

SESSION OF 2026

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2733

As Recommended by House Committee on
Local Government

Brief*

HB 2733 would require that certain elected officials be, and remain, qualified electors and residents of the state of Kansas and such official's respective district.

Office of District Attorney (Section 1)

The bill would add a residency requirement for candidates and holders of the office of district attorney:

- Any person who is a candidate for nomination or election to the office of district attorney must be and must remain a qualified elector residing in the judicial district at the time of election or appointment and during the term of office; and
- A failure to remain a qualified elector residing in the judicial district would constitute an immediate vacancy in the candidacy or office.

Statewide Officers (Section 2)

The bill would add a state residency requirement for candidates and holders of certain statewide offices:

- For the offices of governor, lieutenant governor, secretary of state, attorney general, state treasurer, and state commissioner of insurance, any person who is a candidate for nomination or election, and

*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 <https://klrd.gov/>

during the term of office, must be and remain a qualified elector who resides in the state of Kansas; and

- A failure to remain a qualified elector residing in Kansas would constitute an immediate vacancy in the candidacy or office.

Office of State Board of Education (Section 3)

The bill would add a district residency requirement for candidates and holders of the office of state board of education member:

- Any person who is a candidate for nomination or election to the office of state board of education, and during the term of office, must be and remain a qualified elector who resides in the state board of education district; and
- A failure to remain a qualified elector residing in the state board of education district would constitute an immediate vacancy in the candidacy or office.

Office of School Board (Section 4)

The bill would add a residency requirement for candidates and holders of school board membership:

- Any person who is a candidate for nomination or election to the office of school board member, at the time of election or appointment and during the term of office, must be and remain a qualified elector who resides in the member or at-large district; and
- A failure to remain a qualified elector residing in the member or at-large district would constitute an immediate vacancy in the candidacy or office.

Office of Commissioner of Insurance (Section 5)

The bill would add a residency requirement for candidates and holders for the office of commissioner of insurance:

- Any person who is a candidate for nomination or election to the office of commissioner of insurance, and during the term of office, must be and remain a qualified elector who resides in Kansas; and
- A failure to remain a qualified elector residing in Kansas would constitute an immediate vacancy in the candidacy or office.

Office of Community College Trustee (Section 6)

The bill would add a residency requirement for candidates and holders of the office of community college trustees:

- Any person who is a candidate for nomination or election to the office of community college trustee, at the time of election or appointment and during the term of office, must be and remain a qualified elector who resides in the member or at-large district; and
- A failure to remain a qualified elector residing in the member or at-large district would constitute an immediate vacancy in the candidacy or office.

Township and Road District Officers (Section 7)

The bill would add a residency requirement for candidates and officeholders:

- Any person who is a candidate for nomination or election to the offices of trustee, clerk, or treasurer of any township, or road overseer of any road district, and during the term of office, must be and

remain a qualified elector who resides in the township or road district; and

- A failure to remain a qualified elector in the township or road district would constitute an immediate vacancy in the candidacy or office.

Background

The bill was introduced by the House Committee on Elections at the request of Representative Sutton.

House Committee on Local Government

In the House Committee hearing, **proponent** testimony was provided by an attorney from the Office of the Secretary of State. The proponent generally stated a dispute occurred when a school board candidate was a resident of the district at the time of filing, but subsequently moved out of the district and refused to withdraw. The candidate won the election, but the change in residency would have made it so the individual could not serve effectively creating a vacancy for that position. The bill would provide a solution to residency issues for various state and local offices.

No other testimony was provided.

The Committee recommended the bill be placed on the Consent Calendar.

Fiscal Information

A fiscal note was not available when the House Committee took action on the bill.

Elections; State elected officials; local government elected officials; resident; residency; district attorney; governor; lieutenant governor; secretary of state; attorney general; state treasurer; state commissioner of insurance; state board of education; school board member; commissioner of insurance; community college trustee