

# Journal of the House

TWENTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, February 5, 2024, 11:00 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 2678**, AN ACT concerning water; relating to the Kansas water banking act; extending the period for how long a groundwater right can be deposited in a water bank; requiring that water withdrawn from an account be authorized by the water bank on or before December 1 of the calendar year in which the withdrawn water is to be used; amending K.S.A. 82a-763 and repealing the existing section, by Committee on Water.

**HB 2679**, AN ACT concerning motor carriers; relating to the Kansas uniform commercial drivers' license act; authorizing the director of vehicles to waive the knowledge and skills test for driving a commercial vehicle for an applicant that provides evidence that such applicant qualifies for the military even exchange program for a commercial driver's license; amending K.S.A. 8-2,133 and repealing the existing section, by Committee on Transportation.

**HB 2680**, AN ACT concerning traffic regulations; relating to unattended children in vehicles; creating a traffic infraction for leaving a child eight years of age or younger unattended in a vehicle and providing penalties therefor; crediting fines from violations of such traffic infraction to the family and children trust account of the family and children investment fund; requiring the division of vehicles to include information concerning the dangers of leaving unattended children in vehicles in driving materials and courses; amending K.S.A. 8-2118 and repealing the existing section, by Committee on Transportation.

**HB 2681**, AN ACT concerning motor carriers; relating to the Kansas uniform commercial drivers' license act; updating the definition of commercial motor vehicle to include gross vehicle weight and defining leaving the scene of an accident therein; amending K.S.A. 8-2,128 and repealing the existing section, by Committee on Transportation.

**HB 2682**, AN ACT concerning motor carriers; relating to the Kansas uniform commercial drivers' license act; authorizing the director of vehicles to adopt rules and regulations for participation in the federal motor carrier safety administration's drug and alcohol clearinghouse program; disqualifying a person's commercial driving privileges when such person has violated or is in noncompliance with the requirements of the clearinghouse, by Committee on Transportation.

**HB 2683**, AN ACT concerning property taxation; relating to certifications and tax statements; modifying deadlines for mailing tax statements to taxpayers and certification of levies to the director of property valuation to earlier than current deadlines; providing for the county clerk's use of the previous year's budget when a taxing subdivision fails to timely file its budget; amending K.S.A. 79-1806 and K.S.A. 2023 Supp. 79-2001 and 79-2930 and repealing the existing sections, by Committee on Taxation.

**HB 2684**, AN ACT concerning taxation; relating to income tax; authorizing cities to propose an earnings tax for ballot question; providing revenue to be pledged for infrastructure purposes; amending K.S.A. 12-140 and repealing the existing section, by Committee on Taxation.

**HB 2685**, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for registered charitable organizations; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2686**, AN ACT concerning health professions and practices; relating to prescribers; requiring prescribers to discuss risks and alternatives to certain addictive controlled substances with patients before prescribing such substances, by Representative Miller, V..

**HB 2687**, AN ACT concerning income taxation; relating to credits; establishing a child tax credit, by Committee on Taxation.

**HB 2688**, AN ACT concerning sales taxation; relating to exemptions; providing a sales tax exemption for exploration place, inc.; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2689**, AN ACT concerning insurance; relating to health insurance plans; requiring no cost-sharing requirement imposed on insureds for diagnostic and supplemental breast examinations for breast cancer; amending K.S.A. 40-2,103 and 40-19c09 and repealing the existing sections, by Representatives Featherston, Williams, L., Ballard, Borjon, Carlin, Concannon, Curtis, Haswood, Hougland, Hoyer, Martinez, McDonald, Melton, Meyer, Neighbor, Oropeza, Pickert, Poskin, Ruiz, S., Clayton, Wasinger and Winn.

**HB 2690**, AN ACT concerning emergency communication services; establishing the state 911 board; abolishing the 911 coordinating council; transferring the powers, duties and functions of the 911 coordinating council to the state 911 board; authorizing the board to appoint an executive director and other employees to carry out the powers, duties and functions of the board; abolishing the 911 operations fund, the 911 state grant fund and the 911 state fund and establishing the state 911 operations fund, the state 911 grant fund and the state 911 fund in the state treasury; authorizing counties to contract for the provision of 911 PSAP services with another county; amending K.S.A. 12-5362, 12-5363, 12-5364, 12-5365, 12-5366, 12-5367, 12-5368, 12-5368, as amended by section 16 of this act, 12-5368, as amended by section 17 of this act, 12-5369, 12-5370, 12-5371, 12-5372, 12-5374, 12-5374, as amended by section 23 of this act, 12-5374, as amended by section 24 of this act, 12-5375, 12-5375, as amended by section 26 of this act, 12-5375, as amended by section 27 of this act, and 12-5377 and repealing the existing sections; also repealing K.S.A. 12-5364, as amended by section 12 of this act, 12-5378 and 12-5379, by Committee on Energy, Utilities and Telecommunications.

**HB 2691**, AN ACT concerning eminent domain; relating to the eminent domain procedure act; requiring landowners whose land is taken by eminent domain for electric

transmission lines to be compensated at not less than fair market value multiplied by 150%; amending K.S.A. 26-513 and repealing the existing section, by Committee on Judiciary.

**HB 2692**, AN ACT concerning crimes, punishment and criminal procedure; relating to principles of criminal liability; providing an exception to criminal liability when a defendant has a mental disease or defect so as not to know the nature of the act or that such act was wrong; amending K.S.A. 21-5209, 22-3219, 22-3221, 22-3222 and 22-3428 and repealing the existing sections, by Committee on Judiciary.

**HB 2693**, AN ACT enacting the uniform partition of heirs property act; prescribing procedures and requirements for partition of certain real property, by Committee on Judiciary.

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

#### HOUSE RESOLUTION No. **HR 6035**—

By Representatives Proctor, Awerkamp, Barth, Bergkamp, Bergquist, Blex, Blew, Bloom, Bryce, Buehler, Butler, B. Carpenter, W. Carpenter, Clifford, Corbet, Croft, Delperdang, Droge, Ellis, Eplee, Essex, Fairchild, Francis, Garber, Gardner, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Houser, Howerton, Jacobs, T. Johnson, Landwehr, Mason, Maughan, Minnix, Moser, Murphy, Neelly, Owens, Penn, Pickert, Poetter, Rahjes, Resman, Rhiley, Robinson, Roth, Sanders, Schmoe, Seiwert, Smith, A., Smith, C., Smith, E., Tarwater, Thomas, Thompson, Turk, Waggoner, Waymaster, White and K. Williams.

A RESOLUTION affirming state sovereignty, supporting Texas in its efforts to combat illegal immigration and encouraging Governor Laura Kelly to offer the services of the Kansas National Guard to the state of Texas.

WHEREAS, Section 4 of Article IV of the United States Constitution requires the federal government to protect the states against invasion; and

WHEREAS, Since the beginning of the Biden administration, millions of illegal immigrants have crossed the southern border of the United States, especially through Texas; and

WHEREAS, Under the current administration, the federal government has failed to protect the country from what has become an invasion and has encouraged the increase in illegal immigration by prohibiting Texas from defending its border; and

WHEREAS, Section 10, clause 3 of Article I of the United States Constitution allows for the states to enter into agreements in the face of an actual invasion: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we offer the support of the state of Kansas to the state of Texas in defending its southern border from the invasion of illegal immigrants and from the refusal of the federal government to secure such border; and

*Be it further resolved:* That we encourage Governor Laura Kelly to provide the Governor of Texas any support she deems necessary, including, but not limited to, the Kansas National Guard, Kansas law enforcement agents, equipment and supplies; and

*Be it further resolved:* That we seek further conversations with the Governor and the Legislature of the state of Texas to formalize an agreement of support and solidarity

against future lawlessness by illegal immigrants and the detrimental actions or nonactions of the federal government; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Texas Governor, Greg Abbott, Texas House Speaker, Dade Phelan, Governor Laura Kelly and Representatives Hawkins and Proctor.

#### REFERENCE OF BILLS AND RESOLUTIONS

Speaker Hawkins announced the referral of **HR 6035** to Committee of the Whole.

#### CHANGE OF REFERENCE

Speaker Hawkins announced the withdrawal of **HB 2667** from Committee on Appropriations and referral to Committee on Federal and State Affairs.

#### COMMUNICATIONS FROM STATE OFFICERS

From Board of Education of USD 413, Neosho County, KS; pursuant to K.S.A. 72-1439, notice of intention to dispose of a school district building.

From Adam Proffitt, Secretary of Administration, Kansas Department of Administration; Prior Authorization Report Q2 FY 2024.

From Steven Johnson, Kansas State Treasurer, pursuant to K.S.A. 75-650(i), 2023 Annual Report of the Low-income Family Postsecondary Savings Accounts Incentive Program (KIDS Matching Grant Program.)

From the Special Education and Related Services Funding Task Force; the 2023 Report.

From Connie Owen, Director, Kansas Water Office, pursuant to K.S.A. 82a-1307; notice of approved water purchase contracts for the following: State of Kansas and the City of Independence, Montgomery County, KS.; City of Coffeyville, Montgomery County, KS; City of Emporia, Lyon County, KS; City of Marion, Marion County, KS.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2477** be passed.

Committee on **Agriculture and Natural Resources** recommends **HB 2525** be amended on page 3, in line 21, after "systems" by inserting ", including single family residential septic systems and non-residential septic systems that are used solely for sanitary waste"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2579** be passed.

#### COMMITTEE ASSIGNMENT CHANGES

Speaker Hawkins announced the appointment of Rep. Penn to replace Rep. Croft on Committee on Elections on February 6-8, 2024

On motion of Rep. Mason, the House adjourned until 11:00 a.m., Tuesday, February 6, 2024.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*