

# Journal of the House

TWENTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 10, 2023, 8:30 a.m.

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

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2392**, AN ACT concerning veterans and military; updating the Kansas code of military justice relating to certain definitions, unlawful acts and punishment requirements thereof; amending K.S.A. 48-2101, 48-2102, 48-2103, 48-2105, 48-2106, 48-2201, 48-2203, 48-2204, 48-2602, 48-2605, 48-2708, 48-2709, 48-2801, 48-2802, 48-3003, 48-3005, 48-3006, 48-3007, 48-3008, 48-3009, 48-3010, 48-3011, 48-3012, 48-3013, 48-3014, 48-3015, 48-3016, 48-3017, 48-3018, 48-3019, 48-3020, 48-3021, 48-3022, 48-3023, 48-3024, 48-3025, 48-3026, 48-3027, 48-3028, 48-3029, 48-3030, 48-3031, 48-3032, 48-3033, 48-3033a, 48-3034, 48-3035, 48-3035a, 48-3036, 48-3037, 48-3038, 48-3039, 48-3040, 48-3041, 48-3042, 48-3043, 48-3044, 48-3101, 48-3102, 48-3103, 48-3104, 48-3105, 48-3108, 48-3109, 48-3110 and 48-3112 and K.S.A. 2022 Supp. 48-2301 and repealing the existing sections; also repealing K.S.A. 48-2104, 48-2202, 48-2205, 48-2206, 48-2207, 48-2208, 48-2401, 48-2401a, 48-2402, 48-2402a, 48-2403, 48-2404, 48-2405, 48-2406, 48-2501, 48-2501a, 48-2502, 48-2503, 48-2504, 48-2505, 48-2506, 48-2507, 48-2601, 48-2603, 48-2604, 48-2606, 48-2701, 48-2702, 48-2703, 48-2704, 48-2705, 48-2706, 48-2707, 48-2710, 48-2711, 48-2712, 48-2713, 48-2714, 48-2715, 48-2716, 48-2717, 48-2718, 48-2719, 48-2803, 48-2804, 48-2915, 48-2916, 48-2917, 48-2918, 48-2919, 48-2920, 48-2921, 48-2922, 48-2923, 48-2924, 48-2925, 48-2926, 48-2927, 48-2928, 48-2929, 48-2930, 48-2931, 48-2932, 48-3001, 48-3106, 48-3107 and 48-3114, by Committee on Veterans and Military.

**HB 2393**, AN ACT concerning public assistance; relating to the secretary for children and families; directing the secretary to enter agreements with state agencies for the continuous review and comparison of data for public assistance eligibility; requiring the secretary to review federal sources to verify such eligibility, by Committee on Welfare Reform.

**HB 2394**, AN ACT concerning public assistance; relating to energy assistance and housing assistance; requiring the secretary for children and families to develop a low income energy assistance program and the secretary for aging and disability services to develop a program for unhoused individuals to find and secure affordable housing; determining eligibility for such programs, by Committee on Welfare Reform.

**HB 2395**, AN ACT concerning the open records act; relating to public records; continuing in existence certain exceptions to the disclosure thereof; amending K.S.A. 9-512, 40-4308, 40-4350, 45-229, 65-177, 65-28b08, 74-5611a, 75-7240 and 75-7242 and repealing the existing sections, by Committee on Judiciary.

**HB 2396**, AN ACT concerning the Kansas standard asset seizure and forfeiture act; requiring a conviction prior to forfeiture; remitting proceeds to the state general fund; requiring proof beyond a reasonable doubt that property is subject to forfeiture; requiring seizing agencies to make forfeiture reports more often; amending K.S.A. 2022 Supp. 60-4104, 60-4105, 60-4106, 60-4109, 60-4112, 60-4113, 60-4114, 60-4117 and 60-4127 and repealing the existing sections, by Committee on Judiciary.

**HB 2397**, AN ACT concerning real property; relating to the conveyance thereof; prohibiting the conveyance of title to certain real property to foreign adversaries; establishing criminal penalties therefor; requiring the attorney general to investigate such conveyances, by Committee on Agriculture and Natural Resources.

**HB 2398**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving controlled substances; adding the placing of controlled substances into pills into the definition of manufacture; increasing the criminal penalties for manufacturing fentanyl-related controlled substance; creating a special sentencing rule for distributing fentanyl-related controlled substance; amending K.S.A. 2022 Supp. 21-5701, 21-5703 and 21-6805 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 21-5701b, by Committee on Corrections and Juvenile Justice.

**HB 2399**, AN ACT concerning labor and employment; providing protections for freelance workers including payment within 30 days unless otherwise contractually specified; requiring written contracts; forbidding clients from demanding reductions in compensation for timely payment; prohibiting retaliation against freelance workers who seek payment; authorizing the secretary of labor to investigate alleged violations and the attorney general to enforce orders against violators and setting forth penalties for such violations; providing for a private cause of action by freelance workers or by nonprofit organizations on behalf of such workers; establishing an assistance program for freelance workers to be administered by the secretary of labor, by Committee on Commerce, Labor and Economic Development.

**HB 2400**, AN ACT concerning workforce development; enacting the Kansas adult learner grant act; establishing a grant program for adult learners to pursue certain fields of study; providing for workforce retention incentive payments; creating the Kansas adult learner grant program fund, by Committee on Commerce, Labor and Economic Development.

**HB 2401**, AN ACT concerning employment security law; relating to the definition of "benefit year" and "temporary unemployment"; requiring electronic filing of wage reports, contribution returns and payments and interest assessments for employers with 25 or more employees; permitting the exercise of discretion in the number of appointments and length of terms with respect to the temporarily expanded employment security board of review members; extending when the mandatory combination of rates and the establishment of a new account due to a business acquisition must occur from the beginning of the following quarter to the beginning of the following year; amending K.S.A. 44-709 and 44-717 and K.S.A. 2022 Supp. 44-703 and 44-710a and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2402**, AN ACT concerning self-service storage facilities; prohibiting such new facilities that are located within 1,000 feet of a child care facility or school, by Committee on Federal and State Affairs.

**HB 2403**, AN ACT regarding firearms; relating to the storage of firearms and stun guns; creating certain crimes dealing with improper storage, by Committee on Federal and State Affairs.

**HB 2404**, AN ACT concerning environmental, social and governance standards involving contracts, investments and business practices; relating to ideological boycotts or other discriminatory conduct; enacting the Kansas protection of pensions and businesses against ideological interference act; directing the board of trustees of the Kansas public employees retirement system to divest from investments with entities engaged in ideological boycotts; establishing conditions and procedures for divestment; requiring the state treasurer to publish a list of financial companies and financial institutions engaged in ideological boycotts; authorizing the state treasurer to disqualify listed financial institutions from receiving deposit of state moneys; prohibiting governmental contracts without written verification that a contractor is not engaged in ideological boycotts; directing fiduciaries of governmental plans that provide retirement benefits, defer employee income or invest taxpayer moneys to act only in the financial interest of such plans; requiring registered investment advisers to make certain disclosures to clients and obtain written consent of clients prior to investing client funds in investments engaged in ideological boycotts; providing for civil and criminal penalties; amending K.S.A. 75-4208 and K.S.A. 2022 Supp. 40-2404 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2405**, AN ACT concerning legal tender; establishing the Kansas legal tender act; reaffirmation of gold and silver coin as legal tender; providing an income taxation subtraction modification for gains from the sale of specie; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2406**, AN ACT concerning the personal and family protection act; prohibiting the collection of personal information regarding off-duty law enforcement officers entering buildings or requiring the officer to wear anything identifying the person as a law enforcement officer or being armed; amending K.S.A. 75-7c22 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2407**, AN ACT concerning students; relating to nonacademic questionnaires; eliminating the requirement for parental consent for a student to participate in a nonacademic questionnaire; allowing for notice of a nonacademic questionnaire to be administered; amending K.S.A. 2022 Supp. 72-6316 and repealing the existing section, by Committee on Child Welfare and Foster Care.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources Budget: **HB 2386**.

Child Welfare and Foster Care: **HB 2377**.

Commerce, Labor and Economic Development: **HB 2387, HB 2388, HB 2389**.

Corrections and Juvenile Justice: **HB 2385**.

Elections: **HB 2391**.

Health and Human Services: **HB 2390**.

Judiciary: **HB 2379, HB 2380, HB 2381, HB 2383.**

K-12 Education Budget: **HB 2382.**

Local Government: **HB 2376.**

Taxation: **HB 2384.**

Veterans and Military: **HB 2378.**

#### **MESSAGE FROM THE SENATE**

Announcing passage of **SB 11, SB 14, SB 15, SB 17, SB 19, SB 26, SB 39, SB 42.**

Announcing adoption of **SCR 1603.**

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 11, SB 14, SB 15, SB 17, SB 19, SB 26, SB 39, SB 42, SCR 1603.**

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Commerce, Labor and Economic Development** recommends **HB 2234** be amended on page 1, in line 11, after "(a)" by inserting "(1)"; in line 15, by striking "\$1,500,000" and inserting "the amount specified in paragraph (2)"; following line 21, by inserting:

"(2) The construction cost threshold to convene a negotiating committee as provided by paragraph (1) shall be \$1,500,000 for fiscal year 2024. For fiscal year 2025, and all fiscal years thereafter, the threshold to convene a negotiating committee shall be the threshold amount for the immediately preceding fiscal year increased by an amount equal to the percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor during the immediately preceding fiscal year rounded to the nearest whole dollar amount.";

On page 2, in line 13, after "(a)" by inserting "(1)"; in line 16, by striking "\$1,500,000" and inserting "the amount specified in paragraph (2)"; following line 20, by inserting:

"(2) The construction cost threshold to convene a negotiating committee as provided by paragraph (1) shall be \$1,500,000 for fiscal year 2024. For fiscal year 2025, and all fiscal years thereafter, the threshold to convene a negotiating committee shall be the threshold amount for the immediately preceding fiscal year increased by an amount equal to the percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor during the immediately preceding fiscal year rounded to the nearest whole dollar amount.";

On page 1, in the title, in line 5, after the semicolon by inserting "providing such cost threshold be increased annually based on the percentage increase in the consumer price index"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2149** be amended on page 1, in line 9, by striking "(c)" and inserting "(d)"; in line 16, by striking "(c)" and inserting "(d)"; in line 24, after "thereto" by inserting ", except that such distinctive license plates may be personalized license plates pursuant to subsection (a)(2) if an applicant pays the personalized license plate fee prescribed by K.S.A. 8-132(d), and amendments thereto";

in line 28, after "thereto" by inserting ", except that such distinctive license plates may be personalized license plates pursuant to subsection (a)(2) if an applicant pays the personalized license plate fee prescribed by K.S.A. 8-132(d), and amendments thereto"; and the bill be passed as amended.

#### COMMITTEE ASSIGNMENT CHANGE

Speaker Hawkins announced the appointment of Rep. Winn to replace Rep. Alcalá on Committee on Appropriations for February 10, 2023.

On motion of Rep. Croft, the House recessed until 11:00 a.m.

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#### LATE MORNING SESSION

The House met pursuant to recess with Speaker Hawkins in the chair.

#### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2408**, AN ACT concerning health and healthcare; relating to the practice of barbering and cosmetology; exempting adult care homes from statutes governing barbering and cosmetology facilities; amending K.S.A. 65-1904a and 74-1807 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2409**, AN ACT concerning family law; enacting the Kansas uniform parentage act (2017); repealing the Kansas parentage act; amending K.S.A. 38-1518, 38-2220, 38-2221, 38-2313, 38-2318, 39-7,145, 59-501 and 65-2409a and K.S.A. 2022 Supp. 20-165, 20-302b, 23-2222, 23-2223, 23-36,401 and 59-2136 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 23-2201, 23-2202, 23-2203, 23-2204, 23-2205, 23-2206, 23-2207, 23-2208, 23-2209, 23-2210, 23-2211, 23-2212, 23-2213, 23-2214, 23-2215, 23-2216, 23-2219, 23-2220, 23-2221, 23-2224 and 23-2225, by Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES

Committee on **Veterans and Military** recommends **HB 2210** be passed.

On motion of Rep. Croft the House adjourned pro forma until 11:00 a.m. on Monday, February 13, 2023.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

