

March 7, 2022

The Honorable John Barker, Chairperson
House Committee on Federal and State Affairs
Statehouse, Room 346-S
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2722 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2722 is respectfully submitted to your committee.

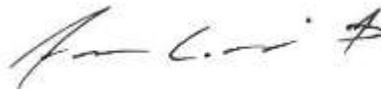
HB 2722 would prescribe the appointment and qualifications of delegates regarding conventions under Article V of the *Constitution of the United States*. Whenever an Article V convention is called, the bill would require the Speaker of the House of Representatives, the President of the Senate, and the Governor to each appoint one delegate to represent Kansas and one alternate delegate. The Legislature would appoint two delegates to represent Kansas and two alternate delegates by adoption of a concurrent resolution by a majority of the members of both houses. The Attorney General would serve as legal counsel for the delegates for negotiations on any proposed rules or constitutional amendments.

Each delegate and alternate delegate would be required to reaffirm an oath to support the *Constitution of the United States* and the *Kansas Constitution*. Only the delegates appointed by the Legislature may cast a vote for the delegation at an Article V convention. Appointed delegates would be authorized to propose or negotiate proposed rules for an Article V convention and proposed constitutional amendments. No delegate could cast a final vote to approve or adopt any proposed rules or constitutional amendments unless the proposed rules or constitutional amendments have been submitted and approved by the Legislature according to the procedures outlined in the bill. Delegates would be required to vote on any proposed rules or constitutional amendments in accordance with any Legislative concurrent resolution that has been adopted.

According to Legislative Administrative Services, the enactment of HB 2722 would have no fiscal effect outside the normal operations of the Legislature. The Office of the Attorney General indicates the agency would require additional staff or retention of outside counsel to

provide legal services to the delegates, depending on the current workload of the agency's attorneys when a convention would be called. The agency notes that only 17 of the required 34 states have currently called for a convention and that a fiscal effect for the agency would not be likely until after FY 2023 at the earliest. Any fiscal effect from the enactment of HB 2722 is not included in *The FY 2023 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Karen Clowers, Legislative Services
Willie Prescott, Office of the Attorney General