

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 House Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: February 25, 2025

Subject: SCR 1611 – Proposing a constitutional amendment to provide for direct election of supreme court justices and abolish the Supreme Court Nominating Commission.

Senate Concurrent Resolution No. 1611 (SCR 1611) proposes to amend the Constitution of the State of Kansas (Constitution) to provide for the direct election of Kansas Supreme Court justices and to abolish the Supreme Court Nominating Commission (Commission). Currently, justices are appointed by the Governor from a list of three individuals who are nominated by the Commission. Once appointed, a justice is then subject to periodic retention elections to continue serving on the Court.

SCR 1611 proposes to amend Section 5 of Article 3 of the Constitution to abolish the Commission and establish statewide elections of the justices. The proposed new language provides for six-year terms for each justice. Court positions 1, 2, and 3 would be up for election in November of 2028. Court positions 4 and 5 would be up for election in November of 2030. Court positions 6 and 7 would be up for election in November of 2032. The designation of court position numbers would be provided by law.

SCR 1611 also proposes to amend Section 8 of Article 3 to permit justices to take part in political campaigns, including making contributions and holding office in a political party or organization. Section 15 of Article 3 would also be amended to remove a reference to the Commission.

If SCR 1611 is adopted by  $\frac{2}{3}$  of the members of both the Senate and the House of Representatives, it would be placed on the ballot at the general election in November of 2026. If

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the constitutional amendments are approved by a majority of the voters at that election, then the amendments would become effective upon certification of the election.