fee or no fee to active-duty military personnel or their spouses.

Adverse Actions

The RC Compact allows a member state to take adverse action against a licensee's RC Compact privilege in such member state and to issue subpoenas. Only the licensee's home state will have the power to take adverse action against the license issued by the home state or to offer alternative programs in lieu of adverse actions; participation in an alternative program will remain non-public if required by the home state's laws. However, a member state will have the authority to take adverse action based on the factual findings of another remote state if the other member state follows its own procedures for adverse actions. Member states will be permitted to recover costs of investigations or dispositions if permitted by their state law. The

RC Compact will authorize joint investigations and will require sharing of certain information by member states of licensees during said investigations.

Establishment of the Respiratory Care Interstate Compact Commission

The RC Compact creates the RC Commission and includes provisions relating to membership, voting, powers and duties, and financing of the RC Commission. The RC Compact establishes the Executive Committee, which will have the power to act on behalf of the RC Commission according to the terms of the RC Compact.

The RC Compact provides for the RC Commission to pay for the reasonable expenses of its establishment, organization, and ongoing activities. The RC Commission is authorized to levy and collect an annual assessment from each member state and impose fees on licensees of member states to cover the cost of operations. The RC Compact requires the RC Commission to have an annual financial review by a certified public accountant and include the financial review in the RC Commission's annual report.

The RC Compact provides for the qualified immunity, defense, and indemnity of its members, officers, Executive Director, employees, and agents acting within the scope of RC Commission employment, duties, or responsibilities. The protections will not apply for damage, loss, injury, or liability caused by the individual's intentional, willful, or wanton misconduct. The RC Compact will not limit the liability of any licensee for professional malpractice or misconduct governed by applicable state laws.

The RC Compact will not waive any member states' state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act, Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation. Nothing in the RC Compact will be construed to be a waiver of sovereign immunity by the member states or by the RC Commission.

Data Systems

The RC Compact requires the RC Commission to develop, maintain, operate, and utilize a coordinated database and reporting system. The RC Compact will govern how the information will be provided to the data system by member states and the use of the data by member states, as well as its designation of information that could not be shared with the public without the express permission of the contributing state. The RC Compact also requires removal of expunged information from the data system.

Rulemaking

The RC Compact authorizes the RC Commission to exercise rulemaking powers. The bill requires notice of proposed rules to specified persons and locations to be provided at least 30 days prior to the meeting where the RC Commission will consider such rules. Additionally, the RC Commission is required to provide notice of the public hearing, provide access to the meeting, and record all hearings. The RC Compact states a majority of legislatures of the member states could reject a rule by enactment of a statute or resolution within four years of adoption of the rule. The RC Compact also provides for emergency rulemaking procedures.

Oversight, Dispute Resolution, and Enforcement

The RC Compact provides that the executive and judicial branches in each member state will enforce and implement the RC Compact. The RC Compact establishes judicial venue and service of process for the RC Commission. The RC Compact also establishes a process to be followed by member states regarding default, requesting technical assistance, or termination from the RC Compact. The RC Compact will require the RC Commission, upon member request, to resolve disputes arising among member states and between member states and non-member states. In addition, the RC Commission is authorized to enforce the provisions of the RC Compact, and, by majority vote, could initiate legal action in federal court against a member state.

Effective Date, Withdrawal, and Amendment

The RC Compact states that the RC Compact will take effect on the enactment date, which is defined as the date that the statute is enacted into law by the seventh member state. [*Note:* As of July 15, 2026, the RC Compact has been enacted in 13 states: Alabama, Delaware, Iowa, Kansas, Kentucky, Montana, Nebraska, South Dakota, Tennessee, Virginia, Washington, West Virginia, and Wisconsin. The RC Compact is being considered in Pennsylvania and Ohio.] Any member state will be allowed to withdraw from the RC Compact by enacting a statute that would repeal the RC Compact, but this would not take effect until 180 days after the enactment of the repealing statute. Member states could amend the RC Compact, but any amendment will not be effective until it is enacted by all member states. Additionally, the RC Compact does not invalidate or prevent any licensure agreement or cooperative arrangement between a member state and non-member state that did not conflict with the RC Compact.

Construction and Severability

The RC Compact states the RC Compact and the RC Commission's rulemaking authority shall be liberally construed and the provisions of the RC Compact will be severable.

Consistent Effect and Conflict with Other State Laws

The RC Compact does not prevent the enforcement of any other law of a member state not inconsistent with the RC Compact. Laws in conflict with the RC Compact will be superseded to the extent of the conflict, and all lawful actions of the RC Commission are binding upon member states.

Esthetics Licensure Compact

Purpose

The purpose of the Esthetics Compact will be to facilitate the interstate practice of esthetics with the goal of improving public access to esthetics services and achieving a number of objectives that reduce administrative burden while increasing licensure and mobility of licensed estheticians as well as cooperation among states' licensing bodies.

The Esthetics Compact preserves the regulatory authority of states to provide services through the current system of state licensure while also providing license portability for qualifying professionals through a multistate licensing system.

Definitions

The Esthetics Compact defines various terms, including:

- "Commission" means the joint government agency whose membership consists of all states that have enacted this compact, known as the Esthetics Licensure Compact Commission (Esthetics Commission) and which operates as an instrumentality of the member states;

- "Esthetician" means an individual licensed in such individual's home state to engage in the practice of esthetics;

- "Esthetics" means skin care and services for cosmetic purposes provided by an esthetician in a member state as set forth in the relevant statutes and regulations of a member state. The practice of esthetics occurs in the member state where the client is located at the time of service;

- "Home state" means the member state that is a licensee's primary state of residence and where that licensee holds an active and unencumbered license to practice esthetics; and

- "Multistate license" means a license issued and subject to the enforcement jurisdiction of the licensing authority in a licensee's home state that authorizes the practice of esthetics in member states and includes authorizations to practice esthetics in all remote states pursuant to this compact.

State Participation in the Esthetics *Compact*

To be eligible to join the Esthetics Compact, member states must:

- License estheticians and regulate esthetics;

- Have a mechanism or entity in place to receive and investigate complaints about licensees practicing in that state;

- Require licensees within the state to pass a competency examination prior to being licensed to provide esthetics services to the public;

- Require licensees to satisfy educational or training requirements in esthetics services to the public prior to being licensed;

- Implement a procedure to consider applicants' criminal history, disciplinary history, or background check, which could include submission of information by applicants for the purpose of obtaining a background check on the applicant;

- Participate fully in the data system, including the use of unique identifying numbers;

- Share information regarding adverse actions against a licensee with the Commission and other member states, both through the data system and otherwise;

- Notify the Esthetics Commission and other member states of the existence of investigative information or current significant investigative information in the state's possession regarding a state's licensee;

- Comply with the rules of the Esthetics Commission; and

- Accept licensees from other member states that have met the terms of the Esthetics Compact.

The Esthetics Compact authorizes member states to charge a fee for granting a mulitistate license to practice esthetics. Under the Esthetics Compact, member states retain sole jurisdiction over the educational or professional requirements regarding the licensing requirements to practice esthetics in a member state.

Multistate License

The Esthetics Compact requires an applicant for multistate licensure to hold an active and unencumbered single-state license to practice esthetics in the applicant's home state. If an applicant meets the educational and credentialing criteria to have a multistate license, the Esthetics Compact requires the state licensing authority to grant a multistate license within a reasonable amount of time. The Esthetics Compact requires that a licensee practicing in a member state adhere to that state's laws and regulations relating to esthetics as well as the jurisdiction of the state licensing authority and the courts of the member state.

Reissuance of a Multistate License by a New Home State

The Esthetics Compact allows a licensee to have only one multistate license, issued by their home state, at any given time. The Esthetics Compact provides a procedure to change a licensee's home state license when relocating between member states. The Esthetics Compact will permit a licensee to hold a single-state license in multiple states as well as a home state license and one multistate license for purposes of the Esthetics Compact. The Esthetics Compact will not interfere with the requirements established by a member state for the issuance of a single-state license.

Authority of the Esthetics Compact Commission and Member State Licensing Authorities

The Esthetics Compact will not limit, restrict, or in any way reduce the ability of a member state to enact and enforce laws, rules, or regulations related to the practice of esthetics that are not inconsistent with the Esthetics Compact. Member states will be expected to cooperate with the Esthetics Commission. The Esthetics Compact requires that discipline to be the sole responsibility of the state where esthetics services are provided. Member states will be required to communicate with each other regarding complaints and adverse actions.

Adverse Actions

The Esthetics Compact will allow a member state to take adverse action against a licensee's multistate license in such member state and to issue subpoenas. Only the licensee's home state will have the power to take adverse action against the license issued by the home state. For the purposes of taking adverse action, the home state's licensing authority could act on a report of conduct received from a remote state as though such conduct occurred within the home state, and the home state will apply its own state laws. The Esthetics Compact will also allow joint investigations by member states of licensees. Member states will be permitted to recover costs of investigations or dispositions if permitted by their state law.

The Esthetics Compact will require a licensee's home state to promptly report the conclusions of any investigation to the data system. If an adverse action is taken by the home state, the multistate license will be deactivated in all member states until all encumbrances are removed from the home state license. The home state will be authorized to accept a licensee's participation in an alternative program in lieu of adverse action. A multistate license will be suspended for the duration of the participation in the alternative program.

Active-duty Military Personnel or Their Spouse

The Esthetics Compact will allow active-duty military personnel or their spouses to designate a home state where such service member or spouse has a current license in good standing and will allow such military personnel or spouse to retain that home state designation while the service member is on active duty.

Establishment and Operation of the Esthetics Licensure Compact Commission

The Esthetics Compact creates the Esthetics Commission and includes provisions relating to membership, voting, powers and duties, and financing of the Esthetics Commission. The Esthetics Compact also establishes the Executive Committee, which will have the power to act on behalf of the Commission according to the terms of the Esthetics Compact.

The Esthetics Compact provides for the Esthetics Commission to pay for the reasonable expenses of its establishment, organization, and ongoing activities. The Esthetics Commission will have authority to levy and collect an annual assessment from each member state and impose fees on licensees of member states to cover the cost of operations. The Esthetics Compact will require the Commission to adopt an annual report and provide the report to member states.

The Esthetics Compact provides for the qualified immunity, defense, and indemnity of its members, officers, employees, and representatives of the Esthetics Commission acting within the scope of Esthetics Commission employment, duties, or responsibilities. The protections will not apply for damage, loss, injury, or liability caused by the individual's intentional, willful, or wanton misconduct. The Esthetics Compact will not limit the liability of any licensee for professional malpractice or misconduct governed by applicable state laws.

Data Systems

The Esthetics Compact requires the Esthetics Commission to develop, maintain, operate, and utilize a coordinated database and reporting system. The Esthetics Compact will govern how the information will be provided to the data system by member states, the use of the data by member states, and designation of information that could not be shared with the public without the express permission of the contributing state. The Esthetics Compact will also require removal of expunged information from the data system.

Rulemaking

The Esthetics Compact authorizes the Esthetics Commission to exercise rulemaking powers. The Esthetics Compact will require notice of proposed rules to specified persons and location where the Esthetics Commission will hear public comments to be provided at least 30 days prior to the meeting where the Esthetics Commission will consider such rules. Additionally, the Esthetics Commission will be required to provide notice of the public hearing and provide access to the meeting and record all hearings. If a majority of legislatures of the member states reject a rule by enactment of a statute or resolution within four years of adoption of the rule, the rule will have no further force and effect. The Esthetics Compact also provides for emergency rulemaking procedures.

Oversight, Dispute Resolution, and Enforcement

The Esthetics Compact provides that the executive and judicial branches in each member state will enforce and implement the Esthetics Compact. The Esthetics Compact establishes judicial venue and service of process for the Esthetics Compact Commission. The Esthetics Compact also establishes a process to be followed by member states regarding default, requesting technical assistance, or termination from the Esthetics Compact. The Esthetics Compact requires the Esthetics Commission, upon member request, to resolve disputes arising among member states and between member states and non-member states. In addition, the Esthetics Commission will be allowed to enforce the provisions of the Esthetics Compact, and, by majority vote, could initiate legal action in federal court against a member state.

Effective Date, Withdrawal, and Amendment

The Esthetics Compact will be effective on the date on which the Esthetics Compact statue is enacted into law in the seventh member state. [*Note:* As of June 6, 2026, the Esthetics Compact has been enacted in Alabama, Kansas, and Virginia.]

Any member state will be allowed to withdraw from the Esthetics Compact by enacting a statute that would repeal the Esthetics Compact, but this will not take effect until 180 days after the enactment of the repealing statute. Member states could amend the Esthetics Compact, but any amendment will not be effective until it is enacted by all member states. Additionally, the Esthetics Compact will not invalidate or prevent any licensure agreement or cooperative arrangement between a member state and non-member state that does not conflict with the Esthetics Compact.

Construction and Severability

The Esthetics Compact and the Esthetics Commission's rulemaking authority will be required to be liberally construed and the provisions of the Esthetics Compact will be severable.

Consistent Effect and Conflict with Other State Laws

The Esthetics Compact will not prevent the enforcement of any other law of a member state that is not inconsistent with the Esthetics Compact. Laws in conflict with the Esthetics Compact will be superseded to the extent of the conflict and all lawful actions of the Esthetics Commission will be binding upon member states.

Athletic Trainer Licensure Compact

Purpose

The purpose of the AT Compact is to facilitate the interstate mobility of athletic training practice with the goal of improving public access to services and achieving a number of objectives that reduce administrative burden while increasing availability of licensed athletic trainers as well as cooperation among member state licensing bodies.

The AT Compact preserves the regulatory authority of participating states to protect public health and safety through the current system of state licensure while also providing license portability for qualifying professionals.

Definitions

The AT Compact defines 31 terms used throughout the Compact, including:

- "Athletic training" means the prevention, examination, assessment, treatment, and rehabilitation of emergent, acute, or chronic injuries and medical conditions as defined by applicable member state laws and regulations;

- "Athletic Training Compact Commission" or "Commission" means the government agency whose membership consists of all states that have enacted this Compact, which is known as the Athletic Trainer Licensure Compact Commission, and which shall operate as an instrumentality of the member states to administer and implement the Compact according to its terms;

- "Compact qualifying license" means a license that is not an encumbered license issued by a member state to practice athletic training that qualifies the licensee to exercise a Compact privilege; and,

- "Scope of practice" means the procedures, actions, and processes an athletic trainer licensed in a state is permitted to undertake in that state and the circumstances under which the licensee is permitted to undertake those procedures, actions, and processes. Such procedures, actions, and processes and the circumstances under which they may be undertaken may be established through means, including, but not limited to, statute, regulations, case law, and other processes available to the state licensing authority or other government agency. "Scope of practice" will include any state requirements regarding supervision or direction, if required by the state and as further defined by the state's statutes and regulations.

State Participation in the Compact

The AT Compact requires member states to:

- Enact and maintain a statute that is not materially different from the model compact language;

- License and regulate the practice of athletic training;

- Require that licensees in that state maintain continuing competence standards as part of their state practice act or rules;

- Have a mechanism in place for receiving and investigating complaints concerning licensees;

- Grant the compact privilege to a licensee who meets all the requirements of the Compact;

- Participate fully in the Commission's data system, including using the unique identifier as defined in rules;

- Notify the Commission of any adverse action or the availability of current significant investigative information regarding a licensee;

- Implement or utilize procedures for considering the criminal history records of applicants for an AT Compact qualifying license. These procedures include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining a criminal history record from the Federal Bureau of Investigation and the comparable state agency for Compact licensees; and

- Comply with and enforce the rules of the AT Commission.

The AT Compact authorizes member states to charge a fee for issuance and renewal of a Compact privilege. Nothing in the Compact will affect the requirements established by a member state for the issuance of a single-state license and each Compact qualifying license issued will be recognized by each remote state.

Compact Privilege

The AT Compact requires a licensee to complete a criminal background check performed by the licensing authority in the state of qualifying licensure prior to entry into the Compact and meet certain certification or education requirements and licensure, fee, reporting, and credentialing criteria to exercise Compact privileges. The Compact also aligns Compact privilege with requirements of the state of qualifying licensure, including renewal criteria and supervision requirements. The Compact requires that a licensee practicing in a remote state adhere to the remote state's laws and regulations, including scope of practice related to providing athletic training.

Compact-qualifying License

The AT Compact allows a licensee to have only one Compact-qualifying license at a time. The AT Compact does not require that the state of qualifying licensure be the state of primary residence or state of primary practice for the licensee. The Compact will not restrict a licensee from holding a single-state license in multiple states or affect the requirements established by member states for the issuance of a license other than a Compact-qualifying license.

Active Military Personnel or Their Spouses

The AT Compact will not require active-duty military personnel or their spouses to pay to the Commission for a Compact privilege. If a member state chooses to a charge a fee, the member state could choose to charge a reduced fee or no fee to active-duty military personnel or their spouses for a Compact privilege.

Adverse Actions

The AT Compact allows a member state to take adverse action against a licensee's Compact privilege in that member state and to issue subpoenas. Only the member state that has issued a licensee's Compact-qualifying license will have the authority to take adverse action against the license. However, a member state will have the authority to take adverse action based on the factual findings of another remote state if the other member state follows its own procedures for adverse actions.

Subpoenas could be issued by an athletic training licensing authority in a member state, and the member state may request service of that subpoena by another member state. The issuing authority will pay witness fees, travel expenses, mileage, and other required fees. Member states will be permitted to recover costs of investigations or dispositions if permitted by their state law. Member states will be required to promptly report the conclusions of any investigation to the administrator of the data system. The Compact will authorize joint investigations of licensees by member states.

Establishment and Operation of the Commission

The AT Compact creates the AT Commission and includes provisions relating to membership, voting, powers and duties, and financing of the Commission. The Compact establishes the Executive Committee, which will have the power to act on behalf of the Commission according to the terms of the Compact. Each member state's licensing authority must appoint a commissioner to the AT Commission within 60 days of the member state's effective date of the Compact.

The AT Compact requires the AT Commission to pay or provide for the reasonable expenses of its establishment, organization, and ongoing activities. The Commission will be authorized to levy and collect an annual assessment from each member state and impose fees on other parties of member states to cover the cost of operations. The Compact provides authority for the Commission to conduct financial reviews and audits, assess and collect fees, establish a budget and make expenditures, and perform other functions as necessary or appropriate to achieve the purposes of the Compact. The Commission is required to adopt and provide an annual report to member states as well as be subject to an annual financial review or audit by a certified or licensed public accountant.

The AT Compact provides for the qualified immunity, defense, and indemnity of its members, officers, executive director, employees, and representatives acting within the scope of AT Commission employment, duties, or responsibilities. The protections will not apply for damage, loss, injury, or liability caused by the individual's intentional, willful, or wanton misconduct.

Data Systems

The AT Compact requires the Commission to develop, maintain, operate, and utilize a coordinated database and reporting system containing licensure, Compact privilege, adverse action, and the presence of current significant investigation information on all licensees and applicants for license in a member state. The Compact governs how the information will be provided to the data system by member states and the use of the data by member states, as well as its designation of information that could not be shared with the public without the express permission of the contributing state. The Compact will also require removal of expunged information from the data system.

Rulemaking

The AT Compact authorizes the AT Commission to exercise rulemaking powers. The bill requires notice of proposed rules to specified persons and locations to be provided at least 30 days prior to the meeting where the Commission will consider such rules. Additionally, the Commission will be required to provide notice of the public hearing, provide access to the meeting, and record all hearings. The Compact states a majority of legislatures of the member states could reject a rule by enactment of a statute or resolution within four years of adoption of the rule. The Compact also provides for emergency rulemaking procedures.

Oversight, Dispute Resolution, and Enforcement

The AT Compact provides that the executive and judicial branches in each member state will enforce and implement the Compact. The Compact establishes judicial venue and service of process for the Commission. The Compact also establishes a process to be followed by member states regarding default, requesting technical assistance, or termination from the Compact. The Compact requires the Commission, upon member request, to resolve disputes arising among member states and between member states and non-member states. In addition, the Commission is authorized to enforce the provisions of the Compact, and, by two-thirds majority vote, initiate legal action in federal court against a member state.

Effective Date, Withdrawal, and Amendment

The AT Compact will be effective on the date on which the Compact statute is enacted into law in the seventh member state. [*Note*: The Compact had been enacted in Alabama, Iowa, Kansas, Kentucky, Nebraska, South Dakota, and Virginia as of July 15, 2026. Legislation was pending in seven states: Delaware, Minnesota, Missouri, New Jersey, Ohio, Oklahoma, and Pennsylvania.]

Any member state will be allowed to withdraw from the AT Compact by enacting a statute that would repeal the Compact, but this would not take effect until 180 days after the enactment of the repealing statute. Withdrawal from the Compact will not end the continuing requirement to comply with the investigative and adverse action reporting requirements prior to the effective date of withdrawal.

Additionally, the AT Compact will not invalidate or prevent any licensure agreement or cooperative arrangement between a member state and nonmember state not in conflict with the Compact.

Construction and Severability

The Compact states the AT Compact and the AT Commission's rulemaking authority will be liberally construed and the provisions of the Compact will be severable.

Consistent Effect and Conflict with Other State Laws

The AT Compact will not prevent the enforcement of any other law of a member state not inconsistent with the Compact. Laws in conflict with the Compact will be superseded to the extent of the conflict.

Alternative Qualifications for CPAs; HB 2573

HB 2573 amends law related to licensure of certified public accountants (CPAs) by creating an alternative set of qualifications and by extending recognition of CPAs licensed in other states if these qualifications are met.

Alternative Licensure Qualifications

The bill creates an alternative set of qualifications for licensure that allows the Board of Accountancy (Board) to issue a license to an applicant who has:

- Completed a Board-approved accountancy bachelor's degree program;
- Completed at least two years of work experience under a licensed CPA; and
- Passed the CPA exam.

[*Note:* Under continuing law, individuals would still be eligible to receive a CPA license if they have completed a Board-approved degree program that included a concentration in accountancy and culminated in either a bachelor's degree with an additional 30 credit hours or a master's degree, completed at least one year of work experience under a licensed CPA, and passed the CPA exam.]

CPA Examination Requirements

The bill makes conforming amendments to allow a person who has met the new educational requirements in the bill to sit for the CPA examination.

[*Note:* Persons who meet the educational requirements under continuing law would also be eligible to sit for the examination.]

Reciprocity

The bill removes references and provisions in CPA licensing law related to the "substantial equivalency" standard previously used to license or grant privileges to out-of-state CPAs and replaces them with provisions that allow the Board to grant such privileges or license to an individual if the individual's state license requirements are similar to Kansas, provided all other criteria are met.

Out-of-state Licensees Seeking to Practice in Kansas

The bill makes amendments to CPA licensing law to specify that persons whose principal place of business is not in Kansas, but who hold an active license in good standing from another state, will have their license recognized in Kansas without otherwise registering with the Board or paying any fee, provided that at the time of their initial licensure, they show that they meet the CPA licensure requirements of the bill.

Out-of-state Licensees with Practice Privileges in Kansas

The bill amends CPA licensing law to specify that persons whose principal place of business is not in Kansas, but who hold practice privileges in Kansas as of December 31, 2025, will continue to hold practice privileges in Kansas without otherwise registering with the Board or paying any fee.

Rules and Regulations Authority

The bill makes a conforming amendment in a statutory provision regarding the Board's authority to promulgate rules and regulations for certification purposes by removing authority for the Board to define substantial equivalency for purposes of granting privileges or licensing persons who hold an out-of-state CPA license.

Definition

The bill defines "principal place of business" as meaning the primary office location from which the licensee or applicant engages in the practice of certified public accountancy.

The bill also states that the Board is required to accept the principal place of business designated by the licensee or applicant unless the Board determines a different location is the licensee or applicant's primary office location.

Reorganization of Clearwater Cemetery District; SB 396

SB 396 authorizes the Board of Trustees of the Clearwater Cemetery District (Board) located in Sedgwick County to reorganize by adoption of a resolution. The bill also provides for procedures to facilitate the reorganization.

Reorganization Resolution

The bill authorizes the Board to adopt a resolution by majority vote to remove Ohio Township from the district. The bill requires the resolution to provide for the election of the at-large member of the Board by the Board itself at its next meeting following the adoption of the resolution.

The bill requires a copy of the reorganization resolution to be mailed to the Sedgwick County Clerk, and deems the reorganization effective on January 1, 2026.

Board Membership

The bill provides the membership of the reorganized board to be the following three members:

- The Mayor of the City of Clearwater;
- The Township Trustee of Ninnescah Township; and
- One member elected at-large.

The bill provides for the first election of the at-large Board member at the 2026 general election, and every four years thereafter. The bill requires the election to be nonpartisan.

Local Government Contract Provisions; HB 2116

HB 2116 requires cities and counties of certain population sizes to use standard contract provisions prescribed by the Department of Administration (Department) as used in state contracts.

Contract Provisions

These provisions apply only to cities of the second or third class and to any county with a population less than 35,000 and to any contract entered into after July 1, 2026.

The contract provisions are contained in Form DA-146a, published by the Department, and include provisions governing warranties, liabilities, taxes, insurance, and applicable laws. The bill requires the provisions to be included in each contract unless the governing body of the city or board of county commissioners decides to omit a provision by affirmative majority vote. However, the governing body or board may not omit the provisions regarding indemnity or governing law, as specified in the bill.

Indemnity

The bill states it is the public policy of Kansas for a contract entered into by a city or county governing body to restrict city or county responsibility for actions or failure to act under a contract. It stipulates that no city or county is authorized to enter into a contract that indemnifies or holds harmless against damages, injury, or death resulting from actions or failure to act of any party to a contract other than the governing body of a city or county or its officers or employees.

Governing Law

The bill states it is the policy of the State that contracts entered into by a city or county governing body, or its officers or employees acting on their behalf, shall be governed and interpreted in accordance with Kansas law. The bill requires that any contract entered into by a city or county be governed and interpreted by the laws of the State of Kansas. No city or county is authorized to enter into a contract that stipulates the contract be governed or interpreted by laws of any state other than Kansas.

Neighborhood Revitalization Act Application; HB 2470

HB 2470 clarifies that nothing in the Kansas Neighborhood Revitalization Act prohibits a municipality with a population of less than 10,000 people from designating the entire municipality as being within a neighborhood revitalization area.

Eudora Community Library District Board Election and Library Board Elections; HB 2539

HB 2539 creates a procedure by which a board of a library or library district may submit to the voters of the territory the question of whether its board members are appointed or elected and changes how members of the Eudora Community Library District are chosen.

Procedures for Changing How Library Board Members are Chosen

The bill provides a procedure by which voters may determine whether members of the board of any library or library district will be elected and whether members of a library board elected pursuant to the bill will change the method by which they are selected. The question shall go to voters if:

- The board of any library or library district adopts a resolution for such an election; or
- A petition signed by not less than 25 percent of qualified electors of the library service territory is presented to the board.

The bill requires the resolution or petition to include provisions for:

- The number of board members;

- Whether members would be elected at large or by member districts; and

- Whether the members are to be elected at an annual meeting of the board or at a general election.

The bill requires the board, prior to the first election, to establish member districts, if necessary, and initial terms so that no more than a simple majority of the board is elected at any one election.

The bill establishes subsequent terms of four years for all board members, that a term begins on January 1 following the election of the member, and that the elections will be on a nonpartisan basis.

The bill authorizes a board elected under the provisions described above, and requires a board that has been presented with a petition signed by not less than 25 percent of the qualified electors in the library service territory, to submit the following questions to the electorate at the next general election:

- Whether such members shall be appointed; or

- Whether such members shall be elected at an annual meeting of the library board or at a general election.

The bill defines the meaning of "territory" for this purpose:

- For a library established by a municipality, the territory under the jurisdiction of the municipality; or

- For a library established by a library district created by one or more cities of the third class with one or more townships, the territory in which the library provides services.

The previously described provisions added by the bill do not apply to library districts established by statute: the Arkansas City Area Library District, Eudora Community Library District, Independence Area Library District, Johnson County Library District, Leavenworth and Leavenworth County Library District, Topeka and Shawnee County Library District, or Udall Area Library District.

Electing Members of the Eudora Community Library District Board

The bill changes how members of the board of directors of the Eudora Community Library District are chosen, from appointment to election by qualified electors of the district. The bill requires the governing bodies of the City of Eudora and the Eudora Township Board to adopt a joint resolution providing for such election.

The bill requires the joint resolution to be filed with the county clerk and to include provisions to:

- Require the election of board members in odd-numbered years;

- Set the commencement date for terms of office;
- Establish terms of office to not exceed four years and may provide for initial election terms of various lengths to create staggered terms of office; and
- Provide procedures for filling vacancies on the board, with such appointees serving only the remainder of the unexpired term.

County Public Bid Threshold; Senate Sub. For HB 2571

Senate Sub. for HB 2571 increases the cost threshold for when a county is required to use public bids, from $25,000 to $100,000, for construction of any county building, bridge, highway, dam, turnpike or related structure, or stand-alone parking lot.

The bill establishes a threshold for bonding that is separate from the cost threshold above which bids are required. The bill establishes the threshold for giving and filing a security bond at $25,000.

Requiring Political Subdivisions Hold an Open Meeting Before Approving Contingent Fee Contracts for Legal Services; HB 2593

HB 2593 requires any political subdivision (subdivision), as defined in continuing law, to hold an open meeting before approving a contingent fee contract for legal services, and requires such contract to be approved by the Attorney General (AG) before becoming effective. The bill also requires the AG to submit a report to the Governor and Legislature regarding contracts that were not approved.

Open Meeting Notice

The bill requires the governing body of the subdivision to provide notice of an open meeting called for the purpose of considering a contingency fee contract for legal services. The notice may be provided in the subdivision's meeting agenda and must include:

- Reasons for pursuing the legal matter and desired outcome;
- Qualifications, experience, and competence of the attorney or law firm selected or being considered;
- Nature of any relationship between the subdivision and attorney or law firm;
- Reasons the legal services cannot be performed by attorneys of the subdivision;
- Reasons legal representation cannot be attained for an hourly rate as opposed to a contingency fee; and
- Reasons the contract is in the best interest of the residents of the subdivision.

Subdivision Findings

Before a governing body may approve a contingent fee contract for legal services, the bill requires the subdivision to make a finding in writing that:

- It is in the best interest of the residents or there is a substantial need to enter into the contract for legal services;
- The legal services cannot be adequately performed by the attorneys and personnel of the subdivision; and
- The subdivision cannot reasonably obtain legal representation at an hourly rate due to the nature of the legal matter or because the subdivision does not have the funds necessary or would pay substantially more for legal services at an hourly rate.

The governing body of the subdivision may approve the contract in an open meeting only after discussion and consideration of the above findings.

AG Approval

Before an approved contingency fee contract would be allowed to take effect, the bill requires the subdivision to receive the approval of the AG. For consideration by the AG, the subdivision must provide the AG with:

- A copy of the proposed contract;
- A description of the legal matter;
- A copy of the notice and agenda, including the date such notice was issued and a description of the method used for providing the notice; and
- A copy of the written findings made by the subdivision that the legal services are needed.

The bill then requires the AG to approve or refuse the contract within 45 days of receiving the above information. The bill requires the AG to approve the contract promptly if the request involves a matter of purely local concern that does not implicate any statewide interest.

The AG must provide written notice to the subdivision if a contract is refused for one of three reasons, as specified in the bill, and such notice must include a detailed explanation of the reason for refusal. Reasons for refusal include:

- The legal matter presents one or more questions of law or fact that are in common with litigation the State has already addressed or is pursuing;

- The legal matter involves claims or issues that are more appropriately within the scope of State enforcement, and the pursuit of the matter independently by the subdivision could lead to inconsistent legal outcomes or undermine the State's unified position; or

- The contract does not comply with the Kansas Rules of Professional Conduct.

If the AG has taken no action within 45 days, the contract is deemed approved.

Annual Report of Refused Contracts

The bill requires the AG to submit a report to the Governor and the Legislature on or before January 1, 2027, and each January 1 following, regarding each instance in which the AG refused to approve a contract. The bill requires the report to include:

- The number of contracts that the AG refused to approve;
- The subdivision that requested approval of each contract; and
- A detailed explanation of the reason for refusing to approve each contract.

Records Confidentiality

The bill provides that all information and records made, maintained, kept, obtained, or received by the AG under the bill are confidential except as required or authorized by the bill. These confidentiality provisions expire on July 1, 2031, unless the Legislature reviews and reenacts the provisions in accordance with the Kansas Open Records Act prior to July 1, 2031.

Dismissal or Intervention by AG for Non-compliance

In any judicial or quasi-judicial proceeding in which a subdivision is represented by an attorney providing non-compliant contingent fee legal services, the bill allows the AG to appear and request dismissal or intervention and recovery of damages on behalf of the subdivision. Upon a finding that the contract is not in compliance, the court or quasi-judicial body is required to dismiss the matter without prejudice or to allow the AG to intervene on behalf of the subdivision.

Definitions

For purposes of the bill, "legal services" means all services that constitute the practice of law or services performed by or under authority of a law firm or attorney, whether or not such services are performed by someone admitted to practice law in Kansas. The term does not include services performed by attorneys or other persons assisting a subdivision with:

- Services related to bonds, temporary notes, no-fund warrants, state infrastructure loans, or lease financing;

- Debt collection;

- Recouping costs and deductibles related to insurance liability;
- Property sales; or
- Enforcement of support orders.

The term "political subdivision" does not include water utilities as defined in continuing law concerning water supply and distribution districts.

Expiration

The provisions of the bill expire on July 1, 2031.

Prohibition on Battery-charged Fence Regulations; HB 2603

HB 2603 prohibits a municipality from adopting or enforcing any ordinance, resolution, code, standard, or regulation, or portion thereof, that:

- Requires a permit or fee for the installation or use of a battery-charged security fence that is in addition to any permit or fee required by the municipality for an alarm system;
- Imposes installation or operational requirements for a battery-charged security fence that are inconsistent or conflict with or that are additional to the requirements of the bill; or
- Prohibits or imposes conditions upon the installation, operation, placement, servicing, or maintenance of a battery-charged security fence.

The bill specifies that it is not to be construed to prohibit municipal regulation of any security alarm system that does not meet the definition of a battery-charged security fence.

Definitions

The bill defines the following terms:

- "Battery-charged security fence" to mean an assembly of integrated battery-powered equipment and ancillary security features, including, but not limited to, a monitored alarm device and energizer that periodically delivers pulses to the integrated security fence and a battery-charging device used exclusively to charge the security systems battery and that:
    - Integrates with a monitored alarm device in a manner that enables the security system to transmit a signal in response to an intrusion or burglary that alerts any business protected by the security system and a monitoring station operator with the capability of immediately alerting local law enforcement with jurisdiction over the location of the security system;

- Is located on property that is not designated by a municipality exclusively for residential use;
- Is energized by an energizer that is powered by a commercial storage battery that does not exceed 12 volts of direct current and meets the standards set forth by the International Electrotechnical Commission standard 60335-2-76 as in effect on July 1, 2026;
- Is installed behind a nonelectric perimeter fence, wall, or other barrier that is at least 5 feet in height;
- Is 10 feet in height or 2 feet higher than the nonelectric perimeter fence, wall or other barrier, whichever is greater; and
- Is marked with conspicuous warning signs that are located at not less than 30-foot intervals that read: “Warning-Electric Fence”; and

- “Municipality” to mean any county, township, city, district of whatever name or nature, or any other political subdivision of this state, including any board, bureau, commission, committee, or other agency, having power to regulate the use of private property or the installation or operation of electric or nonelectric security fencing or alarm systems on private property. “Municipality” does not include a homeowners or similar private, nongovernmental association.

Protest Petitions for Municipality Lease-Purchase Agreements; HB 2622

HB 2622 amends the requirements for filing a protest petition to require an election on the question of whether a municipality shall enter into a lease-purchase agreement.

Municipality other than County, School District, or Community College

Under prior law, if a proposed lease-purchase agreement involves the acquisition of land or buildings by a municipality other than a county, school district, or community college, is for a term of 3 or more years, and provides for payments in any year in excess of 3 percent of the total amount budgeted by the municipality for expenditure during the current year, excluding debt service, a notice specifying the purpose and the total of all payments must be published once per week for two consecutive weeks in a newspaper of general circulation within the municipality. If at least 5 percent of qualified voters of the municipality sign a protest petition, then the agreement would not take effect unless approved by a majority of the qualified voters of the municipality.

The bill amends the protest petition requirement by changing the required percentage from 5 percent of the qualified voters of the municipality to 3 percent of the qualified voters of the municipality.

Municipality that is a County, School District, or Community College

Under prior law, if a county, school district, or community college proposes to enter into a lease-purchase agreement for the acquisition of real property that is to run for more than one fiscal year or will have annual payments that exceed $100,000, the municipality is required to adopt and publish a resolution on the agreement. If at least 5 percent of the voters of the

municipality who voted for Secretary of State in the last general election sign a protest petition, then the question about whether the municipality shall enter into the agreement will be put on the ballot.

The bill amends the protest petition requirement by changing the required percentage from 5 percent of the voters of the municipality who voted for Secretary of State at the last general election to 3 percent of the qualified voters of the municipality.

Disorganization of a Fire District; HB 2624

HB 2624 authorizes a board of county commissioners to disorganize a fire district at any time, upon motion of the board, when the fire district contains no territory as a result of the exclusion of lands.

Procedures for the Dissolution of Cities of the Third Class; HB 2711

HB 2711 modifies the election and petition procedures for the dissolution of cities of the third class, including the timing and certification process.

The bill requires, on petition of a majority of the qualified electors of any city of the third class, the city council to order an election be placed on the next primary or general election ballot to approve or disapprove the proposal of city dissolution. The election must be at least 60 days after the submission of the petition.

If a two-thirds majority of the qualified electors vote to approve the dissolution of the city, the city thereafter ceases to exist as a corporate body and the territory becomes a part of the township in which the city was located.

Residency of Municipal Governing Body Appointed Voting Members; HB 2769

HB 2769 requires any municipality that creates a subordinate service taxing area (such as a county service taxing district) and appoints its governing body to require all appointed voting members to be residents of the taxing area under certain circumstances. The bill does not apply to elected members of a governing body.

The bill requires all voting members of such appointed governing body to be residents of the taxing area if the municipality either:

- Imposes or authorizes a property tax on area residents or authorizes the governing body to impose a property tax; or

- Authorizes the governing body to set a budget and spend funds for public services in the area.

Any member who is not a resident of such area will serve as a nonvoting member.

The bill defines “municipality” for this purpose to mean a city, county, or unified city and county government.

OPEN RECORDS

Supreme Court Nominating Commission—Open Records; SB 299

SB 299 restricts the Kansas Supreme Court and Supreme Court Nominating Commission (Commission) from adopting a rule that prohibits disclosure of the Commission's records. The bill makes records of the Commission, including the names and cities of residence of people nominated to serve on the Commission, open and subject to disclosure. The bill allows background checks and sensitive financial information of applicants or nominees for judicial office to be closed from public disclosure by the Commission.

Kansas Open Records Act Exceptions Continued; HB 2519

HB 2519 continues in existence certain exceptions to the Kansas Open Records Act:

- KSA 8-2,158 concerning the name, address, and telephone number of an emergency contact authorized by a holder of a driver's license, instruction permit, or non-driver's identification card;

- KSA 22a-243 concerning records disclosed to a city or county entity that provides a local review of child deaths when such death occurred in the city or county or the child was a resident of the city or county;

- KSA 40-221b concerning information filed for an initial application for certification of reinsurance;

- KSA 41-353 concerning names and addresses of a consignee in a report by a fulfillment house licensee; and

- KSA 75-782 concerning all documents, materials, or other information obtained by or discussed by Kansas Elder and Dependent Adult Abuse multidisciplinary teams.

REAL ESTATE

Conveyance of Real Estate to the City of Osawatomie; SB 146

SB 146 directs the Secretary for Aging and Disability Services (Secretary), on or before July 1, 2026, to execute and record an amendment to the original deed for a conveyance located in Miami County, Kansas, from the Kansas Department for Aging and Disability Services to the City of Osawatomie.

The bill directs the amendment to provide for the right, title, and interest for any portion of the real estate not used for economic development to return to the State on July 1, 2046.

If the Secretary finds the legal description of the property to be incorrect, the Secretary will execute and record a corrective amendment to the deed, subject to approval by the Attorney General.

Conveyance of Land from Audubon of Kansas; SB 473

SB 473 allows Audubon of Kansas to convey real estate in Wabaunsee County and requires the Kansas State Historical Society to review and approve the deeds and conveyances before the conveyance occurs. The bill also removes language that prohibits Audubon of Kansas from conveying this real estate.

Conveying Certain Real Property in Leavenworth County; Senate Sub. for HB 2099

Senate Sub. for HB 2099 authorizes the Secretary of Corrections (Secretary), for and on behalf of the Department of Corrections and the State of Kansas, to convey a 57-acre parcel of land by quitclaim deed to Leavenworth County, Kansas. The legal description of the parcel is provided in the bill.

The bill directs Leavenworth County to pay for all costs related in any way to the conveyance. The conveyance is not subject to appraisal requirements in continuing law.

The bill requires the Attorney General to review and approve the deed and conveyances before the conveyance takes effect. In the event the Secretary determines the legal description of the parcel described in the bill is incorrect, the bill authorizes the Secretary to convey the property using the correct legal description, which is subject to the approval of the Attorney General.

Junior Officers' Quarters Transfer to the State Historical Society; HB 2781

HB 2781 authorizes the Kansas State Historical Society (KSHS) to acquire from the Kansas Office of Veterans Services (KOVS) the Junior Officers' Quarters on Fort Dodge, and designates the Junior Officers' Quarters as a historical landmark.

Acquisition of the Junior Officers' Quarters

The bill authorizes the KSHS to acquire by purchase, gift, grant, or donation from the KOVS the Junior Officers' Quarters located on Fort Dodge in Ford County. Prior to the KSHS accepting the property, the Attorney General is required to approve the deed for the property and to determine that the land transfer conveys a fee simple interest in the property to the State, as the property will be acquired in the name of the State of Kansas.

State Historical Landmark

The bill declares that the Junior Officers' Quarters possesses a historical interest to the State. Upon acquisition of the property, the KSHS is required to establish and maintain the building and land as a historical landmark. The KSHS is authorized to adopt rules and regulations relating to the use, preservation, improvement, control, and maintenance of the Junior Officers' Quarters.

KPERS and Public Moneys; SB 435

SB 435 makes technical changes to the Kansas Public Employees Retirement System (KPERS) election process for the Board of Trustees (Board) and updates the actuarial required rate for affiliated employers of the Kansas Police and Firemen's Retirement System (KP&F).

The bill authorizes state moneys equivalent to the aggregate net amount received for unclaimed property to be invested in certain foreign governments.

The bill appropriates $250,000 from the State General Fund (SGF) to the Public Moneys Fee Fund (Fund), amends law regarding the administration of the public moneys pooled method of investing by the Office of the State Treasurer (Office), including written agreements for depositories, the value of market assets required to secure public deposits, the assessment of an administrative fee, and the creation of a fee fund, among other changes.

KPERS Board

The bill requires the Board to elect another Board member as vice-chairperson, following the election of the chairperson, replacing a requirement for the newly elected chairperson to appoint the vice-chairperson.

KP&F Contribution Rate

For rates paid by participating employers under KP&F, the bill requires all employers to pay the actuarially required rate, regardless of whether the employer is affiliating with past and future service or just future service.

Repealed Statutes

The bill repeals certain working-after-retirement statutes for certain members of the Legislature and for certain elected local officials that are inconsistent with current law.

KPERS Investment in Foreign Government Debt

The bill specifies that the Board could invest in U.S. dollar denominated bonds, notes, debentures, or other similar obligations of a foreign government that the International Monetary Fund lists as an industrial country and for which the full faith and credit of the nation has been pledged for the payment of principal and interest, as long as the country is:

- Rated at least an A- or better by Standard and Poor's Corporation;
- Rated A3 or better by Moody's Investors Service;
- Rated A- or better by Fitch Ratings; or

- Rated an equivalent investment grade by a securities rating organization accepted by the National Association of Insurance Commissioners.

The investment in foreign securities at any one time cannot exceed 5.0 percent of the cash available for investment. The bill only allows investments to be made in a country that has never defaulted on short-term or long-term debt obligations.

The bill prohibits investment in a country of concern as defined in the Countries of Concern Divestment Act:

- People's Republic of China, including Hong Kong, but not including Taiwan;
- Republic of Cuba;
- Islamic Republic of Iran;
- Democratic People's Republic of Korea;
- Russian Federation; and
- Bolivarian Republic of Venezuela.

Public Moneys Pooled Method Administration

Written Agreement for Depositories

The bill requires a depository bank, savings and loan association, or savings bank and any trustee, wholly owned subsidiary, or affiliate having identical ownership granting a security interest to enter into a written agreement with the State Treasurer to be designated as a depository for a municipal corporation or quasi-municipal corporation's public moneys.

In cases where a depository fails to meet the requirements set by the State Treasurer, the bill provides for the State Treasurer to instruct the governmental unit to either:

- Close the account for the full amount, including accrued interest, without penalty if the deposit exceeds seven days; or

- Convert the account to a repurchase agreement under terms acceptable to the State Treasurer.

Securities

The bill requires the State Treasurer to be a party to agreements in which the custodian of funds for each governmental unit and an officer of the depository bank, savings and loan association, or savings bank decide to reduce the amount of security for the deposits of the governmental entity. Continuing law requires such agreement to be in writing and kept on file with the office of the governing body of the governmental unit and the bank, savings and loan association, or savings bank; the bill requires this agreement to also be kept on file in the Office.

In law regarding deposit of public moneys and state moneys, the bill amends the market value of assets required to secure public deposits from 100.0 percent to 102.0 percent of the amount deposited.

Exemption

The bill provides an exception from the public moneys pooled method for an account of a governmental unit if the account is subject to a conflicting federal law.

Fee and Public Moneys Fee Fund

The bill appropriates $250,000 from the SGF to the Fund for FY 2027. On and after July 1, 2027, the bill provides for the State Treasurer to assess a reasonable and customary fee, to be used solely to operate the public moneys pooled method. The bill requires the fee to be adopted through rules and regulations.

The bill creates the Fund, and all fees received are to be deposited into the State Treasury to the credit of the Fund. All expenditures from the Fund are made in accordance with appropriation acts and issued pursuant to vouchers approved by the State Treasurer or the State Treasurer's designee.

Definitions

In law regarding the public moneys pooled method of investment, the bill:

- Clarifies a standard definition for "governmental unit" and removes a duplicative definition; and

- Amends the definition of "public moneys pooled method" or "pool of securities" to mean a pool of eligible securities used by a bank, savings and loan association, or savings bank to secure the deposit of public moneys in excess of the amount insured or guaranteed by the Federal Deposit Insurance Corporation pursuant to state law.

The bill amends the definition of "securities" found in KSA 75-4201, regarding state moneys, to align with the definition in KSA 9-1402(c), regarding securing the deposits of state funds.

Public Assistance Program Updates; HB 2731

HB 2731 establishes data-matching and eligibility verification requirements for the Secretary for Children and Families and the Secretary of Health and Environment for certain public assistance programs; permits continuous eligibility provisions for select individuals; prohibits certain exemptions, waivers, and self-attestation; and changes eligibility requirements for certain public assistance programs.

Continuous Eligibility Protections

The bill requires the Kansas Department of Health and Environment (KDHE), in coordination with the Kansas Department for Aging and Disability Services (KDADS), to seek federal approvals including, at minimum, an application for a Section 1115 Medicaid Waiver in order to establish continuous Medicaid eligibility protections for individuals who:

- Have a documented, permanent intellectual or developmental disability (I/DD); and
- Are receiving services through a Home and Community Based Services (HCBS) waiver.

The bill also requires the program designed for federal approval for the individuals with I/DD and on a HCBS waiver to include:

- Establishment of continuous Medicaid eligibility unless a verified change occurred in income, assets, residency, or disability status;
- Limit routine eligibility redeterminations to circumstances involving documented or material changes;
- Maintain all existing financial eligibility standards and federal program integrity requirements; and
- Reduce administrative functions that do not improve eligibility accuracy or program oversight.

The bill cannot be construed to do any of the following:

- Expand Medicaid eligibility categories;
- Modify financial eligibility thresholds;
- Alter services, protections, or assurances required under any HCBS waiver currently authorized; or

- Authorize implementation of continuous eligibility protections unless and until federal approval is received.

The bill requires the Secretary of Health and Environment to implement the continuous eligibility provisions in coordination with the Secretary for Aging and Disability Services upon federal approval.

The bill also requires the Secretary for Aging and Disability Services and Secretary of Health and Environment to report to the Legislature if the federal approval was not received regarding:

- Barriers to approval;
- Alternative administrative options to improve eligibility continuity; and
- Estimated fiscal and administrative impacts of such alternative approaches.

Eligibility Verification

Data Comparison Requirements

The bill requires the Secretary for Children and Families regarding eligibility for food assistance and the Secretary of Health and Environment regarding eligibility for medical assistance programs (assistance programs) to each enter into data-matching agreements with state agencies to compare data related for individuals and households applying for or receiving food or medical assistance that would indicate a change in circumstances that could affect eligibility for assistance.

The bill also establishes minimum requirements for the data-matching to occur as follows:

- On a monthly basis:
    - Death records from the Office of Vital Statistics;
    - Incarceration status from the Department of Corrections;
    - Lottery or gambling winnings of $3,000 or greater, to the extent permissible under federal law, from the Kansas Lottery and Kansas Racing and Gaming Commission; and
    - Potential changes in residency identified by out-of-state electronic benefit transfer transactions; and
- On a quarterly basis:
    - Changes in employment and wages from the Department of Labor.

The bill requires any enrollee determined to be non-compliant with requirements or ineligible for assistance programs to be provided no greater than a 30-day notice of non-compliance or ineligibility prior to being disenrolled from the assistance program.

Eligibility Redeterminations Regarding Medical Assistance

The bill also requires, on and after January 1, 2027, that all eligible individuals enrolled in an assistance program be verified against a death master file on a quarterly basis. Any individual's coverage will be terminated upon confirmation of the individual's death.

Eligibility Requirements

The bill changes eligibility requirements for assistance programs to:

- Prohibit the Department for Children and Families (DCF) and KDHE to, unless required by federal law, accept self-attestation without verification of:
    - Income;
    - Residency;
    - Age;
    - Household composition;
    - Caretaker relative status; or
    - Receipt of other coverage;
- Prohibit DCF and KDHE from requesting the authority to waive or decline to periodically check available income-related data sources to verify eligibility for:
    - Temporary Assistance for Needy Families (TANF);
    - Food assistance;
    - Medical assistance; or
    - Assistance under the child care subsidy program;
- Increase the age of "able-bodied adults" from 49 to 64 years of age;
- Require dependents of able-bodied adults to be under 14 years of age; and
- On and after January 1, 2027, limit retroactive eligibility in assistance programs to two months prior to the month the recipient makes an application for assistance.

Waiver and Exemption Prohibition

Time-limit Exemption

The bill prohibits exemptions from time-limited assistance for:

- Homeless individuals;
- Veterans; or

- Individuals who:
  - Are 24 years or younger; and
  - Were in foster care when turning 18 years old or an older age as elected by the State under federal law.

Legislative Approval

The bill requires, on and after July 1, 2026, the Legislature to approve any optional exemption, geographic waiver, or work requirements waiver for any public assistance program by an act of the Legislature.

Federal Data Sharing

The bill requires, for purposes of identifying and removing individuals who are enrolled in assistance programs in multiple states, KDHE to submit medical assistance enrollee address information to the U.S. Centers for Medicare and Medicaid Services (CMS) on a monthly basis. The bill requires the information to be collected from:

- Mail returned to KDHE by the U.S. Postal Service (USPS) with a forwarding address;
- The National Change of Address Database maintained by USPS;
- A managed care organization, prepaid inpatient health plan, or prepaid ambulatory health plan that has a contract under the state plan if the address information is directly provided by or verified by the enrollee; or
- Any other data source identified by KDHE and approved by the U.S. Secretary of Health and Human Services.

Judicial Branch Surcharge Extension; HB 2393

HB 2393 extends the Judicial Branch surcharge on various docket fees through June 30, 2030. [*Note*: Pursuant to 2022 HB 2541, the surcharges on docket fees received are deposited into the State General Fund following deduction of amounts otherwise designated.]

State Budget–Appropriations; HB 2513

HB 2513 contains FY 2026 funding adjustments, funding for state agencies for FY 2027, and selected adjustments for FY 2028, FY 2029, and FY 2030. The bill also provides funding and implementation for a new agency, the Office of Early Childhood.

FY 2026

The bill adjusts total state expenditures to $27.8 billion, including $10.9 billion from the State General Fund (SGF), in FY 2026. This is an all funds increase of $1.7 billion, or 6.4 percent, and a SGF decrease of $213.6 million, or 1.9 percent, from the FY 2026 approved budget. Further, this is an all funds increase of $352.1 million, or 1.3 percent, and an SGF increase of $326.7 million, or 3.1 percent, above the Special Committee on the State Budget's recommendation. This leaves a remaining balance in the SGF of $2.2 billion in FY 2026.

Significant SGF Additions to the Approved Budget

- $39.2 million SGF to increase expenditures for contract staffing at Larned State Hospital and Osawatomie State Hospital;
- $4.0 million SGF to cover reimbursements lost in federal adjustment to the Emergency Management Performance Grant change to coverage years;
- $1.0 million SGF for Board of Indigents' Defense Services (BIDS) expert witness costs;
- $1.9 million, including $810,888 SGF, for Kansas Eligibility Enforcement System upgrades; and
- $658,045 SGF for additional pay for certified teachers for the school year and for pay for support staff salaries for an additional 6 days of instruction at the Kansas State School for the Blind and Kansas State School for the Deaf.

Significant SGF Lapses to the Approved Budget

- $68.9 million SGF, to adopt the Fall 2025 Consensus human services caseloads estimates. The bill includes an additional $431.0 million in expenditures from all funds. The SGF decrease is primarily attributable to lower than anticipated

KanCare costs statewide; however, these are offset by increases in foster care costs in the Sedgwick County region.

Significant Non-SGF Additions to the Approved Budget

- $1.0 million from the State Water Plan Fund (SWPF) for the Musil Center for Sustainable Wheat Production.

Policy Changes Included in HB 2513 in FY 2026

- Language requiring the Kansas State Department of Education (KSDE) to report state assessment cut scores using cut score standards from prior to July 1, 2025, and prohibiting KSDE from using the new cut scores when reporting results of the state assessments for school year (SY) 2025-2026;

- Language requiring KSDE to update the SY 2025-2026 school district financial accountability reports, both statewide and district-level, to include a report on special education funding, including specific funding sources to be included in the report;

- Language requiring the Department of Commerce to disclose the amount offered and claimed, payroll incentives, training incentives, and relocation incentives for the Attracting Powerful Economic Expansion Act in the agency's transparency database;

- Language exempting BIDS from lapsing funding related to vacant full-time equivalent (FTE) positions; and

- Language authorizing any state employee or legislator to park in any state parking lot or facility from 5:00 p.m. to 11:00 p.m.

FY 2027

The bill adjusts total state expenditures to $26.8 billion, including $10.7 billion SGF, for FY 2027. This is an all funds decrease of $1.0 billion, or 3.7 percent, and an SGF decrease of $186.4 million, or 1.7 percent, from the FY 2026 revised estimate. Further, this is an all funds increase of $487.7 million, or 1.9 percent, and an SGF increase of $238.0 million, or 2.3 percent, from the Special Committee on the State Budget's recommendation. This leaves a remaining balance in the SGF of $1.8 billion for FY 2027.

Significant SGF Additions

- $20.7 million SGF in funding for technical and community colleges;

- $20.0 million SGF and $2.0 million from non-SGF sources ($22.0 million total) and 336.0 FTE positions, to fund the first year of operations at the South Central Regional Mental Health Hospital;

- $18.9 million SGF and $30.9 million from non-SGF sources ($49.8 million total) for a Medicaid capacity payment for nursing facilities of $15 per resident per day;

- $15.8 million SGF and $25.9 million from non-SGF sources ($41.7 million total) to provide a 6.0 percent reimbursement rate increase for providers of Home and Community Based Services (HCBS) Intellectual/Developmental Disability waiver services;

- $15.0 million SGF and $41.5 million from non-SGF sources ($56.5 million total), for the Children's Health Insurance Program;

- $15.0 million SGF and $24.5 million from non-SGF sources ($39.5 million total) to cover the current HCBS Frail Elderly waiver services overages and to formally establish a waitlist for such waiver services;

- $13.2 million SGF and $22.1 million from non-SGF sources ($35.3 million total) for a 1.0 percent statewide salary adjustment for FY 2027. The following are excluded from this adjustment: Judicial and Legislative branch employees, statewide elected officials, teachers and licensed personnel of the Kansas State Schools for the Blind and Deaf, part-time non-benefits-eligible employees, and employees on a formal, written career progression plan.

  The bill also contains funding for salary adjustments for designated employees, including judges and justices of the Judicial Branch, licensed personnel of the Kansas State Schools for the Blind and Deaf, legislators, and legislative staff;

- $12.0 million SGF to increase expenditures for contract staffing at Larned State Hospital and Osawatomie State Hospital;

- $11.0 million SGF for debt service payments for the Veterinary Diagnostic Lab at the Kansas State University Veterinary Medical Center;

- $10.0 million SGF for hospitals providing inpatient behavioral health services for adults;

- $6.0 million SGF for Special Education State Aid, for a total of $617.0 million contingent on the SY 2025-2026 statewide and district-level financial accountability reports, including the report on special education funding, being posted by June 30, 2026, and that when publishing the SY 2026-2027 financial accountability reports, the special education funding report portion must be published at the same time;

- $5.4 million SGF for the health care contract for correctional facilities;

- $5.3 million SGF and $8.0 million from non-SGF sources ($13.3 million total) to increase the Physical Disability agency-directed personal care services from $19.52 per hour to $29.00 per hour and reduce the Frail Elderly Level 3 Personal Care Services from $33.24 to $30.00 per hour;

- $5.0 million SGF for the Nuclear Research Accelerator at Kansas State University to develop facilities for lab-based courses and nuclear energy research;

- $5.0 million SGF for Alzheimer's research;

- $5.0 million SGF for aviation research;

- $5.0 million SGF to provide funding for individuals who are included in the uninsured, non-Medicaid-eligible federal block grant population;

- $4.0 million SGF and $6.5 million from non-SGF sources ($10.5 million total) to accommodate the number of individuals served on the HCBS Brain Injury waiver;

- $4.0 million SGF for community mental health centers;

- $3.0 million SGF for the Cybersecurity Center for Excellence;

- $3.0 million SGF for the Pregnancy Compassion Awareness Program;

- $3.0 million SGF for Nutrition Services and adds language requiring expenditures to be distributed proportionally based on the number of meals provided plus the number of individuals on a waitlist for FY 2027. The bill includes language specifying that no less than $5.7 million be disbursed directly to Meals on Wheels service providers;

- $3.0 million SGF for the Community-Based Primary Care Clinic Program;

- $2.7 million SGF for Children's Advocacy Centers to address increased service demand;

- $2.7 million SGF for Blueprint for Literacy;

- $2.5 million SGF to reinstate Kansas Safe and Secure Schools Grants for unified school districts;

- $2.5 million SGF and $4.5 million from non-SGF sources ($7.0 million total) to accommodate the number of individuals served on the HCBS Technology Assisted waiver;

- $1.8 million SGF and $2.9 million from non-SGF sources ($4.7 million total) to fund services for the HCBS Community Support waiver;

- $2.2 million SGF to fully fund the food service contract for correctional facilities;

- $1.0 million SGF for BIDS expert witness costs;

- $1.0 million SGF for the Hearing Protection for Law Enforcement Program;

- $1.0 million SGF to implement the HERO pilot program for evaluation and treatment of trauma-related mental health conditions;

- $1.0 million SGF and $3.0 million from non-SGF sources ($4.0 million total) to implement Centers for Medicare and Medicaid Services (CMS) Final Rule 0056-F in KMMS that modernizes electronic pharmacy transactions; and

- $850,000 SGF and $2.6 million from non-SGF sources ($3.4 million total) for Gainwell Technologies to complete system changes required by CMS Final Rule 0057-F pertaining to interoperability of Medicaid data.

Significant SGF Deletions

- $10.0 million SGF from Excel in Career Technical Education (2012 SB 155) for FY 2027. The bill includes the following language:
  - Language limiting funding to juniors or seniors, students that have not previously failed the same course, and students that have not previously failed two Excel in CTE courses;
  - Language allowing the community and technical colleges to collect tuition and fees from the high school student if such student is deemed ineligible for reimbursement for FY 2027; and
  - Language indicating legislative intent to cap the funding at $50.0 million SGF for future years;

- $9.3 million SGF to lapse 1.5 percent of state operations funded from the SGF. This lapse would not apply to SGF-financed operating expenditures for authorized contractual services, specific projects, or an identified program or entity. The following are exempt from this provision: judicial and legislative agencies, correctional facilities, Kansas Bureau of Investigation, Kansas Sentencing Commission, veterans homes, Office of the Attorney General, state hospitals, Kansas Highway Patrol, Kansas Board of Regents, and Regents institutions;

- $6.0 million SGF from the Mental Health Intervention Team; and

- $2.0 million SGF for the virtual math program in KSDE.

Significant SGF Transfers

- $20.0 million from the SGF to the Build Kansas Matching Grant Fund (Build Fund). The bill includes language requiring that $5.0 million from the Build Fund to be transferred to the State Finance Council should the program be extended.

The bill also includes language dedicating $10.0 million from the Build Fund to an economic development project recommended by the Department of Commerce, and if the project is not completed, the $10.0 million would return to the Build Fund.

Significant Non-SGF Additions

State Water Plan Fund

- $1.7 million SWPF for Aid to Conservation Districts; and
- $1.0 million SWPF for Contamination Remediation.

American Rescue Plan Act (ARPA) State Relief Fund

- $10.0 million ARPA to develop and attract new businesses to Kansas;
- $6.0 million ARPA for the Moderate Income Housing Grant;
- $5.0 million ARPA for planning and construction of a new dairy facility and adds language requiring a dollar-for-dollar match from university funds and the dairy industry;
- $5.0 million ARPA to support, modernize, and sustain integration for the existing Kansas Statewide Interoperable Communication System;
- $2.0 million ARPA for one-time funding for Inclusion Connections for BelongKC construction expenses to build a home for 41 young adults with intellectual/developmental disabilities for FY 2027;
- $2.0 million ARPA for Beyond Visual Line of Sight Unmanned Aerial Systems infrastructure, navigation, operations, and commercialized support; and
- $1.0 million ARPA to restore the junior officer quarters at Fort Dodge.

Other Non-SGF Sources

- $3.5 million State Institutions Building Fund to remodel the A building at Adair Acute Care on the campus of Osawatomie State Hospital to provide additional federally certified beds;
- $1.0 million Economic Development Initiatives Fund (EDIF) for the Towns Grant;
- $3.2 million, including $2.4 million from the Kansas Highway Patrol's Operations Fund, for modernization of agency equipment and technology; and
- $2.0 million, all from the 911 Operating Fund, for critical facility mapping grants.

Significant Non-SGF Deletions

- $12.1 million SGF, including a corresponding deletion of $12.1 million from federal funds, for the administrative portion of the Supplemental Nutrition Assistance Program (SNAP). The bill includes language requiring the Department for Children and Families (DCF) to provide expenditure information on SNAP administration expenditures and payment error rates before the State Finance Council releases the $12.1 million.

Policy Changes Included in HB 2513 for FY 2027

- Language requiring KSDE to report state assessment cut scores using cut score standards from prior to July 1, 2025, and prohibiting KSDE from using the new cut scores when reporting results of the state assessments for SY 2025-2026 and SY 2026-2027;

- Language requiring KSDE to use existing funds to establish a complaint process and penalty for school districts regarding student walkouts under certain circumstances; requiring that penalties assessed from such walkouts be remitted to the SGF; and requiring that, if a walkout occurs, the school day will not count as an instructional school day;

- Language to transfer an additional $2.0 million, for a total of $10.0 million, from the Lottery Operating Fund to the Community Crisis Stabilization Centers Fund and the Clubhouse Model Program Fund within Kansas Department for Aging and Disability Services and to transfer 25.0 percent of the balance in the Attracting Professional Sports to Kansas Fund within the Department of Commerce to the HCBS Fund of the State Finance Council, provided that moneys credited to such fund be transferred to the Community Crisis Stabilization Centers Fund and the Clubhouse Model Program Fund;

- Language establishing the Office of Early Childhood and authorizing funding and FTE positions to be transferred from the Kansas Department of Health and Environment (KDHE), DCF, and KSDE to this new agency;

- Language directing KDHE to implement the child, adolescent, and adult immunization schedules from the federal Centers for Disease Control and Prevention that are in effect on July 1, 2026;

- Language prohibiting KDHE from expending any funds to enter into a contract with, or make a grant to entities that assist, provide, perform, promote, counsel towards, refer for, or provide facilities for abortions. Additionally, this language excludes entities prohibited from performing abortions under chapter 76 of the *Kansas Statutes Annotated*—unless in the event of a medical emergency;

- Language withholding $5.0 million SGF from DCF's operating account until the agency can certify to the State Finance Council that the Healthy Foods Waiver has been implemented statewide on or before January 1, 2027;

- Language allowing the Office of the State Treasurer to enter into loan agreements up to $50.0 million for the Aviation Loan Program that limits the eligible borrower to an airport or entity with majority ownership in Kansas, and requires that for one new Kansas job, paying 85.0 percent of county mean wage, with one job per $300,000 loan allotment that must be filled by citizens or lawful permanent residents; violations of the terms of the program would result in termination of the loan agreement;

- Language authorizing any state employee or legislator to park in any state parking lot or facility from 5:00 p.m. to 11:00 p.m;

- Language requiring the Department of Administration to develop and operate a single, searchable website that includes information about nonprofit and non-governmental organizations that receive appropriated state funds in FY 2026. This requirement would apply only to organizations that receive an amount of $50,000 or greater in any fiscal year. Furthermore, the agency would be required to compile and make available this information for FY 2020 to FY 2025;

- Language requiring all applicants requesting state-appropriated funds to provide the following information before funds are distributed: a statement of purpose, measurable outcome metrics, and a description of how progress will be measured. Applicants would receive 50.0 percent of the funds awarded upfront and 50.0 percent upon demonstration of measurable progress toward declared outcome metrics;

- Language authorizing state employees to extend an offer of employment to prospective employees, if failure to obtain a tax clearance is the only reason for denying employment. The Department of Administration, in consultation with the Department of Revenue, is required to provide such employees with details of any outstanding obligations preventing the employee from obtaining such tax clearance. The prospective employee would be required to satisfy the tax obligation, either immediately or by entering into a payment arrangement, prior to receiving an offer of employment;

- Language to lapse funding for any FTE positions paid from the EDIF that have been vacant for all or part of the fiscal year;

- Language to implement an $11 fee associated with the costs of postage and production of personalized and specialized license plates, with the exception of certain specialized license plates related to military service, to the individual purchaser for FY 2027;

- Language to credit interest earned to the SGF. This provision would take effect only when the Budget Stabilization Fund balance reaches 20.0 percent of actual tax receipt revenues in the previous fiscal year, and this transfer would be limited to 50.0 percent of the amount of tax-only receipts that exceed Consensus Revenue Estimates; and

- Language to lapse SGF associated with the salaries and wages of positions that have been vacant for 60 calendar days or the entire fiscal year.

Expanding State IT Services to Political Subdivisions and Hospitals; Authorizing the Chief Information Security Office to Receive IT Audit Reports; House Sub. for SB 51

House Sub. for SB 51 makes changes related to responsibilities of the Executive Branch Chief Information Technology Officer (CITO); Executive Branch information technology (IT) services, including telecommunications and cloud computing; and IT audit reporting requirements. The bill also authorizes the Executive Branch CITO to enter into agreements with political subdivisions and certain hospitals to provide IT and cybersecurity services and requires fees collected for such services to be deposited into the State Treasury and credited to the appropriate fund.

CITO Responsibilities

The bill adds the following responsibilities to those of the Executive Branch CITO:

- Prepare and lead the implementation of a strategic direction and enterprise direction for IT for the Executive Branch;
- Establish standards and policies to ensure consistent and efficient IT operations throughout the Executive Branch; and
- Analyze Executive Branch agency expenditures on IT to identify opportunities and efficiencies.

Central Processing and Cloud Services and Computing

The bill specifies that the Office of Information Technology Services (OITS) provides cloud services for Executive Branch agencies, added to data processing and application hosting services, and adds the following requirements for cloud computing and central processing services, to require:

- Infrastructure and platform cloud computing services within the Executive Branch to be performed by or contracted through OITS;
- Software-as-a-service applications to be registered and inventoried with OITS; and
- The Executive Branch CITO to approve any procurement of central processing units or distributed computing equipment with a cost of $75,000 or more by an Executive Branch agency.

Telecommunications Service

The bill permits the Executive Branch CITO to authorize a division, department, or agency to procure its own telecommunications services provided that all procured resources are compatible with OITS technology.

Legislative Division of Post Audit IT Audit Reports

The bill requires written reports of IT audits performed by the Legislative Division of Post Audit to be provided to the Chief Information Security Officer of the branch of government of the respective agency being audited, in addition to recipients listed in continuing law.

IT and Cybersecurity Services for Political Subdivisions and Certain Hospitals

The bill permits the Executive Branch CITO to enter into agreements with entities to provide state IT or cybersecurity services. The bill defines "entity" as:

- Any governmental unit, including any state agency, taxing subdivision of the state, or municipality; or

- Any hospital or nonprofit corporation that the Executive Branch CITO determines is performing ongoing state functions, through agreement or otherwise, or any function that will assist a governmental unit in attaining an objective or goal.

Deposit of IT and Cybersecurity Service Fees

The bill amends and adds law to require all fees charged for IT services and cybersecurity services contracted for or provided by the Executive Branch CITO to be deposited in the State Treasury and credited to the Information Technology Fund or the Information Technology Security Fund, respectively.

Funeral Assistance for Fallen Law Enforcement Officers; SB 445

SB 445 requires, at the request of a Kansas law enforcement agency to the Law Enforcement Officers Memorial Advisory Committee, the Superintendent of the Kansas Highway Patrol and the Director of the Kansas Bureau of Investigation to make temporary personnel and other assistance available to such agency to support funeral services in honor of law enforcement officers who have died in the line of duty.

Judicial Deference to Executive Agency Interpretation Prohibition; HB 2183

HB 2183 prohibits a state court or an administrative hearing officer hearing an administrative action from deferring to an Executive Branch agency's interpretation of certain statutes, rules and regulations, and documents that have the force and effect of law.

The bill allows for the court or officer to consider the agency's interpretation but the court or officer would be required to interpret the meaning and effect of such statute, rule and regulation, or document *de novo*.

[*Note: De novo* is a legal term that generally means a matter must be considered "anew" or "afresh," without relying upon a previous interpretation or ruling.]

The bill requires courts to exercise any remaining doubt regarding matters defined above in a way that is consistent with an individual's fundamental constitutional rights.

Retention Bonuses; HB 2237

HB 2237 amends the Employee Award and Recognition Program (KSA 75-37,105), which authorizes hiring, recruitment, and retention bonuses to state employees for "distinguished accomplishment, meritorious service, innovations, Kansas quality management, volunteerism or length of service."

Monetary Cap

The bill increases the maximum total gross value of awards that an employee can receive in a single fiscal year from the current limit of $3,500 to $10,000. Any monetary award in excess of $3,500 for Executive Branch employees, except employees of elected officials, the State Board of Regents, and the Kansas Public Employee Retirement System, requires the Governor's approval.

Administrative Oversight

The bill requires the Secretary of Administration to provide oversight and administrative review of employee award and recognition programs in Executive Branch agencies and appointed state councils and commissions and removes a requirement for rules and regulations to preclude opportunities for abuse of the programs.

Reporting Requirement

The bill requires each state agency that has provided a monetary award to submit an annual report to the Secretary of Administration by August 1 detailing the number of awards paid in each category and the total dollar amount of each award or bonus for the previous fiscal year. The bill also requires the Secretary of Administration to compile and report this information to the House Committee on Appropriations and the Senate Committee on Ways and Means at the beginning of each regular legislative session.

State Cybersecurity; HB 2574

HB 2574 creates law and amends provisions concerning the administration and organization of information technology (IT) and cybersecurity services within each branch of state government and certain elected offices. The bill also removes delayed versions of statutes to eliminate certain sunset provisions enacted in 2024 SB 291.

Information Technology Councils

Legislative and Judicial Branch Technology Oversight Councils

The bill establishes Branch Technology Oversight councils for the Legislative and Judicial branches. Membership on the councils is to be determined by the Legislative Coordinating Council and the Chief Justice, respectively. Duties of each council include:

- Setting IT standards;
- Establishing IT policies;
- Approving strategic IT plans;
- Overseeing IT projects to ensure alignment with branch goals;
- Evaluating IT and cybersecurity programs; and
- Supporting the respective Chief Information Technology Officers and the respective Chief Information Security Officers (CISOs).

Information Technology Executive Council Membership

The bill modifies the membership and structure of the Information Technology Executive Council (ITEC). The number of voting members increases from 13 to 17 by adding the executive CISO, removing the Network Manager for the Information Network of Kansas as a member, and converting the four legislative positions from non-voting members to voting members.

Information Technology Executive Council Duties

The bill removes the ITEC's duty to develop a plan to integrate all IT services for the Executive Branch into the Office of Information Technology Services (OITS) and all cybersecurity services for state educational institutions into OITS and the Kansas Information Security Office (KISO). The related January 15, 2026, reporting requirement to the Senate Committee on Ways and Means and House Committee on Legislative Modernization is also removed.

Cybersecurity Programs and Standards

The bill requires cybersecurity programs developed by CISOs for the Executive Branch, Legislative Branch, Judicial Branch, Attorney General, Commissioner of Insurance, Secretary of State, State Treasurer, and the Director of the Kansas Bureau of Investigation to be based on, rather than comply with, a nationally recognized standard for governmental entities. The requirement for the programs to achieve a specific National Institute for Standards and Technology Cyber Security Framework tier is removed. Instead, beginning in 2027 and every two years thereafter, the appropriate CISO is required to report to the Joint Committee on

Information Technology (JCIT), the House Committee on Appropriations, and the Senate Committee on Ways and Means on the maturity level of the program.

Kansas Public Employees Retirement System

The bill clarifies that all cybersecurity services for the Kansas Public Employees Retirement System (KPERS) is the responsibility of the Office of the State Treasurer's CISO. The bill requires all KPERS cybersecurity-focused employees to work at the direction of the respective CISO and that all staff within the Office of the State Treasurer and KPERS complete annual cybersecurity awareness training or lose access to their state-issued system-related hardware.

Cybersecurity Audits and Vulnerability Assessments

The bill changes the previous requirements for CISOs to coordinate with the U.S. Cybersecurity and Infrastructure Security Agency (CISA) to perform annual audits to require coordination of periodic audits of departmental compliance with the respective cybersecurity program. Results of these audits will remain exempt from the Kansas Open Records Act until July 1, 2030, unless reviewed and extended by the Legislature before that date.

The bill removes provisions requiring the branch CISOs to report CISA audit failures to legislative leadership within 30 days and coordinate additional audits.

Executive Branch Chief Information Security Officer

In addition to the cybersecurity and program assessment duties required of all CISOs, the bill modifies the duties of the Executive Branch CISO. The bill amends provisions regarding a duty to review all contracts to require the Executive Branch CISO to ensure that all contracts related to IT contain provisions to reduce the risk of security vulnerabilities within the supply chain or product.

The bill adds a duty to require the CISO to adopt statewide cybersecurity standards, controls, directives, and maturity and tier expectations for the Executive Branch and continually evaluate standards and expectations to address evolving threats, federal requirements, technological changes, and statewide risk conditions.

Kansas Information Security Office Duties

The bill requires the KISO to conduct periodic cybersecurity assessments of each Executive Branch agency. This could include a review of controls, processes, technologies, governance, incident preparedness, operational security, and compliance with statewide policies and standards. To accomplish the assessments, the Executive Branch CISO is authorized to utilize KISO personnel, qualified third-party assessors, or a combination thereof.

The bill also authorizes the CISO to establish an assessment cycle that includes an initial baseline assessment for each agency and periodic assessments thereafter. After conducting an assessment, the Executive Branch CISO is required to issue written findings, recommendations, and a timeline for any corrective action needed based on the results.

Agencies are required to develop and maintain written plans of action and milestones that detail efforts to remediate any findings.

The bill also removes the requirement for the Executive Branch CISO to report audit failures to certain legislative leadership officials within 30 days and coordinate additional audits.

Executive Branch Agency Head Responsibilities

The bill requires Executive Branch agency heads to:

- Continuously work toward improving cybersecurity maturity consistent with statewide standards and expectations adopted by the Executive Branch CISO; and

- Prior to acquiring any cybersecurity-related product, service, or platform that may materially affect state systems, data, or cybersecurity risks, work with the Executive Branch CISO and obtain a written certificate stating such acquisition does not create a cybersecurity risk.

Judicial Branch Chief Information Security Officer

The bill requires the Judicial Branch CISO to perform their duties in coordination with the Judicial Technology Oversight Council. Further, the Judicial Branch CISO duty to review all contracts related to IT was changed to a requirement to ensure that all contracts contain provisions to reduce the risk of security vulnerabilities within the supply chain or product.

Legislative Branch Chief Information Security Officer

The bill restructures the position and duties of the Legislative CISO and makes the position an appointment of the Legislative CITO rather than the Legislative Coordinating Council. The bill also removes a list of specific duties of the Legislative CISO from statute. Further, the bill requires the Legislative CISO to ensure all employees of each legislative agency and all legislators complete annual cybersecurity awareness training. The CISO is also responsible for developing a cybersecurity program and coordinating periodic audits of such a program.

Cybersecurity Compliance and Budget Process

The bill requires, beginning October 1, 2028, the Executive Branch CISO, in consultation with the Director of the Budget, to report to the Senate Committee on Ways and Means, House Committee on Appropriations, and JCIT any Executive Branch agency that is not making progress on a written plan of action and milestones based on the cybersecurity assessment of such agency. Each such agency is required to present to the aforementioned committees the agency ’s plan to make progress on the written plan of action and milestones.

The Executive Branch CISO is also required to submit a detailed written report to the aforementioned committees on or before the first day of the regular legislative session

concerning each agency that continues to fail to make progress on a written plan of action and milestones.

The bill requires, during the regular legislative session, the Senate Committee on Ways and Means and House Committee on Appropriations to consider whether to lapse amounts appropriated and reappropriated and decrease the expenditure limitations for IT and cybersecurity expenditures for such state agencies by 10 percent during the budget process.

The bill removes the sunset of July 1, 2026, for this section of the bill.

Definitions—Kansas Cybersecurity Act

The bill modifies the definition of "executive branch agency" to add KPERS to the excluded entities (elected office agencies, Adjutant General's Department, State Board of Regents institutions, and the State Board of Regents).

Technical Changes and Sunset Removal

The bill removes a January 1, 2026, requirement for the Executive and Judicial branches to develop IT consolidation plans. [*Note:* These plans were delivered to the Legislature in January 2026.]

Further, the bill removes a February 1, 2025, deadline from a requirement that all branch or agency websites be hosted on a ".gov" domain.

The bill also removes the July 1, 2026, sunset for the requirement that appropriations for IT and cybersecurity expenditures be separate line items, and that all branch or agency websites be hosted on a ".gov" domain.

The bill repeals versions of statutes that would have taken effect on July 1, 2026, effectively sunsetting provisions enacted by 2024 SB 291 to recodify law as it existed on June 30, 2024. These provisions addressed topics that include, but are not limited to:

- IT project definitions;
- ITEC membership, powers, and duties;
- Branch CITO establishment and responsibilities;
- Branch and elected official CISO establishment and responsibilities;
- Agency head cybersecurity responsibilities; and
- KISO responsibilities.

Technical Amendment Exceptions to the Rules and Regulations Filing Act; HB 2719

HB 2719 adds to the Rules and Regulations Filing Act exceptions for technical amendments to existing rules and regulations and procedures, gives priority status to certain rules and regulations, modifies approval procedures for certain requirements, establishes a new public notice requirement, and provides conditions for submitting proposed rules and regulations to the Joint Committee on Administrative Rules and Regulations (JCARR).

The bill also makes technical and conforming amendments.

Technical Amendments to Existing Rule and Regulation

The bill allows agencies to immediately adopt, upon review and approval by the Department of Administration, technical amendments to an existing rule or regulation without being required to initiate new rulemaking proceedings.

- "Technical amendment" is defined as:
  - Updating or changing cross references to statutes or other regulations;
  - Redesignating portions of a rule and regulation for organizational clarity that does not alter substantive meaning;
  - Standardizing capitalization, punctuation, or formatting;
  - Correcting spelling, punctuation, or grammatical errors that do not alter substantive meaning;
  - Replacing obsolete agency, board, or position titles with current names;
  - Changing addresses, telephone numbers, email addresses, or website URLs to current contact information; and
  - Revising references to state forms or publications.

This section is part of and supplemental to the Rules and Regulations Filing Act.

Priority Status

The bill adds to the Rules and Regulations Filing Act a process for certain rules and regulations to receive priority status for adoption. When an agency proposes a new rule or regulation that it was directed to adopt by legislation within nine months of the act's effective date or that the act has specified would receive priority status, the bill requires the agency to indicate as such when submitting the rule and regulation for review. Such proposed rule and regulation will be processed ahead of any other proposed rule and regulation by the adopting agency, Department of Administration, Attorney General, Division of the Budget, and the Secretary of State.

Disposal Schedules

The bill removes a requirement that the State Records Board file public record disposal schedules with the Secretary of State.

Approval of Federally Mandated Rules and Regulations

The bill removes a requirement that the Director of the Budget approve a rule and regulation that is required by a federal mandate. The bill clarifies that a rule and regulation may be filed with the Secretary of State without approval from the Director of the Budget in case of a federal mandate.

Notice and Hearing Requirements

Public Input

The bill requires an agency, at least 15 days prior to submitting a new or amended rule and regulation to the Department of Administration, to provide public notice and request public input by:

- Posting notice on the agency's and the Secretary of State's websites;
- Including it in the Secretary of State's rules and regulations subscription service; and
- Emailing it to each Kansas legislator.

Such notice must include a summary of the content of the rule and regulation, the agency's intent regarding scope and substantive content of the rule and regulation, and a citation to the authorizing statute or enacted bill. The bill also requires the notice to include contact information and methods for submitting input.

Notice of a Temporary Rule and Regulation

The bill removes the requirement for any temporary rule and regulation that is required to be adopted as a temporary rule and regulation to comply with statutory requirements to give at least 60 days' notice in the *Kansas Register* and to the Secretary of State and JCARR of the agency's intended action.

Hearing Record

The bill clarifies that the statement of the principal reasons for adopting a rule and regulation must be included in the record of the hearing on the rule and regulation.

Submission to JCARR

The bill requires, prior to presentation of a bill to the Legislature, proposed rules and regulations be submitted to the JCARR for review after being submitted to the Secretary of Administration and the Attorney General as required under continuing law.

The bill requires the JCARR to forward its comments along with any recommendations to the appropriate standing committee for consideration.

The bill also requires any such rule or regulation be resubmitted to the JCARR after ratification by the Legislature. The bill does not require the agency to appear or present to JCARR unless requested by the Committee.

Designation of Multiple-occupancy Private Spaces in Public Buildings For Use By Only One Sex; Invalidation and Correction of Certain Driver's Licenses and Birth Certificates; House Sub. for SB 244

House Sub. for SB 244 creates law requiring the designation of multiple-occupancy private spaces in public buildings for use by only one sex and creates enforcement mechanisms; amends the Help Not Harm Act, Motor Vehicle Drivers' License Act, Women's Bill of Rights, and Uniform Vital Statistics Act to define the term "gender"; declares certain birth certificates and driver's licenses to be invalid; and requires correction of gender identification markers on licenses and birth certificates where necessary.

Multiple-occupancy Private Spaces

Definitions

"Multiple-occupancy private space" means a facility designed or designated for simultaneous use by more than one individual and in which an individual may be in a state of undress in the presence of another individual, regardless of whether the facility provides curtains or partial walls for privacy. The term includes, but is not limited to, a restroom, locker room, changing room, or shower room.

"Public building" means a building owned or leased by a governmental entity, but does not include a building that is owned by a governmental entity that is leased to a private entity, whether for-profit or not-for-profit, if the lease agreement for such building was in force and effect on the effective date of the bill.

"Single-occupancy private space" means a facility designed or designated for use by only one individual at a time and in which the individual may be in a state of undress, and includes, but is not limited to, a single toilet restroom with a locking door that is designed or designated as unisex or a family restroom or changing room.

The bill also defines the terms "female," "male," and "sex" to have the same meaning as in KSA 2025 Supp. 77-207 and "governmental entity" to have the same meaning as in the Kansas Tort Claims Act.

Requirements of Governing Bodies or Chief Administrative Officers

The bill requires the governing body or chief administrative officer of each public building in the state to designate each multiple-occupancy private space in such building for use only by individuals of one sex. The bill also requires such governing body or chief administrative officer to take every reasonable step to ensure an individual does not enter a multi-occupancy private space that is designated for use only by individuals of the opposite sex.

The bill specifies the above requirements may not be construed to prohibit a governing body or chief administrative officer from adopting a policy in accordance with the Americans with Disabilities Act for individuals who require assistance when using a multiple-occupancy space or establishing a single-occupancy private space.

Exceptions

The bill provides that an individual may enter a multiple-occupancy private space designated for individuals of the opposite sex for the following reasons:

- For custodial reasons;
- For maintenance or inspection purposes;
- To render medical or other emergency assistance;
- To accompany and provide assistance to an individual who needs assistance using the facility;
- For law enforcement purposes;
- To render assistance necessary in preventing a serious threat to proper order or safety; or
- To provide coaching or athletic training during athletic events, provided such individual is a member of the coaching or athletic training staff and such individual ensures that no individual of the opposite sex is in a state of undress prior to entering such multiple-occupancy private space.

The bill also provides an exception for a child who is under 9 years of age if accompanied by an individual caring for such child.

Governmental Entity Violations

Complaint. The bill authorizes a person to file a complaint with the Attorney General against a governmental entity (entity) for a multiple-occupancy violation if:

- Such person provides the entity with written notice describing the violation; and
- The governing body or chief administrative officer does not cure the violation by the end of the third business day after the date of receipt of the notice.

The bill requires each complaint to include a copy of the written notice provided to the entity and the complainant's affidavit alleging the violation.

Penalty. An entity that violates the multiple-occupancy provisions of the bill is liable for a civil penalty of $25,000 for the first violation and a penalty of $125,000 for each subsequent violation, with each day of a continuing violation constituting a separate violation.

Entity investigation. Before bringing an action against an entity for a multiple-occupancy violation, the Attorney General is required to investigate the filed complaint to determine whether legal action is warranted.

The entity subject to the complaint is required to provide the Attorney General any requested information in connection with the investigation of the complaint, including, but not limited to:

- Supporting documents related to the complaint; and
- A statement on whether the entity has complied or intends to comply with the multiple-occupancy provisions of the bill.

Entity legal action. If the Attorney General determines that legal action is warranted, the Attorney General is required to provide written notice to the entity that:

- Describes the violation and location of the multiple-occupancy private space found to be in violation;
- The amount of the proposed penalty for the violation; and
- The penalty may be avoided by curing the violation on or before the 15th day after receipt of the Attorney General's notice.

If a violation is not cured by the deadline, the Attorney General is authorized to bring an action to assess the civil penalty provided by the bill.

Individual Violations

The bill makes it a violation for an individual to enter a multiple-occupancy private space designated for use only by individuals of the opposite sex, except as otherwise permitted by the bill.

Individual violation investigation and notice. Upon receipt of the complaint that an individual violated the provisions of the bill, the entity's governing body or chief administrative officer is required to investigate the allegations and, upon finding that the violation occurred, the bill requires written notice of such violation to be provided to that individual.

The bill requires the notice to include:

- The date and location of the multiple-occupancy private space where the violation occurred;
- A statement that repeated violations may result in fines or criminal charges; and
- The procedure to administratively appeal the violation finding.

Individual violation penalty. Any person who is found to have committed a second violation after having been found to have violated the multiple-occupation provisions previously is liable for a civil penalty of $1,000. A third or subsequent violation is penalized as a Class B misdemeanor. For a violation occurring in a state building, the Attorney General is authorized to

bring an action to assess the penalty. For a violation occurring in a municipal building, the county or district attorney for the county where the violation occurred is authorized to bring an action to assess the penalty.

Civil Cause of Action

The bill allows persons to bring a civil cause of action if they are aggrieved by the invasion of their own personal privacy or are otherwise harmed by an individual's violation of the bill's multiple-occupancy provisions. The plaintiff is authorized to seek either actual damages or liquidated damages in the amount of $1,000, as well as declaratory and injunctive relief.

Affirmative defense. The bill authorizes an affirmative defense by defendants who did not know that the multiple-occupancy private space was designated for use only by persons of the opposite sex to that of the defendant.

Time limitations. The bill requires all civil actions brought under its provisions to be commenced within two years of the occurrence of the violation.

Costs. The bill states the prevailing party shall recover reasonable attorney fees and costs.

Deposit of Civil Penalties

Under the bill, the Attorney General is required to deposit any civil penalty collected to the credit of the Crime Victims Compensation Fund.

A county or district attorney who has collected a civil penalty under the bill's provisions is required to deposit the funds in the general fund of the county where the action was brought.

Gender Definitions and Identification Documents

Under prior law, the Women's Bill of Rights (codified at KSA 77-207) provided, in part, with respect to the application of an individual's biological sex pursuant to any state law or rules and regulations, an individual's "sex" means such individual's biological sex, either male or female, at birth. The bill amends this definition to define "gender" as also meaning biological sex at birth.

The Women's Bill of Rights is also amended to specify that any public entity that collects vital statistics for the purpose of complying with anti-discrimination laws or for the purpose of gathering accurate data shall only identify each individual who is part of the collected data set as either male or female at birth.

The bill also adds a definition of "gender" within the Motor Vehicle Drivers' License Act to mean the same as defined by the bill.

The bill also removes the definition of "gender" and amends the definition of "sex" in the Help Not Harm Act to conform with the bill's definition in the Women's Bill of Rights.

Birth Certificates

The bill amends the Uniform Vital Statistics Act to invalidate any birth certificate issued before July 1, 2026, that identifies the sex of the individual on the certificate contrary to the definition of such term as defined by the bill.

The bill also requires the State Registrar to correct any birth certificate records identifying the individual's sex contrary to the definition. These provisions are part of and supplemental to the Uniform Vital Statistics Act.

Driver's Licenses

The bill renders any driver's license issued prior to July 1, 2026, that identifies the gender of the individual on the license in a manner contrary to the bill's definition of gender as invalid.

The bill also requires the Director of Vehicles (Director) to correct any driver's license records in which the gender is identified contrary to the bill's definition. Such correction requires the Director to send written notice to each affected individual notifying the individual that the license is invalid and must be surrendered to the Division of Vehicles, Kansas Department of Revenue. Upon surrender, the Director is required to issue a new license to the individual with the correct gender identification.

Severability

The bill declares its provisions severable, meaning that any provision of the bill or application to any person or circumstance that is held to be unconstitutional or invalid does not affect the validity of any remaining provisions or the applicability of such provisions to any person or circumstance.

Mutual Waiver of Consequential Damages in Public Construction Contracts; SB 335

SB 335 amends the Kansas Fairness in Public Construction Contract Act to require public construction contracts entered into by a public entity and a contractor to include a mutual waiver of consequential damages.

The bill provides the form that such waivers substantially take, specifying certain types of damages to be waived by the owner and contractor, including:

- Damages incurred by the owner for:
    - Rental expenses;
    - Loss of use, income, profit, financing, and business and reputation; and
    - Loss of management or employee productivity or services of such persons; and
- Damages incurred by the contractor for:

- Principal office expenses, including personnel compensation; and
- Losses of financing, business and reputation, and profit, except anticipated profit arising directly from the construction.

The bill also allows the public entity and contractor to agree to waive additional items of consequential damage as needed for the applicable construction project.

The bill does not preclude an owner's claims of liquidated damages, a contractor's claims for extended general conditions, or either party's claims of direct damages arising from delay in accordance with the requirements and terms of the contract.

Crime Victims Compensation Board—Allowable Fees and Confidentiality of Records; HB 2613

HB 2613 changes from the county to the Crime Victims Compensation Board (Board) responsibility for paying the fees for conducting a sexual assault examination and authorizes the Board to adopt rules and regulations regarding such fees.

The bill also makes certain exceptions to the general rule of confidentiality for all records and information provided to the Board and Crime Victims Compensation Division (Division) in the Office of the Attorney General (OAG).

Fees Charged to Board

Under prior law, the fee chargeable for conducting a sexual assault examination was established by the Kansas Department of Health and Environment, and the fee was charged to and paid by the county where the alleged offense was committed.

The bill requires the Board to establish the fee and makes the fee chargeable to the Board. Payment of the fee is contingent on a victim or claimant being otherwise eligible for victim compensation. The bill specifies that moneys in the Crime Victims Compensation Fund are to be used for the payment of such fees.

Confidentiality of Records Provided to Board

Generally, all records and information given to the Board and the Division to process a claim on behalf of a crime victim are confidential and may not be obtainable by any party to any action, civil or criminal, through any discovery process except in certain circumstances as provided in continuing law.

The bill adds an exception to the confidentiality requirement upon a finding that the records and information given to the Board were not previously available to an agency investigating or prosecuting child abuse or neglect. Upon such a finding, the Board or the Board's designee may disclose such records and information necessary to assist in such investigation or prosecution to:

- Any law enforcement agency or political subdivision of the state;
- Any county or district attorney in the state; and
- The Department for Children and Families.

The bill also adds an exception to the confidentiality requirement upon a finding that the records and information given to the Board are wholly or partially false or fraudulent. Upon such a finding, the Board or the Board's designee may disclose such records and information to any law enforcement agency or political subdivision of the state responsible for investigating or prosecuting such false or fraudulent records and information.

The exceptions created by the bill will expire on July 1, 2031, unless the Legislature reviews and reenacts such provisions pursuant to the Kansas Open Records Act.

Residency Requirements of State and Certain Local Elected Officials; HB 2733

HB 2733 requires certain elected officials to be, and remain, qualified electors and residents of Kansas and such official's respective district.

The bill requires a person who is a candidate for nomination or election to these offices to be and remain a qualified elector within a district or the state, as indicated:

- Office of District Attorney, in the district;
- Offices of Governor, Lieutenant Governor, Secretary of State, Attorney General, State Treasurer, and Commissioner of Insurance, in the state;
- Office of State Board of Education, in the district;
- Office of school board member, in the member or at-large district;
- Office of Commissioner of Insurance, in the state;
- Office of community college trustee, in the member or at-large district; and
- Offices of trustee, clerk, or treasurer of any township, or road overseer of any road district, in the township or road district.

A failure to remain a qualified elector residing in the appropriate district constitutes an immediate vacancy in the candidacy or office.

Tax Credits—Child Care, Ethanol Fuels, and Gun Storage; SB 82

SB 82 makes changes to tax credits for employer expenses for child care, creates income tax credits for retail sales of higher-ethanol blends of fuel and certain expenditures on purchases of lockable gun and ammunition storage, and discontinues or repeals certain tax credits.

Child Care Tax Credits

The bill modifies credit percentages, allowable credit amounts, and expenses eligible for the tax credit for employer expenses for child care and provides an additional tax credit for employer contributions to a third party that expands the availability of community child care.

The annual allowable amount for the two credits combined is $100,000 per taxpayer. The bill makes the child care tax credit non-refundable, but it allows any unused credit amounts to be carried forward for up to three years.

Employer Child Care Expenses Credit

The credit against income or privilege tax for employer expenses for child care is for 75 percent of total expenses made by an employer for:

- Paying for child care for employees;
- Establishing or expanding a child care program primarily used by employees;
- Paying for referral services that connect employees to child care providers; and
- Providing for collaborative child care investment with other employers.

The new credit provisions also replace credits of 30 percent or 50 percent for providing specified day care services for a taxpayer's employees, up to $30,000 per taxpayer annually.

Credit for Community Child Care Contributions

The credit for contributions made by an employer to a third party that expands the availability of community child care may be claimed against income or privilege tax liability for the following expenses:

- Establishing or expanding a child care program, including support to establish or maintain licensing;
- Enabling a program to purchase learning materials or play equipment;
- Compensating professional development for child care staff;
- Providing child care tuition assistance for families in need; and
- Providing referral services that connect families to child care providers.

The credit is for:

- 75 percent of the total of such expenses, if made to a recipient that accepts and serves children and families receiving a child care subsidy; or

- 50 percent of the total of such expenses if the recipient does not accept or serve children and families receiving such a subsidy.

Ethanol Fuel and Gun Storage Tax Credits

The bill creates non-refundable income tax credits for retail sales of higher-ethanol blends of fuel and certain expenditures on purchases of lockable gun and ammunition storage for tax years 2026 through 2028.

Credit for Higher-Ethanol Blends of Fuel

The credit for higher-ethanol blends of fuel is in an amount of $0.05 for each gallon of E15 or higher-ethanol blend fuel sold at retail and may be carried forward for up to three years. The total amount of tax credits that may be claimed is capped at $2.5 million per tax year. In the event the amount claimed pursuant to the credit exceeds $2.5 million in any tax year, the amount of credit awarded to retailers is to be apportioned to all retailers claiming the credit in proportion to their share of the total amount of all higher-ethanol blend fuel sold and reported to the Department of Revenue.

For purposes of the bill, higher-ethanol blend means E15 ethanol-blended fuel as defined in federal law as in effect on July 1, 2026, or any higher-percent ethanol blend.

Lockable Gun and Ammunition Storage Credit

The bill also creates a credit against individual income tax liability for purchases of lockable gun and ammunition storage designed primarily for such use. The credit, which is limited to Kansas residents for tax years 2026 through 2028, is in an amount equal to 25 percent of such expenditures with an annual limit of $250 per taxpayer.

Any unused portion of the tax credit may be carried forward until used.

Discontinuation and Repeal of Certain Tax Credits

The bill discontinues the current alternative-fuel tax credit beginning tax year 2027. The carryover provisions of the alternative-fuel tax credit continue to apply to unused credits.

The bill also repeals the following tax credits:

- Agritourism Liability Insurance Credit;

- Assistive Technology Contribution Credit;

- Declared Disaster Capital Investment Credit;

- Owners Promoting Employment Across Kansas (PEAK) Credit [*Note:* The Owners PEAK Credit is distinct from the withholding retention incentive program established by the PEAK Act, which is not impacted by the bill.]; and

- Swine Facility Improvement Credit.

[*Note:* The tax credits that are repealed by the bill are all credits that have previously sunset or have not been claimed by any taxpayers in recent years.]

Alcoholic Liquor Manufacturer Income Apportionment and Obsolete Language Repeal; SB 300

SB 300 creates requirements for certain manufacturers of alcoholic liquor regarding corporation income tax and repeals obsolete statutory language.

Single Sales Factor Apportionment Method for Alcoholic Liquor Manufacturers

The bill requires certain manufacturers of alcoholic liquor to utilize the single sales factor apportionment method to apportion business income to Kansas for corporation income tax purposes for tax years beginning on or after January 1, 2027. It authorizes the Secretary of Revenue to adopt rules and regulations necessary to implement these changes.

The manufacturers required to use the single-factor method are those with property owned or rented and used in Kansas during the tax year with an average value of at least $5.0 million and a total amount of compensation paid in Kansas during the tax year in excess of $2.0 million.

All other manufacturers of alcoholic liquor are required to utilize the three-factor apportionment formula in continuing law, which considers the amount of property, payroll, and sales in Kansas.

Repeal of Obsolete Statutory Language

The bill repeals obsolete statutory language referring to global intangible low-taxed income (GILTI) in the subtraction modification for certain internationally sourced income under Section 951A of the Internal Revenue Code.

Health Care Sharing Ministries Tax Deduction Act; SB 368

SB 368 enacts the Health Care Sharing Ministries Tax Deduction Act, providing a subtraction modification for taxpayers for qualified health care sharing expenses and amounts of qualified health care share received by taxpayers.

The subtraction modification for health care sharing expenses may not exceed $5,000 for an individual or $10,000 for a married couple filing a joint return.

"Qualifying health care sharing expenses" are those amounts paid for the taxpayer and their spouse or dependent for contributions for medical expenses and administrative fees of the health care sharing ministry.

"Qualifying health care share received" is the amount received as a member of a health care sharing ministry to assist with a medical expense.

In order to qualify for the deductions, the bill requires the health care sharing ministry to:

- Be a 501(c)(3) tax-exempt nonprofit organization limiting its membership to members sharing a common set of ethical or religious beliefs;

- Act as a facilitator among members who have qualifying medical needs under criteria established by the organization and members with the present ability to assist with financial and medical needs;

- Provide for the financial or medical needs of members through the contributions of other members and provide contribution amounts of members with no assumption of risk or promise to pay, either among members or by the organization;

- Provide written statements to members, on at least a quarterly basis, specifying the total dollar amount of qualified needs submitted to the organization and the actual amount published or assigned to members for contributions;

- Conduct an annual audit by an independent certified public accountant in accordance with generally accepted accounting principles that is made available to the public; and

- Provide a written disclaimer on all applications and guideline materials distributed by the organization, as provided by the bill, specifying that the organization is not an insurance company.

The tax subtraction modifications begin in tax year 2027 and only apply to the extent the health care sharing expenses are not already deducted and health care share received is included in the taxpayer's federal adjusted gross income and is not otherwise deducted.

Oil Lease Tax Exemption Approval; HB 2440

HB 2440 allows the property tax exemption for certain low production oil leases, as defined in continuing law, to be approved by county appraisers without requiring the owners of such leases to file an application for exemption with the State Board of Tax Appeals.

Tax Credit Extensions; HB 2464

HB 2464 extends, to 2031, the sunset dates of the Angel Investor Tax Credit, tax credits for contributions to graduates of aerospace and aviation-related educational programs and

employers of program graduates, and tax credits for contributions to the Eisenhower Foundation and the Friends of Cedar Crest Association.

The bill also requires at least 25 percent of the Angel Investor credits allowed each tax year to be utilized for investors in qualified businesses located in counties with populations of 50,000 or fewer, provided the amount of credits requested by October 1 is sufficient to allow such distribution.

Valuation Adjustments and Fee Simple Appraisal Requirements; HB 2644

HB 2644 expands a requirement that county appraisers either adjust property valuations based on prior valuation appeal final determinations or order independent fee simple appraisals of property in certain cases. The requirement is expanded from applying only to commercial real property to also apply to residential real and tangible personal property for which a final determination is made on or after January 1, 2026.

The requirement applies in cases where the valuation for such property has been reduced due to a final determination of value pursuant to the valuation appeals process and if the valuation has increased by more than 5.0 percent above the prior year's valuation.

The bill also extends the time for which the requirement applies from two years to five years.

Commemorative Designations on Certain Bridges and Highways; SB 321

SB 321 makes various commemorative designations related to transportation.

Bridge Designations

The bill makes the following memorial bridge designations:

- Two bridges at US-69 and the 18th Street Expressway in Johnson County as the Representative Robert M Tomlinson Memorial Bridge. According to testimony, Mr. Tomlinson was dedicated to solving problems during his many years as a public servant, including as a teacher, in the House of Representatives, and with the Department of Insurance; and

- Bridge number 0087-B0854, which connects northbound I-135 to southbound I-235 in Sedgwick County, as the Don Snyder Memorial Bridge. According to testimony, Mr. Snyder worked as an engineer with the Kansas Department of Transportation for more than 30 years, including on the project that included this bridge, and was known for his mentorship of young engineers.

Highway Designations

The bill makes the following memorial highway designations:

- A portion of I-35 in Franklin County, from its northern junction with US-59 South to I-35's junction with Eisenhower Road as the Deputy Sam Smith Memorial Highway. According to testimony, Deputy Smith's dedication to community service had been evident and noted since an early age, which included him being the first person under the age of 18 to receive the "You Make a Difference" Award for community volunteerism. He died in 2010 while responding to a call for assistance [*Note:* The bill would remove this portion of I-35 from the 35th Infantry Division Memorial Highway];

- A portion of K-49 in Sumner County, from its junction with West 119th Street to its junction with US-160 as the Pvt Michael E Gerber Memorial Highway. According to testimony, Private Gerber died 50 years ago in the Vietnam War; and

- A portion of US-36 in Phillips County within the City of Phillipsburg as the Undersheriff Brandon Gaede Memorial Highway. According to testimony, Undersheriff Gaede was a person dedicated to serving and protecting his community. He died in the line of duty on June 27, 2025.

The bill requires the Secretary of Transportation to place suitable signs to indicate the designations once, pursuant to continuing law, sufficient moneys have been received from gifts and donations for the cost of placing such signs, plus an additional 50 percent of the initial cost to defray costs for future maintenance or replacement of the signs.

Vehicle Services Modernization Task Force and Motor Vehicle Registration Fees; SB 325

SB 325 enacts provisions related to motor vehicle services. The bill:

- Creates the Vehicle Services Modernization Task Force;
- Specifies limits for the use of the special fund for county treasurers, the Division of Vehicles (Division), Kansas Department of Revenue (KDOR), or contractors of the Division (contractors) in paying for necessary help and expenses incidental to the administration of duties in collecting motor vehicle registration and certificate of title fees; and
- Renames certain fees related to vehicle registration and authorizes an increase to a transaction fee, with approval by the board of county commissioners, to not more than $10 in calendar years 2027, 2028, and 2029.

Vehicle Services Modernization Task Force

Membership and Meeting Requirements

The bill authorizes the creation of the Vehicle Services Modernization Task Force (Task Force). The Task Force will consist of 15 members, 9 voting members and 6 ex officio and nonvoting members. The voting members will be:

- The Chairperson and Ranking Minority Member of the Senate Committee on Transportation or their designees;
- The Chairperson and Ranking Minority Member of the House Committee on Transportation or their designees;
- One member of the Senate appointed by the President of the Senate;
- One member of the Senate appointed by the Majority Leader of the Senate;
- One member of the House of Representatives (House) appointed by the Speaker of the House;
- One member of the House appointed by the Majority Leader of the House; and
- One member who is jointly appointed by the Minority Leaders of the Senate and House.

The six members who will serve as ex officio and nonvoting members will be:

- The Director of Vehicles, KDOR;

- One county treasurer from a county with a population under 15,000 people appointed by the Kansas County Treasurers Association (KCTA);

- One county treasurer from a county with a population between 15,000 and 100,000 people appointed by the KCTA;

- One county treasurer from a county with a population over 100,000 people appointed by the KCTA;

- One member appointed by the Kansas Motor Carriers Association; and

- One member appointed by the Kansas Automobile Dealers Association.

The bill requires members of the Task Force to be appointed by September 1, 2026, and any vacancy in membership of the Task Force will be filled by appointment in the same manner as the original appointment. The Chairperson or designee of the Senate Committee on Transportation and the Chairperson or designee of the House Committee on Transportation will serve as co-chairpersons of the Task Force.

The bill requires the meetings of the Task Force to be held in Topeka, at any time upon call of either co-chairperson of the Task Force, and the first meeting to be held on or before December 15, 2026.

A majority of the voting members constitutes a quorum, and all actions of the Task Force may be taken by a majority of members present when there is a quorum.

The members of the Task Force will not receive compensation, except that members of the Legislature attending the Task Force meetings will be paid compensation, travel expenses, and subsistence expenses or allowances as provided by continuing law.

The staff of the Office of Revisor of Statutes, the Legislative Research Department, and the Division of Legislative Administrative Services will provide assistance as requested by the Task Force.

The Charge of the Task Force

The Task Force will be required to:

- Evaluate vehicle services related to vehicle registrations and titling provided by the Division, the county treasurers, and contractors;

- Make recommendations for methods to modernize vehicle services, including improvements to fee structures and payments, procedures for such services, and technology for such services;

- Make recommendations for any statutory or regulatory changes necessary to implement such modernization methods; and

- Study, evaluate, or make any other recommendations related to vehicle services provided by state agencies or on behalf of the State.

The Task Force will be required to prepare and submit a report on or before January 10, 2028, to the Senate Committee on Transportation and the House Committee on Transportation with the findings and recommendations of the Task Force.

The provisions authorizing the Task Force expire on January 31, 2028.

Limits to the Use of the Special Fund for County Treasurers

Under continuing law, certain fees related to vehicle registration and payments related to the volume of registration transactions are deposited into a special fund appropriated for use by the county treasurer, Division, or a contractor to pay for necessary help and expenses incidental to the administration of vehicle-related duties.

The bill requires county treasurers to use the funds in accordance with any policies approved by the board of county commissioners related to expenditures for personnel or pay plans and other purchasing policies approved by the board of county commissioners.

Changes to Fees Charged at Vehicle Registration

Under prior law, a county treasurer could charge a fee related to county registration facilities, the facility fee, of $2.50 or $5, depending on the number of vehicle registration facilities a county maintains. The bill renames this as a transaction fee and sets the limit on the amount a county treasurer may charge at $5.

Upon recommendation of the county treasurer and subject to approval by the board of county commissioners, from January 1, 2027, through December 31, 2029, the bill authorizes an increase in the $5 transaction fee to an amount not more than $10. The bill requires any recommendation by the county treasurer for an increased fee to be approved, rejected, or modified by the board of county commissioners on or before October 1 of the year before such increases to the transaction fee will take effect. All increases in transaction fees approved by the board of county commissioners take effect on January 1 and remain in effect for the entire calendar year. Provisions authorizing an increase in the transaction fee subject to approval by the board of county commissioners expire on January 1, 2030, returning the fee limit to $5.

The bill requires the KCTA to submit a report, on or before January 10, 2028, to the Senate Committee on Transportation and House Committee on Transportation detailing the implementation of any transaction fee increases pursuant to the bill, the impact on county treasurer budgets, and any impacts on the budget of the entire county, and the usage of any increased transaction fees implemented by county treasurers, including any improvements or achievements for customer service in vehicle services transactions resulting from the increased revenue.

Creating the Kansas Railroad Hall of Fame; SB 353

SB 353 creates the Kansas Railroad Hall of Fame Act, to establish the Kansas Railroad Hall of Fame (Hall of Fame), a selection committee to choose its honorees and manage the Hall

of Fame, and a process for the selection of honorees. The bill also designates the Great Plains Transportation Museum (Transportation Museum) in Wichita as the official site of and repository for the Hall of Fame.

Selection Committee Organization

The bill vests the management of the Hall of Fame with the Kansas Railroad Hall of Fame Selection Committee (Selection Committee) composed of ex officio and appointed members:

- The Executive Director of the Transportation Museum and the Executive Director of the State Historical Society will serve ex officio with all powers of appointed members;

- The Governor will appoint:

  - One member from a list of current or former members of the Transportation Museum Board of Directors (Board) provided by the Board; and

  - One representative of the public who is working or has worked with an officially sanctioned railroad operating within Kansas or has worked in Kansas in the in-state manufacture of railroad-related products, rail cars, or locomotives;

- The President of the Senate and the Speaker of the House will each appoint:

  - One representative of the public who is working or has worked with an officially sanctioned railroad operating within Kansas or has worked in Kansas in the in-state manufacture of railroad-related products, rail cars, or locomotives;

- The Sheet Metal, Air, Rail, and Transportation Workers Union, or any successor to such organization, will appoint one member; and

- The Kansas Railroad Association, or any successor to such organization, will appoint one member.

The bill establishes term lengths and provides procedures for filling vacancies on the Selection Committee:

- The members appointed by the Governor from the Board will serve terms equal to their terms on the Board and a former Board member will serve a four-year term;

- The representative of the railroad industry appointed by the Governor will serve a two-year term; and

- The members appointed by the President of the Senate and Speaker of the House will serve two-year terms.

The bill authorizes the appointing authority to remove its appointed member at any time and requires the appointing authority to promptly fill the vacancy. Members will serve without compensation except reimbursement for expenses incurred in attending meetings or performing duties.

The bill requires the Selection Committee to organize annually to choose its chairperson, vice-chairperson, and treasurer. Its meetings will be open to the public and be held at the facilities of the Transportation Museum or in proximity to the Hall of Fame. Decisions will be by majority vote, and members will be authorized to participate remotely if that participation and vote are ascertainable by members of the public physically present at the meeting.

Selection of Inductees to the Hall of Fame

The bill authorizes the Selection Committee to annually select individuals for induction into the Hall of Fame to honor their achievements in or for the Kansas railroad industry.

The bill requires a candidate to have:

- Worked within Kansas with an officially sanctioned railroad operating in Kansas;
- Worked in Kansas in the manufacture of railroad-related products, rail cars, or locomotives; or
- Been otherwise significantly involved in the railroad industry in Kansas; and
- Contributed significantly to rail service in Kansas or to the preservation of Kansas' rail heritage.

Nomination. The bill authorizes any member of the Selection Committee or an interested individual to nominate a candidate for consideration for induction into the Hall of Fame. The bill requires the Selection Committee to make available in printed format or on its website or the webpage of the Hall of Fame a nomination form that the bill requires to include:

- Contact information of the nominee or a relative or close personal acquaintance of the nominee if the nominee is deceased;
- Information about the nominator, including the nominator's relationship to the nominee;
- A statement of approximately 1,000 words or more explaining why the nominee should be a candidate for induction, including how the nominee contributed to the Kansas rail industry and meets criteria for selection; and
- Other information the Selection Committee requires.

Selection Committee Additional Duties

Location. The bill requires the Selection Committee to provide for an appropriate location at or near the facilities of the Transportation Museum to display various types of material that comes into the Selection Committee's possession to recognize the achievements of individuals inducted into the Hall of Fame. The bill authorizes the Selection Committee to provide an outside display regarding inductees and authorize its placement on public property or public right-of-way in cooperation with the Kansas Department of Transportation (KDOT) or local government authorities. The bill requires KDOT to assist with siting and establishment of the display upon request by the Selection Committee.

Website. The bill requires the Selection Committee to establish a website or webpage for the Hall of Fame located on or linked with the website of the Transportation Museum.

Donations and spending. The bill authorizes the Selection Committee to solicit and accept gifts of money, services, real or personal property, or rights from individuals, businesses, organizations, or any governmental source to be used for the Hall of Fame as the Selection Committee finds, by majority vote, to be appropriate.

Induction ceremonies. The bill requires the Selection Committee to provide appropriate ceremonies, at least annually, to induct individuals into the Hall of Fame, at the Transportation Museum or near the Hall of Fame. The bill authorizes the Selection Committee to fix and charge fees for attendance at induction ceremonies.

No Handheld Phone Use in Work or School Zones; House Sub. for SB 366

House Sub. for SB 366 prohibits use of a mobile telephone in a school zone or road construction zone under certain circumstances and authorizes certain uses and colors of warning lights on highway construction vehicles.

Prohibiting Use of a Mobile Telephone in School and Work Zones

The bill prohibits use of a mobile telephone in a school zone when a reduced speed limit is enforced or in a road construction zone while workers are present (school or work zone) and signs are posted at the beginning of the road construction zone alerting drivers to such workers. Holding a mobile telephone will constitute a rebuttable presumption of a violation of that prohibition. These provisions are added to the Uniform Act Regulating Traffic on Highways.

The prohibition will not apply to:

- A law enforcement officer or emergency service personnel acting within the course and scope of their employment;
- A person operating a motor vehicle that is halted where the vehicle can safely and lawfully remain stationary; or
- A mobile telephone that is being used with a hands-free device.

The bill does not prohibit using a mobile telephone in a school or work zone to:

- Report current or ongoing illegal activity to a law enforcement agency;
- Prevent imminent injury to a person or property;
- Summon medical or other emergency assistance; or
- Relay information between a transit or for-hire operator and the operator's dispatcher, if the device is permanently affixed to the motor vehicle.

The bill prohibits a law enforcement officer from taking certain actions without the consent of the person:

- Confiscate a mobile telephone device for the purpose of determining compliance with the prohibition;
- Confiscate and retain a mobile telephone as evidence pending trial for a violation of these provisions; or
- Extract or otherwise download information for a violation of this section unless:
    - The officer has probable cause to believe the mobile telephone has been used in the commission of a crime;
    - The information is extracted or otherwise downloaded under a valid search warrant; or
    - Otherwise authorized by law.

Definitions

For these purposes, the bill defines:

- "Hands-free device" to mean speakerphone capability or a telephone attachment or other equipment that allows use of the mobile telephone without the use of either of the operator's hands; and
- "Use a mobile telephone" to mean use of the mobile telephone by the motor vehicle operator without the use of a hands-free device.

The bill excludes from "use a mobile telephone" a voice-based communication automatically converted to written form while the telephone is used in hands-free mode, the use of the device for navigation or global positioning system purposes in hands-free mode, or use of the device to perform any task performed on the vehicle's entertainment system in hands-free mode.

The bill excludes from inclusion as a "mobile telephone" a commercial two-way radio communication device, subscription-based emergency communication device, prescribed medical device, amateur or ham radio device, or remote diagnostics system.

Enforcement

The bill requires a law enforcement officer to issue a warning citation to anyone violating the prohibition on use of a mobile telephone in a school or work zone until July 1, 2027.

The bill establishes a violation as a traffic infraction and authorizes a fine of $60.

Warning Lights in Highway Construction Zones

The bill authorizes vehicles engaged in highway construction and maintenance operations to display flashing, rotating, or oscillating amber, green, or white lights, or one or a combination of two of those colors, at all times in a road construction zone. The bill also authorizes stationary trailers to display flashing, rotating, or oscillating white and blue lights between sunset and sunrise within the area of a road construction zone when any portion of the highway is closed and workers are present in the road construction zone. Continuing law authorizes the Secretary of Transportation to adopt rules and regulations regarding special flashing lights on vehicles engaged in highway construction or maintenance; the bill requires those rules and regulations to be in accordance with the above provisions. [*Note:* These provisions are included in the Uniform Act Regulating Traffic on Highways.]

New License Plates; License Plate Legibility; CDL Definition; SB 403

SB 403 authorizes the Pheasants Forever, Quail Forever, and Delta Waterfowl license plates; prohibits a license plate with any frame or other object on or around the plate that affects its visibility or legibility; and clarifies the definition of "conviction" in the Kansas Uniform Commercial Driver's License Act.

Authorizing Three License Plates

The bill authorizes issuance of the Pheasants Forever and Quail Forever distinctive license plates on and after July 1, 2026, and the Delta Waterfowl distinctive license plate on and after January 1, 2027, for use on a passenger vehicle or truck registered for a gross weight of 20,000 pounds or less.

The bill establishes the procedures for a vehicle owner or lessee to obtain the license plates and the responsibilities of Pheasants Forever, Inc., and Delta Waterfowl Foundation with regard to the license plates. The bill allows Pheasants Forever, Inc., and the Delta Waterfowl Foundation to set royalties for logo use for each license plate at an amount of not less than $25 nor more than $100, to be paid at initial issuance and renewal.

The bill authorizes the Director of Vehicles, Kansas Department of Revenue, to transfer a Pheasants Forever, Quail Forever, or Delta Waterfowl license plate from a leased vehicle to a purchased vehicle.

License Plate Legibility

The bill prohibits a person from attaching or displaying on any vehicle, or operating a vehicle with, a license plate with any frame or other object on or around the plate that affects its visibility or legibility.

For purposes of the bill, "legibility" or "visibility" means the ability to determine the alphanumeric registration number assigned, the state of issue, the month of expiration on the registration decal, the color of the registration decal, and any other required decal from a reasonably safe distance. The bill excludes from that definition the ability to determine the abbreviated state designation, the expiration year, and the plate number on the registration decal.

The bill requires a law enforcement officer to issue a warning citation until January 1, 2027, to anyone violating the provisions regarding a frame or other object on or around the plate that affects its visibility or legibility.

Under continuing law, it is unlawful for any person to attach or display on any vehicle, or to operate a vehicle with a license plate that is covered, in whole or in part, with any clear or opaque material or any other plastic-like material that affects the plate's visibility or reflectivity. Also under continuing law, the fine for unlawful display of a license plate is $60.

The bill also moves a provision regarding secure fastening of a license plate from registration statutes to the Uniform Act Regulating Traffic on Highways, into the statute regarding unlawful display of a license plate, and removes an outdated provision.

Clarifying the Definition of "Conviction" Applicable to a Commercial Driver's License

The bill clarifies the definition of "conviction" in the Kansas Uniform Commercial Driver's License Act and aligns it with the definition in federal law establishing standards for commercial driver's licenses.

[*Note:* In an unpublished opinion dated January 2, 2026, in *Vogt v. Kansas Department of Revenue*, the Kansas Court of Appeals found that a diversion agreement did not satisfy the definition of "conviction" in Kansas law as current law requires "both 'an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law' *and* {emphasis in the opinion} one of the events enumerated in the remainder of the definition." The federal definition, in 49 CFR 383.5, does not include that "and."]

Reducing Speed Limits in Residence Districts and Authorizing Golf Carts on Sidewalks; HB 2124

HB 2124 amends law regarding speed limits in residence districts and the operation of golf carts.

Reducing the Speed Limit in a Residence District

The bill amends the Uniform Act Regulating Traffic on Highways to permit a local authority with jurisdiction over residence districts to lower the speed limit in a residence district from 30 mph to 25 mph without performing an engineering and traffic investigation.

The bill creates the exemption to a general requirement for an engineering and traffic investigation before a local authority determines a permitted speed limit should be changed, including a limit within a residence district decreased to no less than 20 mph.

Continuing law defines a "residence district" as the territory contiguous to and including a highway (defined as every public way open to the public for vehicular travel) not comprising a business district when the property for 300 feet or more is improved, in the main, with residences or residences and buildings in use for business.

Authorizing the Driving of Golf Carts on Certain Sidewalks

The bill also authorizes a city to allow driving of a golf cart on a sidewalk if operation of a golf cart on the adjacent street or highway is prohibited. The bill requires the driver of the golf cart to be 16 or older and hold a valid class C driver's license.

The exception for golf carts is added to the general prohibition to driving on a sidewalk in the Uniform Act Regulating Traffic on Highways. [*Note:* Continuing law permits a city to authorize golf cart operation within that city on any street or highway that is not an interstate, federal, or state highway if its posted speed limit is not more than 30 miles per hour and, if operated during hours other than between sunrise and sunset, the golf cart has lights and a slow-moving vehicle emblem.]

No Consideration of Driver's License Sanction after Five Years; HB 2467

HB 2467 prohibits a sanction of the Division of Vehicles, Kansas Department of Revenue, for failure to comply with a traffic citation from being considered in determining suspended or restricted driving privileges if the sanction is more than five years old. The prohibition on sanctions applies retroactively. [*Note:* Continuing law prohibits a conviction more than five years old from being considered, and that prohibition also applies retroactively.]

The bill also removes a requirement for the Division of Vehicles to mail notices to any persons eligible to have their driving privileges restored.

Physical Therapist Certification of Disability; HB 2562

HB 2562 adds physical therapists licensed to practice under the Physical Therapy Practice Act to the list of authorized practitioners who can certify to the Kansas Department of Revenue, Division of Vehicles, that an individual has a disability, for purposes of obtaining a placard displaying the international symbol of access for use in a vehicle.

Bill Tucker Memorial Highway and Brigadier General George H Wark Memorial Highway; HB 2615

HB 2615 designates two portions of highway in honor of deceased Kansans.

The Bill Tucker Memorial Highway is a portion of US-56 in Morton County, between County Road 14 and County Road 16. According to testimony, Mr. Tucker was a successful farmer and rancher who was deeply involved in his community, believed in involvement in civic affairs and politics, and owned land on both sides of this portion of US-56.

The Brig Gen George H Wark Memorial Highway is a portion of US-75 in Montgomery County, from its southern junction with US-166 south to the Kansas-Oklahoma border, past

Caney. According to testimony, he organized Company D for World War I and the local American Legion Post after the war, received awards for his military service, and is credited with reestablishing the Kansas National Guard. He also practiced law in Caney for many years. The bill removes this portion of US-75 from the Purple Heart/Combat Wounded Veterans Highway; no other portion of the Purple Heart/Combat Wounded Veterans Highway is affected.

The bill requires the Secretary of Transportation to place suitable signs to indicate the designations once, pursuant to continuing law, sufficient moneys have been received from gifts and donations for the cost of placing such signs, plus an additional 50 percent of the initial cost to defray costs for future maintenance or replacement of the signs.

Extending Exclusions Regarding Large-load Facilities; SB 92

SB 92 amends parallel generation law to extend an exclusion regarding large-load facilities from July 1, 2026, to July 1, 2027.

Under continuing law, a utility is not required to make parallel generation service available to any customer with a new or expanded facility that receives electric service at a voltage of 34.5 kilovolts or higher and commences such electric service on or after July 1, 2025.

In determining a utility's historic peak demand for purposes of the law's subsection on aggregate export capacity, a utility's peak demand does not include the additional demand of any new or expanded facility of an industrial, commercial, or data center customer that receives electric service at a voltage of 34.5 kilovolts or higher and commences such electric service on or after July 1, 2025.

Under prior law, this subsection expired on July 1, 2026. The bill changes the expiration date to July 1, 2027.

Electric Public Utility Exemption; SB 348

SB 348 exempts any electric public utility that is a not-for-profit, wholly owned subsidiary of an electric cooperative public utility (electric public utility) from the jurisdiction, regulation, supervision, and control of the Kansas Corporation Commission (KCC).

The bill authorizes the KCC to investigate any changes to the electric rates, joint rates, tolls, charges and exactions, and classifications and schedules of rates (rates) affecting an exempt electric public utility following a petition filed by customers of the exempt electric public utility to investigate such rates.

Electric Vehicles Charging Station Rates; SB 380

SB 380 requires retail electric suppliers to offer fair, reasonable, and non-discriminatory rates and services to all charging stations and prohibits certain costs from being included in the rate base of the retail electric supplier, with certain exclusions.

The bill defines the following terms:

- "Electric vehicle" means a motor vehicle that is propelled by one or more electric motors using energy stored in the form of a rechargeable battery;

- "Fast charging station" means behind-the-meter electric vehicle (EV) charging equipment that is capable of delivering electricity at a minimum of 50 kilowatts or greater direct current to an EV's rechargeable battery at a voltage of 200 volts or greater; and

- "Retail electric supplier" means any person, firm, corporation, municipality, association, or cooperative corporation engaged in the furnishing of a retail electric service.

The bill requires a retail electric supplier that provides, owns, operates, or maintains a fast charging station for direct public use to offer fair, reasonable, and non-discriminatory rates and services to all entities providing similar services and to not act in a manner that provides an unreasonable competitive advantage for the retail electric supplier's fast charging station.

The bill does not apply to any fast charging stations that:

- Were constructed, provided, owned, operated, or maintained by a retail electric supplier prior to July 1, 2026;

- Are not offered or made available to the general public and are located on the premises of a retail electric supplier and used solely to charge EVs owned or operated by the retail electric supplier or the retail electric supplier's employees; or

- Are required to be owned or operated by a retail electric supplier pursuant to federal or state law or an order of the Kansas Corporation Commission.

The provisions of the bill sunset on July 1, 2036.

Gas System Reliability Surcharge—Allowing Recovery for Growth-Related Investments; Sub. for HB 2435

Sub. for HB 2435 amends the Gas Safety and Reliability Policy Act, which governs the gas system reliability surcharge (GSRS). The bill allows gas utilities to recover growth-related capital investments through the GSRS, adjusts the timing of certain Kansas Corporation Commission (KCC) proceedings, and raises the cap on monthly charges to residential customers. The bill also makes conforming changes.

Investment Projects

The bill allows natural gas infrastructure investment projects that could increase revenues by directly connecting to new customers to be considered eligible infrastructure system investments under the GSRS.

The bill adds "any other investment plant, facilities, or equipment, excluding allocated corporate costs" to the definition of natural gas utility plant projects.

KCC Proceedings

The bill reduces the time the KCC is allowed to complete a GSRS docket from 120 days to 90 days.

The bill also changes the restriction on how often a natural gas utility may change its rates through the GSRS from once every 12 months to once every calendar year.

Charges to Residential Customers

The bill increases the cap on the monthly GSRS charge from $0.80 to $1.35 per residential customer over the:

- Base rates in effect for the initial filing of a GSRS; or
- Monthly charge established in the most recent filing of a GSRS for any subsequent filing of a GSRS.

[*Note:* Continuing law provides that natural gas utilities are prohibited from collecting GSRS for longer than 60 months. A utility is required to bring a new general rate proceeding to the KCC within that time frame, and the KCC's decision on such proceeding would effectively reset the GSRS by incorporating the charges into the new base rate.]

Statewide Conduit System; HB 2647

HB 2647 establishes the Statewide Conduit System (System) for fiber optic transmissions of broadband connections and the Kansas Broadband Revolving Fund (Fund) in the State Treasury to create and maintain the System, requires the Secretary of Transportation (Secretary) to establish a schedule of fees to be charged to entities installing or using the System, and requires the Secretary to provide annual reports to the Governor; Senate Committee on Utilities; Senate Committee on Transportation; House Committee on Energy, Utilities and Telecommunications; House Committee on Transportation; and House Committee on Transportation and Public Safety Budget.

The bill states the Legislature's intent that the Department of Transportation (KDOT) shall not compete with the private sector in the provision of broadband infrastructure or services.

Authority of the Secretary of Transportation

The bill authorizes the Secretary to plan, administer, construct, reconstruct, rehabilitate, and maintain the System. The Secretary may enter into agreements with governmental and non-governmental entities to install equipment in or use the System to the extent the System is not needed by KDOT. The bill requires entities that install equipment or use the system to obtain a highway right-of-way use permit.

The Secretary is directed to establish a fee schedule to charge entities for installing equipment in or using the System in an amount sufficient to recover actual incremental cost KDOT incurs for the System. The Secretary also must adopt a policy to prioritize available System space and establish standard terms and conditions for System installation and use agreements.

The bill states its provisions will not require any entity to use the System. KDOT is prohibited from requiring any entity to use the System in lieu of obtaining a highway use permit and installing such entity's own system within the state highway right-of-way. Only entities using the System will be required to pay fees or costs associated with the System.

Definitions

The bill defines "equipment" for this purpose as optical fibers and ancillary equipment used to support fiber optic transmission systems, including, but not limited to, transmitters, receivers, connectors, vaults, and ducts. The System is defined as a physical infrastructure of conduit and microduct used to house optical fibers that enable the transmission of broadband connections.

The Kansas Broadband Revolving Fund

The bill establishes the Fund in the State Treasury, and all expenditures will be administered pursuant to continuing law by the Secretary for the purposes of creating and maintaining the System. The Fund will consist of:

- Amounts appropriated or otherwise made available by the Legislature for the purpose of the Fund;
- Any fees paid to the Secretary pursuant to the schedule of fees established by the Secretary as authorized by the bill;
- Interest earned on moneys in the Fund transferred from the State General Fund to the Fund on or before the 10th day of each month commencing on July 1, 2026, based on:
    - The average daily balance of moneys in the Fund from the preceding month; and
    - The net earnings rates of the pooled money investment portfolio for the proceeding month;
- Any amounts contributed by private or public entities or the federal government; and
- Amounts transferred from the State Highway Fund (SHF).

The Secretary is authorized to order the Director of Accounts and Reports to transfer moneys from the SHF to the Fund or from the Fund to the SHF to carry out the provisions of the bill.

The bill authorizes expenditures from the Fund to plan, administer, construct, reconstruct, rehabilitate, and maintain the System and to pay administrative costs to carry out the provisions of the bill.

Reporting Requirements

The bill requires the Secretary to submit an annual report to the Governor; the Senate Committee on Utilities; the Senate Committee on Transportation; the House Committee on Energy, Utilities and Telecommunications; the House Committee on Transportation; and the

House Committee on Transportation and Public Safety Budget prior to the 10th day of the regular legislative session. The bill requires the report to provide:

- The amount of the System constructed, reconstructed, or rehabilitated in the preceding fiscal year;
- Costs for the System and payments received from entities for use of the System;
- A list of the entities entering into or terminating agreements for installing equipment or using the System;
- Entities that applied and were denied by KDOT to install equipment or use the System;
- A five-year project plan and timeline with information concerning the condition and performance of the System;
- Information concerning the condition and performance of the System; and
- An explanation of any material changes from the previous annual report.

The bill requires the report to be posted on the KDOT website and the Secretary to provide notice of the posting to persons or entities requesting such notice.

Nondriver Identification Cards for Homeless Veterans; Purple Heart Recognition; HB 2274

HB 2274 amends law to authorize the issuance of nondriver identification (ID) cards to homeless veterans and designates Kansas as a Purple Heart State and August 7 of each year as Purple Heart Day.

Nondriver ID Cards for Homeless Veterans

The bill allows any person who is a veteran, as defined by the bill, and is homeless to apply for and be issued a nondriver ID card without providing an address of principal residence. The bill provides that a nondriver ID card obtained by a homeless veteran does not expire and requires the veteran to provide a copy of a specified military discharge document to the Kansas Office of Veterans Services (KOVS) to verify such person's character of military service.

Letters or Certificates Establishing Veteran Status

The bill authorizes the Division of Vehicles, Kansas Department of Revenue, to accept, in addition to any other documents proving identity and residency in Kansas accepted for an application for a nondriver ID card, a letter or certificate verifying the applicant resides at or receives services from any of the following entities:

- KOVS;
- Any veterans services medical center located in Kansas;
- Any jail or correctional facility; or
- Any nonprofit organization located in Kansas for the provision of services homeless persons.

If submitting letters or certificates as described above, the bill requires the applicant to provide either:

- Copies or digital forms of accepted documents for proof of identity in lieu of the original documents; or
- Certain expired forms of identification, including, but not limited to, common access cards, Kansas driver's licenses, or Kansas voter registration cards.

The Director of Vehicles is authorized to adopt necessary rules and regulations regarding issuance of a nondriver's ID card to a homeless veteran.

Fees

The bill prohibits the Secretary of Health and Environment (Secretary) from charging or accepting any fee related to a homeless veteran's request for certain information from the Office of Vital Statistics for the purposes of obtaining a nondriver ID card, if the homeless veteran exhibits correspondence from one of the above-mentioned entities and the homeless veteran needs the requested information to apply for a nondriver ID card. The Secretary is authorized to provide exemptions for such fees in agency rules and regulations.

Purple Heart State Designation and Purple Heart Day

The bill designates Kansas as a Purple Heart State, in recognition of Kansas citizens who have earned the Purple Heart as a result of being wounded while engaged in combat with an enemy force.

The bill requires the Governor to issue a proclamation recognizing Purple Heart Day to be observed on August 7 of each year.

The bill requires the Executive Director of KOVS to promote the observance of Purple Heart Day with appropriate activities and direct each local chapter of all veterans' organizations to plan special activities and events to honor the Purple Heart recipients in each chapter.

Dams and Water Obstructions; Sub. for HB 2114

Sub. for HB 2114 amends law regarding dams and water obstructions, safety inspections, fees, and civil penalties.

Definitions

The bill defines "modification" as any action the Chief Engineer, Division of Water Resources (DWR), Kansas Department of Agriculture (KDA), determines would change the physical dimensions or hydraulic characteristics of any dam, stream obstruction, or channel change that is under the jurisdiction of the Chief Engineer.

The bill states that any structure that is defined as a "dam" in continuing law is considered a water obstruction and not a dam if the primary purpose of the structure is to serve as:

- Dry detention road fill for state, county, or municipal government;
- A low head dam that has a maximum height below the lowest stream bank; or
- A wastewater storage structure for a confined feeding facility that has been approved by the Secretary of Health and Environment pursuant to continuing law regarding prevention of water pollution. [*Note:* This provision continues in law, but in a different part of the statute.]

The bill requires any structure that meets the requirements of a hazard class A dam to be considered a water obstruction and not a dam if the structure meets the following additional criteria:

- The structure impounds water under a vested right, water right, or permit to appropriate water for irrigation, stockwater, or sediment control use pursuant to the Kansas Water Appropriation Act or is required to obtain a permit to appropriate water for irrigation, stockwater, or sediment control use in order to lawfully impound water; and
- The structure has a height of less than 30 feet and a storage volume at the top of the emergency spillway elevation of less than 125 acre-feet.

Application Fees and Post-construction Permit Fees

The bill increases the application fee for a permit to construct, modify, or add to a dam from $200 to:

- $250 for a hazard class A dam that does not qualify for an exemption provided in continuing law;

- $500 for a hazard class B dam; and

- $1,000 for a hazard class C dam.

The bill also creates a post-construction permit fee based on the size of the watershed area in the following amounts:

- Less than 5 square miles – $200;
- Between 5 and 50 square miles – $400; and
- More than 50 square miles – $800.

[*Note:* According to the KDA's website, each dam in Kansas is assigned one of three hazard classifications:

- Class A – low hazard;
- Class B – significant hazard; and
- Class C – high hazard.

Hazard classification reflects the impact on downstream property and individuals in the event the dam should fail, but hazard classification does not reflect the physical condition of the dam. Low hazard dams are relatively unlikely to cause serious property damage or loss of life in the event of a failure, while high hazard dams are likely to cause loss of life or serious property damage.]

Inundation Map

Requirements of the Chief Engineer

The bill requires the Chief Engineer to permanently display an inundation map (map) for each permitted dam on KDA's website and provide copies of the maps to the zoning authority or county clerk, if a zoning authority does not exist, for each county where any land included on a map is located.

If current maps have not been provided to the Chief Engineer, the bill requires the Chief Engineer, if funding is available, to prepare or update maps for all permitted dams and display the maps on KDA's website and provide copies to the zoning authority or county clerk.

Landowner Notice

The bill requires, on and after July 1, 2026, a landowner to file a notice of inundation zone (notice) with the county register of deeds, if the landowner owns any land located in the inundation zone of a dam that is under the jurisdiction of the Chief Engineer and sells, subdivides, or otherwise transfers any land within the inundation zone that is separate from the dam.

The bill requires the notice to contain the following:

> On (date of sale, division, or transfer) this property is located in the inundation zone of a dam or structure located (insert legal description).

The bill states a landowner who fails to file a notice is responsible for paying the costs of inspections that exceed the inspection costs that would have been required by the dam's previous lower hazard classification if continuing law regarding inspection of dams by the Chief Engineer applies to the dam.

Dam Inspections

Inspector Requirements

The bill adds "licensed professional engineer approved by the Chief Engineer" (approved engineer) and "intern engineer," as defined in continuing law and under the supervision of an approved engineer, to the list of persons who have the power and duty to inspect any dam or other water obstruction.

Inspections, Fees, and Classification Scheme

The bill clarifies the purpose of rules and regulations adopted by the Chief Engineer regarding the class and size of a dam would be for assessing inspection fees as provided for in this section of the bill.

The bill requires the dam owner to pay inspection fees to the KDA for each inspection, other than an inspection that a dam owner elects to have conducted at the dam owner's own expense, and changes the amount of fees for specific sizes of dams:

Size of Dam	Inspection Fee in Former Law	Fee in Bill
Class 1	$1,500	$1,000
Class 2	$1,500	$1,000
Class 3	$2,500	$2,000
Class 4	$4,000	$3,000

The bill requires safety inspections to occur at the following times for the following classes of dams:

- For class A dams that do not qualify for exemptions in continuing law—every 10 years;
- For class B dams—every five years; and
- For class C dams—every three years.

The bill allows a watershed district to enter into an agreement with the Chief Engineer that provides for the district to conduct limited safety inspections in lieu of the safety inspections required for dam hazard classes A, B, and C.

The bill reorganizes this section of the law regarding safety inspections and requires safety inspections required by this act to be conducted by the Chief Engineer, or an authorized representative of the Chief Engineer who is an approved engineer or intern engineer.

A dam owner may elect to have any required safety inspection performed at the owner's own expense, provided the inspection is performed by an engineer authorized to perform inspections in accordance with this act.

The bill will not require a safety inspection to be conducted for any dam for which the owner has submitted an inundation map to the Chief Engineer that demonstrates the failure of the dam will only inundate real property or fixtures to real property owned by the owner.

The bill requires that if the Chief Engineer reclassifies a dam to a higher hazard classification and this has not occurred due to any actions of the owner, the dam will be subject to the inspection requirements for the higher hazard classification, but the owner will not be charged for inspections that exceed those that would have been required by the previous lower hazard classification.

The bill authorizes any engineer authorized to perform inspections in accordance with this act to have the right to access private property conditioned on seven days' prior notice of the inspection being provided to the owner, except for an instance when the Chief Engineer determines that emergency action, as defined in continuing law, is or may be necessary.

The bill makes other clarifying amendments regarding the addition of an approved engineer or intern engineer, the failure to provide a complete and timely report to the KDA, and who is responsible for paying for a safety inspection.

Penalties and Moneys to be Deposited

Penalties and Violations

The bill adds "intentionally" as a condition for violation of any provision of this act.

The bill sets penalties for violation of laws and rules and regulations regarding dams. A person could be subject to a civil penalty of no less than $100 and no more than $1,000 per violation. In the case of continuing violations, each notice provided by the Chief Engineer and the required corrective action will be considered a separate violation if the corrective action identified in the notice has not commenced within seven days of receiving the notice. The bill allows the civil penalty to be assessed in addition to any other penalty provided by law.

The bill prohibits any civil penalty to be imposed without written order of the Chief Engineer.

The bill allows any person aggrieved by an order of the Chief Engineer regarding this section of the law to appeal to a district court of competent jurisdiction in the manner provided by the Kansas Judicial Review Act.

Moneys to be Deposited

The bill requires all moneys collected by the Chief Engineer, except for penalties, to be deposited in the State Treasury and credited to the Water Structures Fund. All moneys collected for penalties are deposited in the State General Fund.

Water Appropriation; HB 2433

HB 2433 adds an exception to county home rule regarding regulation of the transfer or appropriation of water.

The bill prohibits a county from enacting or enforcing any resolution or other action regulating the transfer or appropriation of water that conflicts with, interferes with, is more stringent than, or would duplicate the control, regulation, enforcement, or oversight of the Chief Engineer or the Water Transfer Hearing Panel regarding the transfer or appropriation of water per continuing law.

The bill prohibits a county from:

- Requiring any license, permit, or conditional use permit to transfer or appropriate water; or

- Imposing any condition, restriction, limitation, requirement, fee, or charge related to transfer or appropriation of water.

The bill retroactively and prospectively applies to all existing and future county resolutions that affect past, present, or future transfer or appropriations of water.

The bill does not prohibit a county from utilizing zoning or sanitary code requirements to regulate the location or use of domestic water wells.

Potable Reusable Water; Water Grants; HB 2462

HB 2462 requires rules and regulations for potable reusable water to be adopted and makes changes to the sunset, funding transfers, and the grant process for the Water Technical Assistance Fund (Technical Fund) and Water Projects Grant Fund (Grant Fund).

Potable Reusable Water Rules and Regulations

The bill requires the Secretary of Health and Environment to adopt rules and regulations on or before July 1, 2028, that allow for the direct and indirect potable reuse of treated wastewater.

The bill also requires these rules and regulations to prioritize prescriptive treatment processes that make the reuse of treated wastewater affordable or otherwise achievable.

Definitions

The bill defines the following terms:

- “Direct potable reuse” means using advanced treatment processes to produce finished drinking water through the utilization of a water source that contains treated wastewater that has not passed through an environmental buffer; and

- "Indirect potable reuse" means the planned delivery or discharge of treated wastewater to an environmental buffer, such as ground or surface waters, for the development of, or as a supplement to, a drinking water supply.

Water Technical Assistance Fund and Water Projects Grant Fund

State General Fund Transfers

The bill extends the sunset on transfers from the State General Fund (SGF) to the State Water Plan Fund (SWPF) and transfers from the SWPF to the Technical Fund and Grant Fund on a yearly basis until July 1, 2027. The bill also states it is the intent of the Legislature to provide for the transfer of $35.0 million from the SGF to the SWPF on July 1, 2028.

State Water Plan Fund Transfers

The bill amends law to decrease the annual transfer from the SWPF to the Technical Fund from $5.5 million to $5.0 million and to the Grant Fund from $12.5 million to $12.0 million, and make corresponding date changes to reflect the new sunset date of July 1, 2029.

Water Technical Assistance Fund

The bill removes provisions regarding grants to municipalities with specific populations, prioritization of projects by specific entities, and rules and regulations authority.

Engineering report. The bill requires applications for grants from the Technical Fund to include a complete preliminary engineering report (report) that meets similar standards established by the U.S. Department of Agriculture (USDA) for rural water projects or the U.S. Environmental Protection Agency's Drinking Water State Revolving Fund requirements.

The bill requires that until a report has been submitted and the Kansas Water Office (KWO) determines the project is feasible, funding will be provided only for completion of a preliminary engineering report. If the report is complete, and KWO determines the project is feasible, then additional funding may be provided for necessary planning and engineering work.

The report will include studies for specific projects, regionalization studies, or any other study or report intended to determine the feasibility of future plans and projects.

Priority of municipalities with fewer than 3,000 residents. The bill requires a minimum of 60.0 percent of the annual amount transferred to the Technical Fund to be awarded to municipalities with fewer than 3,000 residents. The requirement will not apply in years when there are not enough applicants to allow compliance.

These provisions should not be construed as a limitation on the total amount awarded to municipalities with fewer than 3,000 residents.

Prohibition. The bill prohibits any grants from the Technical Fund to be used to address issues related to the impairment of water rights by another water right.

Water Projects Grant Fund

The bill removes rules and regulation authority and removes consideration of criteria for grants regarding the socio-economic status of entities, among other criteria.

The bill also states prepayment of outstanding loan balances from the Public Water Supply Loan Fund or the Kansas Water Pollution Control Revolving Fund will be subject to parameters in continuing law.

Legislative intent. The bill states it is the intent of the Legislature that grants awarded from the Grant Fund prioritize awarding partial grants combined with loan funding from the municipality, Kansas Department of Health and Environment, USDA, or other financial sources before grants for the full cost of projects are awarded in order to increase the impact of available funding.

Applications for Funding

The bill establishes requirements for applications to both the Technical Fund and the Grant Fund.

Demonstration in applications. The bill requires a municipality with a population of more than 50,000 to demonstrate a threat to public health.

Special district applications. For the Technical Fund, the bill prohibits a special district's application for a grant from being prioritized based on the number of customers or residents. [*Note:* A "special district" means a groundwater management district, rural water district, or other similar district formed for a special or single purpose related to water.]

For the Grant Fund, the bill authorizes special districts to be eligible for loan prepayment up to 50 percent of an outstanding balance and for any other grant funding if the application meets specific criteria listed in the bill.

Application criteria. The bill requires the application to be scored as provided in the bill and for the project to meet at least one of the following criteria:

- For the purpose of expanding residential, commercial, industrial, and agricultural activity that cannot be reasonably served by another source or distributor, except that any use defined as irrigation by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (Chief Engineer), would not be eligible;

- Facilitates the transfer or upgrade of existing water services to allow or assist with the incorporation of previously unincorporated territory; or

- Meets a specific goal or priority identified in the State Water Plan.

The bill requires eligible applications to be prioritized based on criteria in a scoring matrix.

Application scoring matrix. The bill requires KWO to establish a scoring matrix based on the criteria in the bill. Each of the following categories will be scored on a scale of 0 to 5:

- Public health:
    - The proposed project's impact on addressing a threat to public health, including but not limited to, violations of continuing law regarding public water supply systems or conditions that have caused or could lead to a violation of state or federal drinking water standards;
- Existing resources:
    - The applicant will demonstrate that the applicant has taken steps to adequately support and maintain current and future infrastructure and will provide relevant information concerning the municipality's finances to demonstrate the need for project funding; and
    - Relevant factors include, but are not limited to, demographic or community economic information that would affect the municipality's ability to pay for the proposed project without grant funding pursuant to this section;
- Regional cooperation:
    - The municipality will be cooperating with other municipalities and regional entities or can demonstrate how the proposed project will improve the regional water supply or support regional economic growth;
- Additional funding sources:
    - Municipalities will provide information concerning the efforts of any such municipality to find other available funding sources for the proposed project or why obtaining such funding is not feasible;
    - Applicants that can provide some level of funding or in-kind contributions themselves or from any other source will be prioritized; and
    - Relevant factors include, but are not limited to, the size of contribution relative to the applicant's request and the applicant's ability to contribute;
- Economic impact:
    - The municipality demonstrates the proposed project's importance for the growth of the community, new residential housing projects, an existing economic activity, or for the recruitment of a new economic activity; and
    - Economic activity includes any commercial, industrial, or agricultural activity, except that any use defined as irrigation by the Chief Engineer will not be eligible;
- Conservation and extreme-weather resiliency:
    - The municipality demonstrates how the proposed project supports conservation or would otherwise improve the municipality's ability to

provide, maintain, and protect services during drought and flood events; and

- Emergent issues:
    - The municipality demonstrates how the proposed project addresses emergency circumstances the community is facing, or will be facing, related to insufficient access to water-related infrastructure or resources.

The bill requires KWO to notify the applicant, if an applicant fails to provide enough information to be scored in any scoring matrix category, regarding the information needed and provide an additional 30 days to submit the information, starting from the date the applicant received the notice.

The bill requires KWO to send the notice by:

- The email listed on the application; or
- Certified mail, return receipt requested, to the address on the application.

If the applicant fails to submit the requested information, the applicant will be given a score of 0.

The bill requires KWO to publish annually the matrix scores of each application.

Due date. The bill establishes September 15 of each year as the deadline to submit applications, and grants will be awarded no later than 180 days after that date.

Revocation of grant. The bill allows a grant to be revoked if:

- The grantee does not accept the grant within 45 days of it being issued unless the grantee requests additional time to secure supplemental funding, but in no case will the additional time exceed 120 days of the grant being funded;
- It is determined there has been no substantial performance;
- There is substantial evidence of fraud, gross abuse, or corrupt practices;
- There is a lack of funding; or
- It is demonstrated the project cannot be completed.

The bill requires that upon the revocation of a grant, the grantee will repay KWO any grant amount in an amount determined by the Director of KWO. The grantee will be required to enter into a repayment agreement with the Director that will specify the terms of the repayment obligation.

Reporting and payment requirements. The bill requires KWO to include reporting and payment requirements within the terms of each awarded grant.

Online Map of Applied-for Diversions of Water; HB 2477

HB 2477 requires the Division of Water Resources of the Kansas Department of Agriculture to publish on its official website a map and all orders identifying the locations of all applied-for water diversions and proposed changes in points of diversion.

The bill expands notice requirements by requiring individual notice to all landowners within one-half mile of an applied-for diversion or a proposed change in the point of diversion of more than 300 feet. The bill removes a requirement to notify surrounding water right owners that a water conservation area is being established.

Kansas Department of Wildlife and Parks Hunting and Fishing Licenses; SB 364

SB 364 creates and amends law concerning the resident senior combination hunting and fishing license and the Kansas kids lifetime combination hunting and fishing license.

The bill requires the Kansas Department of Wildlife and Parks to offer a resident senior combination hunting and fishing license to any Kansas resident age 65 years or older. The bill sets the license fee to not exceed one-eighth of the fee for a general combination lifetime hunting and fishing license. [*Note:* The general combination lifetime hunting and fishing license fee is currently set at $960.]

Under prior law, Kansas kids lifetime combination hunting and fishing licenses could be issued by the Secretary of Wildlife and Parks to Kansas residents who are seven years of age or younger. The license fee for a child five years of age or younger is a fee not to exceed $300, and for a child six or seven years of age, the prior license fee was not to exceed $500.

The bill maintains the license fee for a child five years of age and younger to a fee not to exceed $300.

The bill extends the age range for a child to receive a license from 6 or 7 years of age to be 6 to 15 years of age. The bill changes the license fee for such ages to be a fee not to exceed $400.

The bill also removes the sunset for the license provisions that had been July 1, 2032.

State Migratory Waterfowl Habitat Stamp Fee; Open Records; Rules and Regulations; HB 2507

HB 2507 increases the cap on the state Migratory Waterfowl Habitat Stamp fee, amends the Kansas Open Records Act (KORA), and authorizes the Kansas Department of Wildlife and Parks (KDWP) to adopt certain rules and regulations.

State Migratory Waterfowl Habitat Stamp Fee

The bill increases the cap on the state migratory waterfowl habitat stamp fee for residents from $8 to $15, sets the fee for non-residents to be a minimum of $100 and a maximum of $200, and removes requirements for migratory waterfowl habitat stamps to be validated by the signature of the stamp holder written across the face of the stamp.

Kansas Open Records Act

The bill amends KORA to no longer require the KDWP to disclose the following records, except when requested by a landowner, landowner's lessee, or other designee regarding such person's own property:

- The precise location of any species that is listed as threatened or endangered pursuant to the federal Endangered Species Act; or

- The precise location of any species that is threatened, endangered, or in need of conservation pursuant to the state's Nongame and Endangered Species Conservation Act.

Fees in Rules and Regulations

The bill authorizes KDWP to adopt the proposed permanent administrative rules and regulations concerning motor vehicle permits, camping, utility, and other fees, registrations, and other charges as identified and described in the rules and regulations submitted by KDWP to the Division of the Budget on March 6, 2026.

State Agricultural Production Fund; HB 2511

HB 2511 amends law that directs the Kansas Department of Wildlife and Parks to establish separate accounts of the State Agricultural Production Fund for each state-owned property under the control and jurisdiction of the Secretary of Wildlife and Parks. The bill requires the separate accounts to be used for habitat management costs and expenses associated with the management of all state-owned properties.

WORLD CUP

Extraordinary Event Proclamation by the Governor; Senate Sub. for HB 2212

Senate Sub. for HB 2212 authorizes the Governor to issue a proclamation declaring the need for enhanced public safety and security for an extraordinary event (proclamation). The bill provides certain powers to the Governor during the period of the proclamation.

An "extraordinary event" for purposes of the bill, includes, but is not limited to, the following events hosted in Kansas, or in any county bordering Kansas, that would cause a significant impact in Kansas:

- The World Cup, hosted by the International Federation of Association Football;
- The Olympics;
- The Super Bowl, hosted by the National Football League;
- A national political convention; or
- An event that is similar in scope and size with respect to expected attendance and security requirements.

The bill requires the Governor, before issuing such proclamation, to find that such an event would attract a significant number of visitors to the state that would burden the ability of local agencies and law enforcement to maintain public safety, transportation services, security, or other essential infrastructure, without additional resources and coordination.

The proclamation would be valid for a maximum of 15 days but could be extended by the Legislative Coordinating Council (LCC) for up to 90 days. The bill authorizes the LCC to terminate such proclamation at any time within such period. The bill requires the LCC to meet to discuss such proclamation extensions regardless of whether the Legislature is in session.

The bill provides that the proclamation would activate the disaster response and recovery aspects of the State Disaster Emergency Plan and any local and interjurisdictional disaster plans applicable to the areas of the state and any political subdivisions thereof that are affected by the proclamation. The proclamation would authorize:

- Deployment and use of any forces to which the plan or plans apply; and
- The use or distribution of any supplies, equipment, materials, or facilities assembled, stockpiled, or arranged to be made available for such event.

The proclamation would authorize the Governor to:

- Utilize all available resources of the state government and each political subdivision as reasonably necessary to cope with such event;

- Transfer the supervision, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating security activities;

- Require and direct the cooperation and assistance of state and local governmental agencies and officials;

- Make requests for funding or other aid from the Federal Emergency Management Agency; and

- Make requests to the State Finance Council for funding from the State Emergency Fund.

The bill limits the powers of the proclamation to those provided in the bill. If the Governor finds additional emergency powers are necessary, the bill requires the Governor to issue a state of disaster emergency proclamation pursuant to continuing law.

The provisions of the bill are part of and supplemental to the Kansas Emergency Management Act and expire on July 1, 2027.

Alcohol Sales and Rental Property During 2026 World Cup; HB 2481

HB 2481 authorizes the sale of alcoholic beverages 23 hours a day, 7 days a week, for the duration of the FIFA 2026 World Cup and, from May 15, 2026, through July 25, 2026, requires the collection of transient guest taxes for any short-term rental or vacation unit and prohibits city and county governments from limiting the number of permits or other authorizations required for the operation of such units.

Alcohol Sales During the World Cup

The bill authorizes the board of county commissioners of any county by resolution, or the governing body of any city by ordinance, to elect to allow such sales. A county or city making such an election is required to submit a copy of the resolution or ordinance to the Director of Alcoholic Beverage Control (Director), Division of Alcoholic Beverage Control, Department of Revenue.

Any entity located within such a city or county and licensed by the State to sell alcoholic liquor or cereal malt beverage in the original package or for consumption on the premises is permitted to make such sales between the hours of 6:00 a.m. and 5:00 a.m. on the immediately following day, from June 11, 2026, through July 19, 2026.

These provisions of the bill expire from and after July 20, 2026.

Transient Guest Taxes

During the applicable time period, a municipality is required to process and issue a response to a completed application to operate a short-term rental or vacation unit within 15

days or be automatically deemed as approved and no additional regulation or code requirement by the municipality as a condition of approval is permitted.

The bill defines “short-term rental or vacation unit or property” and “transient guest” for purposes of the bill and makes technical and conforming changes.

APPROPRIATION BILLS

HB 2513 contains FY 2026 funding adjustments, funding for state agencies for FY 2027, and selected adjustments for FY 2028, FY 2029, and FY 2030. The bill also provides funding and implementation for a new agency, the Office of Early Childhood.

TECHNICAL BILLS

HB 2029

This bill reconciles amendments to statutes that were amended more than once during the current and prior legislative sessions. For such statutes, the bill repeals one version and, if necessary, amends the continuing version with non-contradictory amendments, creating a single version of the statute containing all amendments.

BILLS VETOED BY THE GOVERNOR

SB 254

This bill would have prohibited any alien who is unlawfully present in the United States from receiving any state or local public benefit and nullified law that permits residents without lawful immigration status to be granted in-state tuition rates at postsecondary educational institutions, provided certain requirements are met.

HB 2043

This bill would have created a protest petition process for the adoption of local government budgets in excess of a funding limit established by the bill and revised the revenue neutral rate notice to incorporate changes associated with the protest petition process.

HB 2044

This bill would have enacted a subtraction modification for certain compensation received by active-duty members of the armed forces and would have specified that taxpayers do not lose eligibility for certain residential property tax relief programs due to their residential values increasing above the eligibility threshold when they have previously received refunds pursuant to the programs.

Senate Sub. for HB 2111

This bill would have prohibited a city or county from enforcing any building code, ordinance, or resolution regulating the use of a non-public registered agritourism location. This bill would have been a part of and supplemental to the Agritourism Promotion Act.

Sub. for HB 2346

This bill would have established the Kansas Sports Tourism Grant Program (Program) to be administered by the Secretary of Commerce. The purpose of the Program would have been to provide dollar-for-dollar matching grants to support and enhance sports tourism events held in Kansas through the Kansas Sports Tourism Program Grant Fund. This bill would have required all sponsored events to be held in Kansas to be eligible for a grant, and an event could have been a new planned event or an existing recurring event.

HB 2412

This bill would have required the State Board of Education to develop curriculum, and school districts to provide instruction, on the negative impacts of communist, fascist, and socialist regimes and ideologies for students in non-elementary grades. The bill also would have required students entering grade nine at an accredited public, private, or parochial high school to pass an American civics examination as a condition for graduation.

HB 2468

This bill would have authorized the State of Kansas to participate in a federal tax credit program for contributions of individuals to scholarship-granting organizations and increased the aggregate credit limit on the state's Tax Credit for Low Income Scholarship Students Program.

HB 2515

This bill would have established the Kansas Legal Tender Act and would have provided an income tax subtraction modification for gains from the sale of certain forms of gold and silver.

HB 2569

This bill would have amended signature-verification requirements in election law on advance voting; added provisions that, upon an order or judgment that invalidates or enjoins the enforcement of signature-verification requirements, would have amended law authorizing advance voting by mail in the state; and required all actions alleging a state election law, or any rules or regulations adopted pursuant thereto, violates one or more provision of the *U.S. Constitution* or *Kansas Constitution* be brought in the District Court of Shawnee County.

HB 2587

This bill would have required citizenship status to be listed on driver's licenses and would have permitted any person whose driver's license lists such person as a non-citizen to obtain a provisional ballot for voting purposes if such person claims to be a citizen.

HB 2626

This bill would have modified veterans' preference in government employment and permissive preference in private-sector employment, would have established in the Capitol a registry kiosk of Kansas military forces killed in action or who died from active-duty wounds, would have established the Kansas Military Affairs Commission, and would have limited compensation for certain types of assistance related to veterans' benefits matters.

HB 2651

This bill would have required the issuance of a warrant and prohibited the issuance of a summons for a complaint alleging the commission of a felony. The bill also would have prohibited the release of the defendant on the defendant's own recognizance for any bond set on a warrant issued for failing to appear in response to a summons.

Senate Sub. for HB 2745

This bill would have created a protest petition process for the adoption of local government budgets in excess of a funding limit established by the bill and would have revised the revenue neutral rate notice to incorporate changes associated with the protest petition process.

HB 2763

This bill would have established minimum requirements for recess in public schools and would have included such time in school term calculations beginning in the 2027–2028 school year. It also would have directed the State Board of Education to establish a Kansas State Physical Fitness Test.

HB 2513

This bill contains FY 2026 supplemental funding and FY 2027 funding for most state agencies. This bill also contains claims against the State.

(Line Item) *Board of Nursing — Nurse Fair Treatment and Recovery Fund* — Section 15(b)–(c) would have appropriated the Nurse Fair Treatment and Recovery Fund for FY 2027. It would have transferred $500,000, all from the Board of Nursing Fee Fund, to the new Nurse Fair Treatment and Recovery Fund for FY 2027. It would have added language authorizing the funds to be used for claims against the State awarded for filings non-clinical in nature for FY 2027 and added language prohibiting the Board of Nursing from increasing agency fees for FY 2027.

(Line Item) *Department for Children and Families and Kansas Department of Health and Environment — Unsolicited Voter Registration* — Sections 74(o) and 81(g) would have added language directing the agency to add the following language to public assistance applications, as specified in 52 USC Sec. 20506(a)(6): "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME" for FY 2027. Sections 74(o) and 81(g) would have added additional language that no expenditures shall be made to mail or deliver a voter registration packet unless such applicant checks the "yes" box requesting the voter registration application form for FY 2027.

(Line Item) *Department of Administration — Nonprofit and Nongovernmental Organization Reporting* — Section 54(t) would have added language requiring the agency develop a searchable website that includes information about nonprofit and non-governmental organizations that receive appropriated state funds in FY 2026. This requirement would have applied only to organizations that receive an amount of $50,000 or greater in any fiscal year. The agency would have been required to compile and make available this information for FY 2020 to FY 2025.

(Line Item) *Department of Administration — Statehouse Office Space* — Section 54(s) would have added language requiring the agency charge and collect rental payments from non-state entities to lease office space in the Statehouse for FY 2027. Rent would have been charged on an annual basis at a rate of $11 per square foot.

(Line Item) *Kansas Department for Aging and Disability Services — SGF Reappropriation MHIT* — Section 77(b) would have lapsed $4.4 million in reappropriations for the Mental Health Intervention Team (MHIT) pilot account in FY 2026.

(Line Item) *Kansas Department for Aging and Disability Services — MHIT Qualified Schools* — Section 78(a) would have vetoed language directing the agency to expend $1.5 million SGF to support MHIT at qualified nonpublic schools for FY 2027.

(Line Item) *Kansas Department of Commerce and Kansas Department of Revenue — Attracting Powerful Economic Expansion Act Transparency Proviso* — Sections 60(c), 61(i), 64(r), and 65(s) would have added language requiring the agency to disclose the amount offered and claimed, payroll incentives, training incentives, and relocation incentives for the Attracting Powerful Economic Expansion Act in the Kansas Department of Commerce transparency database for FY 2026 and FY 2027.

(Line Item) *Kansas Department of Health and Environment — Health Immunization Schedules* — Sections 72(l) and 74(p) would have added language for FY 2027 directing the agency to implement the child, adolescent, and adult immunization schedules from the Centers for Disease Control and Prevention (CDC) that are in effect at CDC on July 1, 2026.

(Line Item) *Kansas Department of Insurance — Printing and Advertising Cap* — Section 38(d) would have added language requiring that printing and advertising expenditures for the Kansas Department of Insurance not exceed $750,000 for FY 2027.

(Line Item) *Kansas Department of Transportation — Kansas Interoperable Communication System* — Sections 140(a) and 140(k) would have added $5.0 million American Rescue Plan Act (ARPA) funds to support, modernize, and sustain integration for the existing Kansas Statewide Interoperable Communication System for FY 2027. In the absence of ARPA moneys, the program will not be funded.

(Line Item) *Kansas Public Employees Retirement System — KEY Fund Transfer* — Section 47 would have transferred $4.1 million from the Kansas Endowment for Youth Fund to the Children's Initiatives Fund in FY 2026.

(Line Item) *Kansas State Department of Education — Cut Score Language* — Sections 87(f) and 88(a) would have added language in FY 2026 and for FY 2027 requiring the agency to report state assessment cut scores using cut score standards from prior to July 1, 2025, and prohibited the agency from using the new cut scores when reporting results of the state assessments for school years 2025-2026 and 2026-2027.

(Line Item) *Kansas State Department of Education — State*

Assessment Contract and Innovation Assessment Pilot Program — Section 87(g) would have added language in FY 2026 requiring the agency to submit an Innovative Assessment Demonstration Authority application to the federal government, directed the agency to start an Innovative Assessment Pilot Program, and provided guidance on the number of school districts to be included in the pilot program.

(Line Item) *Kansas State Department of Education — State Assessment Contract and Innovation Assessment Pilot Program* — Sections 88(a) and 88(l) would have added language directing the funding in the KSDE Innovative Assessments account to be used for six pilot school districts and required a quarterly report from the agency. It would have added language requiring the agency to terminate the state assessment contract with the University of Kansas (KU) and use no more than $5.1 million to enter into a new contract with KU for state assessments.

(Line Item) *Kansas State Fair — Livestock Barn Upgrades* — Section 181(a) would have added $350,000 SGF for livestock barn upgrades for FY 2027 and added language requiring a pledge of matching private funds for FY 2027.

(Line Item) *Kansas State School for the Deaf — Demolition of Powerhouse Structure* — Section 163(a) would have added language requiring demolition of the Powerhouse to receive approval from the Joint Committee on State Building Construction prior to demolition for FY 2027.

(Line Item) *Legislature — Fiscal Auditor Language* — Section 54(y) would have added language requiring the Department of Administration to provide the fiscal auditors access to accounting data as described in HB 2555 for FY 2027.

(Line Item) *Office of the Governor — Children's Advocacy Centers Grants by Establishment Date* — Section 30(a) would have added language requiring that grant funds be allocated in order of establishment, beginning with the most recently established center for FY 2027.

(Line Item) *Office of the State Treasurer — Aviation Loan Program* — Section 37(e) would have added language to authorize the agency to enter into loan agreements up to $50.0 million for the Aviation Loan Program; limited the eligible borrower to an airport or entity with majority ownership in Kansas; and required one new Kansas job, paying 85 percent of county mean wage, created per $300,000 loan allotment that must be filled by citizens or lawful permanent residents; no violations of terms of the program or termination/increased

interest for FY 2027. This would have been an increase of $10.0 million over the amount approved by the 2025 Legislature.

BILLS VETOED BY THE GOVERNOR, BUT OVERRIDDEN

SB 30

This bill requires adoption of new occupational licenses and material changes to existing licenses by certain state Executive Branch agencies to be approved by the Legislature. This bill also requires such agencies to annually report certain information to the Joint Committee on Administrative Rules and Regulations.

House Sub. for SB 244

This bill creates law requiring the designation of multiple-occupancy private spaces in public buildings for use by only one sex and creates enforcement mechanisms; amends the Help Not Harm Act, Motor Vehicle Drivers' License Act, Women's Bill of Rights, and Uniform Vital Statistics Act to define the term "gender"; declares certain birth certificates and driver's licenses to be invalid; and requires correction of gender identification markers on licenses and birth certificates where necessary.

SB 361

This bill authorizes the state of Kansas to participate in the federal tax credit program for contributions of individuals to scholarship granting organizations.

SB 368

This bill enacts the Health Care Sharing Ministries Tax Deduction Act, providing a subtraction modification for taxpayers for qualified health care sharing expenses and amounts of qualified health care share received by taxpayers.

SB 375

This bill enacts the Proxy Advisor Transparency Act requiring proxy advisors to make certain disclosures when recommending an action against company management, and authorizing the Attorney General to investigate and take enforcement actions against violators.

SB 391

This bill prohibits any city or county from adopting or enforcing any ordinance or resolution that:

Prohibits landlords from refusing to lease privately owned single-family or multi-unit residential property or commercial property to a person because their source of income to pay rent consists, in whole or in part, of a financial payment or consideration from or through the federal Housing Choice Voucher Program, or any successor program, or any other housing assistance program in which participation by a landlord is voluntary;

Restricts a landlord's ability to use or consider income-qualifying methods, credit scores, credit reports, eviction history, property damage history, or criminal history or to request such information when done to determine whether to lease a property to a prospective tenant according to the landlord's customarily applied criteria in making such determinations;

Limits the amount of a security deposit a landlord may require to

lease a property to a prospective tenant; or

Requires landlords to grant an automatic right of first refusal to tenants.

This bill makes null and void any ordinance or resolution prohibited by these provisions that was adopted before July 1, 2026.

SB 462

This bill prohibits certain public nuisance claims and requires special injury for certain public nuisance actions. This bill also prohibits persons who engaged or participated, or attempted to engage or participate, in wrongful conduct from bringing an action for negligence, or collecting damages for negligent conduct, related to such wrongful conduct.

Senate Sub. for HB 2004

This bill establishes and amends law regarding the sharing of information related to federal assistance programs with the Office of the Inspector General, U.S. Department of Agriculture, and U.S. Department of Health and Human Services.

HB 2329

This bill amends provisions in the Revised Kansas Juvenile Justice Code relating to sentencing alternatives, the placement matrix, and detention length limit. This bill also directs the Secretary of Corrections (Secretary) to contract for beds for juvenile alternative sentences to out-of-home placements, directs the funding for such placements to come from the Evidence-based Programs Account (EBPA), and removes expired sunsets regarding such out-of-home placements. The bill also authorizes the Secretary to enter into a memorandum of agreement to provide money from the EBPA to additional types of facilities with a program purpose of behavioral health crisis intervention for juveniles.

HB 2333

This bill establishes the Kansas Intellectual Rights and Knowledge (KIRK) Act (Act). The bill sets restrictions on and requirements of public postsecondary educational institutions regarding individuals participating in non-commercial expressive activities and establishes a cause of action to be brought by either the Attorney General or the individual harmed should a college or university violate the Act. The bill also amends the Kansas Preservation of Religious Freedom Act.

Senate Sub. for HB 2372

This bill creates the crime of unlawful approach of a first responder and creates law related to immigration enforcement to allow sheriffs to detain persons subject to a facially sufficient immigration detainer request, requires certain municipal insurance pools cover federally approved immigration detainer operations conducted by a law enforcement agency, requires the State to pay for certain federal civil judgment costs, requires the Attorney General to represent law enforcement in certain

civil lawsuits, and provides civil immunity to officers or agencies acting in good faith under a 287(g) agreement or detainer. The bill amends the Interlocal Cooperation Act to specify that a sheriff does not need approval of a county commission to enter into a federal 287(g) agreement with U.S. Immigration and Customs Enforcement (ICE). The bill also incorporates federal law enforcement officers, their vehicles, and enforcement of federal law into certain traffic, criminal, and tort laws.

HB 2437

This bill enacts the SAVE Kansas Act, concerning voter registration record maintenance, and creates restrictions for voter registration websites.

HB 2521

This bill modifies the definition of "governmental entity" in the Kansas Tort Claims Act to add a child placement agency, as defined by law, if the child placement agency had an active contract with the Secretary for Children and Families when the act or omission giving rise to the claim occurred.

HB 2593

This bill requires any political subdivision, as defined in continuing law, to hold an open meeting before approving a contingent fee contract for legal services, and requires such contract to be approved by the Attorney General (AG) before becoming effective. The bill also requires the AG to submit a report to the Governor and Legislature regarding contracts that were not approved.

HB 2603

This bill prohibits a municipality from adopting or enforcing any ordinance, resolution, code, standard, or regulation, or portion thereof, that:

Requires a permit or fee for the installation or use of a battery-charged security fence that is in addition to any permit or fee required by the municipality for an alarm system;

Imposes installation or operational requirements for a battery-charged security fence that are inconsistent or conflict with or that are additional to the requirements of the bill; or

Prohibits or imposes conditions upon the installation, operation, placement, servicing, or maintenance of a battery-charged security fence.

The bill specifies that it is not to be construed to prohibit municipal regulation of any security alarm system that does not meet the definition of a battery-charged security fence.

HB 2635

This bill creates the Pregnancy Center Autonomy and Rights of Expression Act (Act). The Act makes several findings related to pregnancy centers and the services provided at such centers, and it prohibits regulations, policies, procedures, or other

measures that prohibit a pregnancy center from taking certain actions or require that a pregnancy center take specific actions. The bill also defines certain terms.

HB 2719

This bill adds to the Rules and Regulations Filing Act exceptions for technical amendments to existing rules and regulations and procedures, gives priority status to certain rules and regulations, modifies approval procedures for certain requirements, establishes a new public notice requirement, and provides conditions for submitting proposed rules and regulations to the Joint Committee on Administrative Rules and Regulations.

HB 2727

This bill allows plaintiffs to elect to limit recovery in claims brought for violations of the informed consent provisions of the Woman's-Right-to-Know Act and does not allow parties to the suit to request the convening of medical malpractice screening panel.

HB 2729

This bill amends the informed consent provisions of the Woman's-Right-to-Know Act concerning required information and required notice signs for both abortion procedures and medication abortion.

Sub. for HB 2731

This bill establishes data-matching and eligibility verification requirements for the Secretary for Children and Families and the Secretary of Health and Environment for certain public assistance programs; permits continuous eligibility provisions for select individuals; prohibits certain exemptions, waivers, and self-attestation; and changes eligibility requirements for certain public assistance programs.

(Line Item, Appropriations)

HB 2513

This bill contains FY 2026 supplemental funding and FY 2027 funding for most state agencies. This bill also contains claims against the State.

(Line Item) *Department for Children and Families — Radical Life* — Section 81(h) adds language requiring the agency to expend $500,000 in federal funds to provide support for Radical Life for FY 2027. This program aims to reduce foster care stays, provide family stabilization, and provide financial education in and around Lyon County for FY 2027. If federal funds are not available, the agency is directed to use existing resources.

(Line Item) *Department of Administration — Parking Lots* — Sections 53(b) and 54(w) add language authorizing any state employee or legislator to park in any parking lot or facility from 5:00 p.m. to 11:00 p.m. for FY 2026 and FY 2027. The lot or facility must be under the control of a state agency and not secured by a gate or arm.

(Line Item) *Department of Administration — Performance Metric Reporting* — Section 54(u) adds language requiring all applicants requesting state-appropriated funds for FY 2027 provide the following information before funds are distributed: a statement of purpose, measurable outcome metrics, and a description of how progress will be measured. Applicants would receive 50 percent of the funds awarded upfront and 50 percent upon demonstration of measurable progress toward declared outcome metrics. Federal subsidy programs are exempt from this funding structure.

(Line Item) *Kansas Department for Aging and Disability Services — Information on Services* — Section 78(dd) adds language directing the agency to provide information to Medicaid recipients and such recipients' family members who are considering moving into an adult care home or facility that programs and services are available that would allow such recipient to remain in their home for independence and self-sufficiency for FY 2027. This information will only be provided if permitted by the Centers for Medicare and Medicaid Services for FY 2027.

(Line Item) *Kansas Department of Health and Environment — Prevent Funding for Abortion Services* — Section 74(q) adds language prohibiting the agency from expending any funds to enter into a contract with or make a grant to entities that assist, provide, perform, promote, counsel toward, refer for, or provide facilities for abortions. Additionally, this language excludes entities prohibited from performing abortions under chapter 76 of the *Kansas Statutes Annotated,* unless in the event of a medical emergency.

(Line Item) *Kansas State Department of Education:*

E-Rate State Match — Section 88(k) adds language directing

the agency to use existing resources, not to exceed $500,000, to provide funding for the state match for the E-Rate program for FY 2027.

Fastbridge Language — Section 88(k) adds language directing the agency to use existing resources, not to exceed $1.8 million, to provide funding for this program for FY 2027.

JAG-K Language — Section 88(k) adds language directing the agency to use existing resources, not to exceed $800,000, to provide funding for the Jobs for America's Graduates—Kansas program for FY 2027.

Mentor Teacher Program — Section 88(k) adds language directing the agency to use existing resources, not to exceed $1.3 million, to provide funding for this program for FY 2027.

National Board Certification — Section 88(k) adds language directing the agency to use existing resources, not to exceed $360,000, to provide funding for this program for FY 2027.

Professional Development — Section 88(k) adds language directing the agency to use existing resources, not to exceed $1.8 million, to provide funding for this program for FY 2027.

Sparkwheel Language — Section 88(k) adds language directing the agency to use existing resources, not to exceed $1.4 million, to provide funding for this program for FY 2027.

Youth Career Discovery Partnership Language — Section 88(k) adds language directing the agency to use existing resources, not to exceed $320,000, to provide funding for this program for FY 2027. It also adds language for the Youth Career Discovery Program directing that expenditures for the pilot program require a match of non-state or private moneys on the basis of $1 non-state or private funding to $2 of state funding for FY 2027.

(Line Item) *Kansas State Department of Education — Student Walkout Language* — Section 88(m) adds language requiring the agency use existing funds to establish a complaint process and penalty for school districts regarding student walkouts under certain circumstances; requiring that penalties assessed from such walkouts be remitted to the SGF; and requiring that, if a walkout occurs, the school day will not count as an instructional school day for FY 2027.

(Line Item) *Kansas State Historical Society — Junior Officer Quarters at Fort Dodge Restoration* — Section 96(d) adds $1.0 million ARPA to restore the junior officer quarters at Fort Dodge for FY 2027.

(Line Item) *Legislature — Legislative Operating Budget* — Section 26(a) appropriates $24.7 million SGF for the legislative operating budget for FY 2027.

(Line Item) *Office of the State Treasurer — Pregnancy Compassion Awareness* — Section 37(a) adds $3.0 million SGF

to the State Treasurer for Pregnancy Compassion Awareness and adds language continuing program requirements for FY 2027.

(Line Item) *State Finance Council — State Operations Lapse* — Section 155 deletes $9.3 million SGF to lapse 1.5 percent of state operations funded from the SGF for FY 2027. This lapse will not apply to SGF-financed operating expenditures for authorized contractual services, specific projects, or an identified program or entity. Additionally, the following are exempt from this provision: judicial and legislative agencies, correctional facilities, the Kansas Bureau of Investigation, Kansas Sentencing Commission, veterans homes, the Office of the Attorney General, state hospitals, the Kansas Highway Patrol, and the State Board of Regents and Regents universities.

(Line Item) *State Finance Council — Vacant Positions* — Section 153 adds language to lapse SGF associated with the salaries and wages of positions that have been vacant for 60 calendar days or the entire fiscal year for FY 2027.

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