

## Senate Concurrent Resolution No. 1618

By Committee on Judiciary

1-27

1 A PROPOSITION to amend article 1 of the constitution of the state of  
2 Kansas by adding a new section thereto, concerning oversight by the  
3 legislature of certain executive branch actions.  
4

5 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*  
6 *members elected (or appointed) and qualified to the Senate and two-*  
7 *thirds of the members elected (or appointed) and qualified to the*  
8 *House of Representatives concurring therein:*

9 Section 1. The following proposition to amend the constitution of  
10 the state of Kansas shall be submitted to the qualified electors of the state  
11 for their approval or rejection: Article 1 of the constitution of the state of  
12 Kansas is hereby amended by adding a new section to read as follows:

13 "**§ 17. Legislative oversight of administrative rules and**  
14 **regulations.** Whenever the legislature by law has authorized  
15 any officer or agency within the executive branch of  
16 government to adopt rules and regulations that have the force  
17 and effect of law, the legislature may provide by law for the  
18 revocation or suspension of any such rule and regulation, or any  
19 portion thereof, upon a vote of a majority of the members then  
20 elected or appointed and qualified in each house."

21 Sec. 2. The following statement shall be printed on the ballot with  
22 the amendment as a whole:

23 "*Explanatory statement.* The purpose of this amendment is to  
24 provide the legislature with oversight of state executive  
25 branch agencies and officials by providing the legislature  
26 authority to establish procedures to revoke or suspend rules  
27 and regulations.

28 "A vote for this proposition would allow the legislature to  
29 establish procedures to revoke or suspend rules and  
30 regulations that are adopted by state executive branch  
31 agencies and officials that have the force and effect of law.

32 "A vote against this proposition would allow state executive  
33 branch agencies and officials to continue adopting rules and  
34 regulations that have the force and effect of law without any  
35 opportunity for the legislature to directly revoke or suspend  
36 such rules and regulations."

1       Sec. 3. This resolution, if approved by two-thirds of the members  
2 elected (or appointed) and qualified to the Senate and two-thirds of the  
3 members elected (or appointed) and qualified to the House of  
4 Representatives, shall be entered on the journals, together with the yeas  
5 and nays. The secretary of state shall cause this resolution to be published  
6 as provided by law and shall cause the proposed amendment to be  
7 submitted to the electors of the state at the general election in the year  
8 2022, unless a special election is called at a sooner date by concurrent  
9 resolution of the legislature, in which case it shall be submitted to the  
10 electors of the state at the special election.