

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2052

As Amended by House Committee of the Whole

Brief*

HB 2052, as amended, would amend the State Governmental Ethics Law to permit legislative assistants and committee assistants to accept gifts from legislators.

The bill would require the Director of Legislative Administrative Services (LAS) to provide a form to legislators to report such gifts provided to legislative assistants or committee assistants and would require legislators to complete and submit such completed form back to LAS.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced in the House Committee on Elections by Representative Bergquist.

House Committee on Elections

In the House Committee hearing on January 21, 2021, the Executive Director of the Kansas Governmental Ethics Commission (Commission) provided neutral testimony. He testified the Commission supports only legislation that specifically comes from the Commission's legislative recommendations, but the Commission does not oppose this bill. He noted the bill includes a previous Commission

*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>

recommendation, but because that recommendation was not enacted in the 2020 Session, the Commission did not include it in its current recommendations. He testified the bill would not raise concerns of corruption or improper favor, and the Commission has not taken action against legislative or committee assistants who have accepted such gifts in the past.

No **proponent** or **opponent** testimony was provided to the Committee.

The House Committee amended the bill to increase the total value of the gifts that may be received from \$120 per fiscal year to \$150 per fiscal year.

House Committee of the Whole

The bill appeared on General Orders on February 3, 2021. Following debate and discussion, the bill was withdrawn from the Calendar and rereferred to the House Committee on Elections.

House Committee on Elections

In the House Committee hearing on February 9, 2021, the Director of LAS submitted neutral testimony on the bill, providing additional information to the Committee regarding potential tax implications for legislative or committee assistants who receive such gifts. A representative of the Department of Administration (Office of Accounts and Reports) provided written-only neutral testimony.

No other testimony was provided.

The House Committee modified its previous amendment to increase the total value of gifts that may be received from \$150 to \$500.

The House Committee further amended the bill to:

- Require LAS, at the end of each legislative session, to provide legislators a form to report any money (or equivalent) provided as a gift to a legislative or committee assistant;
- Require legislators to fill out and submit such completed form to LAS; and
- Change the effective date of the bill to publication in the *Kansas Register*.

House Committee of the Whole

The House Committee of the Whole amended the bill to remove the \$500 per fiscal year limit on gifts to legislative or committee assistants.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the bill would have no fiscal effect.

Ethics; gifts; Legislature