Kansas Administrative Regulations

Kansas Public Disclosure Commission

Article 41.—Statement of Substantial Interests

19-41-3. Interests disclosed.

Each statement which is filed pursuant to K.S.A. 1983 Supp. 46-248 shall disclose the following: (a) The statement shall include the name, complete address, and telephone number of the individual filing the statement. In addition, each statement shall disclose the elective office held by that individual; the office for which a candidate seeks election; the position of employment; the position to which the individual was appointed subject to senate confirmation; the state council, commission or board of which the individual is a member; or the agency to which the individual is a general counsel.

(b) Pursuant to K.S.A. 1983 Supp. 46-229(a), the name of the business and its address, the type of business, a description of the interest, and a description of how the interest is held between the individual and the individual's spouse shall be included in the statement. Disclosure of the number of shares or their value, in the case of a corporation, or the net worth, in the case of a proprietorship or partnership, shall not be required. The value or percentage of a business interest shall be determined as of the time of the required filing. The value assigned to a holding shall be the fair market value.

For the purposes of this provision, certificates of deposit, bank savings or checking accounts, passbook accounts in a savings and loan, shares in a credit union, life insurance policies, annuities, notes, bonds, debentures and mortgages shall not constitute "legal or equitable interests." Therefore, disclosure of these interests shall not be required under this provision. Ownership of other stocks and shares, including traded and closely held stocks, as well as shares in mutual funds, shall constitute legal or equitable interest for the purpose of this section.

(c) Under K.S.A. 1983 Supp. 46-229(b), the receipt of interests, dividends and mineral royalties shall not constitute "compensation" as the term is defined; disclosure of those matters shall not be required under this provision. The disclosure required under K.S.A. 1983 Supp. 46-229(b) shall include the name and address of the business or combination of the businesses, the type of business and a description of whether the compensation was received by the individual, the individual's spouse, or both.

(d) For the purposes of K.S.A. 1983 Supp. 46-229(e), the phrase "client or customer" shall relate only to businesses or combinations of businesses. Disclosure of the amount of any fee shall not be required. In the case of a partnership, it is the partner's proportionate share of the business and hence of the fee which is significant, without regard to expenses of the partnership. The disclosure under this subsection shall include the name of the client or customer and the address.

(e) Holding the position of administrator or executor of an estate shall not be considered reportable under K.S.A. 1983 Supp. 46-229(d). The disclosure under this subsection shall include the name and address of the business and the position held. (Authorized by K.S.A. 46-253; implementing K.S.A. 1983 Supp. 46-248; effective, E-77-7, March 19, 1976; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984.)