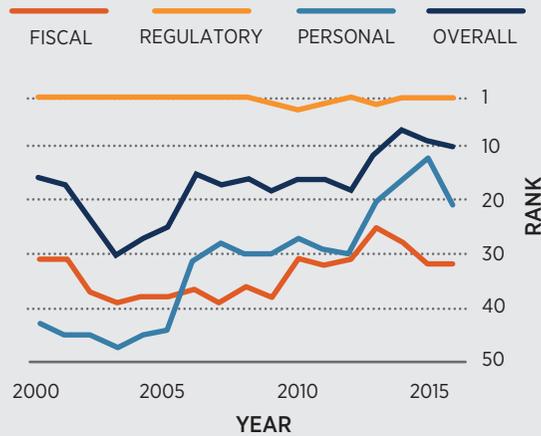


KANSAS

2016 RANK
10th



POLICY RECOMMENDATIONS

- Fiscal:** Cut spending on health and hospitals and public buildings, areas where the state spends far more than the national average. Also cut spending on education, libraries, unemployment insurance, and utilities, areas where the state spends a little more than the national average. Cuts could be made in part through privatizations of hospitals and utilities. Reduce government employment closer to the national average.
- Regulatory:** Legalize independent nurse practitioner practice with full prescription authority, join the Nurse Licensure Compact, and enact a nursing consultation exception for interstate practice.
- Personal:** Follow the successful 2018 passage of transparency requirements with aggressive civil asset forfeiture reform consistent with the state's moderate criminal justice regime, by mandating a criminal conviction before property can be forfeited.



Population, 2017
2,913,123

Net Migration Rate
-5.6%



State Taxes, Percent of Personal Income, FY 2017
5.57%

Local Taxes, Percent of Personal Income, FY 2015
3.75%

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Real Per Capita Personal Income, 2016, in 2009 \$
\$47,221

Real Personal Income Growth, CAGR, 2000-15
2.7%

ANALYSIS

Kansas has steadily trended upward in relative overall freedom since the mid-2000s. It has been a top-10 state for a few years, thanks in large part to its superior regulatory policy ranking. Contrary perhaps to the stereotype of "red" states, it has performed reasonably well on personal freedom and has ranked relatively higher on that dimension than on fiscal policy for more than a decade.

Kansas made national news with its fiscal policy in 2013-14. The state's tax cuts were large and reduced the state tax burden to 5.1 percent of income, but the next year's tax hikes bumped that figure back up to 5.6 percent, just under the national average. Kansas's local tax burden (3.8 percent of income) is also slightly less than the national average. Kansans do not have much choice among local governments: there is only one for every 200 square miles across the state. Government employment is much higher than average (14.4 percent of private employment). Government debt peaked at 27 percent of income in FY 2010 and is now down around 21 percent, still much too high.

Kansas is our number-one state on regulatory policy and one of the best in our freedom from cronyism subindex. Land-use freedom is high. The state had enacted stricter-than-normal renewable portfolio standards in 2009, presumably as a sop to the wind industry, but these standards were made voluntary by legislation passed in 2015. It has a right-to-work law and no state-level minimum wage, but it does have a law limiting employers from banning guns in company parking lots. The civil liability system is much better than average. In 2011-12 a telecommunications deregulation bill passed. Occupational freedom is traditionally high, except for nurses, but licensing did jump up a bit a decade ago. There is no

hospital certificate-of-need law. The state has a price-gouging law, as well as a Depression-era law licensing moving companies.

Kansas has been better than most other conservative states on criminal justice, but the incarceration rate has crept up a bit over time. Its victimless crime arrest rates, though, have edged down. The state doesn't suspend driver's licenses for drug offenses unrelated to driving, and its prison collect call rate is relatively low. Marijuana sentencing policies are actually milder than in most states (and reduced slightly in 2016 and 2017), but the state has made little progress on more thoroughgoing reform. Social gambling is still illegal, but the state has casinos now. Kansas is the best state in the country for gun rights. Permitless open carry was legalized in 2013, and permitless concealed carry was enacted in 2015. Educational freedom is about average after improving in 2013-14 with a new, albeit modest, tax credit scholarship law. However, nonsectarian private schools are tightly regulated: they must get state approval and must hire only licensed teachers. Smoking bans are comprehensive, but cigarette taxes are relatively low. Alcohol is much less regulated than it was in the days when Kansas banned bars, and taxes are low. But you still can't get wine or spirits in grocery stores, and there are local blue laws. The state liberalized the sale of stronger beer in grocery stores in 2017. The state's civil asset forfeiture regime has improved, especially with the 2018 passage of sound transparency requirements, but it is still one of the worst in the country. The state takes in more than the average state in civil asset forfeiture equitable sharing funds. Kansas's personal freedom ranking benefited from having been forced to legalize same-sex marriage, a move that also overturned the state's oppressive super-DOMA law.