

Kansas Regulates Procurement Lobbying as of July 1, 2018

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Kansas recently enacted significant amendments to its lobbying law, expanding the scope of activities covered under the definition of "lobbying." Most notably, the lobbying law now covers communications to promote or oppose "any executive administrative matter," a term that broadly includes the following:

"any rule and regulation, utility ratemaking decision, any agreement, contract, bid or bid process or any procurement decision, including, but not limited to, any financial services agreement, software licensing, servicing or procurement agreement, any lease, grant, award, loan, bond issue, certificate, license, permit, administrative order or any other matter that is within the official jurisdiction or cognizance of the executive agency."

Kan. Stat. § 46-225(h). Procurement lobbying communications with the state's judicial agencies are similarly covered under the amended law.

The new lobbying definition encompasses communications related to most types of government contracting activity; however, there are several exceptions, including for factual or technical communications and post-award negotiations. Communications regarding low dollar value contracts (\$5,000 or less) are also excluded from the scope of the amended law.

Kansas's registration thresholds remain unchanged: Any person who is appointed as the primary representative of an organization, who is employed "in considerable degree" for lobbying, or who makes expenditures of \$1,000 or more in a calendar year for lobbying, must register prior to engaging in lobbying activity.

Practice Areas

Election Law & Government Ethics

Our *State Lobbying & Gift Law Guide* contains the full amended definitions and other changes to Kansas law. And our team is always available to answer your questions about the law in Kansas or any other state.