

Kansas appeals court ruling restores ability to change gender markers on driver’s licenses

Tim Carpenter
Kansas Reflector

TOPEKA — A three-judge appeals court panel on Friday cleared the way for Kansans to resume changing their gender markers on driver’s licenses, rejecting arguments made by Attorney General Kris Kobach and overturning a lower court ruling.

The Kansas Court of Appeals panel ordered the case return to the district court level to be heard by someone other than Shawnee County District Judge Teresa Watson, who abused her discretion and committed legal and factual errors, according to the Friday ruling.

Judges Karen Arnold-Burger, Stephen Hill and Sarah Warner determined the state would suffer no harm by allowing transgender residents to be identified by their “gender,” which is a personal identity or expression, rather than their “sex,” which relates to reproductive systems. Kobach’s office had argued that the two terms are interchangeable.

The Legislature passed a law in 2023 that requires vital statistics to recognize a person’s biological sex at birth. Kobach sued the Kansas Department of Revenue for continuing to allow transgender residents to change the gender markers on their driver’s license, as the office had done since at least 2007.

From 2011 to 2022, KDOR issued 9,316,937 driver’s

licenses. During that period, 380 drivers changed their gender marker.

Watson in 2023 issued a temporary injunction to block changes in gender markers on driver’s licenses. The appeals court, which heard arguments in January, removed that injunction and replaced it with an order to allow changes.

Watson, the higher court said, had committed a legal error by concluding, without any support, that Kobach’s mere allegation that KDOR was violating state law had established irreparable harm. Additionally, the higher court faulted Watson’s conclusion that changing a gender marker could hinder law enforcement officers.

“The problem with the district court’s finding is that the AG presented no evidence to support this claimed injury beyond unsubstantiated speculation,” Arnold-Burger wrote on behalf of the appeals court panel.

In fact, she wrote, “the evidence was overwhelming that there was no harm.”

At the district court level, Shawnee County Sheriff Brian Hill testified that one time, he didn’t say when, he arrested a transgender woman who told him that she was a man. One of the problems with that example, Arnold-Burger wrote, is that he relied on the individual’s “outward appearance,” not their driver’s license. And, she wrote, the same mistake

could be made for any cisgender woman who appears less feminine and more masculine than the average woman.

Additionally, the sheriff’s gender confusion didn’t prevent the arrest or immediate discovery of the person’s identity. And, Hill acknowledged that law enforcement officers can’t always rely on a driver’s license anyway because people change their names.

“The district court committed an error of fact by concluding that there was evidence — any evidence beyond mere speculation — to support a finding that law enforcement would be immediately hindered in the identification of suspects, victims, wanted persons, missing persons, detainees, and others if the driver’s license did not display the driver’s sex assigned at birth,” Arnold-Burger wrote.

The appeals court ruling also noted that the Kansas Supreme Court has recognized a distinction between “sex” and “gender” since at least 2002. And it determined that Kobach was unlikely to prevail in the case.

The appeals court panel ordered the case return to the district court level for a hearing before a new judge.

“Because of the district court’s abuse of discretion, the KDOR has been unable to issue reclassifications of gender designations on Kansas driver’s licenses for two years while this litigation languished,” Arnold-Burger wrote.

The Family Initiative provides water safety tips to parents and caregivers for the upcoming summer

Water safety is crucial whether you’re swimming in a pool, a lake, the ocean or simply spending time near any body of water. According to the National Drowning Prevention Alliance (NDPA), 70% of child drowning happens during non-swimming times. It is important to have safeguards in place for unexpected moments and emergencies.

TFI’s Chief Program Officer, Rachele Roosevelt states, “As parents and caregivers, keeping a watchful eye is the greatest gift we can give to keep children safe around water. Every moment of attention, every reminder and every quick check can make the difference between a fun day and a preventable tragedy. Their safety is in our hands—and it’s worth every effort.”

TFI offers safeguards to protect you and your family.

Fence the Pool Area: A pool fence is the first layer of protection needed to prevent unintentional drowning incidents and secures the area against unsupervised access to water, particularly for children and pets.

Regular Equipment Checks:

It’s crucial to check your pool equipment regularly, like ladders, diving boards, slides, fencing, netting and more. A faulty step or loose bolt can lead to accidents that can be prevented with routine inspections.

Display and Enforce Pool Rules: Whether a residential or community facility, displaying pool rules is vital. No running, pushing, no swimming alone or diving in shallow ends – these standard rules can help prevent most pool-related accidents.

Designate a Water Watcher: Even the most experienced swimmers can face difficulties, that’s why constant supervision is a must. Adults should be actively watching kids in the water and around the water and be ready to step in immediately. Drowning is fast and silent, so this should be a direct responsibility for someone. If everyone is watching, no one is watching.

Conduct a swim test: Conducting a swimming test is a great way to identify weak and non-swimmers. For those swimmers, parents should be in the water with them at all times practicing touch supervision (being close enough to reach out to touch the child.)

CPR and First Aid Training: Learning CPR with rescue breaths is critical if an aquatic emergency occurs. Have a well-stocked first aid kit accessible and consider taking a first aid course to deal with minor injuries like cuts or bruises.

Proper Lighting: If your pool party stretches into the evening, ensure your pool area is well-lit, both in and out of the water. Good lighting can prevent accidents and help in spotting a person in distress.

Regular Hydration: Provide plenty of water for your children and guests and encourage regular hydration breaks, especially for those active in the water.

Pool Safety Education: Awareness is key to prevention, whether it’s a quick briefing before the party or a formal education session with your kids. You can start by downloading the NDPA Pool Safety Checklist.

Water safety and pool parties go hand in hand. Keep these tips in mind to create a safe and enjoyable environment.



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SPECIAL NOTICE

Water Distribution System to be Flushed

The City of Chanute Water Department will be conducting a free chlorine flush of its water distribution system. The flush will begin on June 9th and will last approximately 30 days.

• Possible Noticeable Effects: It is important to understand that during this temporary change there may be some discoloration or cloudiness in the water and possibly a slight chlorine odor or taste. If this is experienced you may want to run the water through the tap until it clears.

• Is the Water Safe to Drink? Yes, the water is safe to drink throughout this process. Any odor and color issues will be nuisance only, which will subside as the flushing is completed. Residents may call (620) 431-5250 with any questions concerning the free chlorine burnout. The City of Chanute Water Department appreciates the patience and understanding of its residents as it works to further improve the quality of the water for all customers.

PUBLIC NOTICE

is hereby given that Neosho County Community College will accept sealed bids on or before the 1st day of July, 2025 at 10:00 a.m. on welding gas to be used at their Chanute, Garnett, LaHarpe and Ottawa locations. Bids may be submitted to Brenda Krumm, Neosho County Community College, 800 W. 14th St., Chanute, KS 66720. Neosho County Community College shall reserve the right to request additional information and to reject any or all bids received. Vendors must have a bottle tagging system in place. The successful bidder must provide assurance that all gas bottles delivered to each site are tagged and tracked. Bids should provide the cost per cubit foot for each gas. For detailed bid specifications and questions contact Brenda Krumm at 620-432-0364, email bkrumm@neosho.edu.

June 17, 20

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LEGAL

(First published in the Parsons Sun Tuesday, June 17, 2025)

IN THE DISTRICT COURT OF LABETTE COUNTY, KANSAS
CIVIL COURT DEPARTMENT

UNITED STATES DEPARTMENT OF AGRICULTURE RURAL HOUSING SERVICE (RHS), FORMERLY FARMERS HOME ADMINISTRATION
Plaintiff,
vs.
LISA M MERRILL; ET AL.
Defendants.

Case No.: LBP-2025-CV-000005
Division No.
Pursuant to K.S.A. Chapter 60
Title to Real Estate Involved

NOTICE OF SALE

NOTICE IS HEREBY GIVEN, that under and by virtue of an Order of Sale issued to me by the Clerk of the District Court of Labette County, Kansas, the undersigned Sheriff of Labette County, Kansas, will offer for sale at public auction and sell to the highest bidder for cash in hand at 10:00 AM on July 8, 2025, East Steps of the Labette County Courthouse in Parsons for the following real estate located in the County of Labette, State of Kansas, to wit: LOT 1, BLOCK 14, STEVENS PARK ADDITION, CITY OF PARSONS, LABETTE COUNTY, KANSAS. ("Property")
Commonly known as: 3100 Washington Avenue, Parsons, KS 67357

to satisfy the judgment in the above-entitled case. The sale is to be made without appraisal and subject to the redemption period as provided by law, and further subject to the approval of the Court.

Darren Eichinger
Labette County Sheriff

Prepared by:
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ATTORNEY FOR PLAINTIFF

June 17, 24; July 1

(First published in the Parsons Sun Tuesday, June 17, 2025)

Resolution 560

WHEREAS City of McCune, Kansas, has determined that the financial statements and financial reports for the year ended December 31, 2025 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the City Council or the members of the general public of City of McCune, Kansas and

WHEREAS there are no revenue bond ordinances or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ended December 31, 2025.

NOW, THEREFORE BE IT RESOLVED, by the City Council of City of McCune, Kansas, in regular meeting duly assembled this 10th day of June, 2025 that the City Council waives the requirements of K.S.A. 75-1120a(a) as they apply to City of McCune, Kansas for the year ended December 31, 2025.

BE IT FURTHER RESOLVED that the City Council shall cause the financial statements and financial reports of City of McCune, Kansas to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

Approved by the City Council of City of McCune, Kansas on the 10th day of June 2025.

Bobby Clark, Mayor

Nicole Mays, Clerk

LEGAL

(First published in the Parsons Sun Tuesday, June 17, 2025)

Resolution 559

WHEREAS City of McCune, Kansas, has determined that the financial statements and financial reports for the year ended December 31, 2024 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the City Council or the members of the general public of City of McCune, Kansas and

WHEREAS there are no revenue bond ordinances or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ended December 31, 2024.

NOW, THEREFORE BE IT RESOLVED, by the City Council of City of McCune, Kansas, in regular meeting duly assembled this 10th day of June, 2025 that the City Council waives the requirements of K.S.A. 75-1120a(a) as they apply to City of McCune, Kansas for the year ended December 31, 2024.

BE IT FURTHER RESOLVED that the City Council shall cause the financial statements and financial reports of City of McCune, Kansas to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

Approved by the City Council of City of McCune, Kansas on the 10th day of June 2025.

Bobby Clark, Mayor

Nicole Mays, Clerk

(First published in The Chanute Tribune Tuesday, June 10, 2025)

NOTICE OF FORFEITURE

TO: MICHAEL E. BROWN d/b/a MSG RESOURCES, INC. and MSG RESOURCES, INC., each of 971 1400th St., Iola, Kansas 66749-3942, and J&S MCCOY ENTERPRISES, LLC, of 13300 Rooks Road, Erie, Kansas 67333; and all other persons concerned.

The undersigned, owners in severalty of the following described land situated in Neosho County, Kansas:
S/2SE/4 and the NE/4SE/4 of Section 13, Township 28S, Range 19E,

upon which an oil and gas lease dated August 12, 1992, recorded in Book 115M, Page 445, was given to Charles D. Phillips, and upon which a corrected oil and gas lease dated effective August 12, 1992, recorded in Book 116M, Page 151, was given to Charles D. Phillips, do hereby notify you that the terms of said lease(s) have been broken by the owner thereof, and we hereby elect to declare, and do declare, the said lease(s) forfeited and void, and that unless you do, within twenty (20) days from this date, notify the Register of Deeds of said County as provided by law that said lease(s) have not been forfeited, we will file with the Register of Deeds an Affidavit of Forfeiture as provided by law, and we hereby demand that you execute or have executed a proper surrender of said lease and that you put the same of record in the office of the Register of Deeds of said County within twenty (20) days from this date.

Dated this 5th day of June 2025.

Roger Kinne Revocable Trust
Pamela E. Theising
Terry L. Theising

Prepared By:
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Independence, KS 67301
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June 10, 17, 24

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