

SENATE BILL No. 483

By Senator Holscher

2-4

1 AN ACT concerning state governmental ethics; relating to the legislature;
2 requiring all legislators and the spouses of legislators who are in
3 leadership positions to disclose the amount of any salary paid by public
4 funds; providing that such information be published on the legislative
5 website; requiring such information be provided in statements of
6 substantial interest; amending K.S.A. 46-229 and repealing the existing
7 section.
8

9 *Be it enacted by the Legislature of the State of Kansas:*

10 New Section 1. (a) Every member of the legislature who receives a
11 salary funded, in whole or in part, by public funds shall disclose the
12 position for which such salary is paid, the public entity that is the payor of
13 such salary and the annual amount of such salary. Legislators who are in
14 leadership positions shall also disclose such information with respect to
15 such legislator's spouse. Such information shall be provided to legislative
16 administrative services on or before January 15 of each year. The director
17 of legislative administrative services shall cause to be published such
18 information next to such legislator's name on the legislative website on the
19 webpage that provides a roster of legislators. Such information shall be
20 disclosed as a substantial interest by legislators pursuant to K.S.A. 46-229,
21 and amendments thereto.

22 (b) The legislative post auditor or a firm, as defined by K.S.A. 46-
23 1112, and amendments thereto, under contract with the legislative post
24 auditor shall annually conduct an audit of the information disclosed
25 pursuant to subsection (a) in accordance with the provisions of the
26 legislative post audit act. Legislators shall cooperate with legislative post
27 audit or such firm in providing information and facilitating such audit. The
28 audit shall focus on the accuracy of such information provided by
29 legislators who are in leadership positions and such legislators' spouses.
30 Such audit for the previous year shall be submitted to the legislature at the
31 beginning of the 2027 regular legislative session and each subsequent
32 regular session of the legislature.

33 (c) As used in this section:

34 (1) "Leadership position" means the:

35 (A) President, vice president, majority leader, assistant majority
36 leader, majority whip, minority leader, assistant minority leader, minority

1 whip, minority agenda chair and minority caucus chair of the senate; and

2 (B) speaker, speaker pro tem, majority leader, assistant majority
3 leader, majority whip, majority caucus chair, minority leader, assistant
4 minority leader, minority whip, minority caucus chair, minority agenda
5 chair and minority policy chair of the house of representatives.

6 (d) This section shall be a part of and supplemental to the state
7 governmental ethics law.

8 Sec. 2. K.S.A. 46-229 is hereby amended to read as follows: 46-229.
9 "Substantial interest" means any of the following:

10 (a) If an individual or an individual's spouse, either individually or
11 collectively, has owned within the preceding 12 months a legal or
12 equitable interest exceeding \$5,000 or 5% of any business, whichever is
13 less, the individual has a substantial interest in that business.

14 (b) If an individual or an individual's spouse, either individually or
15 collectively, has received during the preceding calendar year compensation
16 which is or will be required to be included as taxable income on federal
17 income tax returns of the individual and spouse in an aggregate amount of
18 \$2,000 from any business or combination of businesses, the individual has
19 a substantial interest in that business or combination of businesses.

20 (c) If an individual or an individual's spouse, either individually or
21 collectively, has received directly or indirectly in the preceding 12 months,
22 gifts or honoraria having an aggregate value of \$500 or more from any
23 person, the individual has a substantial interest in that person. If a gift is
24 received for which the value is unknown, the individual shall be deemed to
25 have a substantial interest in the donor. A substantial interest does not exist
26 under this subsection by reason of:

27 (1) A gift or bequest received as the result of the death of the donor;

28 (2) a gift from a spouse, parent, grandparent, sibling, aunt or uncle; or

29 (3) acting as a trustee of a trust for the benefit of another.

30 (d) If an individual or an individual's spouse holds the position of
31 officer, director, associate, partner or proprietor of any business, the
32 individual has a substantial interest in that business, irrespective of the
33 amount of compensation received by the individual or individual's spouse.

34 (e) (1) If an individual or an individual's spouse receives
35 compensation which is a portion or percentage of each separate fee or
36 commission paid to a business or combination of businesses, the individual
37 has a substantial interest in any client or customer who pays fees or
38 commissions to the business or combination of businesses from which fees
39 or commissions the individual or the individual's spouse, either
40 individually or collectively, received an aggregate of \$2,000 or more in the
41 preceding calendar year.

42 (2) As used in this subsection, "client or customer" means a business
43 or combination of businesses.

1 (f) *If a legislator or the spouse of a legislator who is in a leadership*
2 *position receives a salary paid with public funds, such legislator or such*
3 *legislator's spouse has a substantial interest in the public entity that is the*
4 *payor of such salary and shall disclose the annual amount of such salary*
5 *and such payor.*

6 Sec. 3. K.S.A. 46-229 is hereby repealed.

7 Sec. 4. This act shall take effect and be in force from and after its
8 publication in the statute book.