

## News from the Capitol



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#### 2022 Legislative Update Week #7

February 21- February 25 2022

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## • House Democratic Caucus Newsletter – Week 7

This week we spent nearly six hours on the floor passing more than two dozen bills. A full list of the bills is below.

It was “Turnaround Week,” which is the deadline for when bills must pass out of their originating chamber or they die. There are exceptions for bills in “exempt” committees, which are House Fed & State, Calendar & Printing, Tax, and Appropriations. Select bills that did not meet the Turnaround deadline may be “blessed” by the Speaker of the House and given later attention.

If you feel strongly about a policy or bill, let your legislators know. Find their contact information [here](#). Catch up on past issues of the House Democrats’ newsletter [here](#).

### LCC is Lawyering Up

The [Legislative Coordinating Council](#) -- the governing body of the Legislature, consisting of elected caucus leadership from each chamber -- [voted Wednesday](#) to retain Grave, Garrett, LLC, based in Kansas City, Mo., to fight the lawsuits brought over the gerrymandered [Ad Astra 2 map](#). House Democratic Leader **Tom Sawyer** and Senate Democratic Leader **Dinah Sykes** were the only legislators to oppose the move. Each expressed concern with the process.

The congressional redistricting maps have never been challenged in state court; federal courts have historically handled the cases. Democrats believe the map brazenly divides communities of interest and breaks up minority centers for political gain. Leader Sawyer, who has participated in five redistricting processes, called the map “the most gerrymandered map he has ever seen,” in Kansas.

### Criminalizing Classroom Material: The “Parental Bill of Rights”

Public schools can’t catch a break. The so-called **Frankenstein Education Bill**, blocked from passage last year by a bipartisan coalition, is back with a vengeance. The conservative [Heritage Foundation](#) is [spearheading](#) a national reckoning over public education prompted by the latest buzzword issue: **critical race theory**.

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The House K-12 Budget [Committee](#) pushed through [HB 2662](#), which establishes the “**Parental Bill of Rights and Academic Transparency Act.**” The bill also **creates a misdemeanor offense** to “deter exposure of students to obscene materials in schools.”

Catch up on the dirty (but not obscene) details:

- “Parents’ Rights or Burden on Teachers? Kansas Lawmakers Spar Over School Transparency Bills,” [Topeka Capital-Journal](#), 02/22/2022
- “KC Area Teachers Feel Under Attack as KS, MO Lawmakers Pursue Parents Bill of Rights,” [Kansas City Star](#), 02/22/2022
- Opinion: “Lawmakers are Pushing to Muzzle Teachers. Kansans Who Love Unvarnished Fact Must Push Back,” **Max McCoy** for the [Kansas Reflector](#), 02/20/2022
- “Education Committees Clash Over Legitimacy of Bill of Rights Legislation for Kansas Parents,” [Kansas Reflector](#), 02/17/2022
- “Faith Leaders and Educators Urge Lawmakers to Reject Bills Undermining Kansas Schools,” [Kansas Reflector](#), 02/15/2022
- “School Voucher Proposal is Filled With Hidden Costs for Students — and Kansas’ Budget,” State Treasurer **Lynn Rogers**, [Kansas City Star](#), 02/06/2022
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### **Views From the House Floor**

#### **Filing a Campaign Report? Technology Now Required**

Passed on a 90-31 vote, [HB 2579](#) **requires electronic filing of all campaign filing reports** moving forward. Exceptions shall be determined by the Kansas Governmental Ethics Commission executive director.

Supporters of the move point to **cost-savings benefits** as the Commission will spend less time, and thus less money, manually reviewing filings. Some suggest “it’s time to move into the 21st century.” Opponents claim the process **may be too complicated** for those not well-versed in technology and say paper filings work well.

#### **Knock, Knock. Who’s There? Civil Rights.**

A spirited [debate](#) over [no-knock warrants](#) took place on Tuesday, February 22. Republican Representative **Brett Fairchild** attempted to [amend](#) [HB 2299](#), which expands the window in which an officer can execute a search warrant, with an **end to no-knock search warrants**. Fairchild’s amendment **called for police to be properly uniformed and announce their presence and knock before entering a home**.

While the amendment failed on a 35-84 vote, members of both parties spoke to the issue during an impassioned and thought-provoking debate. Opponents to

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the amendment conceded that the issue was worth consideration and suggested a compromise may be possible in the future.

Democrats pointed to **incidents of misidentified residencies** and **accidental shootings**. Rep. **Vic Miller** highlighted the **dangers facing law enforcement officers** when they don't announce their presence, referring to a 1995 Topeka drug raid in which a police officer was shot and killed while executing a no-knock warrant. Rep. **Barbara Ballard** gave a moving speech in which she set the scene, "You are in your bed, late at night, sleeping, or at least minding your own business, and you're killed." She continued, explaining, "We accidentally went to the wrong house," was not enough to console the family of someone killed. Rep. **Stephanie Clayton** urged the body to remember there **isn't always a violent criminal** on the other side of the door, pointing to an example of a family raided by police due to a misunderstanding over hydroponic supplies to grow tomatoes.

### **A Bipartisan Effort: Easing Restrictions on Food & Child Care Assistance**

Closing out a full day of general orders, the [House](#) debated [HB 2525](#). A bipartisan group of Representatives made a case to **remove non-cooperation with child support from requirements for food and child care assistance eligibility**, and **exempting adults enrolled in school from the 20-hour-per-week work requirement**.

The bill would allow parents enrolled in school to access food assistance without pursuing child support or working 20 hours per week while also enrolled in school. Proponents claimed that a victim of domestic violence would not be forced to reconnect with their abuser in order to obtain food or child care assistance, preventing the parent or legal guardian and child from danger or further abuse. Proponents also pointed to young, single parents still in high school. It was said, "They might not be working for an income, but they are working as they raise a newborn and attend classes."

The bill failed 53-66. Many Republicans voted in favor of the bill and no Democrats opposed it. Democrats repeatedly highlighted the hypocrisy of some Republicans who opposed HB 2525 yet chant "value them both," a reference to the anti-abortion amendment on the upcoming August primary ballot.

### **Regulating Rules & Regs**

A constitutional [amendment](#) to provide **legislative oversight of rules and regulations** adopted by the executive branch hit the House floor for a final action vote on Monday, February 21. It passed 85-39. All constitutional amendments must pass the House and Senate with a two-thirds vote in each chamber before it is put to a vote on the ballot. The Senate Judiciary Committee has a hearing scheduled for Wednesday, March 2.

Leading up to Monday's vote, the House attempted to pass HCR 5014

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but [failed](#) to meet the required two-thirds threshold. After a motion to reconsider and much fanfare, it gained the necessary support to move forward. During the [proceedings](#), House Democratic Leader **Tom Sawyer** attempted to [amend](#) HCR 5014 with **medicinal marijuana**. In a similar spirit, Assistant Democratic Leader **Jason Probst** proposed an [amendment](#) to **expand Medicaid**. Representatives **Boog Highberger** and **John Carmichael** also brought amendments. All amendments failed.

#### Legislation Passed by the House

- These bills will now be sent to the Senate where they will again go through the committee process and final vote by the Senate. A bill must pass in both the House and Senate before it goes to the Governor. If you have any concerns please call my office or Senator Hawk @785-296-7360.
  - [HB 2594](#): Exempting certain modifications on antique vehicles from vehicle identification number offense seizures and dispositions. Passed on final action, 120-0.
  - [HB 2607](#): Clarifying the time limitations for habeas corpus claims. Favorable for passage.
  - [HB 2517](#): Transferring the responsibility to certify drug abuse treatment providers that participate in the certified drug abuse treatment program from the department of corrections to the Kansas sentencing commission. Favorable for passage.
  - [HB 2496](#): Enacting the uniform family law arbitration act. Favorable for passage.
  - [HB 2547](#): Authorizing technology-enabled fiduciary financial institution insurance companies within the captive insurance act and providing for the requirements and operations thereof. Favorable for passage.
  - [HB 2597](#): Providing for four distinctive license plates for the Kansas department of wildlife and parks. Favorable for passage.
  - [HCR 5022](#): Proposing a constitutional amendment requiring that a sheriff be elected in each county; exception. Favorable for passage.
  - [HB 2568](#): Amending the Kansas mortgage business act by providing for mortgage business work at remote locations, license and registration renewal or reinstatement procedures, surety bond requirements and evidence of solvency and net worth and requiring notice when adding or closing branch offices. Favorable for passage.
  - [HB 2456](#): Establishing the Kansas kids lifetime combination hunting and fishing license. Favorable for passage.
  - [HB 2595](#): Making certain antique vehicle titling procedures applicable to vehicles having a model year of 1960 or later instead of 1950 or later. Favorable for passage.
  - [HB 2574](#): Establishing a time limitation for awarding compensation for mental health counseling and increasing certain compensation award amounts by the crime victims compensation board. Passed on final action, 121-0.
  - [HB 2529](#): Allowing veteran license plate applicants to use either a DD214 form, a military veteran identification card or veteran health identification card for proof of veteran status. Passed on final action, 120-1.
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- HB 2516: Requiring an offender who raises error in such offender's criminal history calculation for the first time on appeal to show prejudicial error, requiring the journal entry used to establish criminal history to be attached to the criminal history worksheet and authorizing the court to correct an illegal sentence while a direct appeal is pending. Passed on final action, 121-0.
  - HB 2510: Updating certain investment limitation requirements to provide increased options for Kansas domiciled life insurance companies investing in equity interests and preferred stock. Passed on final action, 121-0.
  - HB 2579: Requiring electronic filing of campaign reports by candidates for state office unless an exemption is granted for cause. Passed as amended on final action, 90-31.
  - HB 2299: Allowing a search warrant to be executed within 10 days from the date of issuance. Final action, passed as amended, 119-2.
  - HB 2483: Providing for the daughters of the American revolution distinctive license plate. Passed on final action, 105-16.
  - HB 2559: Creating the Kansas cotton boll weevil program and requiring the program to levy an assessment upon Kansas produced cotton and monitor and mitigate the risk of boll weevils. Passed as amended, 83-37
  - HB 2608: Removing provisions authorizing criminal restitution to be enforced as a civil judgment and authorizing judicial districts to contract for collection services for criminal restitution. Passed on final action, 117-4.
  - HB 2567: Increasing certain registration and title fees on vehicles for services performed by county treasurers and the division of vehicles and decreasing certain fees related to administrative costs and disposition of such fees. Final action, passed as amended 114-6.
  - HB 2688: Requiring that licensed farm wineries be issued a cereal malt beverage retailer license if the statutory requirements for such retailer license are satisfied.
  - HB 2481: Authorizing KP&F participating service credit purchase for certain in-state nonfederal governmental employment. Passed on final action, 121-0.
  - HB 2515: Creating a mechanism to seek relief from the Kansas offender registration act requirements for drug offenders and allowing expungement of offenses when such relief is granted. Passed on final action, 120-1.
  - HB 2386: Establishing requirements for the payment and reimbursement of dental services by a dental benefit plan. Final action, passed as amended 118-3.
  - HB 2703: Making changes to employment security law provisions regarding the employment security fund and employer contribution rates, the definition of employment to conform with federal law and various updates to the my reemployment plan program, including making the program mandatory with certain exceptions, and providing that the secretary of commerce may require participation by claimants in reemployment services. Passed on final action, 121-0.
  - HB 2633: Providing for the city of Hutchinson distinctive license plate. Final action, passed as amended 108-13.
  - HB 2110: Requiring insurance coverage for PANS and PANDAS by the state health care benefits program and requiring the state employee health care commission to submit an impact report on such coverage to the legislature. Final action, passed as amended 113-8.
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- HB 2563: Concerning the Kansas seed law and the commercial industrial hemp act; relating to labeling; seeds treated with certain substances; definitions; labeling; unlawful actions; certain registrations; inspections; live plant dealers; and testing services. Final action, passed as amended 113-8.

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**Next Week**

The Legislature returns from a short break on Tuesday, March 1.



The Manhattan High School String performance at the Capital Rotunda on Wednesday, March 2nd, 2022.

[Keep In Touch](#)

It is a special honor to serve as your State Representative. I value and need your input on the various issues facing our community and the state government. Please contact me with your comments and questions.

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My office address is Room 451-S, 300 SW 10th Street, Topeka, KS 66612.

You may reach my office at (785) 296-7657, or the legislative hotline (800) 432-3924 to leave a message.

Email at [sydney.carlin@house.ks.gov](mailto:sydney.carlin@house.ks.gov)

Please follow [my](#) legislative [activity](#) or the [entire session](#).

**Thank you!**

A stylized, cursive signature of Sydney Carlin in black ink on a white background.

**Sydney Carlin - 66th District Representative**

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