

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: House Committee on Energy, Utilities and Telecommunications  
From: Nick Myers, Office of Revisor of Statutes  
Date: February 13, 2024  
Subject: Bill Brief – House Bill 2591

KOMA Exemption

House Bill 2591 would amend K.S.A. 75-4318 to exempt the Kansas corporation commission from the requirements of the Kansas open meetings act. The exemption would only apply with respect to matters that relate to docketed proceedings before the commission.

Prohibition on Ex Parte Communications

Current law, K.S.A. 77-545, prohibits ex parte communications between parties and a presiding officer in adjudicatory proceedings before the commission. HB 2591 would amend K.S.A. 77-545 to prohibit ex parte communications between parties and commissioners in all docketed proceeding before the commission.

HB 2591 would also define “ex parte communication” as a written, oral or other communication that pertains to the merits of a docketed proceeding and that is made by a party to a proceeding to any commissioner or presiding officer when another party to the proceeding is not present.

HB 2591 would maintain the requirements in current law relating to how ex parte communications shall be handled by the commission. Generally, if an ex parte communication is made to any commissioner, such communication must be disclosed, included in the docket file and made available to any person who requests such information.