

March 10, 2025

The Honorable Elaine Bowers, Chairperson
Senate Committee on Local Government, Transparency and Ethics
300 SW 10th Avenue, Room 142-S
Topeka, Kansas 66612

Dear Senator Bowers:

SUBJECT: Fiscal Note for SB 286 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 286 is respectfully submitted to your committee.

SB 286 would amend the definition of “lobbyist” in statutes relating to governmental ethics to specify that a person appointed to lobby and who is compensated at least as much annually as an elected member of the Legislature would be considered a lobbyist. Also under current law, the definition of “lobbyist” includes any person who makes expenditures totaling at least \$1,000 for lobbying. SB 286 would amend this definition to state that a person retained by another person for financial or other compensation to conduct lobbying and receives at least \$5,000 for such lobbying activities would be considered a lobbyist.

Under current governmental ethics statutes, “lobbying” includes (1) promoting or opposing in any manner action or nonaction by the Legislature, (2) promoting or opposing in any manner an action or nonaction by any executive agency, or (3) promoting or opposing in any manner an action or nonaction by any judicial agency. SB 286 would amend these definitions to state that “lobbying” includes (1) providing any oral or written communication on behalf of a lobbying client to a member, employee of a member, an employee of a committee, or an employee of leadership staff of the Legislature with regard to the formulation, modification, or adoption of legislation; (2) providing any oral or written communication on behalf of a lobbying client to the Governor or head of any executive agency; or (3) providing any oral or written communication on behalf of a lobbying client to any judicial agency.

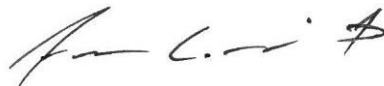
The bill would specify that lobbying does not include communications made by a public official acting in their official capacity; made by a representative of a media organization if the purpose to is gather and disseminate news; made in a speech, article, publication or other material made available through mass communication; made for administrative requests; testimony for a

committee; information provided in response to a request by the Legislature; and made in response to any matter covered by the Rules and Regulations Filing Act. The bill would also prohibit any Legislator from being hired as a lobbyist to represent anyone before any state agency.

Estimated State Fiscal Effect			
	FY 2025	FY 2026	FY 2027
Expenditures			
State General Fund	--	--	--
Fee Fund(s)	--	--	--
Federal Fund	--	--	--
Total Expenditures	--	--	--
Revenues			
State General Fund	--	--	--
Fee Fund(s)	--	(\$15,000)	(\$15,000)
Federal Fund	--	--	--
Total Revenues	--	(\$15,000)	(\$15,000)
FTE Positions	--	--	--

The Governmental Ethics Commission indicates enactment of the bill would result in fewer lobbyists registering because the bill would change the requirement to register as a lobbyist from making expenditures on lobbying of \$1,000 or more to being retained as a lobbyist for at least \$5,000 in compensation. Currently, a lobbyist that intends to spend \$1,000 or more on lobbying expenses pays a \$50 annual registration fee. For FY 2026, the agency estimates that approximately 1,300 lobbyists will register under this threshold. However, SB 286 requires a lobbyist to register based on their compensation for lobbying, not their lobbying expenditures. As a result, the agency estimates that the bill would reduce registrations by approximately 300, which would reduce revenues by approximately \$15,000 (300 registrations X \$50) to the Governmental Ethics Fee Fund beginning in FY 2026. Any fiscal effect associated with SB 286 is not reflected in *The FY 2026 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Kaitlyn Bull-Stewart, Governmental Ethics Commission