

SESSION OF 2021

SUPPLEMENTAL NOTE ON SENATE BILL NO. 142

As Amended by House Committee on
Agriculture

Brief*

SB 142, as amended, would require an operator of any vessel to require every person on such vessel age 12 or younger to wear a U.S. Coast Guard-approved personal flotation device while aboard or being towed by such a vessel unless such person is below decks or in an enclosed cabin. The bill would require the Secretary of Wildlife, Parks and Tourism to promulgate rules and regulations regarding required personal flotation devices. Currently, regulation of personal flotation devices is set in statute.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the Senate Committee on Agriculture and Natural Resources at the request of Senator Kerschen on behalf of Kansas Department of Wildlife, Parks and Tourism (KDWPT).

[*Note:* The bill contains provisions similar to those of 2020 SB 307.]

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Senate Committee on Agriculture and Natural Resources

In the Senate Committee hearing, the Secretary of Wildlife, Parks and Tourism provided **proponent** testimony, stating the change is necessary because current federally approved personal flotation devices are not legal for use in Kansas until KSA 32-1129 is amended and the accompanying regulation is changed.

Neutral testimony was provided by a private citizen, who expressed concern with the requirement for every person 12 years of age or under to wear a personal floatation device at all times while aboard a vessel.

No other testimony was provided.

The Senate Committee amended the bill by creating an exception to the personal flotation device requirement for every person 12 years of age or under while aboard or being towed by a vessel if such persons are below decks or within an enclosed cabin.

House Committee on Agriculture

In the House Committee hearing, **proponent** testimony was provided by the Secretary of Wildlife, Parks and Tourism and by a private citizen.

No other testimony was provided.

The House Committee amended the bill to change the effective date to upon publication in the *Kansas Register*.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KDWPT indicates the bill would have no fiscal effect on agency operations. The

Kansas Association of Counties indicates counties that provide water activities may need to purchase new personal flotation devices, but a fiscal impact cannot be estimated. The League of Kansas Municipalities indicates the bill would have no fiscal effect on cities.

Department of Wildlife, Parks and Tourism; personal flotation device; parks and recreation