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STATE OF KANSAS

February 25, 2025

Testimony on SCR1611 (Oral Neutral)

Senate Committee on Federal and State Affairs

Submitted: Wednesday, February 19, 2025

Chairman Thompson and members of the Committee:

The current Resolution language regarding vacancies needs to be amended and we make the following recommendation:

“Any vacancy occurring on the supreme court for an unexpired term shall be filled at the next even-year election for the remainder of such term.”

First, it is unclear if the term “election” refers to a general, primary, and/or stand-alone special election. Second, this language, if taken literally, requires a vacancy occurring a day before an even-year election to be filled at that election.

Recommendation: We recommend that, since this is a Constitutional Amendment and not a statute, non-specific language such as the following be substituted:

Any vacancy occurring on the supreme court for an unexpired term shall be filled for the remainder of such term at an election as provided by law.

If the people of Kansas adopt this constitutional amendment, the legislature could then enact a statute specifying election timing and procedures to fill the vacancy like those for other statewide elected offices.

Respectfully,

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