

# KANSAS

OFFICE OF THE GOVERNOR

KATHLEEN SEBELIUS, GOVERNOR

## EXECUTIVE ORDER 04-03

**WHEREAS**, all citizens of the State of Kansas are expected to fulfill their responsibility to pay their share of state taxes; and

**WHEREAS**, by educating taxpayers, enforcing tax laws fairly, and implementing methods to identify noncompliance, equal treatment of all taxpayers is ensured; and

**WHEREAS**, public trust in state government is strengthened when public servants understand and fulfill their responsibility to pay their share of state taxes; and

**WHEREAS**, existing compliance initiatives demonstrate that, while the vast majority of current state employees have fulfilled their state tax obligations, a small but significant number of state employees were identified as having tax liabilities or other tax law violations; and

**WHEREAS**, individuals accepting state employment should be expected to cooperate with the Department of Revenue in identifying and resolving any such tax issues;

**NOW THEREFORE**, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby direct the head of each state agency identified below to take the following actions:

1. The Secretary of Revenue shall establish a State of Kansas tax clearance process to ensure that each individual who is hired by a state agency under the jurisdiction of the Governor and who is not already employed by the State of Kansas is current and compliant with all Kansas tax laws administered by the Department of Revenue. The Secretary of Revenue shall issue such policies and procedures as are necessary to ensure that the tax clearance process meets the following objectives:
  - a. Data necessary to complete a tax clearance is submitted in a timely manner to the Department of Revenue for each individual who is hired by a state agency under the jurisdiction of the Governor and who is not already employed by the State of Kansas, except that the policies and procedures adopted by the Secretary of Revenue may identify certain categories of employees who are not subject to the tax clearance requirement.
  - b. There are adequate safeguards ensuring that all tax information is strictly confidential and only the employee receives the results of the tax clearance and related tax information.
  - c. In order to make an informed decision prior to accepting employment with the State of Kansas, candidates are provided with sufficient information in writing regarding the purpose of the program; the nature and extent of tax information reviewed during the tax clearance; the candidate's responsibility to resolve any tax issues and the steps that a candidate should take if the tax clearance identifies unpaid tax liabilities or other potential violations of tax laws; and the options available to candidates in resolving any potential tax liability issues.
2. The Division of Personnel Services within the Department of Administration shall transmit to the Department of Revenue data necessary to conduct a tax clearance for those newly hired state employees who are subject to the tax clearance process under this executive order and the policies and procedures adopted by the Secretary of Revenue.

3. The head of each state agency under the jurisdiction of the Governor shall assist with implementation of the State of Kansas tax clearance process in accordance with the policies and procedures established by the Secretary of Revenue.

This document shall be filed with Secretary of State as Executive Order No 2004-03 and shall become effective immediately.

**Governor Kathleen Sebelius**

April 7, 2004