

SENATE BILL No. 301

By Committee on Ways and Means

3-7

1 AN ACT concerning governmental ethics; relating to statements of
2 substantial interests; requiring annual filing of such statements by local
3 governmental officers and employees; ***exempting elected or appointed***
4 ***officers of townships or school districts from such annual filing***
5 ***requirements {absent a change in substantial interests of such***
6 ***officers}***; amending K.S.A. 46-252 and 75-4302a and repealing the
7 existing sections.
8

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

10 Section 1. K.S.A. 46-252 is hereby amended to read as follows: 46-
11 252. All statements of substantial interests filed under ~~this act~~ *the state*
12 *governmental ethics law and K.S.A. 75-4302a, and amendments thereto,*
13 shall be available for examination and copying by the public at all
14 reasonable times. Each individual examining a statement ~~must~~ *shall* first
15 fill out a form or sign a register prepared and publicly maintained by the
16 secretary of state identifying the examiner by name, occupation, address
17 and telephone number, and listing the date of examination.

18 Sec. 2. K.S.A. 75-4302a is hereby amended to read as follows: 75-
19 4302a. (a) The statement of substantial interests shall include all
20 substantial interests of the individual making the statement.

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

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

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

30 (3) By an individual appointed on or before April 30 of any year to
31 fill a vacancy in an elective office of a governmental subdivision, between
32 April 15 and April 30, inclusive, of that year *and each year thereafter; so*
33 *long as the act applies to the individual.*

34 (4) By an individual appointed after April 30 of any year to fill a

1 vacancy in an elective office of a governmental subdivision, within 15
2 days after the appointment *and annually thereafter between April 15 and*
3 *April 30, inclusive, so long as the act applies to the individual.*

4 (5) By any individual holding an elective office of a governmental
5 subdivision, *annually* between April 15 and April 30, inclusive, ~~of any~~
6 ~~year if, during the preceding calendar year, any change occurred in the~~
7 ~~individual's substantial interests~~ *so long as the act applies to the*
8 *individual.*

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

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

18 (e) If an individual or an individual's spouse holds the position of
19 officer, director, associate, partner or proprietor in an organization exempt
20 from federal taxation of corporations under section 501(c)(3), (4), (6), (7),
21 (8), (10) or (19) of chapter 26 of the United States code, the individual
22 shall comply with all disclosure provisions of subsections (a), (b), (c) and
23 (d) ~~of this section~~ notwithstanding the provisions of K.S.A. 75-4301, and
24 amendments thereto, which provide that these individuals may not have a
25 substantial interest in these corporations.

26 ***(f) The annual filing requirements of paragraphs (b)(3), (4) and (5)***
27 ***shall not apply to elected or appointed officers of a township or school***
28 ***district. {An individual who is an elected officer of a township or school***
29 ***district shall file a statement of substantial interests between April 15***
30 ***and April 30, inclusive, of any year if, during the preceding calendar***
31 ***year, any change occurred in such individual's substantial interests.}***

32 Sec. 3. K.S.A. 46-252 and 75-4302a are hereby repealed.

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