



KHA's Capitol Comments
March 23, 2023

Senate Public Health and Welfare Hears and Works Bills

Today, the Senate Public Health and Welfare Committee, chaired by Senator Beverly Gossage (R-Eudora), held hearings on the following bills:

[House Bill 2240](#) requires the clerk of the district court to give notice of qualified residential treatment program placement. The committee heard from one proponent conferee, Tanya Keyes, Kansas Department for Children and Families.

[House Bill 2260](#) increases the medical student loan agreements that may be provided by The University of Kansas School of Medicine and prohibits impediments to switching between residency programs. The committee heard from one proponent, Kyle Kessler, the Association of Community Mental Health Centers.

The committee took final action on the following:

[House Bill 2325](#) adds "maternity center" to the definition of "healthcare provider" for purposes of the Healthcare Provider Insurance Availability Act. The committee added to the bill the original contents of [Senate Bill 219](#). That legislation designates certain health care providers as being ineligible to purchase professional liability insurance from the Health Care Stabilization Fund. The bill was recommended favorably as amended.

[Senate Bill 314](#) prohibits the secretary of the Kansas Department of Health and Environment from requiring COVID-19 vaccination for children attending a childcare facility or school. The committee recommended the bill favorably for passage.

[Senate Bill 315](#) strikes the employer language, the chair broke the four-to-four tie vote in favor of the amendment. Sen. Molly Baumgardner (R-Louisburg) brought an amendment to strike the language related to eliminating the meningitis vaccine requirement to live in student housing. The amendment failed. The committee took a vote to pass as amended, and the motion failed. The bill will remain in committee.

[House Bill 2240](#) requires the clerk of the district court to give notice of qualified residential treatment program placement.

[House Bill 2260](#) increases the number of medical student loan agreements that may be provided by The University of Kansas School of Medicine and prohibits impediments to switching between residency programs. The committee saw a vote adding the contents to [Senate Bill 98](#), which authorizes medical student and residency loan assistance to encourage the practice of obstetrics and gynecology in medically underserved areas of the state. The bill was recommended favorably as amended.

The committee will meet again Friday, March 24.

Corrections and Juvenile Justice Committee Assembles Crime-Related Bill Including Protections for Healthcare Workers

Today, the House Corrections and Juvenile Justice Committee, chaired by Stephen Owens (R-Hesston), worked to add bills to packages.

The committee began by working [Senate Bill 174](#). The legislation increases the crime of interference with law enforcement when fleeing from an officer.

Next, the committee moved the contents of [House Bill 2023](#). The legislation increases crimes against health care workers into the contents of [Senate Bill 174](#). The committee also added the following to [Senate Bill 174](#):

- [House Bill 2398](#) adds the placing of controlled substances into pills into the definition of manufacture, increasing the criminal penalties for manufacturing fentanyl and creating a special sentencing rule to make sentences for distributing fentanyl presumptive imprisonment.
- [Senate Bill 73](#) adds domestic battery and violation of a protection order to the crimes that a person can have the intent to commit when committing burglary or aggravated burglary.
- [Senate Bill 244](#) authorizes the attorney general to prosecute any crime that is part of an alleged course of criminal conduct that occurs in two or more counties. The committee saw an attempted amendment brought to the proposals that was voted down on party lines in the committee, signaling many Democrats will not support the legislation.

The committee recommended the amended bill with all contents described above be recommended favorably for passage.

Senate and House Take Final Action Votes on Bills

Today, the House of Representatives took final action on the following:

[House Substitute for Senate Bill 113](#) makes appropriations for the Department of Education for fiscal years 2023, 2024 and 2025; establishes the Mental Health Intervention Team Program; authorizes certain students to participate in activities regulated by the Kansas State High School Activities Association; requires school districts to post certain enrollment and academic information on school district websites; revises school district open-enrollment procedures; authorizes local school board members to receive compensation from their school district; authorizes current-year student enrollment for determinations of state foundation aid; continues the 20 mill statewide tax levy for schools; amends the school districts that qualify for and the amount that school districts are able to levy pursuant to the cost-of-living weighting. Passed on a vote of [75-48](#).

[House Bill 2436](#) enacts the Kansas Public Investments and Contracts Protection Act concerning environmental, social and governance criteria, prohibits the state and political subdivisions from giving preferential treatment to or discriminating against companies based on such ESG criteria in procuring or letting contracts, requires Kansas Public Employees Retirement System fiduciaries to act solely in the financial interest of the participants and beneficiaries of the system, restricts state agencies from adopting ESG criteria or requiring any person or business to operate in accordance with such criteria and provides for enforcement of such act by the attorney general. Passed on a vote of [85-38](#).

[House Substitute for Senate Bill 208](#) amends provisions relating to the Governmental Ethics Commission's authority to investigate and enforce the Campaign Finance Act and limitations on the receipt and expenditure of contributions. Passed on a vote of [119-3](#).

[Senate Bill 15](#) removes the requirement of a documented written demand for premiums as part of a prima facie case against agents or brokers who fail to pay premiums due. Passed on a vote of [104-18](#).

[Senate Bill 18](#) adds certain legal entities to the definition of "person;" thereby, making such entities subject to penalties for violations of insurance law. Passed on a vote of [104-18](#).

[Senate Bill 28](#) discontinues payments to certain group-funded insurance pools, refunds existing balances thereof; abolishes such funds and establishes the group-funded pools refund fund. Passed on a vote of [106-16](#).

[Senate Bill 106](#) prohibits the manufacture, importation, distribution, sale, offer for sale, installation or reinstallation of a counterfeit supplemental restraint system component or nonfunctional airbag and provides for criminal penalties for violation thereof. Passed on a vote of [99-23](#).

Today, the Senate is slated to take final action votes on the following:

[House Bill 2042](#) authorizes towing by self-storage unit operators of motor vehicles, watercraft or trailers for nonpayment of rent or abandonment and providing for notice to occupants, a right of redemption prior to towing and liability protection for operators

[House Bill 2092](#) reapportions the districts of certain members of the Washburn University Board of Regents who are appointed by the City of Topeka

[House Bill 2093](#) discontinues payments to certain group-funded insurance pools, refunds existing balances thereof; abolishes such funds and establishes the Group-Funded Pools Refund Fund

[House Bill 2094](#) specifies certain requirements necessary to demonstrate fiscal soundness for health maintenance organizations and Medicare provider organizations applying for certificates of authority

[House Bill 2130](#) increases certain dollar amounts in the Kansas Probate Code

[House Bill 2131](#) provides the mission of the Judicial Council is to study the administration of justice in Kansas and make recommendations for improvements therefor

[Senate Substitute for House Bill 2344](#) establishes childcare licensing requirements related to license capacity and staff-to-child ratios, eliminates certain license fees and training requirements, creates a process for daycare facility licensees to apply for a temporary waiver of certain statutory requirements and authorizes the secretary to develop and operate pilot programs to increase childcare facility availability or capacity

[Substitute for Senate Bill 55](#) expands and clarifies the property tax exemption for Strother Field Airport property

[House Bill 2096](#) requires certain premium taxes to be paid 90 days after each calendar year and bases such premium taxes upon the gross premiums collected for the previous calendar year

[House Bill 2097](#) removes the requirement of a documented written demand for premiums as part of a prima facie case against agents or brokers who fail to pay premiums due

[House Bill 2098](#) adds certain legal entities to the definition of "person;" thereby, making such entities subject to penalties for violations of insurance law

[House Bill 2100](#) updates the version of risk-based capital instructions in effect

[House Bill 2214](#) changes the name of the Larned Correctional Mental Health Facility to the Larned State Correctional Facility and removes references to facilities that no longer exist

[House Bill 2298](#) designates a portion of Interstate 435 as the Officer Donald Burton Gamblin Jr Memorial Highway

[House Bill 2285](#) updates certain statutory references in Chapter 40 of the Kansas Statutes Annotated

Introduction of Bills

[House Bill 2467](#) – By Committee on Federal and State Affairs

Concerning abortion; revising the definition of abortion; excluding certain procedures from the definition

[House Bill 2469](#) – By Committee on Federal and State Affairs

Concerning a vacancy in the office of governor; changing the order of succession of such office

[Senate Substitute for House Bill 2344](#) – By Committee on Commerce

Concerning the Kansas Department of Health and Environment; relating to licensure of childcare facilities; daycare homes and childcare centers; establishing license capacity and staff-to-child ratios; lowering license fees and training requirements; creating a process for daycare facility licensees to apply for temporary waiver of certain statutory requirements; authorizing the secretary to develop and operate pilot programs to increase childcare facility availability and capacity

[Senate Substitute for House Bill 2016](#) – By Committee on Judiciary

Concerning civil actions and civil procedure; enacting the Act against Abusive Access Litigation; creating a civil action for determining whether litigation that alleges any access violation under the Americans with Disabilities Act or similar law constitutes abusive litigation and authorizing penalties for such abusive litigation

[Senate Bill 319](#) – By Committee on Ways and Means

Concerning abortion; establishing the Alternatives to Abortion Program and the Alternatives to Abortion Public Awareness Program; providing services that promote childbirth to women facing unplanned pregnancies; establishing requirements and penalties for failure to fulfill program contract requirements; promoting public awareness of such services

[Senate Bill 320](#) – By Committee on Ways and Means

Concerning health and health care; creating the Born-Alive Infants Protection Act; providing legal protections for infants born alive; requiring certain standards of care by health care providers for infants who are born alive; providing criminal penalties and civil liability for violations of the act