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MEMORANDUM

To: Chair Gossage and the Senate Committee on Public Health and Welfare
From: Office of Revisor of Statutes
Date: March 19, 2024
Subject: HB 2754: Authorizing counties to use home rule powers to exempt from conducting school sanitary inspections.

HB 2754 authorizes counties to use home rule powers to exempt from conducting school sanitary inspections and amends K.S.A. 19-101a and 65-202.

Section 1 amends K.S.A. 19-101a, the statute related to the power of counties to exempt from certain legislation. Current law in subsection (a)(39) provides that counties may not exempt from or effect changes to K.S.A. 65-201 and 65-202. This bill would allow counties to opt out of all of the provisions of K.S.A. 65-202 except for subsection (c) of that statute.

Section 2 amends K.S.A. 65-202 related to local health officers. Current law provides that the local health officer shall upon the opening of the fall term of school, make a sanitary inspection of each school building and grounds, and shall make such additional inspections as are necessary to protect the public health of the students of the school. This bill makes that paragraph its own subsection, subsection (c), to allow for the reference in K.S.A. 19-101a to operate to allow counties to opt out of the requirement for the local health officer to provide sanitary inspections of schools.

HB 2754 passed the House Committee of the Whole on a vote of 114 to 5 and would become effective on July 1, 2024.