



KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | MARCH 10, 2025

WEEK 8 – STATEHOUSE SHOWDOWNS ON SUPREME COURT ELECTION, PROPERTY TAX RELIEF

The Kansas Legislature is firing on all cylinders, and lawmakers are deep in the trenches of some of the session's biggest battles. From a high-court shake-up to a property tax tug-of-war and a race against the clock on mail-in ballots, there's no shortage of political drama under the dome.

With competing visions for Kansas on the table, the only certainty is that the debates will run both hot and cold – just like Kansas weather of late. Here's your rundown of a few of the latest showdowns shaping Kansas politics.

UPDATE: SUPREME COURT CONSTITUTIONAL AMENDMENT GOES TO HOUSE

Last week, we covered the Kansas Senate's effort to have Supreme Court justices chosen by election. The Senate has now approved Senate Concurrent Resolution 1611 with a 27-13 vote, sending it to the House. If passed, voters will decide in August 2026 during the primary, rather than November during the general election, whether to replace the current appointment system.

Supporters, including Senate President Ty Masterson (R-Andover), argue that elections give Kansans a direct voice in the selection of justices. Opponents, such as Senate Minority Leader Dinah Sykes (D-Lenexa), warn that politics and special interest money will influence important judicial decisions. The debate now moves to the House.

HOUSE ADVANCES DUELING PROPERTY TAX REFORM

With property taxes a top issue this session, the Kansas House has advanced a two-part plan to limit tax hikes and stabilize valuations, setting up a showdown with the Senate. House Bill 2396 and House Concurrent Resolution 5011 received strong bipartisan support, passing 115-6 and 117-4, respectively.

HB 2396 establishes a mechanism allowing residents to challenge local government budgets if property tax revenue surpasses a set threshold. The bill also creates the Acknowledging Stewardship of Tax Revenue and Appropriations (ASTRA) Fund, which would provide \$60 million annually to cities and counties that limit spending increases to inflation and new construction growth.

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HCR 5011 introduces a new property valuation method, ensuring taxable values are based on either the current fair market value or a rolling average, whichever is lower. While the House did not specify the exact timeframe, legislators have suggested a six-year rolling average to stabilize property value fluctuations and make tax assessments more predictable.

The Senate, however, has proposed a different approach. SCR 1603, which passed earlier this session, would cap annual property valuation increases at 3%. House and Senate leaders must now reconcile these competing plans before sending a final version to voters in the November 2025 election.

If approved, the Legislature will need to draft additional legislation in 2026 to clarify implementation details. For now, the battle over Kansas property tax reform shifts to the Senate, where further negotiations will determine the final shape of relief for homeowners and businesses.

SAME-DAY ADVANCED BALLOT DEADLINE TO GOVERNOR

The Kansas Senate has approved SB 4, which mandates that all mail-in ballots arrive by 7 p.m. on Election Day, eliminating the state's current three-day grace period. The bill now awaits action from Gov. Laura Kelly (D-Topeka), who has previously vetoed similar measures, citing concerns for military and rural voters.

The House passed the bill 80-39 on Feb. 27, after amending its effective date to Jan. 1, 2026. The Senate initially voted to non-concur but later approved the revision 30-10 on March 7, sending the measure to the governor's desk.

Supporters argue the change strengthens election integrity and aligns Kansas with 32 other states. Opponents contend it creates unnecessary barriers to voting. If Gov. Kelly vetoes the bill, the Republican supermajority in the Legislature may attempt an override.

BILL INTRODUCTIONS

SENATE BILLS

Appropriations/Budget

SB 290: Appropriations/Quindaro Ruins Archaeological Park. This bill, sponsored by the Committee on Ways and Means chaired by Sen. Rick Billinger, would require the state historical society to issue a scope statement, plan the work to be accomplished, and issue a request for proposals for a master plan for the Quindaro Ruins Archaeological Park in Wyandotte County, Kansas, and implement such master plan. This bill mirrors HB 2398 and has been referred to the Committee on Ways and Means.

Campaign Finance & Elections

SB 285: Governmental Ethics Law/State Officers and Employees. This bill, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would provide for the treatment of the reimbursement for expenses incurred for travel and activities in attending conferences or events by certain specified nonprofit organizations and discounted or free access to entertainment, sporting events, or other activities. This bill has been referred to the Committee on Local Government, Transparency and Ethics chaired by Sen. Elaine Bowers (R-Concordia) and will be heard March 11 at 9:30 a.m.

SB 286: Governmental Ethics Law/Definition of Lobbying and Lobbyist. This bill, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would provide for a new definition of the terms "lobbying" and "lobbyist." This bill has been referred to the Committee on Local Government,

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Transparency and Ethics chaired by Sen. Elaine Bowers (R-Concordia) and will be heard March 11 at 9:30 a.m.

Healthcare

SB 284: Prescription Drugs/Federal 340B Drug Pricing Program. This bill, requested for introduction by Sen. Michael Murphey (R-Sylvia) and sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would enact the Defense of Drug Delivery Act to prohibit manufacturer interference relating to 340B drug distribution. This bill has been referred to the Committee on Financial Institutions and Insurance chaired by Sen. Brenda Dietrich (R-Topeka).

Immigration

SB 287: Law Enforcement/US ICE. This bill, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would prohibit law enforcement agencies or officers from assisting with or participating in immigration enforcement by the United States Immigration and Customs Enforcement in places of worship, schools, and hospitals. This bill has been referred to the Committee on Federal and State Affairs.

Pensions

SB 282: Retirement and Pensions/Public Employees Retirement System. This bill, sponsored by the Committee on Assessment and Taxation chaired by Sen. Caryn Tyson (R-Parker), would enact the Kansas Retirement Investment and Savings Plan Act; would establish terms, conditions and requirements related thereto; would provide for the plan document, membership elections, benefits, contributions, distributions, and prospective plan changes by the legislature; would authorize an employer contribution rate to amortize the actuarial costs of the defined benefit plan; would direct the pooled money investment board to loan moneys to provide startup and related administrative costs of the plan upon approval of the state finance council; and would create the Kansas Public Employees Retirement System Defined Contribution Fund. This bill has been referred to the Committee on Financial Institutions and Insurance chaired by Sen. Brenda Dietrich (R-Topeka).

Public Utilities

SB 289: Public Utilities/Economic Development Electric Rates. This bill, requested for introduction by Kansas for Lower Electric Rates and sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would require economic development electric rate discounts to cover the incremental and variable costs to serve customers that receive the discount. This bill has been referred to the Committee on Utilities chaired by Sen. Michael Fagg (R-Topeka).

Taxation

SB 283: Individual Income Tax/Decreasing Individual Income Tax Rates/Discontinuing Income, Premium and Privilege Tax Credits of the High Performance Incentive Program and the Kansas Affordable Housing Tax Credit Act. This bill, sponsored by the Committee on Assessment and Taxation chaired by Sen. Caryn Tyson (R-Parker), would repeal tax credits relating to abandoned well plugging, agritourism liability insurance, assistive technology contributions, declared disaster capital investment, environmental compliance, owners promoting employment across Kansas and swine facility improvement; and relating to withholding tax would discontinue

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benefits of the Promoting Employment Across Kansas Act; and would discontinue the crediting of certain amounts to the Job Creation Program Fund. This bill has been referred to the Committee on Taxation and will be heard Wednesday, March 5, and Thursday, March 6, at 9:30 a.m. respectively.

Senate Concurrent Resolutions

SCR 1614: Immigration. This concurrent resolution, sponsored by Sen. Cindy Holscher (D-Overland Park) and others, would urge Congress to increase the penalties for violations of federal immigration laws and the United States Immigration and Customs Enforcement to prosecute employers who hire undocumented immigrants. This concurrent resolution has been referred to the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee).

HOUSE BILLS

Appropriations/Budget

HB 2398: Appropriations/Quindaro Ruins Archaeological Park. This bill, sponsored by the Committee on Appropriations chaired by Rep. Troy Waymaster (R-Bunker Hill), would require the state historical society to issue a scope statement, plan the work to be accomplished, and issue a request for proposals for a master plan for the Quindaro Ruins Archaeological Park in Wyandotte County, Kansas, and implement such master plan. This bill mirrors SB 290 and has been referred to the Committee on Appropriations and will be heard Tuesday, March 11 at 9:00 a.m.

Economic Development

HB 2400: Agritourism/Property Tax. This bill, sponsored by the Committee on Taxation chaired by Rep. Adam Smith (R-Weskan), would include trail rides as a ranching activity to qualify as an agritourism activity; classifying such land as used for agritourism for purposes of property tax valuation as agricultural land. This bill has been referred to the Committee on Commerce, Labor and Economic Development chaired by Rep. Sean Tarwater (R-Stillwell) and has been recommended for passage.

Judiciary

HB 2401: Crimes, Punishment and Criminal Procedure/Sentencing. This bill, sponsored by the Committee on Federal and State Affairs chaired by Rep. Tom Kessler (R-Wichita), would provide that prior convictions of a crime defined by a statute that has since been determined unconstitutional by an appellate court shall not be used for criminal history scoring purposes unless the basis of the determination of unconstitutionality by the appellate court is later overruled or reversed. This bill has been referred to the Committee on Judiciary chaired by Rep. Susan Humphries (R-Wichita) and will be heard on Wednesday, March 12 at 3:30 p.m.

HOUSE CONCURRENT RESOLUTIONS

HCR 5012: Protection of Kansas Federal Employees/DOGE. This concurrent resolution, sponsored by the Committee on Federal and State Affairs chaired by Rep. Tom Kessler (R-Wichita), would urge Attorney General Kris Kobach to protect Kansas federal employees by ensuring the legal integrity of governmental operations related to the job cuts emanating from actions of the federal Department of Government Efficiency. This bill has been referred to the Committee on Federal and State Affairs.

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BILL TRACKING HISTORY

A history of the bills we are tracking as of March 9, 2025, can be found here.

Kansas Legislative Insights is a publication developed by the government affairs & public policy law practice group of Foulston Siefkin LLP. It is designed to inform business executives, human resources and government relations professionals, and general counsel about current developments occurring in current Kansas legislation. Published regularly during the Kansas legislative session and periodically when the legislature is not in session, it focuses on issues involving healthcare, insurance, public finance, taxation, financial institutions, business & economic development, energy, real estate & construction, environmental, agribusiness, and employment. Bill summaries are by necessity brief, however, for additional information on any issue before the Kansas Legislature, contact Foulston Siefkin's government affairs & public policy law practice group leader, C. Edward Watson, II, at 316.291.9589 or cewatson@foulston.com. Learn more about the authors below:

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