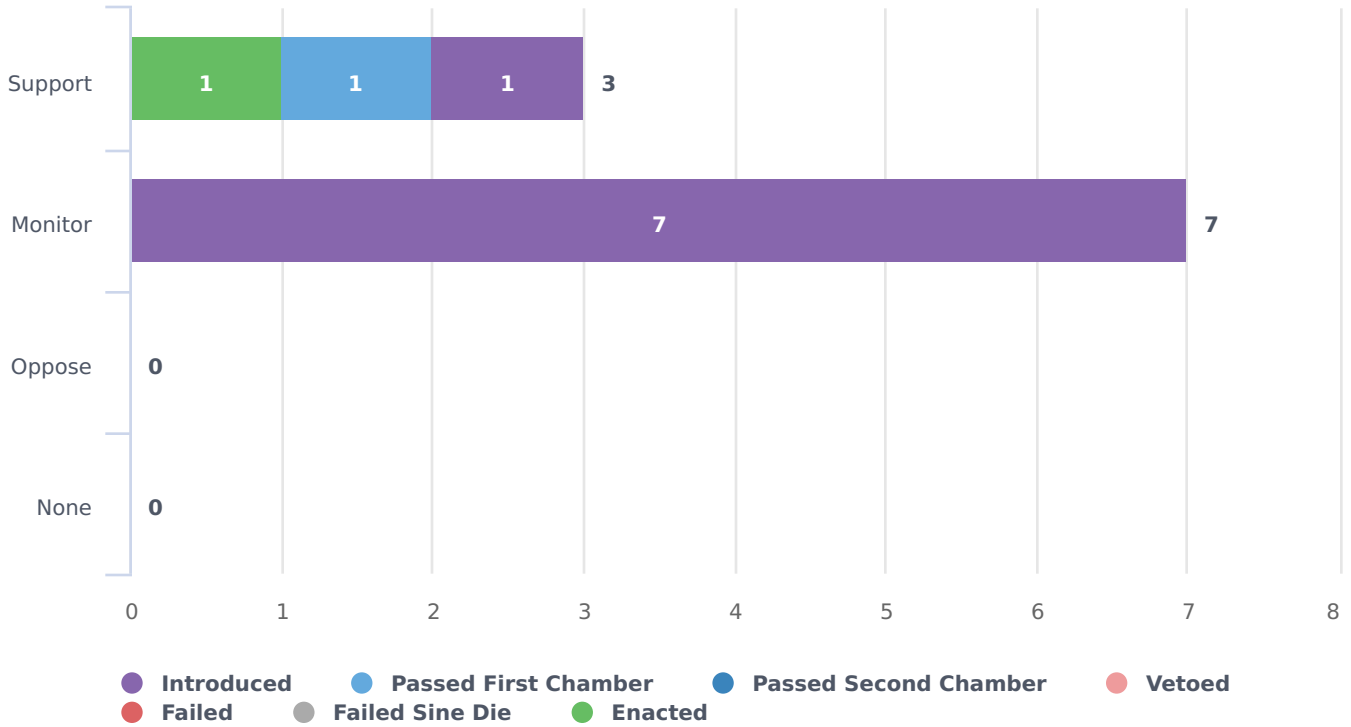


Kansas - 2024 Legislative Overview

Last Updated: May 13, 2024

Bills by Last Status and Position



Bill State: KS (10)

Title

Senate Substitute for HB 2047 by Committee on Agriculture and Natural Resources - Requiring approval of livestock brand applications by the animal health commissioner, increasing the maximum amount for brand registration and renewal fees, prohibiting entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas, providing penalties therefor and removing the intent to destroy property in the farm animal and field crop and research facilities protection act.

Primary Sponsors

House Committee on Agriculture and Natural Resources

Bill Summary: Last edited by Jeff Plummer at Mar 26, 2024, 5:34 PM

Amends Chapter 47 (Livestock & Domestic Animals), Article 18 (Miscellaneous), Section 47-1827 (Prohibited Acts; Criminal Penalties) of Kansas Statutes Annotated to prohibit and penalize entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas. Provides that no person shall: (1) Enter or remain upon or in any animal facility, including flying an aircraft within the airspace directly above such animal facility but below the minimum safe altitude prescribed in 14 C.F.R. 91.119(c), as in effect on July 1, 2024, without the consent of the owner; or (2) Knowingly make false statements on an employment application to gain access to an animal facility. Provides that violation of this section is a: (A) Class A nonperson misdemeanor, except as provided in subparagraph (B) or (C); (B) Severity level 9, nonperson felony if property damaged or destroyed is of a value of more than \$1,000 but less than \$25,000; or C) Severity level 7, nonperson felony if the property damaged or destroyed is of a value more than \$25,000. For purposes of this section: "Animal" means any warm or coldblooded animal used in food, fur or fiber production, agriculture, research, testing or education. "Animal" includes dogs, cats, poultry, fish and invertebrates. "Animal facility" includes any vehicle, building, structure, research facility or premises where an animal is kept, handled, housed, exhibited, bred or offered for sale.

Introduction Date: 2023-01-17

State	Bill Number	Last Action	Status	Position
KS	HB 2342	Referred To Committee On Agriculture And Natural Resources 2023 02 07	In House	Monitor

Title

Establishing the pet animal board of veterinarians within the Kansas department of agriculture, transferring all Kansas pet animal act powers, duties and functions to such board, limiting procedures relating to the seizure of animals, eliminating no-contact inspection provisions, requiring a license for animal rescues, authorizing a single license fee for all license categories and changing the membership of the Kansas pet animal advisory board.

Primary Sponsors

House Committee on Agriculture and Natural Resources
Budget

Bill Summary: Last edited by Jeff Plummer at Feb 9, 2023, 7:50 PM

Amends Chapter 47 (Livestock & Domestic Animals), Article 17 (Pet Animal Act) of Kansas Statutes by adding a new section to: (1) Establish the Pet Animal Board of Veterinarians within the Kansas Department of Agriculture; and (2) Transfer all Kansas Pet Animal Act powers, duties and functions of the Animal Health Commissioner to the Pet Animal Board of Veterinarians. Provides that the Pet Animal Board of Veterinarians shall consist of 5 members, as follows: (1) One member appointed by the Governor; (2) Two members appointed by the President of the Senate; and (3) Two members appointed by the Speaker of the House of Representatives. Provides that all members of the Pet Animal Board of Veterinarians shall be licensed veterinarians in active practice in the state of Kansas. The Pet Animal Board of Veterinarians shall be responsible for administering the provisions of the Kansas Pet Animal Act. All powers, duties and functions of the Animal Health Commissioner relating to the Kansas Pet Animal Act are hereby transferred to the Pet Animal Board of Veterinarians. Amends the Act to: (1) Provide that it shall be unlawful for any person to act as or operate an animal rescue unless such person has obtained from the Board an animal rescue license for each animal rescue operated by such person. (2) Strike the current inspection provision that failure by the owner of a premises, a licensee or a permittee, or their designated representative, to make a premises available for inspection within 30 minutes of the arrival of the inspector or the inspector's authorized representative shall be considered a no-contact inspection (which results in a \$200 fee). (3) Strike the current license fee regime to be replaced by a regime where the same amount will be charged for each entity required to be licensed under the Kansas Pet Animal Act. Such license fee shall not exceed \$600. A temporary closing permit fee shall not exceed \$95 and an out-of-state distributor permit shall not exceed \$675. For purposes of this section: "Animal rescue" means any person who accepts animals for the purpose of finding permanent adoptive homes for such animals and does not maintain a central facility for keeping animals.

Introduction Date: 2023-02-07

State	Bill Number	Last Action	Status	Position
KS	HB 2419	Referred To Committee On Taxation 2023 02 15	In House	Monitor

Title

Establishing an income tax credit for expenses incurred for the care of cats and dogs.

Primary Sponsors

House Committee on Taxation

Bill Summary: Last edited by Jeff Plummer at Feb 16, 2023, 3:23 PM

An Act to amend Kansas Statutes to establish a tax credit for expenses incurred for the care of cats and dogs. Allows for a credit against the tax liability of a resident individual taxpayer imposed under the Kansas Income Tax Act in an amount equal to the expenses incurred and paid by the taxpayer for the care of a single cat or dog owned by the taxpayer up to \$500 in the year for which the return is filed. Provides that a taxpayer shall be allowed a credit for up to 3 animals subject to the limitations set forth in this section and the credit shall not be refundable. For purposes of this section: "Expense" shall only include the costs incurred and paid for the following: (1) Veterinarian services including medical visits and preventative care; (2) Premiums and deductibles for pet insurance; (3) Medicines and vaccinations for the cat or dog; and (4) Inserting a microchip into the animal that would provide the owner's contact information.

Introduction Date: 2023-02-15

Title

Updating certain terms, requirements and fees contained in the Kansas pet animal act.

Primary Sponsors

House Committee on Federal and State Affairs

Bill Summary: Last edited by Jeff Plummer at Feb 23, 2023, 3:32 PM

Amends Chapter 47 (Livestock & Domestic Animals), Article 17 (Pet Animal Act) of Kansas Statutes relating to: (1) Animal facilities inspections; and (2) Updating certain definitions, requirements and fees contained in the Pet Animal Act. Section 47-1701 (Definitions) amendments: Amends "Adequate watering" to mean a supply of clean, fresh, potable water, supplied in a sanitary manner and WHEN SPECIES APPROPRIATE, continuously accessible to each animal DURING ALL TIMES THAT THE ANIMAL IS MAINTAINED ON THE LICENSED PREMISES UNLESS THE ATTENDING VETERINARIAN HAS APPROVED THE ANIMAL NOT HAVING CONTINUOUS ACCESS TO WATER FOR A MEDICAL REASON. Amends "Animal distributor premises" to mean the KANSAS premises of any person engaged in the business of SELLING OR buying for resale dogs or cats, or both, as a principal or agent, or who holds such distributor's self out to be so engaged. "ANIMAL DISTRIBUTOR PREMISES" DOES NOT INCLUDE ANY PREMISES THAT HOLDS A VALID PET SHOP LICENSE AS REQUIRED BY K.S.A. 47-1703, AND AMENDMENTS THERETO, UNLESS THE OPERATOR OF SUCH PREMISES ALSO SELLS ANIMALS AT WHOLESALE. Amends "Out-of-state distributor" to mean any person residing in a state other than Kansas, who is engaged in the business of SELLING OR buying for resale dogs or cats, or both, within the state of Kansas, as a principal or agent. "OUT-OF-STATE DISTRIBUTOR PREMISES" INCLUDES MOTOR VEHICLES OR A PORTION THEREOF USED IN WHOLE OR IN PART FOR THE KEEPING OR TRANSPORTING OF ANIMALS FOR THE PURPOSE OF SELLING OR BUYING SUCH ANIMALS. Amends "Adequate veterinary medical care" to strike the provision that the term shall not apply to USDA licensed animal breeder or animal distributors. Section 47-1709 (Inspections and investigations) amendments: Adds provision that each licensee may designate at least one representative who shall be present at the licensed premises while an inspection is conducted if the licensee is unavailable at the time of inspection. Provides that such representative shall be 18 years of age or older and mentally and physically capable of representing the licensee in the inspection process. Provides that a licensee may update such licensee's designated representative at any time by contacting the animal facilities inspection program, including by telephone or email. Provides that any licensee, other than a temporary pet shop, who ceases to engage in activity requiring licensure pursuant to this act, at any premises for which such licensee holds a license shall notify the commissioner at least 30 days prior to the date of ceasing such activity. The licensee shall file disposition records for each pet animal on the premises disposed of in the 12 months prior to ceasing such activity. Provides for facility closing inspection procedure and recordkeeping retention requirements. Section 47-1712 (Rules & Regulations) amendments: Adds: (1) Exercise and socialization; (2) Disease prevention; and (3) Biosecurity to the topic areas for the licensee/permittee rules and regulations the Commissioner is authorized to adopt. Provides that in adopting these rules and regulations the Commissioner shall consider: (1) Best management practices for the care and well-being of dogs and cats; (2) Disease prevention; (3) Morbidity and mortality data to the extent such data is available; and (4) Generally accepted veterinary medical standards and ethical standards established by the AVMA. Section 47-1721 (License and permit fees; costs of inspection; re-inspection fee; disposition of moneys) amendments: Adds provision that any person determined to be unlicensed shall pay an unlicensed facility fee in an amount up to \$150 per day and \$500 per day for any subsequent violation of this act beginning from the date of noncompliance. Provides that the Commissioner shall prepare an annual report on the finances of the Animal Facilities Inspection Program, including, but not limited to, an accounting of moneys received and expended by the Animal Facilities Inspection Program. The report shall be submitted to the secretary, the Pet Animal Advisory Board, the House Standing Committee on Agriculture & Natural Resources and the Senate

Standing Committee on Agriculture & Natural Resources, or any successor committees.

Introduction Date: 2023-02-22

State	Bill Number	Last Action	Status	Position
KS	HB 2447	Committee Report Recommending Bill Be Passed As Amended By Committee On Commerce Labor And Economic Development 2023 03 16	In House	Monitor

Title

Prohibiting cities and counties from banning the sale of products or services otherwise allowed by state law.

Primary Sponsors

House Committee on Federal and State Affairs

Bill Summary: Last edited by Jeff Plummer at May 5, 2023, 3:57 PM

An Act prohibiting cities and counties from banning the sale of products or services otherwise allowed by state law. Provides that a municipality shall not prohibit an individual, partnership, corporation or other business entity from selling any product that is otherwise permitted under state law. For purposes of this section: "Municipality" means any city, county or unified city-county government.

Introduction Date: 2023-03-07

Title

Substitute for HB 2542 by Committee on Agriculture and Natural Resources - Amending the Kansas pet animal act to require the Kansas department of agriculture to maintain records of inspections for not less than five years and removing the requirement that the commissioner only apply federal rules and regulations to United States department of agriculture licensed animal distributors and animal breeders.

Primary Sponsors

House Committee on Agriculture and Natural Resources

Bill Summary: Last edited by Jeff Plummer at Jan 19, 2024, 3:08 PM

Amends Chapter 47 (Livestock & Domestic Animals), Article 17 (Pet Animal Act) of Kansas Statutes relating to: (1) Animal facilities inspections; and (2) Updating certain definitions, requirements and fees contained in the Pet Animal Act. Section 47-1701 (Definitions) amendments: "Adequate watering" FOR DOGS AND CATS means a supply of clean, fresh, AND potable water, supplied in a sanitary manner AND MADE CONTINUOUSLY AVAILABLE UNLESS THE LICENSEE'S OR PERMITTEE'S DOCUMENTED PROGRAM OF ROUTINE VETERINARY CARE SPECIFIES A MEDICAL REASON OTHERWISE, OR UNLESS THE DOG OR CAT IS BEING TRANSPORTED. FOR ALL OTHER ANIMALS, "ADEQUATE WATERING" MEANS A SUPPLY OF CLEAN, FRESH, POTABLE WATER, SUPPLIED IN A SANITARY MANNER AND EITHER CONTINUOUSLY ACCESSIBLE TO EACH ANIMAL OR SUPPLIED AT INTERVALS SUITABLE FOR THE ANIMAL SPECIES. "Animal distributor premises" means the KANSAS premises of any person engaged in the business of buying for resale dogs or cats, or both, as a principal or agent, or who holds such distributor's self out to be so engaged. "Adequate veterinary medical care" is amended to strike the provision that the term shall not apply to USDA licensed animal breeder or animal distributors. Section 47-1701 (Definitions) additions: "Resale" means a person's selling of animals in Kansas, previously purchased from another person, to consumers or to someone else further down the chain of distribution. Section 47-1709 (Inspections and investigations) amendments: Provides that any licensee, other than a temporary pet shop, who ceases to engage in activity requiring licensure pursuant to this act, at any premises for which such licensee holds a license shall notify the commissioner at least 10 days prior to the date of ceasing such activity. Provides for facility closing inspection procedure and recordkeeping retention requirements. Section 47-1712 (Rules & Regulations) amendments: Adds: (1) Exercise and socialization; (2) Disease prevention; and (3) Biosecurity to the topic areas for the licensee/permittee rules and regulations the Commissioner is authorized to adopt. Provides that in adopting these rules and regulations the Commissioner shall consider: (1) Best management practices for the care and well-being of dogs and cats; (2) Disease prevention; (3) Morbidity and mortality data to the extent such data is available; and (4) Generally accepted veterinary medical standards and ethical standards established by the AVMA. Section 47-1721 (License and permit fees; costs of inspection; re-inspection fee; disposition of moneys) amendments: Provides that the Commissioner shall prepare an annual report on the finances of the Animal Facilities Inspection Program, including, but not limited to, an accounting of moneys received and expended by the Animal Facilities Inspection Program. The report shall be submitted annually to the Kansas Pet Animal Advisory Board.

Introduction Date: 2024-01-18

State

KS

Bill Number

HB 2794

Last Action

**Committee Report Recommending Bill
Be Passed By Committee On Taxation
2024 03 18**

Status

In House

Position

Monitor

Title

Providing a sales tax exemption for purchases of personal property and services, sales of personal property and purchases by contractors for not-for-profit animal shelters and rescue network managers licensed under the Kansas pet animal act.

Primary Sponsors

House Committee on Taxation

Bill Summary: Last edited by Jeff Plummer at Feb 12, 2024, 2:31 PM

Amends Chapter 79 (Taxation), Article 36 (Kansas Retailers' Sales Tax), Section 3606 (Exempt Sales) of Kansas Statutes to provide certain sales tax exemptions for pet shelters and rescue networks. Adds provision that all sales of tangible personal property or services purchased by or on behalf of a not-for-profit organization that is an animal shelter licensed under the Kansas Pet Animal Act and is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code or purchased by a rescue network manager on behalf of a not-for-profit organization that is a rescue network licensed under the Kansas Pet Animal Act and is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of furthering such organization's mission, including, but not limited to, feeding, housing and providing veterinary and other care to homeless and abandoned pets, finding homes for abandoned pets, offering spay and neuter clinics, educational programs and other measures to address pet overpopulation in Kansas, and all sales of any such property, including, but not limited to, tangible personal property and entry or participation fees or charges, by or on behalf of such animal shelter or by a rescue network manager on behalf of such rescue network for such purpose. For purposes of this section: "Animal shelter" means a facility that is used or designed for use to house, contain, impound or harbor any seized stray, homeless, relinquished or abandoned animal or an organization that acts as an animal rescuer, or that collects and cares for unwanted animals or offers them for adoption. Animal shelter also includes a facility of an organization maintaining 20 or more dogs or cats, or both, for the purpose of collecting, accumulating, amassing or maintaining the animals or offering the animals for adoption. "Rescue network" means the premises of a rescue network manager and all pet animal foster homes organized under that rescue network manager that provide temporary care for one or more dogs or cats not owned by an animal shelter that maintains a central facility for keeping animals and is an organization exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code.

Introduction Date: 2024-02-09

State	Bill Number	Last Action	Status	Position
KS	HB 2816	Referred To Committee On Agriculture And Natural Resources 2024 03 21	In Senate	Support

Title

Prohibiting entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas, providing penalties therefor and removing the intent to destroy property in the farm animal and field crop and research facilities protection act.

Primary Sponsors

House Committee on Appropriations

Bill Summary: Last edited by Jeff Plummer at Mar 1, 2024, 3:14 PM

Amends Chapter 47 (Livestock & Domestic Animals), Article 18 (Miscellaneous), Section 47-1827 (Prohibited Acts; Criminal Penalties) of Kansas Statutes Annotated to prohibit and penalize entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas. Provides that no person shall: (1) Enter or remain upon or in any animal facility, including flying an aircraft within the airspace directly above such animal facility but below the minimum safe altitude prescribed in 14 C.F.R. 91.119(c), as in effect on July 1, 2024, without the consent of the owner; or (2) Knowingly make false statements on an employment application to gain access to an animal facility. Provides that violation of this section is a: (A) Class A nonperson misdemeanor, except as provided in subparagraph (B) or (C); (B) Severity level 9, nonperson felony if property damaged or destroyed is of a value of more than \$1,000 but less than \$25,000; or C) Severity level 7, nonperson felony if the property damaged or destroyed is of a value more than \$25,000. For purposes of this section: "Animal" means any warm or coldblooded animal used in food, fur or fiber production, agriculture, research, testing or education. "Animal" includes dogs, cats, poultry, fish and invertebrates. "Animal facility" includes any vehicle, building, structure, research facility or premises where an animal is kept, handled, housed, exhibited, bred or offered for sale.

Introduction Date: 2024-02-29

State	Bill Number	Last Action	Status	Position
KS	SB 389	Referred To Committee On Agriculture And Natural Resources 2024 01 25	In Senate	Support

Title

Prohibiting entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas, providing penalties therefor and removing the intent to destroy property in the farm animal and field crop and research facilities protection act.

Primary Sponsors

Senate Committee on Agriculture and Natural Resources

Bill Summary: Last edited by Jeff Plummer at May 1, 2024, 12:07 PM

Amends Chapter 47 (Livestock & Domestic Animals), Article 18 (Miscellaneous), Section 47-1827 (Prohibited Acts; Criminal Penalties) of Kansas Statutes Annotated to prohibit and penalize entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas. Provides that no person shall: (1) Enter or remain upon or in any animal facility, including flying an aircraft within the airspace directly above such animal facility but below the minimum safe altitude prescribed in 14 C.F.R. 91.119(c), as in effect on July 1, 2024, without the consent of the owner; or (2) Knowingly make false statements on an employment application to gain access to an animal facility. Provides that violation of this section is a: (A) Class A nonperson misdemeanor, except as provided in subparagraph (B) or (C); (B) Severity level 9, nonperson felony if property damaged or destroyed is of a value of more than \$1,000 but less than \$25,000; or C) Severity level 7, nonperson felony if the property damaged or destroyed is of a value more than \$25,000. For purposes of this section: "Animal" means any warm or coldblooded animal used in food, fur or fiber production, agriculture, research, testing or education. "Animal" includes dogs, cats, poultry, fish and invertebrates. "Animal facility" includes any vehicle, building, structure, research facility or premises where an animal is kept, handled, housed, exhibited, bred or offered for sale.

Introduction Date: 2024-01-24

State	Bill Number	Last Action	Status	Position
KS	SB 547	Referred To Committee On Agriculture And Natural Resources 2024 03 14	In Senate	Monitor

Title

Amending the Kansas pet animal act to require the Kansas department of agriculture to maintain records of inspections for not less than five years and removing the requirement that the commissioner only apply federal rules and regulations to United States department of agriculture licensed animal distributors and animal breeders.

Primary Sponsors

Senate Committee on Federal and State Affairs

Bill Summary: Last edited by Jeff Plummer at Mar 14, 2024, 5:39 PM

Amends Chapter 47 (Livestock & Domestic Animals), Article 17 (Pet Animal Act) of Kansas Statutes to: (1) Require the Kansas Department of Agriculture to maintain records of inspections for not less than 5 years; (2) Remove the requirement that the Commissioner only apply federal rules and regulations to USDA-licensed animal distributors and animal breeders; and (3) Amend/add certain definitions to the Act. Requires that records of inspections pursuant to this section shall be maintained in the office of the Kansas Department of Agriculture Division of Animal Health FOR NOT LESS THAN 5 YEARS (current statute = not longer than 3 years). Modifies authority pertaining to refusal to issue or renew and the modification, limitation, suspension or revocation of any license or permit. Adds provision that the Commissioner shall develop and provide procedures for pet animal training or updated training for authorized trained representatives who inspect premises under the Pet Animal Act on pet animal care practices, including, but not limited to: (A) Best management practices for the well-being of animals; (B) Disease prevention and management; (C) Operation biosecurity measures; (D) Generally accepted medical recommendations established by the American Veterinary Medical Association; and (E) Identification of neglect and cruelty to animals. Provides that in adopting rules and regulations, the Commissioner shall consider: (1) Best management practices for the care and well-being of animals; (2) Disease prevention; and (3) Generally accepted veterinary medical standards and ethical standards established by the American Veterinary Medical Association. (Current statute = The Commissioner shall only adopt as rules and regulations for USDA-licensed animal distributors and animal breeders, and animal distributor and animal breeder premises the rules and regulations promulgated by the Secretary of the USDA, cited at 9 C.F.R. 3.1 through 3.12, pursuant to the provisions of the United States public law 91-579 (7 U.S.C. § 2131 et seq.), commonly known as the Animal Welfare Act.) Requires the posting of a cash or security bond to pay for the costs of caring for a seized or impounded pet animal Requires certain licensees that cease to engage in licensed activity to notify the commissioner at least 10 days prior to ceasing business, or if extenuating circumstances exist, not later than the date such activity ceases. Requires a closing inspection to confirm licensed activity has ceased prior to expiration of the license period. Clarifies the conditions required for a licensed veterinarian to act as or be a boarding or training kennel operator. Changes the date during which a licensee or permit holder that is in the process of ceasing to do business may be issued a temporary closing permit. Section 47-1701 (Definitions) amendments: "Adequate watering" FOR DOGS AND CATS means a supply of clean, fresh, and potable water, supplied in a sanitary manner AND MADE CONTINUOUSLY AVAILABLE UNLESS THE LICENSEE'S OR PERMITTEE'S DOCUMENTED PROGRAM OF ROUTINE VETERINARY CARE SPECIFIES A MEDICAL REASON OTHERWISE, OR UNLESS THE DOG OR CAT IS BEING TRANSPORTED. FOR ALL OTHER ANIMALS, "ADEQUATE WATERING" MEANS A SUPPLY OF CLEAN, FRESH, POTABLE WATER, SUPPLIED IN A SANITARY MANNER AND EITHER CONTINUOUSLY ACCESSIBLE TO EACH ANIMAL OR SUPPLIED AT INTERVALS SUITABLE FOR THE ANIMAL SPECIES. Strikes definition for "Adequate veterinary medical care" (which meant - shall not apply to United States department of agriculture licensed animal breeders or animal distributors). Adds definition for "Resale" to mean a person's selling of animals in Kansas, previously purchased from another person, to consumers or to someone else further down the chain of distribution. NOTE: The term "resale" is currently used in the Kansas Pet Animal Act (without being defined) in the definitions of: (1) "animal breeder premises"; (2) "pet shop"; (3) "animal distributor premises"; (4) "out-of-state distributor"; (5) "retail breeder premises"; and (6) "wholesale".

Introduction Date: 2024-03-13

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