

**HOUSE BILL No. 2345**

By Committee on Judiciary

2-13

1 AN ACT concerning schools; relating to school boards; conflicts of  
2 interest.

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

5 Section 1. (a) (1) A person who has a conflict of interest shall not be  
6 qualified to be a candidate for election pursuant to K.S.A. 25-2020, and  
7 amendments thereto, or appointment pursuant to K.S.A. 25-2022, and  
8 amendments thereto, to serve on a school board or the state board.

9 (2) A person who knowingly violates this subsection shall withdraw  
10 such person's candidacy or nomination for such school board or the state  
11 board.

12 (b) (1) A person elected or appointed to serve on a school board or  
13 the state board on and after July 1, 2015, shall not have a conflict of  
14 interest at any time during such person's membership on such school board  
15 or the state board.

16 (2) A person who knowingly violates this subsection shall vacate  
17 such person's position on such school board or the state board.

18 (c) For purposes of this section:

19 (1) "Business" means a corporation, association, partnership,  
20 proprietorship, trust, joint venture and every other business interest,  
21 including ownership or use of land for income.

22 (2) "Client or customer" means a business or combination of  
23 businesses.

24 (3) "Conflict of interest" means a person who:

25 (A) Has a substantial interest in any business that works directly with  
26 or provides services to this state or the school district in which such person  
27 resides;

28 (B) holds a position of administrator, teacher or employee of a school  
29 district or the state department of education;

30 (C) resides in a home where an employee of a school district or the  
31 department of education also resides; or

32 (D) has a spouse, sibling or parent who is an employee of a school  
33 district or the department of education.

34 (4) "School board" means the board of education of a school district.

35 (5) "School district" means a unified school district organized and  
36 operated under the laws of this state.

1 (6) "State board" means the state board of education.

2 (7) "Substantial interest" means any of the following:

3 (A) An individual or an individual's spouse, either individually or  
4 collectively, has owned within the preceding 12 months a legal or  
5 equitable interest.

6 (B) An individual or an individual's spouse, either individually or  
7 collectively, has received during the preceding calendar year compensation  
8 which is or will be required to be included as taxable income on federal  
9 income tax returns of the individual and spouse in an aggregate amount of  
10 \$2,000.

11 (C) An individual or an individual's spouse receives compensation  
12 which is a portion or percentage of each separate fee or commission paid  
13 to a business or combination of businesses that works directly with or  
14 provides services to the state of Kansas or the school district where such  
15 individual resides, provided the aggregate amount of such fees or  
16 commissions the individual or the individual's spouse, either individually  
17 or collectively, received is \$2,000 or more in the preceding calendar year.

18 Sec. 2. This act shall take effect and be in force from and after its  
19 publication in the statute book.