

HOUSE BILL No. 2310

By Committee on Energy, Utilities and Telecommunications

2-6

1 AN ACT concerning the state corporation commission; increasing the
2 number of commissioners on the state corporation commission subject
3 to gubernatorial appointment and senate confirmation; prohibiting the
4 appointment or confirmation of any person who has a conflict of
5 interest; amending K.S.A. 74-601 and repealing the existing section.
6

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

8 Section 1. K.S.A. 74-601 is hereby amended to read as follows: 74-
9 601. (a) There is hereby created the state corporation commission, ~~which~~.

10 *(b) (1) Prior to March 15, 2024, the commission shall consist of three*
11 *members appointed by the governor, subject to confirmation by the senate*
12 *as provided in K.S.A. 75-4315b, and amendments thereto. ~~Except as~~*
13 *provided by K.S.A. 46-2601, no person appointed to the commission shall*
14 *exercise any power, duty or function as a member of the commission until*
15 *confirmed by the senate. ~~no~~ When the commission consists of three*
16 *members, not more than two members of the commission shall belong to*
17 *the same political party. ~~Each member shall be appointed for a term of four~~*
18 *years and until a successor has been appointed and confirmed. In case of a*
19 *vacancy in the office of a member of the commission, the governor shall*
20 *appoint a successor to fill the vacancy for the unexpired term.*

21 ~~(b) The terms of members who are serving on the commission on the~~
22 ~~effective date of this act shall expire on March 15, of the year in which~~
23 ~~such member's term would have expired under the provisions of this~~
24 ~~section prior to amendment by this act. Thereafter, members shall be~~
25 ~~appointed for terms of four years and until their successors are appointed~~
26 ~~and confirmed.~~

27 *(2) On and after March 15, 2024, and prior to March 15, 2026, the*
28 *commission shall consist of five members appointed by the governor,*
29 *subject to confirmation by the senate as provided in K.S.A. 75-4315b, and*
30 *amendments thereto. When the commission consists of five members, not*
31 *more than three members of the commission shall belong to the same*
32 *political party. This paragraph shall not be construed to alter or amend*
33 *the original appointment or term of any member serving on the*
34 *commission prior to March 15, 2024.*

35 *(3) On and after March 15, 2026, the commission shall consist of*
36 *seven members appointed by the governor, subject to confirmation by the*

1 *senate as provided in K.S.A. 75-4315b, and amendments thereto. When the*
2 *commission consists of seven members, not more than four members of the*
3 *commission shall belong to the same political party. This paragraph shall*
4 *not be construed to alter or amend the original appointment or term of*
5 *any member serving on the commission prior to March 15, 2026.*

6 *(c) Except as provided by K.S.A. 46-2601, and amendments thereto,*
7 *no person appointed to the commission shall exercise any power, duty or*
8 *function as a member of the commission until confirmed by the senate. A*
9 *person shall not be appointed to the commission or confirmed by the*
10 *senate if such person, within the 10 years preceding the date that such*
11 *person's term would otherwise commence as a member of the commission,*
12 *has been an officer, employee, agent or director of:*

13 *(1) A public utility as defined in K.S.A. 66-104, and amendments*
14 *thereto; or*

15 *(2) the state corporation commission. This paragraph shall not apply*
16 *to a person who meets such criteria only by virtue of such person's prior*
17 *appointment and confirmation as a member of the state corporation*
18 *commission.*

19 *(d) Each member shall be appointed for a term of four years. The*
20 *term of each member shall expire on March 15 of the year in which such*
21 *member's four-year term expires or until a successor has been appointed*
22 *and confirmed. In case of a vacancy in the office of a member of the*
23 *commission in which a member had been appointed and confirmed to such*
24 *office, the governor shall appoint a successor to fill the vacancy for the*
25 *unexpired term.*

26 ~~(e)~~*(e) The commission shall elect one of its members as chairperson*
27 *of the commission. The chairperson of the commission shall receive an*
28 *annual salary in an amount equal to the annual salary prescribed by law for*
29 *the chief judge of the court of appeals, payable monthly. Each other*
30 *member of the commission shall receive an annual salary in an amount*
31 *equal to the annual salary paid by the state to a judge of the court of*
32 *appeals, other than the chief judge, payable monthly. Each member of the*
33 *commission shall devote full time to the duties of the office.*

34 ~~(f)~~*(f) The provisions of the Kansas governmental operations*
35 *accountability law apply to the state corporation commission and the*
36 *commission is subject to audit, review and evaluation under such law.*

37 *Sec. 2. K.S.A. 74-601 is hereby repealed.*

38 *Sec. 3. This act shall take effect and be in force from and after its*
39 *publication in the statute book.*