

March 11, 2021

The Honorable Blake Carpenter, Chairperson
House Committee on Elections
Statehouse, Room 149C-S
Topeka, Kansas 66612

Dear Representative Carpenter:

SUBJECT: Fiscal Note for HB 2235 by Representative Coleman

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2235 is respectfully submitted to your committee.

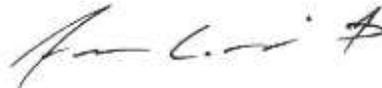
HB 2235 would require each lobbyist to wear a body camera when entering the Statehouse and all conversations to be recorded with any legislator. The recordings would be considered a public record under the Kansas Open Records Act and the recordings would be filed with the Secretary of State on the first day of each month. The bill would prohibit lobbyists from offering, paying, giving, or making any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality or service to any legislator or candidate for the Legislature.

The Office of Judicial Administration states enactment of HB 2235 could increase the number of cases filed in district courts because the bill would prohibit lobbyists from offering certain items and services to any legislator or candidate for the Legislature, which could result in more time spent by court employees and judges processing and hearing cases. According to the Office, a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill's provisions. The Office indicates enactment of the bill could result in the collection of additional docket fees in those cases filed under the bill's provisions.

The Office of the Attorney General states enactment of the bill could result in the constitutionality of the bill being challenged. The agency states a lawsuit could cost several hundred thousand dollars. If the case ended up at the U.S. Supreme Court, the litigation costs could further increase, according to the agency. Depending on the capacity of agency attorneys, outside counsel may need to be retained to handle any possible litigation.

The Kansas Governmental Ethics Commission, the Office of the Secretary of State, Legislative Administrative Services, and the Kansas Highway Patrol indicate enactment of the bill would not have a fiscal effect on the operations of any of the respective agencies. Any fiscal effect associated with HB 2235 is not reflected in *The FY 2022 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Karen Clowers, Legislative Services
Sandy Tompkins, Office of the Secretary of State
Sherry Macke, Highway Patrol
Mark Skoglund, Governmental Ethics
Debbie Thomas, Judiciary
Willie Prescott, Office of the Attorney General