

# 46-246a

## Chapter 46.--LEGISLATURE Article 2.--STATE GOVERNMENTAL ETHICS

**46-246a.** Nepotism; exceptions. (a) From and after the effective date of this act, no state officer or employee shall advocate or cause the employment, appointment, promotion, transfer or advancement to any office or position of the state, of a member of such officer's or employee's household or a family member.

(b) No state officer or employee shall participate in an action relating to the employment or discipline of a member of the officer's or employee's household or a family member.

(c) The provisions of this section shall not apply to appointments of members of the governor's staff, nor to any action involving the employment, appointment, promotion, transfer or advancement of any officer or employee occurring prior to the effective date of this act.

(d) The provisions of this section shall be subject to interpretation and enforcement by the governmental ethics commission in the manner provided by K.S.A. 46-253 through 46-263, and amendments thereto.

History: L. 1991, ch. 150, § 39; L. 1992, ch. 246, § 1; L. 1998, ch. 117, § 20; July 1.

Governmental Ethics Commission Opinions:

Nepotism; "family member" and "household member" defined. 92-20.

Candidate for position as assistant superintendent of Kansas Highway Patrol, if a sibling is a patrol trooper, cannot serve as such if duties involve trooper's promotion, discipline and other matters. 92-36.

Subject to stated limitations emergency medical services board member may be an employee thereof. 93-32.

Spouse in supervisory capacity over coemployee spouse discussed. 93-37.

Spouse of employee of state agency may be awarded an office cleaning contract for that state agency if state employee's spouse does not participate in contract negotiation or supervise cleaning contract performance. 94-16.

Board employing sister of executive director; responsibility for employment and discipline. 98-4.

Spouse of sister-in-law and brother-in-law as a "family member." 98-6.

Board employing brother-in-law of executive director; "action relating to employment or discipline." 98-10.

State employee; delegation of decisions involving appointment, promotion, transfer, advancement or discipline of employee's family members.  
1999-9.

Attorney General's Opinions:

School district officers and employees; appointment; nepotism. 94-66.

Legislative coordinating council; nepotism policy. 97-12.