



## Legislative Advocacy: 1st Adjournment Report- March 23, 2022

### First Adjournment Report

The following is an update on proposed legislation as of adjournment of both chambers on Wednesday, March 23, 2022. All items listed on this report are subject to change when the legislature returns on Monday, March 28, 2022. The first adjournment – or the end of the regular session – is Friday, April 1, 2022. The Legislature will then take a 3-week break before returning on April 25, 2022, for the veto session, commonly referred to as the “wrap-up session.”

### BUDGET

- House Budget (without education funding; [H Sub for Sub SB 267](#)): [73-49](#)
  - **Next steps:** Since the contents of the House budget were placed into a Senate Bill, it will go back to the Senate where they will have the opportunity to accept the changes made to the underlying bill or they can send it to Conference where they will negotiate the budget. We anticipate this will be sent to Conference Committee.
- Senate Budget (includes Senate K-12 budget, [SB 444](#)): [23-14](#)
  - **Next steps:** This has been received by the House and has been referred to the House Committee on Appropriations. We await further action.
- House K-12 Budget ([Sub for Sub HB 2512](#)): [76-46](#)
  - Includes the funding for schools as recommended by Governor Kelly but is riddled with unfunded mandates and bad policy that stomps all over local control and the constitutional authority of the State Board of Education including, but not limited to: expanding voucher eligibility, requiring part-time enrollment, making changes to virtual schools, mandating building needs assessments, and mandating literacy programs.
  - The House amended the bill to remove the specific reference to Math Nation but still allocates \$4 million to the creation of a “virtual math program” that is defined exactly to match the description of Math Nation and mandates school district participation and fees.

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- KNEA Recommended Representatives who voted **FOR** the K-12 budget despite KNEA's calls to oppose it: Rep. Jesse Borjon (District 52); Rep. Mike Dodson (District 67); Rep. Jim Minnix (District 118); and Rep. Kent Thompson (District 26). [See how your Representative voted here.](#)
- **Next steps:** This will be sent over to the Senate for consideration. It is not in a bill that could immediately be sent to Conference Committee, but the contents could be discussed in Conference given that the Senate passed a bill containing the K-12 budget.

## EDUCATION POLICY

- Open Enrollment
  - House Version ([Sub for HB 2615](#)): [63-59](#)
    - Started out as [HB 2553](#) but was later bundled into Sub for HB 2615.
  - Senate Version ([SB 455](#)): [23-16](#)
  - **Next steps:** The Senate version has been received by the House and referred to the House Committee on K-12 Education Budget. The House version has not yet been received by the Senate. We anticipate this will be a bill that gets bundled in a conference committee report.
- "Parents' Bill of Rights"
  - House Version ([Sub for HB 2662](#)): Did not take a vote on the House floor
  - Senate Version ([SB 496](#)): [24-15](#)
  - **Next steps:** The Senate version has been received by the House and referred to the House Committee on K-12 Education Budget. The House did not vote on their version. We await further action.
- Transgender Athlete Prohibition
  - Senate Version ([SB 484](#)): [27-12](#)
  - There is not a House equivalent to this bill.
  - **Next steps:** The House has received SB 484 and has referred it to the House Committee on Education. This committee typically does not work on controversial bills, but we await further action.
- Computer Science Curriculum Mandate ([Sub for HB 2466](#)):
  - House vote: [115-4](#)
  - Senate vote: [27-11](#)
  - **Next steps:** The bill has now passed both chambers, but the Senate made some minor changes in committee. As a result, the House will have to vote on whether to accept the changes or refer it to Conference Committee. It is anticipated that it will go to Conference, and they will meet as early as March 28.
- Kansas Promise Scholarship Act ([SB 340](#)):
  - Senate vote: [39-0](#)
  - **Next steps:** There is not a House counterpart to this bill. SB 340 has been received by the House and referred to the House Committee on Commerce, Labor, and Economic Development. We await further action.
- Kansas Teacher Service Scholarship
  - The bill introduced by Rep. Mari-Lynn Poskin with bipartisan support to double appropriations for the Kansas Teacher Service Scholarship ([HB 2626](#)) had a hearing and then was added to the full budget ([H Sub for Sub SB 267](#)). This is one of the good things contained in the budget bill. However, the number of bad things that are in the bill coupled with the removal of good things made the bill not worthy of a "yes" vote.
  - **Next steps:** The budget will be in Conference Committee at some point. Given that this is part of the House budget, we will be watching to see if it remains in the budget as they negotiate changes.
- Career & Technical Education Credential ([HB 2631](#)):
  - House Vote: [122-0](#)
  - Senate Vote: The Senate has not voted on this bill, yet.
  - **Next steps:** It will be received by the Senate and referred to a committee where it will await further action.
- Academic "Transparency"
  - Senate versions: [SB 363](#) and [SB 393](#) never made it out of committee
  - House version is contained within the House's version of the Parents' Bill of Rights ([Sub for HB 2662](#)). It made it out of committee, but no further action was taken.



- **Next steps:** None of these bills have made it to the floor of either chamber. We consider them still “alive” for the session, and we could see them resurface bundled in a Conference Committee Report.
- Merit Pay
  - Provisions related to merit pay that were contained within [HB 2690](#) remain in the House K-12 Education Budget committee. There was not a merit pay equivalent introduced in the Senate.
  - **Next steps:** The bill is technically still “alive.” Though we do not anticipate further action unless it gets bundled in a Conference Committee Report.
- Vouchers
  - House version: What started out as [HB 2550](#), the bill establishing a major voucher program under the guise of “educational savings accounts,” was bundled into [Sub for HB 2615](#) just before “turnaround” in late February. It was then stripped out of that bill in committee.
  - Senate version: [SB 475](#), creating the hope scholarship program to provide education savings accounts for students. No action has been taken on this bill in the Senate.
  - **Next steps:** At this point, there is not a bill out of committee that contains the language related to this voucher program. That does not mean, though, that we won’t see it pop up in Conference Committee.
- Vision Screenings ([SB 62](#))
  - This is a carryover bill from the 2021 session that establishes the Kansas children’s vision health and school ready commission to make recommendations on when to have vision screenings in school.
  - Senate vote: [35-4](#)
  - House vote: [115-6](#)
  - **Next steps:** The Senate did not agree to the changes in the bill so it has been assigned to a Conference Committee, which is scheduled to meet on March 28.
- Liability Protections for Work-Based Programs ([H Sub for SB 91](#))
  - This is another carryover bill from the 2021 session. It provides liability protection for businesses, municipalities, and educational institutions that participate in high school work-based learning programs.
  - Senate vote: [34-5](#)
  - House vote: [123-0](#)
  - **Next steps:** Changes to the bill were not accepted; a Conference Committee has been appointed. We are awaiting the scheduling of a meeting.

- Driver's Ed Programs to DMV ([SB 215](#))
  - This is another carryover bill from the 2021 session. It transfers authority for postsecondary driver's education programs and driver training schools from the Kansas Board of Regents to the Kansas Department of Revenue.
  - Senate vote: [40-0](#)
  - House vote: [122-0](#)
  - **Next steps:** Changes to the bill were not accepted; a Conference Committee has been appointed and is scheduled to meet on March 28.
- Changes to Federal Impact Aid ([S Sub for HB 2567](#))
  - This is a bill that was requested by the Governor's Military Advisor and adjusts federal impact aid in the school finance formula.
  - Senate vote: [39-0](#)
  - **Next steps:** This bill started as [SB 341](#). The contents of that bill were added to a House bill and have now passed the Senate. The bill now goes back to the House. The House will likely not agree with the changes and will appoint a Conference Committee.
- Critical Race Theory Prohibition
  - [SB 515](#): Never had a hearing; never made it out of committee.
- Gun Safety Training Standards
  - [SB 522](#): Passed out of committee, but no further action has been taken.

#### CONSTITUTIONAL AMENDMENTS

- [SCR 1620](#): Supermajority for new or increased state taxes
  - Senate Vote: [25-14](#)
  - **Next steps:** It failed to receive a 2/3 majority vote, so it does not advance.
- [SCR 1621](#): Changes to the selection process of Supreme Court Justices with Senate confirmation
  - Senate Vote: [26-13](#)
  - **Next steps:** It failed to receive a 2/3 majority vote, so it does not advance.
- [HCR 5022](#): A constitutional amendment to require that a sheriff be elected in each county for a term of four years.
  - House Vote: [97-24](#)
  - Senate Vote: [36-2](#)
  - **Next steps:** The resolution received a 2/3 majority vote in both chambers, so it advances to the 2022 Primary Election ballot in August.
- [HCR 5014](#): A constitutional amendment that creates a new section concerning legislative oversight of administrative rules and regulations. This is legislative overreach onto the Executive Branch.
  - House Vote: [85-39](#)
  - Senate Vote: [27-12](#)
  - **Next steps:** The resolution received a 2/3 majority vote in both chambers, so it advances to the 2022 General Election Ballot in November.

#### PUBLIC HEALTH CHANGES

Despite a recent poll indicating that 90% of Kansas voters support current childhood immunization requirements for children to attend school and believe the authority to set those policies should remain with the Kansas Department of Health and Environment, the hyper-partisan supermajority in the Kansas Senate took it upon themselves this week to make it more difficult for any governing body AND the Secretary of Health and Environment to control the spread of infectious and communicable diseases. With these changes, we have no doubt that we will begin seeing an increase of preventable contagious diseases pop up within our schools making the learning and teaching environments more dangerous.

- Stripping KDHE Authority ([SB 489](#)): The bill removes the authority of the Secretary of Health and Environment to issue health orders in response to infectious and contagious diseases. The bill specifies that the Secretary of Health and Environment no longer has the authority to require local health officers to perform duties related to the prevention of the spread of infectious, contagious, or communicable diseases. It also repealed a statute pertaining to the Secretary's authority to quarantine.



- Senate Vote: [24-15](#)
- **Next steps:** This bill now goes to the House. However, since there is a related bill contained within a House bill, it is possible this language could be added to that bill in Conference Committee.
- Prohibition of public health mitigations ([SB 541](#)): This bill includes a host of restrictions on local government in terms of reducing the spread of disease in our communities. Additionally, it makes it harder to mitigate the spread of disease in our schools and puts children – and those in contact with these children, such as our teachers – at risk.
  - Senate Vote: [24-14](#)
  - **Next steps:** This bill now goes to the House. However, since there is a related bill contained within a House bill, it is possible this language could be added to that bill in Conference Committee.
- Ivermectin and expansion of childhood immunization exemptions ([S Sub for HB 2280](#)): This is the bill from earlier this session that was traded for votes on the Congressional Redistricting Map. It's Sen. Mark Steffen's get-out-of-jail-free card as it permits the off-label prescription of Ivermectin to treat COVID-19. [Steffen is currently under investigation for writing off-label prescriptions for Ivermectin](#). It also includes language that essentially creates a philosophical objection exemption for all childhood immunizations required to attend childcare facilities and schools. The portion of the bill pertaining to immunization exemptions never had a hearing in either the Senate or the House. Yet, it was added to the bill.
  - Senate Vote: [21-16](#)
  - **Next steps:** Because this was placed within a House bill, it will now go back to the House where they will have the opportunity to agree to the changes or send it to a Conference Committee.

## ELECTIONS

- Advance Ballot Changes ([S Sub for HB 2056](#)): This bill makes it more difficult for Kansans to vote with an advance ballot. It limits the number of ballot boxes available for returning advance mail-in ballots. It also reduces the grace period for returning ballots by mail by requiring the ballot to be received by the county election office by 7 p.m. on Election Day. Current law allows ballots to be postmarked on Election Day and received by the Friday following Election Day. In the 2020 election, the Kansas Secretary of State noted that more than 30,000 votes would not have been counted if the grace period was not in state law. KNEA opposes any changes that restrict access to voting.
  - Senate vote: [22-17](#)
  - **Next steps:** Because the Senate Committee inserted the contents of these election bills into a House bill, it will now go back to the House for an opportunity to agree with the changes or send it to the

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Conference Committee to negotiate the changes. We fully anticipate this bill will be sent to a Conference Committee.

#### TAXES

- The Senate has now passed a bill that contains provisions creating the Golden Years Homestead Property Tax Freeze ([S Sub for HB 2239](#)), which would provide property tax relief to seniors and disabled veterans. Additionally, the Senate has passed a bill containing a host of tax credit provisions ([SB 282](#)), including the credit for school and classroom supplies purchased by teachers and a bill that includes a number of very specific agriculture-related property tax changes ([S Sub for HB 2597](#)). However, we have yet to see either one of Governor Kelly's "Axe the Food Tax" proposals, which would provide a Kansas family of four up to \$500 a month in sales tax relief through the elimination of the statewide sales tax on food.
- **Next steps:** We anticipate the two House bills that were modified by the Senate will be sent to Conference Committee for negotiations on tax policy.

#### SOCIAL SAFETY NETS

- A bill that makes it more difficult for Kansans ages 18 to 49 without children or without the custody of children to receive food assistance ([S Sub for HB 2448](#)) passed the Senate on a vote of [27-12](#). This bill contains the contents of [Senate Bill 501](#), a bill requested for introduction by a Florida-based conservative lobbying organization.
- **Next steps:** Since the contents were added to a House bill that previously passed out the House, it will now go back to the House for an opportunity to agree with the changes or to send it to Conference Committee.

#### REDISTRICTING

- State Senate & State House of Representatives Maps ([Sub for SB 563](#)): The House combined the two proposed redistricting maps into one bill.
- **Next steps:** The House passed this legislation within a Senate Bill so it now goes back to the Senate for an opportunity to agree to the changes made and send it to the Governor. Or, they can disagree to the changes and send them to Conference Committee where they will negotiate the changes.

#### KPERS

- Cost of Living Adjustment (COLA)
  - A bill providing an annual KPERS cost-of-living adjustment (COLA) on the occurrence of certain investment returns and increases to the Consumer Price Index as certified by the KPERS board or executive director as designated by the board ([Senate Bill 401](#); House companion ([House Bill 2583](#))). Neither bill received a hearing; both bills remain in their respective committees.
  - A bill providing a post-retirement cost-of-living adjustment for certain KPERS retirees ([Senate Bill 402](#); House companion, [House Bill 2584](#)). Neither bill received a hearing; both bills remain in their respective committees.
- Working After Retirement
  - A bill reducing the KPERS working after retirement employer contribution rate to only the statutory rate and decreasing the waiting period to 60 days for certain retirees employed by a school district for a period ending June 30, 2024 ([House Bill 2593](#)); remains in committee.
  - A bill aiming to address some of the workforce issues within the public sector on a short-term basis passed out of committee ([HB 2639](#)), but the House did not take action on it.
- Thrift Savings
  - A bill enacting the Kansas thrift savings plan act and establishing terms, conditions, requirements, membership elections, accounts, benefits, contributions, and distributions related to such act ([Senate Bill 553](#)). House companion ([House Bill 2402](#)). The Senate bill passed out of committee and is awaiting action on the Senate floor. The House bill remains in committee.
- **Next steps:** Funds have been appropriated in both the House and Senate budgets that deal with KPERS. The question that remains is how much will ultimately be appropriated and will a portion of that money be earmarked to pay off the layering payments, as recommended by Governor Kelly. This will ultimately be decided during the budget Conference Committee process.