

SESSION OF 2023

SUPPLEMENTAL NOTE ON SENATE BILL NO. 301

As Amended by Senate Committee of the Whole

Brief*

SB 301, as amended, would require elected and appointed officers of a governmental subdivision to file annual statements of substantial interest with the office where declarations of candidacy are required to be filed. Current law requires such officeholders to file statements only in a year in which their substantial interests change. Upon receipt of a statement of substantial interest, the receiving office would be required to submit a copy of such statement to the Secretary of State.

The bill would exempt elected or appointed officers of townships or school districts from the annual filing requirements, but would require those elected officials to file an annual statement of substantial interest if any change occurred in the individual's substantial interests during the preceding calendar year.

[*Note:* Continuing law requires elected and appointed officers of a governmental subdivision to file statements of substantial interest when filing for candidacy or after being appointed to fill a vacancy in an elective office.]

Background

The bill was introduced by the Senate Committee on Ways and Means at the request of Senator McGinn.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Senate Committee on Transparency and Ethics

In the Senate Committee hearing, written-only **proponent** testimony was provided by Senator McGinn and a representative of the Kansas Association of Counties, who generally stated the bill would increase transparency, prevent special interest voting, and prevent undue influence.

Neutral testimony was provided by a representative of the League of Kansas Municipalities (League), who stated the bill would reflect what the League recommends as a best practice for its member cities.

No other testimony was provided.

The Senate Committee amended the bill to exempt elected or appointed officers of townships or school districts from the annual filing requirement.

Senate Committee of the Whole

The Senate Committee of the Whole amended the bill to specify that elected officers of townships or school districts would be required to file a statement of substantial interest between April 15 and April 30 if any change occurred in their substantial interests during the preceding calendar year.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Governmental Ethics Commission indicates enactment of the bill would have a negligible fiscal effect on agency operations. The Secretary of State indicates any fiscal effect resulting from the bill's enactment would be handled within existing resources.

The League states enactment of the bill would not have a fiscal effect on cities. The Kansas Association of Counties states there could be a fiscal effect on counties, depending on the actual number of individuals required to file a statement of substantial interests and how those statements are submitted to the Secretary of State.

Statement of substantial interest; local government; ethics; Kansas Governmental Ethics Commission; Secretary of State