



HOUSING HIGHLIGHTS

2025 Legislature Week Eight

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AMENDMENT FOR JUDICIAL ELECTIONS HAS ADVANCED

The Kansas Senate advanced in final action a proposed constitutional amendment that would shift the selection of state Supreme Court justices from a merit-based system to popular elections. The amendment, which requires a two-thirds vote in both the Senate and House, and approval by a majority of Kansas voters, sparked heated debate among lawmakers. Currently, a nine-member nominating commission recommends candidates to the governor, who then makes the appointment. Justices face retention elections every six years. The proposed amendment would establish a system of direct elections for Supreme Court justices. Opponents to the change, arguing it politicizes the court and opens the door to undue influence from special interest groups and campaign funding. They expressed concern that qualified lawyers would be less likely to run in a politically charged election cycle. Advocates countered that the change empowers voters and gives them a direct voice in the selection process. They dismissed concerns about voter competency and the influence of money in elections. The debate highlighted broader concerns about the court's role in decisions related to issues like school funding, voting rights, and reproductive rights. If the resolution passes the House, a special election would be held on August 6, 2026, for voter approval or rejection. Subsequent judicial elections would be staggered, beginning in 2030. Several organizations, including the Kansas Bar Association have voiced opposition to the amendment, citing concerns about the impact on judicial independence and the quality of judicial candidates. Proponents, however, argue that it restores a system of judicial elections that existed in Kansas prior to 1958.

COURT OF APPEALS APPOINTEE ANNOUNCED

Governor Kelly has appointed Judge Lori Bolton Fleming to the Kansas Court of Appeals, filling the vacancy left by Judge Henry Green, Jr.'s retirement. Judge Bolton Fleming currently serves as Chief Judge for the 11th Judicial District, overseeing courts in Cherokee, Labette, and Crawford counties. Her extensive legal background includes experience as a district court judge handling diverse cases, frequent assignments to the Kansas Court of Appeals and Supreme Court, and leadership in establishing the 11th Judicial District's first recovery court. Prior to her judicial service, she worked in various legal roles, including assistant county attorney and private practice. Judge Bolton Fleming's commitment to public service is evident in her community involvement, such as developing a pre-law internship program with Pittsburg State University. Her appointment now goes to the Senate for confirmation.

FEBRUARY TAX COLLECTIONS EXCEED EXPECTATIONS

Kansas ended February 2025 with \$548.2 million in total tax collections, exceeding estimates by 28.6%. This represents a 5.1% increase compared to February 2024. Governor Kelly acknowledged the state's strong economic performance but emphasized the need for continued fiscal responsibility. Key highlights include individual income tax collections of \$239.4 million, significantly surpassing estimates by \$149.4 million (166%) and showing a substantial 37.9% year-over-year increase. However, corporate income tax collections of \$16.3

million fell short of estimates by \$3.7 million (18.7%) and decreased 22.8% from the previous year. Retail sales and compensating use tax receipts totaled \$247.1 million, slightly above estimates by \$1.1 million (0.4%) but down \$5.5 million (2.2%) from February 2024.

FIREWORKS SALES DEBATED

A Kansas House committee recently heard testimony on Senate Bill 199, which would significantly alter the state's fireworks sales regulations. The bill proposes extending the seasonal sales window and, most notably, allowing year-round sales by permanent retailers. Proponents, including small business owners and fireworks distributors, argue the change would boost the state's economy, provide greater flexibility for businesses, and allow Kansas retailers to better compete with neighboring states. They also suggest it could improve inventory management for seasonal vendors. However, opponents, including the State Fire Marshal and mental health advocates, raise concerns about increased firework-related injuries, fires, and the potential for triggering PTSD in individuals sensitive to loud noises. While the bill has already undergone revisions, including the removal of a ban on online sales, its future remains uncertain as lawmakers weigh the economic benefits against potential public safety risks..

MEDICAL CANNABIS ACT INTRODUCED

Senate Bill 294, the "Kansas Medical Cannabis Act," was introduced on March 6th by the Senate Federal and State Affairs Committee. The bill proposes a comprehensive framework for medical marijuana in Kansas, covering cultivation, processing, distribution, and use. It establishes licensing requirements for cultivators, processors, testing labs, and dispensaries, with license limits per congressional district. Patients with qualifying medical conditions, including cancer, epilepsy, MS, PTSD, and chronic pain, could access medical marijuana with a physician's recommendation. The bill mandates patient/caregiver ID cards issued by the Kansas Department of Health and Environment (KDHE), which will oversee patient access and compliance. A medical marijuana advisory board is also proposed to oversee implementation and recommend regulatory adjustments. SB 294 includes security measures for licensed facilities, product tracking, and penalties for violations. If passed, this bill would significantly alter Kansas's current policy, as it is one of the few states without a medical marijuana program.

STATE CITIZEN-DRIVEN GOVERNMENT EFFICIENCY INITIATIVE

Following the federal government's lead with its Department of Government Efficiency, Kansas has established its own initiative. The state legislature has created the Senate Committee on Government Efficiency (COGE), tasked with improving state government services. COGE is actively soliciting public input through a dedicated Government Efficiency Portal. Kansas residents are encouraged to submit ideas for enhancing government efficiency and effectiveness via the portal. The committee will review these submissions as part of its legislative deliberations. This initiative aims to empower citizens to contribute directly to shaping a more efficient and responsive state government.

REMOTE WORK FOR STATE EMPLOYEES MAY END

Proposed legislation in Kansas, known as SB 256 or the "back to work act," would require roughly 5,500 state employees who currently work remotely to return to office buildings full-time, with some exceptions. A 2023 report found that 30% of state workers in Kansas work from home all or part of the time, with smaller agencies having most or all employees teleworking, while larger agencies have varying levels of remote work popularity. Concerns have been raised about the potential violation of legal protections for employees with disabilities if job descriptions or titles associated with exceptions to the back to work mandate are reported, with estimated costs of \$1.3 million over the next two fiscal years for the health department alone.

SWIPE FEES ON TAX AND TIP PORTIONS OF ELECTRONIC TRANSACTIONS

Kansas businesses, represented by the National Federation of Independent Business, are pushing for legislation to prohibit credit and debit card companies from charging swipe fees on the tax and tip portions of

electronic transactions. NFIB argues these fees, which have doubled since 2012, put a significant strain on small businesses. Proposed legislation, HB 2089, would prevent card issuers from charging interchange fees on tax and gratuity amounts. While the House Financial Institutions and Pensions Committee held an informational hearing on the bill, its future remains uncertain. The bill faces opposition from the Kansas Bankers Association and the Kansas Credit Union Association. They argue the bill is similar to an Illinois law currently facing legal challenges and would invite lawsuits. Opponents also contend that interchange fees are relatively small and that the revenue is essential for financial institutions to fund operations, potentially impacting loan interest rates and customer services. Conversely, supporters, including the Kansas energy distributors, argue the fees represent unwarranted profit for large national banks at the expense of local businesses and consumers.

TREGO COUNTY-LEMKE MEMORIAL HOSPITAL EXPANSION

Trego County-Lemke Memorial Hospital in WaKeeney, Kansas, recently celebrated the dedication of its new expansion. The project includes 11 private patient rooms, a new emergency room, and expanded physical therapy facilities, featuring an aqua therapy pool and private treatment rooms. Governor Laura Kelly attended the ceremony, emphasizing the importance of rural hospitals to local economies and access to emergency care. She highlighted the state's commitment to healthcare infrastructure investment, including \$2 million for rural emergency hospitals, \$30 million to increase Medicaid reimbursement rates, and \$10 million for behavioral health hospitals. Governor Kelly stressed the critical situation of rural hospitals in Kansas, noting that 62 of the state's 97 rural hospitals are at risk of closure. She also called for increased telehealth and mental health services, stating that investments in healthcare are investments in the future.

DAYLIGHT SAVING TIME BEGINS SUNDAY

Kansas residents will turn their clocks forward one hour at 2 a.m. on Sunday, March 9, marking the start of daylight saving time. This change comes as spring officially arrives on March 20 with the National Weather Service forecasting sunny skies and a high of 76 degrees for many parts of Kansas. While the tradition of changing clocks twice a year continues, the Kansas legislature has seen recent efforts to end the practice. Senate Bill 1, introduced in January, proposes exempting Kansas from daylight saving time, with a provision to move to permanent daylight saving time if Congress allows. Similar legislation has been considered nationally, though currently only Hawaii and most of Arizona do not observe daylight saving time. While states cannot independently change time zones or the length of daylight saving time, they can opt out of observing it, according to the U.S. Department of Transportation. Daylight saving time will end this year at 2 a.m. on Sunday, November 2.

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