



# SMAC PTA LEGISLATIVE UPDATE

March 4, 2021 (Thursday)

This week (3/1 – 3/5) is Turnaround Week, which means Friday (3/5) is the last day for bills that started in one chamber (House or Senate) to pass that chamber and carry on through the legislative process. In theory, if a bill doesn't pass its chamber of origin, it's dead. In practice, although this is an important deadline, there are a few other ways for bills to continue on.

As was discussed in the legislative update at the [President & Principal Exchange](#), the three major legislative items impacting our public schools right now are vouchers, the budget, and tax policy. This update provides the latest information on those items as well as some ancillary items that could impact students in our public schools.

The following bills have passed out of their originating chamber, except HB2119 which falls under one of the exceptions to the turnaround rule:

- HB2119 – mega education bill (combines vouchers, budget, and more)
- SB22 – tax bill resulting in significant reductions to state revenue
- SB235 – requires schools to operate in-person, regardless of future circumstances
- HB2039 – requires students to pass a civics test to receive their diploma
- HB2058 – amended to allow conceal carry for 18-year-olds in Kansas

## **Substitute bill HB2119 – mega education bill (big development)**

You may remember HB2119 as the bill that creates education savings accounts that divert public tax dollars to private schools, much like the other voucher bill we've been watching (HB2068) that expands the Tax Credit Scholarship program.

It appears there may not have been enough votes to pass these two bills on their own merit, so members of the House K-12 Committee decided to combine them into one mega bill along with other bills, the education budget, and a number of amendments.

The education budget piece of HB2119 provides the education funding proposed by the governor and necessary per the Gannon supreme court case. That's a good thing, but properly funding our public schools should be a stand-alone item, not tied to other harmful legislation.

The final amendment added to HB2119 would penalize districts for remote learning. Regardless of local circumstances, districts whose schools or students utilize remote learning for more than 40 days at some point in the future, will see a significant reduction in their base aid per pupil funding. As we've experienced this last year, none of us knows what might happen in the future. Passing legislation that could negatively impact our schools is not in the best interest of Kansas students. Also, legislators did not get to hear testimony on this last minute amendment.

[What's in the new education bill that came out of House K-12 and our concerns](#) – KASB

We will need to be ready to contact our legislators as we see the next steps for this bill. You can track the progress of [bill HB2119 here](#).

### **Senate Bill SB22 – tax bill significantly reducing state revenue**

Tax policy is directly related to the state's ability to properly fund our schools. Large tax cuts during the Brownback years decreased state revenue and led to major cuts in education funding. Ultimately, the supreme court ruled the legislature was not adequately funding our public schools. We are currently in the middle of a court approved five-year phase-in to increase funding to an adequate level.

Tax bill SB22 went from bad to worse as it was amended on the floor of the Senate. In the end, the bill is estimated to cut state revenue by \$500 million the first year and \$1 billion over three years, harkening back to the days of the Brownback tax experiment.

[KS Senate jettisons restraint to transform modest tax bill into \\$470M behemoth](#) – KS Reflector  
[Kansas Senate approves more than \\$400 million in tax cuts with sweeping measure](#) – KC Star

SB22 passed 24 – 15 a while ago and has yet to be taken up in the House. We will need to keep an eye on this bill. Hopefully, the ultimate resolution will result in a bill with a much smaller impact on state revenue.

**SMSD area senators Thompson and Warren voted YES, while senators Sykes, Holscher, Corson, and Pettey voted NO.** You can track the progress of [bill SB22 here](#).

### **Senate Bill SB235 – requiring schools to operate in person**

Bill SB235 will require all schools to be full-time in person starting March 26 and at ALL TIMES in the future, regardless of the circumstances. As this unprecedented pandemic has demonstrated, we really can't predict the future in the near or far term.

This bill represents an attempt at legislative overreach. Legislating that schools must remain open does not account for circumstances at a local level and doesn't provide for the local flexibility or control that may be needed in the case of a weather disaster or even a virus that may impact young people more than Covid.

[KASB Testimony in opposition to SB235](#)

SB235 passed 26 – 12 and will move on to the House.

**SMSD senators Thompson and Warren voted YES, while senators Sykes, Holscher, Corson, and Pettey voted NO.** Track the progress of [bill SB235 here](#).

### **House Bill HB2039 – requiring students to pass a civics test to graduate**

This bill would require every Kansas student to pass a civics exam in order to graduate. The intent of ensuring students have an understanding of civics is laudable, but that is the responsibility of the State Board of Education who has already made civics part of the curriculum

in Kansas. This bill is redundant and an attempt at legislative overreach.

#### [Kansas State Board of Education Testimony](#)

HB2039 passed 69 – 54 and will move on to the Senate.

**SMSD area representative Esau voted YES, while representatives Clayton, Featherston, Hoye, Ousley, Neighbor, Parker, Poskin, Ruiz, Stogsdill, Vaughn, Woodard, and Xu voted NO.** Track the progress of bill HB2039 [here](#).

#### **House Bill HB2058 – amended to reduce conceal carry age to 18**

You might remember that bill HB2059 that would have reduced the conceal carry age to 18 didn't make it out of committee. That was good news. Unfortunately, this is another example of the adage that no bill is truly dead in the state of Kansas.

So, what happened? Bill HB2058 (conceal carry reciprocity) which allows individuals coming to Kansas who are allowed to conceal carry in their home state, to conceal carry in Kansas regardless of whether their state's gun laws are less restrictive (e.g., no restrictions on domestic abusers, conceal carry for under 21, etc.), did pass out of committee.

When HB2058 reached the floor for debate, an amendment was proposed to reduce the conceal carry age in Kansas to 18 instead of the current 21. The amendment passed and was attached to HB2058.

Reducing the conceal carry age in Kansas to that of many high school seniors, puts this bill in opposition to gun safety line items in [SMSD's Legislative Platform](#) and [Kansas PTA's Legislative Priorities](#).

HB2058 passed the House 85 – 38 and will move on to the Senate.

**SMSD area representative Esau voted YES, while representatives Clayton, Featherston, Hoye, Ousley, Neighbor, Parker, Poskin, Ruiz, Stogsdill, Vaughn, Woodard, and Xu voted NO.** Track the progress of bill HB2058 [here](#).

#### **SUMMARY**

The legislature will have a short break early next week and will resume work on Thursday, March 11, where they will begin considering the bills taken up by the other chamber. This will be a critical time to keep people informed and engaged in the process.

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