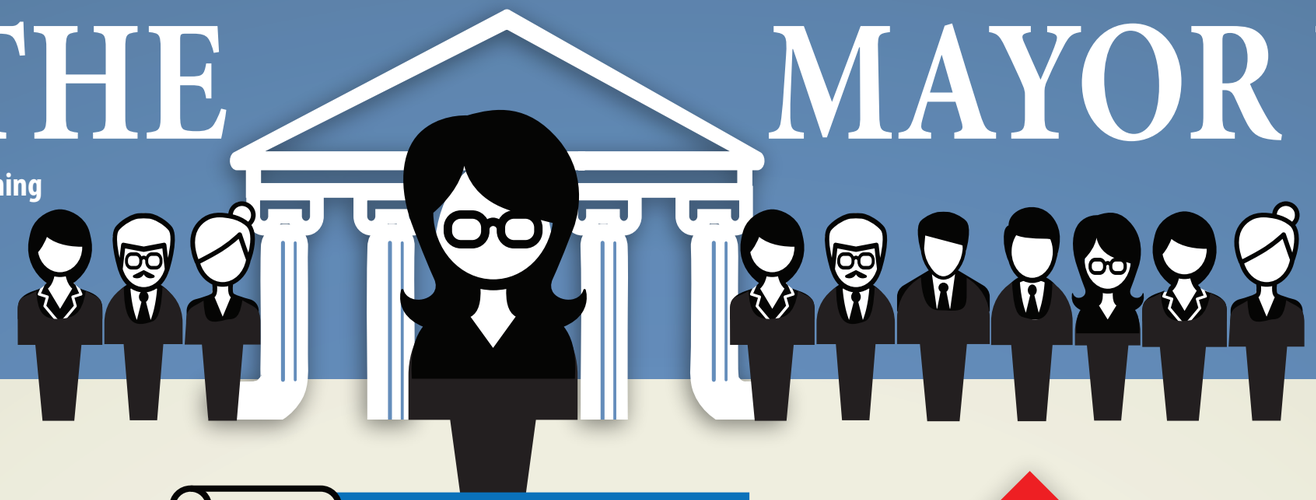
DOES THE MAYOR VOTE?

HB 2597 modified the definition of governing body in K.S.A. 12-104 as of July 1, 2018. To see how the new law affects your city, follow this roadmap. If you have any questions, contact the League.



THE LEAGUE OF KANSAS MUNICIPALITIES

Does the statute in question use the phrase "governing body"?

- **YES** → Is your city's form of government a commission or a commission-manager city?
  - **YES** → **STOP** 12-104 changes do not affect your city. A commissioner is always a member of the governing body even when serving as mayor and always votes.
  - **NO** → Does your city have a charter ordinance defining when a mayor is a member of the governing body?
    - **YES** → **STOP** The changes to 12-104 do not affect your city. Follow your city's ordinance.
    - **NO** → Are you considering a charter ordinance?
      - **YES** → **VOTE**
      - **NO** → Has your city passed an ordinance by 2/3 of the council defining the mayor as part of the governing body for this type of action?
        - **YES** → **VOTE**
        - **NO** → **DO NOT VOTE**
- **NO** → Follow the words in the statute.

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