

# Bright and Carpenter Consulting, Inc.



825 S. Kansas Avenue, Suite 502C Topeka, KS 66612, [www.brightcarpenter.com](http://www.brightcarpenter.com)

## Post Sine Die and Special Session Report

### Post Sine Die

The Legislature adjourned Sine Die after a 24-day marathon Veto/Sine Die Session. The House and Senate forwarded nine bills to the Governor for her signature. The Governor vetoed four of the nine bills and called the Legislature back for a Special Session to deal with the COVID-19/emergency powers bill.

The two-day special session focused on passage of a new COVID-19/emergency powers bill and did not address any of the other three bills that were vetoed. The three vetoed and not addressed during the special session include:

#### **HB 2702 – Tax Bundle (VETOED)**

Enacts the Taxpayer Protection Act and requires paid tax return preparers to sign and include their federal tax identification number on any submitted tax returns.

- Requires “Truth in Taxation” notice and public hearings for certain taxing subdivisions prior to property tax increases above their previous year’s budget.
- Repeals the property tax lid effective 2021.
- Prohibits an increase in property valuation as a result of normal repair and maintenance.
- Waives interest and fees for late property tax payments through August 10, 2020.
- Authorizes county treasures to set up payment plans for delinquent and nondelinquent property taxes.

#### **HB 2510 – Education Bundle (VETOED)**

- Establishes the Kansas Promise Scholarship Program for students who want to go into a technical trade and requires the student live in Kansas for two years after graduation in order to receive loan forgiveness.
- Requires an annual Foster Care Report Card on how students are doing in school.
- Provides free ACT exams for all students.

#### **S. Sub for HB 2619 – Banking Bill (VETOED)**

- Creates a new Kansas Link Deposit Program from \$60 million of idle funds to be given as low-interest loans to businesses struggling during COVID.

- Banks, Credit Unions, and Farm Credit institutions can participate in the Link Deposit Program.
- Gives banks a privilege tax deduction on agricultural real estate loans, effective January 2022.

## Special Session

The Kansas Legislature returned to Topeka on Wednesday to respond to Governor Kelly's veto of their COVID-19/emergency powers bill passed. House and Senate leaders began working with the governor's staff last week toward a compromise that Kelly publicly stated she would sign if it came to her desk unchanged.

The House passed [House Bill 2016](#) Wednesday night by a vote of 107-12. The Senate passed the measure Thursday afternoon 26-12. As requested by the Governor and negotiators no amendments were made by either Chamber. The compromise bill is very similar to the first one the governor vetoed with a few changes. Attempts to resurrect the other vetoed bills during the special session failed.

Here's a review of what is included in HB 2016:

- With recommendations from the governor's administration, any spending of federal coronavirus relief funds would require a simple majority vote of the State Finance Council.
- Extends the governor's current emergency declaration to September 15, 2020.
- After September 15, the State Finance Council would be required to approve extensions for no more than 30 days at a time and not beyond January 26, 2021. Any *new* emergency declaration related to COVID-19 would also require approval by the State Finance Council.
- The governor may not issue an order that closes businesses for more than 15 days and would be required to consult with the State Finance Council at least 24 hours prior to issuing such an order.
- After the initial 15 days, a simple majority vote of the State Finance Council would be required to approve the closure of businesses for no more than 30 days at a time.
- County health officers may adopt less restrictions than a statewide order if certain criteria are met.
- County Commission Boards may review, amend, or revoke an order issued by a county health officer.
- An order to close schools would require approval by the State Board of Education.
- Provides liability protection to health care providers and businesses from claims and lawsuits not resulting from gross negligence.
- Adult care homes are provided an affirmative defense in civil action suits related to exposure of COVID-19.
- Provides product liability protection to manufacturers and sellers of PPE made only in response to a state public health directive.
- Requires the Kansas Department of Aging and Disability Services (KDADS) to conduct infection control inspections of nursing homes within 90 days; provide necessary PPE, sanitizing supplies, and testing kits to each facility; and adopt best practices

and recommendations made by the Centers for Disease Control and Kansas Department of Health and Environment.

- Makes unemployment insurance (UI) provisions that keeps Kansas in compliance with the CARE Act and ensures continuation of federal assistance dollars.
- Waives several state requirements in COVID-related UI claims.
- Extends the telemedicine emergency order for 120 days after emergency declaration expires.
- Allows hospitals to exceed licensed bed count for a COVID surge and to use non-hospital space for COVID triage.

The two-day 2020 Special Session concluded around 3:30 p.m. on Thursday. Lawmakers can now return home to continue fundraising and campaigning for the 2020 primary and general elections.