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KLPG Capitol Highlights

FROM PINEGAR, SMITH & ASSOCIATES, INC.
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2024 LEGISLATURE WEEK SIX

Governor Kelly signed the bipartisan SB 15, which expands a tax credit to \$8 million for businesses that hire individuals with significant employment barriers due to physical or mental disabilities. It also creates a \$1 million grant program for nonprofit vocational programs that employ disabled Kansans to help them transition to paying at least the federal minimum wage of \$7.25 an hour. Businesses and sheltered workshops paying less than minimum wage will not qualify for the tax credit or matching grant funds. The law also eliminates the minimum work hour requirement for disability health insurance coverage.

HB 2583, to be known as Bane's Law, was passed in the House with a 107-4 vote and has moved to the Senate. The legislation would make killing any law and arson enforcement animals a felony and mandate a minimum 90-day jail sentence, a \$10,000 fine, restitution, and psychological evaluation for offenders.

The House Commerce, Labor, and Economic Development Committee forwarded last year's HB 2450 to the House floor this week on a voice vote after less than 10 minutes of discussion. The bill would provide a sales tax exemption to data center companies that make a minimum capital investment of \$600 million in Kansas and meet job creation benchmarks. The tax break is meant to attract online businesses like Amazon, eBay, Expedia, Google, and Meta.

The House Committee on Energy, Utilities and Telecommunication heard testimony on HB 2591 that would allow the state's corporation commission to exempt itself from the Kansas Open Meetings Act when considering contested issues on its docket. It would also prohibit written and oral ex parte communications between regulated companies and commissioners. The KCC is responsible for regulating the transportation, utility, and energy industries in Kansas.

The House Welfare Reform Committee held a hearing on HB 2673 that would ask the federal government for a rule waiver to let the lawmakers ban the use of Supplemental Nutrition Assistance Program benefits for buying unhealthy sugary items with no nutritional value, like candy cookies and soft drinks. The SNAP program is federally funded but is operated at the state level. Critics say education, not restrictions, is critical to helping people make healthier choices. So far, the federal government has rejected attempts by several other states to implement similar regulations.

The Senate Committee on Agriculture and Natural Resources is reviewing SB 497, to be known as the Pike Reservoir Project District Act. The bill, sponsored by Senator Robert Olson, would create a framework to enhance Bourbon County's water supply for agriculture and public consumption with the construction of a lake and a dam. The legislation also establishes funding for the project through sales tax increment financing districts of a one-quarter cent and a half-cent.

The Senate Federal and State Affairs Committee held a hearing on SB 373 that would prohibit taxpayer-funded lobbying by cities, townships, counties, schools, and all state agencies, authorities, and institutions. The bill is meant to stop direct lobbying and indirect expenditures, to pay membership dues of associations engaged in lobbying, or for gifts or campaign contributions to elected officials or government workers. Violations would make non-compliant personnel open to disciplinary action ranging from suspension to termination, and the Kansas Governmental Ethics Commission would be authorized to assess civil fines of \$1,000 for a first offense, \$3,000 for a second infraction, and \$8,000 for a third or subsequent violation. Opponents of the bill outnumber proponents 3-to-1.

The Senate heard testimony last week urging them not to pass SB 446. The legislation would prohibit nonresident aliens, foreign businesses and corporations, and foreign governments from acquiring and owning interests in Kansas property. The bill would also establish a special land council to which current foreign investors who acquire, transfer, or hold an interest in agricultural land must report their holdings and transactions. Of Kansas's 1.2 million foreign-owned acres, only 67K are not wind or solar farms. Opponents included the Agribusiness Retailers Association, American Civil Liberties Union, Corn Growing Association, El Centro, Kansas Association of Realtors, Kansas Bankers Association, Kansas Chamber of Commerce, Kansas Farm Bureau, Kansas Livestock Association, Loud Light, and the Soybean Association. Their primary contentions against the bill were that laws prohibiting corporate farming were already in place and the proposed blatant unconstitutional violation of private property rights.

The Senate passed SR 1737 to support Texas' efforts to secure its border with Mexico. This move follows in the footsteps of the House that passed an almost identical resolution last week. The declaration proclaims the legislators support the State of Kansas assisting the State of Texas in all efforts to maintain control of their border, and it encourages Governor Kelly to provide whatever aid she deems necessary, including, but not limited to, sending the Kansas National Guard, Kansas law enforcement agents, equipment, and supplies. It also states that the Senate will seek a dialogue with Texas Governor Greg Abbott and the Texas Legislature to formalize an agreement of support. The senate secretary sent copies of the resolution to Governor Kelly, Governor Abbott, Texas Senate President Dan Patrick, and all Kansas U.S. Congressional and Senate Delegations members.

Both the House and the Senate have bills in committee that would require age verification for access to commercial internet websites with content that is more than 25% material deemed detrimental to minors – primarily all forms of pornography. The legislation would also allow for civil penalties of \$500 to \$10K against non-compliant website owners for each documented unlawful visit. Moreover, a minor's parent or legal guardian would be allowed to take private action to seek damages of \$50,000 or more from those owners.

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This is a weekly legislative summary of Kansas government, and other statewide news, gathered and compiled independently from various media reports.

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