

SESSION OF 2012

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR HOUSE
BILL NO. 2782**

As Recommended by House Committee on
Elections

Brief*

Sub. for HB 2782 would require any person running for public office to have the same qualifications as a qualified elector in Kansas as established in the *Kansas Constitution*. Such qualifications require that a person:

- Be 18 years of age or older;
- Be a resident of the voting area in which that person seeks to vote, except that if a person does not meet the requirements of a qualified voter at the time of filing but will be duly registered to vote by the time that person would take office if elected, the person could file for office; and
- Be a citizen of the United States.

The bill also would require proof of citizenship be provided to the applicable filing office by the person upon filing as a candidate. The person would be required to provide a document, or photocopy of a document, listed in the statute requiring proof of citizenship of persons registering to vote for the first time in Kansas, or by seeking an assessment of evidence by the State Election Board. The list of acceptable documents which may be provided as evidence includes:

- Driver's license or nondriver's ID card issued by the appropriate agency in any state in the United

*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 <http://www.kslegislature.org>

States, if the agency indicates on the license or nondriver's ID card the person has provided satisfactory proof of U.S. citizenship;

- Birth certificate that verifies U.S. citizenship to the satisfaction of the county election officer or Secretary of State;
- Pertinent pages of a U.S. valid or expired passport;
- Naturalization documents or the number of the naturalization certificate, with further verification requirements if only the number is provided;
- Other documents or methods of proof of U.S. citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952 (including its amendments);
- Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number;
- Consular Report of Birth Abroad of a Citizen of the United States of America;
- Certificate of Citizenship issued by the U.S. Citizenship and Immigration Services;
- Certification of Report of Birth issued by the U.S. Department of State;
- American Indian Card issued by the U.S. Department of Homeland Security with the classification "KIC";
- Final adoption decree showing the applicant's name and U.S. birthplace;
- Official U.S. military record of service showing the applicant's birthplace in the U.S.; or

- An extract from a U.S. hospital birth record, created at the time of a U.S. born applicant's birth, indicating the U.S. birthplace.

Further, the bill would clarify that the Secretary of State or the county election officer is not prohibited from obtaining satisfactory evidence of citizenship, and the applicant is not prohibited from providing satisfactory evidence of citizenship, at a different time or in a different manner than when a person files to run for office as long as the applicant's eligibility can be assessed adequately by the appropriate official.

Background

Representative Arlen Siegfried testified in favor of the bill. There was no other testimony.

The House Committee on Elections adopted a substitute bill to clarify the bill's intent.

The fiscal note prepared by the Division of the Budget states that according to the Secretary of State, the fiscal effect on agency operations and county election offices would be negligible and could be absorbed within existing resources.