

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

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

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**MEMORANDUM**

To: Chairperson Thompson  
Members of the Senate Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: February 6, 2025

Subject: SB 105 – Requiring the governor to appoint a person to fill vacancies in the offices of United States senator, state treasurer and commissioner of insurance from a list of names approved by the legislature.

Senate Bill No. 105 (SB 105) would create new state law to require the Governor to appoint individuals to fill vacancies in the offices of United States Senator, State Treasurer, and Commissioner of Insurance from a list of three names approved by the Legislature. Under current law, if a vacancy occurs in the office of U.S. Senator, the Governor is required to appoint a person to temporarily fill the vacancy until the next election of members of the U.S. House of Representatives. SB 105 would direct the Governor to make that temporary appointment from a list of three individuals approved by the Legislature.

Likewise, current law provides that the Governor is to appoint a person to fill any vacancy in the office of State Treasurer or Commissioner of Insurance and that person is to serve for the remainder of the term of office. SB 105 would make a similar requirement that the Governor select an appointee from a list of three individuals approved by the Legislature.

SB 105 requires that any appointee must be a Kansas resident and must be registered with the same political party as the officeholder who was elected at the last general election. These requirements are applicable to all three offices.

The procedure for selecting the three individuals as candidates for appointment is governed by Sections 2-4 of SB 105. Within 10 calendar days of a vacancy occurring, a Joint Committee on Vacancy Appointments must be established by appointment of the members of the Committee. The Committee will consist of 12 legislators appointed by the leadership offices of the Senate and the House of Representatives. The first meeting of the Committee must occur

within 30 days after the vacancy occurs. The President, or the President's designee, will serve a chairperson of the Committee. The Speaker, or the Speaker's designee, will serve as vice chairperson.

The Committee will review candidates for appointment to the vacancy and, after conducting one or more public hearings, will introduce a concurrent resolution in each house recommending three individuals as candidates. Each house must consider such resolutions within 10 days and either adopt the resolution or direct the Committee to convene and recommend a different slate of candidates. If the vacancy occurs outside the regular session of the Legislature, then the Committee will submit a report with its recommendation directly to the Governor.

If enacted, SB 105 would become effective on publication in the Kansas Register.