

SESSION OF 2025

**SUPPLEMENTAL NOTE ON HOUSE CONCURRENT  
RESOLUTION NO. 5004**

As Amended by House Committee on Elections

**Brief\***

HCR 5004, if adopted by a two-thirds majority of each chamber of the Kansas Legislature and approved by voters, would amend Section 1 of Article 5 of the *Kansas Constitution* to clarify that no person shall be deemed a qualified elector unless such person is a citizen of the United States, has attained the age of 18, and, unless a residency exception applies to such person, resides in the voting area in which such person seeks to vote.

[*Note:* Section 1 of Article 5 of the *Kansas Constitution* currently states that every citizen of the United States who has attained the age of 18 and who resides in the voting area he or she seeks to vote shall be deemed a qualified elector.]

The resolution requires the following explanatory statement be printed on the ballot with the text of the amendment if it is submitted to voters for their approval:

This amendment would clarify only a person who is a citizen of the United States is eligible to vote in this state.

A vote for this proposition would clarify that only a person who is a citizen of the United States is eligible to vote in this state.

A vote against this proposition would make no change to the Constitution of the State of

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\*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/>

Kansas, and the language concerning voter qualifications would remain the same.

If approved by two-thirds of the Legislature, the text of the resolution and the yea and nay votes of both the Kansas House of Representatives and the Kansas Senate would be published in the journals of both chambers.

The resolution requires the proposed constitutional amendment be submitted to voters at the general election on November 3, 2026, unless a special election is called at a sooner date by concurrent resolution of the Legislature.

### **Background**

The concurrent resolution was introduced by Representative Proctor and 46 representatives.

### ***House Committee on Elections***

The House Committee on Elections held a hearing on HCR 5004 on January 23, 2025. In the House Committee hearing, **proponent** testimony was provided by representatives of Americans for Citizen Voting and Opportunity Solutions Project. The proponents stated the resolution would ensure that only citizens are voting in all Kansas elections and provided information about similar constitutional amendments considered and adopted in other states.

Written-only proponent testimony was provided by a representative of Americans for Citizen Voting.

**Opponent** testimony was provided by a representative of Loud Light Civic Action. The opponent stated the *Kansas Constitution* currently requires a person to be a citizen in order to vote and expressed concerns that the resolution would confuse voters and exacerbate negative rhetoric.

Written-only opponent testimony was provided by representatives of the American Civil Liberties Union of Kansas and League of Women Voters of Kansas.

Neutral testimony was provided by a representative of the Secretary of State and a private citizen.

Written-only neutral testimony was provided by two private citizens.

The House Committee amended the explanatory statement of the resolution to remove the language about the age and residency requirements.

### **Fiscal Information**

No fiscal note was available at the time the House Committee took action on the resolution.

[*Note:* The representative of the Secretary of State indicated that there is an estimated cost of \$50,000, all from the State General Fund, to publish public notice of Constitutional Resolutions.]

Elections; citizenship; voting; *Kansas Constitution*