

Oral Opposition Testimony before the
Senate Federal and State Affairs Committee
On
SB 314

Prohibiting the use of public assets by government officers and employees to advocate for or against proposed amendments to the constitution of the state of Kansas and ballot questions submitted to qualified electors.

by
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Chair Thompson and members of the Senate Committee on Federal and State Affairs. Thank you for the opportunity to present opposition testimony on SB 314. USA Kansas understands the intent to regulate the use of public assets. However, USA Kansas has serious concerns about how this bill would affect a school district's ability to inform the public on school bond elections.

School bond elections are among the most significant decisions a local community makes. They directly impact student safety, educational quality, property taxes, and long-term financial obligations. Kansas law already places responsibility on local boards of education and school administrators to manage public facilities, steward taxpayer resources, and communicate transparently with voters.

SB 314 would restrict the use of public assets. To include staff time, facilities, communication tools, and district expertise. While the bill may intend to prevent improper political campaigning, its language is so broad that it risks preventing necessary education related to school bond questions.

School districts do not "campaign" for bond issues in the same way political organizations do. Instead, districts provide factual, detailed explanations such as:

- Why a bond is needed to address aging buildings or safety concerns
- What projects would be funded and in what timeline
- The estimated tax impact on local property owners
- The consequences of bond approval versus bond failure

SB 314 does not clearly distinguish between advocacy and factual information. Under this bill, routine and responsible communication, such as community forums, bond fact sheets, district websites, newsletters, or responses to parent questions could be construed as prohibited activity simply because they occur during compensated time or use district resources.

This could cause districts to not provide needed information for fear of violating the law. This could leave voters without the needed information to make a decision on how they would vote.

When voting on a school bond, voters expect their school district to be the most accurate and reliable source of information about school facilities and financial needs. No outside group can match the district's understanding of building conditions, enrollment trends, or long-term planning obligations.

By limiting a district's ability to explain its own needs, SB 314 shifts the information vacuum to third parties who may not have full or accurate information. This undermines transparency and weakens local control.

SB314 also creates significant implementation concerns for school districts:

- Would a superintendent answering bond questions at a PTO meeting violate the bill?
- Could a facilities director explain building deficiencies during work hours?
- Would posting bond information on a district website or social media account be prohibited?
- Could a district publish a tax impact calculator for voters?

The lack of clarity places school employees in a very difficult position and exposes districts to legal risk simply for doing their jobs.

Kansas law already prohibits the misuse of public funds for political campaigning. School districts are acutely aware of these restrictions and routinely consult legal counsel to ensure compliance. SB 314 is therefore unnecessary and overbroad, creating new problems without addressing a demonstrated gap in current law.

School bond elections depend on informed voters. SB 314, as drafted, would prevent a school district from providing factual, non-partisan information about issues that directly affect students, families, and taxpayers.

For these reasons, we respectfully urge the Committee to oppose SB 314 or, at a minimum, significantly amend it to explicitly protect a school district's ability to provide neutral, factual information regarding school bond elections.

Thank you for your time and consideration