

SESSION OF 2003

SUPPLEMENTAL NOTE ON SENATE BILL NO. 95

As Amended by House Committee on
Ethics and Elections

Brief*

SB 95 deals with names of political parties and changes the date of the Presidential Preference Primary.

The bill removes the two-word restriction on the names of political parties and authorizes the Secretary of State to determine if the name of the political party seeking recognition is unreasonably lengthy or similar to an existing party name. Prohibition of a political party having a name that is similar to another party is current law.

The bill changes the date for the next Presidential Preference Primary from 2004 to 2008.

The bill allows the county election officer to move the canvass of the Presidential Preference Primary to the Monday following the election if a notice is published prior to the canvass in a newspaper of general circulation within the county.

Background

The Secretary of State requested the bill. A representative of the Secretary of State testified that SB 95 was a result of a 2002 court decision, *Natural Law Party of Kansas and Nancy Brune v Thornburgh*, filed by the Natural Law Party and the American Civil Liberties Union, against the Secretary of State. The Secretary of State entered into a consent agreement that required the Secretary to propose legislation to make the necessary amendment to the law to remove the two-word restriction on names of political parties. The court also issued a

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrd>

temporary injunction prohibiting the Secretary of State from enforcing existing law.

The fiscal note indicates that passage of SB 95 would not require additional personnel or resources for the Secretary of State's Office. However, passage of the bill could prevent future litigation and save the agency unspecified legal fees and court costs.