

SESSION OF 2008

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2331

As Amended by Senate Committee on
Elections and Local Government

Brief*

HB 2331 would require all taxing subdivisions and municipalities to file electronically all required annual budget forms and related information, beginning in 2009.

The bill also would amend the Kansas Open Meetings Act (KOMA) to:

- Modify the definition of “meeting” to eliminate the specification that communication by a majority of a quorum be “interactive.” Under the bill, “meeting” would include any type of communication and not just interactive communication.
- Require that serial meetings of political or taxing subdivisions be open to the public. Specifically, the bill would require any meeting involving less than a majority of a quorum of a body or agency of the subdivision to be open if the meeting is one in a series for which all of the following criteria apply:
 - The meetings collectively involve a majority of a quorum;
 - The meetings share a common topic of discussion of subdivision or agency matters;
 - The meetings are intended by any participant or participants to determine, influence or develop consensus in preparation for binding action; and

*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>

- The meetings are intended to subvert the policy of open meetings.

Background

Testifying in favor of the bill were representatives of the Kansas Advisory Council on Intergovernmental Relations (KACIR), a township, and the League of Kansas Municipalities. No opposing testimony was received. The KACIR representatives stated the bill's purpose was to promote efficient government, with the anticipated result being the availability of more useful information.

The House Committee amended the bill to:

- Require county clerks to provide assistance to the taxing subdivisions and municipalities in complying with the requirement, if they request assistance; and
- Change the year for which the electronic filing requirement would begin from 2008 to 2009.

The House Committee of the Whole adopted a technical and conforming amendment.

The Senate Committee amended the bill to:

- Delete the requirement that the county clerk provide assistance on request to the taxing subdivision or municipality in complying with the electronic filing requirements; and
- Add the changes to the KOMA.

The fiscal note indicated passage of the bill potentially could have a fiscal effect on some municipalities that do not have appropriate computer equipment or Internet connectivity. Data were not available to estimate the potential impact.