

Bill would regulate picketing

We have several bills before the Senate now.

Senate Bill 244 creates the Kansas Funeral Picketing Act, prohibiting any group or individual from picketing or protesting within 300 yards of a cemetery, church, mortuary or anywhere that funerals are conducted.

The prohibition will be from one hour before, during and two hours after a funeral. Picketers will be prohibited from blocking public access.

The bill allows defamation lawsuits by the estate. Previously, the law would not allow defamation lawsuits for an estate.

The bill will not be effective until after the Kansas Supreme Court or a federal court upholds its constitutionality. The attorney general will be required to seek judicial determination of the constitutionality of the bill. This eliminates the possibility of anyone suing the state for attorney fees because their First Amendment Rights have been violated.

It passed the Senate 40-0.

Senate Bills 159 and 169 are on voting. SB 169 requires first-time voters to show photo identification to prove identity, but people over age 65 are exempt. It also requires proof of U.S. citizenship for those registering to vote for the first time. SB 159 creates tighter procedures for ensuring that advance voting ballots are actually delivered to the county election officer to be



Letter from Topeka

By Sen. Ralph Ostmeyer

ostmeyer@senate.state.ks.us

counted. Both measures are aimed at reducing election fraud.

SB 169 passed 28-12 and SB 159 passed 40-0.

Senate Bill 320 allows Kansas to be among the first to have a say on who the next presidential candidates will be by changing dates for a presidential primary and for filing. The secretary of state can choose a day that will make the Kansas primary one of the earliest in the country.

SB 320 passed the Senate 40 to 0.

Senate Bill 77 makes it unlawful to leave a child 5 or under unattended in a vehicle for more than five minutes. The first offense is a misdemeanor with a \$25 fine. Second and subsequent convictions will result in a Class C misdemeanor conviction and a \$250 to \$500 fine.

SB 77 passed 21 to 19.

Senate Bill 211 amends a law requiring those 18 or older sitting in the front seat of a car to wear a safety belt when the car is in motion, adding those 14 to 17 years of age to the law. The fine of \$10 will not change.

SB 211 passed 30 to 10.

Senate Bill 294 modifies rules for drivers' permits and licenses:

Instruction Permit — establishes the minimum age of 15 to apply for an instruction permit (up from 14).

Prohibits the permit holder from operating a wireless communication device while driving a car.

Farm Instructional Permit — creates a permit for 14-year-olds to prepare them to take the driving test for a farm permit.

Restricted Driver's License — allows the Division of Motor Vehicles to issue a restricted Class C or M driver's license to a person who:

- Is at least 16 (up from 15).
- Has held an instruction permit for one year (up from 6 months).
- Has completed a course in driver training.

• Submits an affidavit from a parent or guardian that the applicant has completed 50 hours of supervised driving with at least 10 at night.

• Has not been convicted of a moving violation, violated seat belt restrictions or violated the wireless communication device restriction.

A restricted license would entitle the licensee to operate a motorcycle.

For the first six months, the licensee could operate the vehicle:

• From 5 a.m. to 9 p.m. except when going directly home after school or church-sponsored event (adds hours to provision).

• While going to or from a job.

• When accompanied by an adult who holds a valid driver's license with at least one year of driving experience and who is in the seat beside the driver.

• When the licensee operates a motorcycle, at any time when accompanied by an adult who holds a Class M license who has one year of driving experience and who is operating a motorcycle nearby.

• Provide that when driving without a supervising driver, no more than one passenger under 21 will be allowed unless they are family members (this is a new provision).

• Require an applicant before receiving a restricted license to provide an affidavit showing at least 50 hours of adult supervised driving, with 10 at night.

Nonrestricted Driver's License — prohibits the issuance of a non-restricted driver's license to any person who (a) is at least 16 but less than 18 and (b) is at least 18 and who is applying for a driver's license for the first time since reaching 18 and who three times has been adjudged a traffic offender or a juvenile offender under the revised Kansas Juvenile Justice Code. These persons could not receive a nonrestricted driver's license until they are 19. (This provision is new).

SB 294 passed 23 to 17.

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