

## Substitute for SENATE BILL No. 66

By Committee on Local Government, Transparency and Ethics

3-14

1 AN ACT concerning *{ state and }* local governmental ethics; relating to  
2 filing requirements of the statement of substantial interests; requiring  
3 annual filing by city or county elected or appointed officials; providing  
4 that elected or appointed officials of a governmental subdivision other  
5 than a city or county file statements of substantial interests if any  
6 change in substantial interests occurred; requiring governmental  
7 officials with a substantial interest in a real estate development project  
8 to verbally disclose such interest prior to first participating in any  
9 discussion, review or action on a proposed zoning change or permit;  
10 *{ deleting a requirement that a person examining a state disclosure of*  
11 *financial interest shall disclose the person's name, address,*  
12 *occupation and phone number; }* amending K.S.A. *{ 46-252 and }* 75-  
13 4302a and repealing the existing ~~section~~ *{ sections }*.  
14

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

16 *{ Section 1. K.S.A. 46-252 is hereby amended to read as follows: 46-*  
17 *252. All statements of substantial interests filed under this act shall be*  
18 *available for examination and copying by the public at all reasonable*  
19 *times. Each individual examining a statement must first fill out a form or*  
20 *sign a register prepared and publicly maintained by the secretary of state*  
21 *identifying the examiner by name, occupation, address and telephone*  
22 *number, and listing the date of examination. }*

23 ~~Section 1. { Sec. 2. }~~ K.S.A. 75-4302a is hereby amended to read as  
24 follows: 75-4302a. (a) The statement of substantial interests shall include  
25 all substantial interests of the individual making the statement.

26 (b) *Except as provided by subsection (f),* statements of substantial  
27 interests shall be filed by the following individuals at the times specified:

28 (1) By a candidate for local office who becomes a candidate on or  
29 before the filing deadline for the office, not later than 10 days after the  
30 filing deadline, unless before that time the candidacy is officially declined  
31 or rejected.

32 (2) By a candidate for local office who becomes a candidate after the  
33 filing deadline for the office, within five days of becoming a candidate,  
34 unless within that period the candidacy is officially declined or rejected.

35 (3) By an individual appointed on or before April 30 of any year to  
36 fill a vacancy in an elective office of a governmental subdivision, between

1 April 15 and April 30, inclusive, of that year *and each year thereafter; so*  
2 *long as the provisions of this section apply to the individual.*

3 (4) By an individual appointed after April 30 of any year to fill a  
4 vacancy in an elective office of a governmental subdivision, within 15  
5 days after the appointment *and annually thereafter between April 15 and*  
6 *April 30, inclusive, so long as the provisions of this section apply to the*  
7 *individual.*

8 (5) By any individual holding an elective office of a governmental  
9 subdivision, *annually between April 15 and April 30, inclusive, of any*  
10 *year if, during the preceding calendar year, any change occurred in the*  
11 *individual's substantial interests so long as the provisions of this section*  
12 *apply to the individual.*

13 (c) The statement of substantial interests required to be filed pursuant  
14 to this section shall be filed in the office where declarations of candidacy  
15 for the local governmental office sought or held by the individual are  
16 required to be filed. *Upon receipt of each such statement, the receiving*  
17 *office shall submit a copy of such statement to the secretary of state.*

18 (d) The governmental ethics commission shall adopt rules and  
19 regulations prescribing the form and the manner for filing the disclosures  
20 of substantial interests required by law. The commission shall provide  
21 samples of the form of the statement to each county election officer.

22 (e) If an individual or an individual's spouse holds the position of  
23 officer, director, associate, partner or proprietor in an organization exempt  
24 from federal taxation of corporations under section 501(c)(3), (4), (6), (7),  
25 (8), (10) or (19) of chapter 26 of the United States code, the individual  
26 shall comply with all disclosure provisions of subsections (a), (b), (c) and  
27 (d) ~~of this section~~ notwithstanding the provisions of K.S.A. 75-4301, and  
28 amendments thereto, which provide that these individuals may not have a  
29 substantial interest in these corporations.

30 ~~(f){(1} The annual filing requirements of subsections{ subsection} (b)~~  
31 ~~(3), (4) and (5) shall only apply to elected or appointed officers of a city~~  
32 ~~or, county{ or school district}. Such annual filing requirements shall not~~  
33 ~~apply to elected or appointed officers of a township, school district,~~  
34 ~~drainage district or any other governmental subdivision that is not a city~~  
35 ~~or, county{ or school district}. An individual who is an elected or~~  
36 ~~appointed officer of a township, school district, drainage district or any~~  
37 ~~other governmental subdivision that is not a city or, county{ or school~~  
38 ~~district} shall, in addition to the initial filing requirements of subsections~~  
39 ~~{ subsection} (b)(3), (4) and (5), file a statement of substantial interests~~  
40 ~~between April 15 and April 30, inclusive, if, during the preceding calendar~~  
41 ~~year, any change occurred in such individual's substantial interests.~~

42 **{(2) For purposes of this section, "appointed officer of a school**  
43 **district" means the superintendent of such school district.}**

1       (g) *Any local governmental officer that participates in the*  
2 *consideration of or decision on a proposed zoning change or permit with*  
3 *regard to a real estate development project that may affect any substantial*  
4 *interest held by the local governmental officer or a relative of the local*  
5 *governmental officer shall verbally disclose such substantial interest*  
6 *during the first open meeting at which such officer is present when*  
7 *discussion, review or action on the proposed zoning change or permit*  
8 *occurs prior to participating in any discussion, review or action on the*  
9 *proposed zoning change or permit.*

10       Sec. ~~2-3~~ K.S.A. ~~46-252 and~~ 75-4302a ~~is~~ **are** hereby repealed.

11       Sec. ~~3-4~~ This act shall take effect and be in force from and after its  
12 publication in the statute book.