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MEMORANDUM

To: Chairman Hutton and members of the House Committee on Commerce, Labor
and Economic Development

From: Charles Reimer, Asst. Revisor

Date: 3/9/2015

Re: HB 2391

Section 1, amending K.S.A. 2014 Supp. 75-2935, pertains to the division of state employees between the classified and the unclassified services.

Generally, classified employees are entitled to certain rights and procedures regarding demotion, dismissal or suspension. Appeals may be taken to the state civil service board.

Unclassified employees do not have such constitutional property rights in their employment.

The Kansas civil service statutory scheme governing both classified and unclassified employees is found at Chapter 75, Article 29 of the Kansas Statutes Annotated.

The bill provides that, at the discretion of the appointing authority, persons in newly hired positions or rehired, or voluntarily transferred, promoted or demoted into such position, may be designated as unclassified. Pg. 3.

Second, Section 1 permits the appointing authority to make any vacant position within the classified service into an unclassified position. Pg. 4. The list of statutes references the numerous statutes that designate classified and unclassified positions for the various agencies, boards, etc. Pg. 4.

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Third, Section 1 has language to address federal law requiring merit-based employment policies for certain employees in certain agencies that utilize federal funding and administer federal programs. Pg. 4-5. Those agencies could implement binding policies to meet the federal requirements if they hire an individual into an unclassified position.

Section 2 provides that executive branch employees who would be eligible to receive a longevity bonus may only receive the bonus if the legislature appropriates money in appropriations acts. Pg. 6.

Section 3 limits the provision authorizing state employees to share medical leave to situations involving a life threatening medical condition. Pg. 6.

The bill if passed becomes effective July 1, 2015.

There is a fiscal note.