

SESSION OF 2014

**CONFERENCE COMMITTEE REPORT BRIEF  
SENATE BILL NO. 63**

As Agreed to May 2, 2014

**Brief\***

SB 63 would allow municipalities, as defined by KSA 75-6102 to include counties, cities, townships, and other taxing subdivisions of the state, to purchase products and services on the list certified by the Director of Purchases for qualified vendors. The bill would grant the State Use Law Committee the power to elect its chairperson and would remove the Governor's power to designate one of the private-sector business members as chairperson. The bill also would extend the State Use Law Committee's sunset date by five years, from July 1, 2014, to July 1, 2019.

**Conference Committee Action**

The Conference Committee deleted the contents of SB 63 pertaining to penalties for voting crimes and inserted the language of SB 405 pertaining to the State Use Law Committee and municipalities.

**Background**

SB 63 was introduced by the Committee on Ethics, Elections and Local Government during the 2013 Session.

In the Senate Judiciary Committee, Secretary of State Kris Kobach testified in support of the bill. A former member

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of the House of Representatives testified as a neutral conferee. The Johnson County District Attorney testified in opposition to the bill on behalf of the Kansas County and District Attorneys Association. The Edwards County Attorney submitted written testimony opposing the bill.

The Senate Committee amended the bill by adopting technical amendments, changing the culpability requirement for the crime of voting more than once from “knowingly” to “intentionally,” and changing the word “offering” to “attempting” in the definition of voting more than once.

The Senate Committee of the Whole amended the bill by adding the new section prohibiting the Secretary of State from establishing political committees other than those supporting a candidate for Secretary of State.

The House Committee on Elections amended the bill by deleting language that prohibited the Secretary of State from establishing political committees other than those supporting a candidate for Secretary of State, and by reducing the severity level of the following crimes, which had been increased in severity level in the introduced version of the bill:

- Voting more than once, reduced from severity level 7 to severity level 9, nonperson felony;
- Advance voting violations specified in KSA 25-1128, reduced from severity level 9, nonperson felony to Class A misdemeanor;
- Voting without being qualified, reduced from severity level 7 to severity level 9, nonperson felony;
- Election tampering, reduced from severity level 7 to severity level 8, nonperson felony; and
- False impersonation of a voter, reduced from a severity level 8 to severity level 9, nonperson felony.

The House Elections Committee also adopted provisions that would remove the right of any person convicted of an election crime to vote for four years, and amended the Campaign Finance Act to abolish any political committee established by a member of the Legislature in accordance with KSA 25-4153b, which existed prior to the effective date of the bill.

The House Committee of the Whole amended the bill to specify that when a political committee is abolished in accordance with the bill, its remaining funds could be donated in its entirety to a political party.

The fiscal note prepared by the Division of the Budget on the original bill states the Secretary of State indicates any fiscal effect could be absorbed within existing resources. The Kansas Association of Counties and the Office of the Attorney General state they believe the bill would have no fiscal effect. The Kansas Sentencing Commission states the bill would have no effect on prison admission or bed needs.

The fiscal note further indicates the bill has the potential to increase the number of cases related to voting crimes filed in district and appellate courts and could increase the time required by judicial and non-judicial personnel. The bill could also generate additional revenue from docket fees and penalties. However, a precise fiscal effect cannot be determined at this time and would most likely be accommodated within the existing schedule of court cases. Any fiscal effect associated with the bill is not reflected in *The FY 2014 Governor's Budget Report*.

### ***Background of SB 405***

The Kansas Use Law is a means by which state agencies, state institutions, and school districts are encouraged to procure goods and services from qualified vendors registered with the Division of Purchasing, Department of Administration, that employ blind or disabled

Kansans. A nine-member committee advises the Director of Purchases in the administration of the program.

Representatives of several vendors spoke in favor of the bill. Proponents supported the five-year extension of the State Use Law Committee, the expansion of product and service purchasing to municipalities, and the chairperson selection method. Representatives of Cartridge King of Kansas and Envision provided written testimony in support of the bill.

There was no neutral or opponent testimony.

The Senate Committee recommended the bill be placed on the Consent Calendar.

According to the fiscal note prepared by the Division of the Budget, the Department of Administration indicates the bill would require additional expenditures of \$1,925 from agency fee funds in FY 2015 for the cost of the State Use Law Committee's meetings, with the Committee required to meet quarterly. The League of Kansas Municipalities was not able to determine what, if any, fiscal effect enactment of the bill would have on Kansas cities. Any fiscal effect associated with passage of the bill is not reflected in *The FY 2015 Governor's Budget Report*.

use law; local government

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