

HOUSE BILL No. 2583

By Committee on Judiciary

2-7

1 AN ACT concerning lobbyists; relating to judicial lobbyists; amending
2 K.S.A. 46-221 and 46-222 and repealing the existing sections.

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

5 Section 1. K.S.A. 46-221 is hereby amended to read as follows: 46-
6 221. (a) "State officer or employee" means: (1) Any individual who is an
7 elected or appointed state officer; (2) any individual who is in the
8 classified service or unclassified service of the Kansas civil service act;
9 (3) all officers and employees of the legislative branch and of the
10 governor's office, irrespective of how compensated or period of
11 employment; and (4) any individual who receives monthly or
12 semimonthly compensation for services from the state or any state agency.

13 (b) "State officer or employee" does not include any justice or
14 commissioner of the supreme court or *appellate judge or district court*
15 judge of the judicial branch or employee or officer of the judicial branch or
16 any member of a board, council or commission who is appointed by the
17 supreme court or who is elected or appointed to exercise duties pertaining
18 to functions of the judicial branch, when such person is engaged in
19 performing a function or duty for the judicial branch. ~~Also~~ Additionally,
20 "state officer or employee" does not include any appointed member of an
21 advisory council, commission or board, who serves without compensation
22 other than amounts for expense allowances or reimbursement of expenses
23 as provided for in subsection (e) of K.S.A. 75-3223, and amendments
24 thereto, when such member is engaged in performing a function or duty
25 for such council, commission or board.

26 (b) (c) "Candidate" means an individual who: (1) Appoints a treasurer
27 or a candidate committee; (2) makes a public announcement of intention to
28 seek nomination or election to state office; (3) makes any expenditure or
29 accepts any contribution for the purpose of influencing such person's
30 nomination or election to any state office; or (4) files a declaration or
31 petition to become a candidate for state office.

32 (e) (d) "State officer elect" means an individual who has been elected
33 to state office or appointed to fill a vacancy in a state office but who has
34 not yet taken the oath of office.

35 Sec. 2. K.S.A. 46-222 is hereby amended to read as follows: 46-222.

36 (a) "Lobbyist" means: (1) Any person employed in considerable degree for

1 lobbying; (2) any person formally appointed as the primary representative
2 of an organization or other person to lobby in person on state-owned or
3 leased property; or (3) any person who makes expenditures in an aggregate
4 amount of \$100 or more, exclusive of personal travel and subsistence
5 expenses, in any calendar year for lobbying.

6 (b) "Lobbyist" shall not include: (1) Any state officer or employee
7 engaged in carrying out the duties of their office; (2) the employer of a
8 lobbyist, if such lobbyist has registered the name and address of such
9 employer under K.S.A. 46-265, and amendments thereto; (3) any nonprofit
10 organization which has qualified under paragraph (3) of subsection (c) of
11 section 501 of the internal revenue code of 1954, as amended, which is
12 interstate in its operations and of which a primary purpose is the
13 nonpartisan analysis, study or research of legislative procedures or
14 practices and the dissemination of the results thereof to the public,
15 irrespective of whether such organization may recommend a course of
16 action as a result of such analysis, study or research; (4) any justice or
17 commissioner of the supreme court or *district* judge of the judicial branch
18 or employee or officer of the judicial branch or, any member of a board,
19 council or commission who is appointed by the supreme court or who is
20 elected or appointed to exercise duties pertaining to functions of the
21 judicial branch, when such person is engaged in performing a function or
22 duty for the judicial branch; or (5) any appointed member of an advisory
23 council, commission or board, who serves without compensation other
24 than amounts for expense allowances or reimbursement of expenses as
25 provided for in subsection (e) of K.S.A. 75-3223, and amendments thereto,
26 when such member is engaged in performing a function or duty for such
27 council, commission or board.

28 (c) *"Judicial lobbyist" means a lobbyist hired by the judicial branch.*

29 (d) *Courts are not authorized to offer employment to or employ*
30 *lobbyists and other persons for lobbying or to pay any expenses incurred*
31 *in connection therewith from the general fund of the judicial budget.*
32 *Therefore any and all expenditures heretofore made for the payment of*
33 *expenses incurred by the supreme court, district courts or the judicial*
34 *administration office in connection with, or for the purpose of, lobbying or*
35 *the employment of lobbyists are hereby unlawful uses of tax payer funding.*

36 Sec. 3. K.S.A. 46-221 and 46-222 are hereby repealed.

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