

February 15, 2023

Kansas House Committee on Elections  
Kansas State Capitol  
300 SW 10th Street  
Topeka, Kansas 66612

**RE: Opposition to HB 2391**

Dear Committee Members,

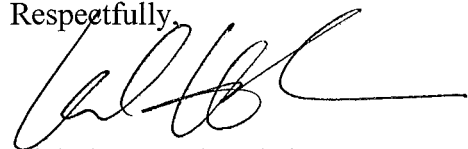
As the Chairman of the Kansas Governmental Ethics Commission (the "Commission"), I wish to voice my opposition to HB 2391.

The Commission is charged with administering the Campaign Finance Act, which includes investigating alleged or potential violations thereof. If enacted as written, HB 2391 would significantly impair the Commission's ability to investigate violations of the Campaign Finance Act. Specifically, Section 13 of HB 2391 would amend K.S.A. § 25-4158 to strip the Commission of its important investigatory tool—its power to issue subpoenas and subpoenas duces tecum. This subpoena power is fundamentally important at the investigatory stage order to determine whether or not a violation of the Campaign Finance Act is probable to have occurred.

HB 2391 would also restrict the Commission's ability to conduct hearings (instead allowing respondents to remove their hearings to the Office of Administrative Hearings) and would further restrict the Commission's discretion and ability to resolve violations of the Campaign Finance Act. These changes are overreaching and unwarranted.

I strongly encourage the committee members to oppose HB 2391 in its current form. I further encourage committee members to listen to and consider Executive Director Mark Skoglund's testimony before taking action on HB 2391.

Respectfully,



Nicholas J. Hale, Chairman  
Kansas Governmental Ethics Commission