

SESSION OF 2013

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2164

As Amended by Senate Committee on Judiciary

Brief*

HB 2164, as amended, would require a jury commissioner to submit to the Secretary of State information regarding citizenship received from a prospective juror or court that disqualifies or potentially disqualifies the prospective juror from service. The bill would require the jury commissioner to submit information regarding citizenship and the identity of the prospective juror in a form and manner approved by the Secretary of State. The information would be used for maintaining voter registrations and to prosecute election crimes.

Background

In the House Committee on Judiciary, Secretary of State Kris Kobach and Representative John Rubin appeared in support of the bill. A representative of the Kansas Association of District Court Clerks and Administrators provided neutral testimony, and no opponents offered testimony.

The House Committee amended the bill to clarify only information regarding citizenship would be shared, and the information would be submitted as established by Supreme Court Rule, rather than in the form and manner approved by the Secretary of State. Further, the Committee agreed to strike language allowing the Secretary of State to use the information for “any other lawful purpose.”

*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>

The House Committee of the Whole agreed to restore the language removed by the House Committee concerning the role of the Secretary of State in determining the form and manner for reporting citizenship information.

In the Senate Committee on Judiciary, Secretary of State Kobach appeared in support of the bill and requested that the House amendments be removed. A representative of the Kansas Association of District Court Clerks and Administrators provided neutral testimony, and no opponents offered testimony.

The Senate Committee amended the bill to allow the Secretary of State to use information regarding citizenship for the purpose of prosecuting election crimes and to remove the requirement that such information be submitted as established by Supreme Court Rule. The Senate Committee also amended the bill to clarify that a jury commissioner would be required to submit information regarding citizenship and the identity of the prospective juror to the Secretary of State.

The Division of the Budget's fiscal note for HB 2164, as introduced, indicates the Office of the Secretary of State could absorb any additional costs within existing resources. The Office of Judicial Administration indicates the bill could have a fiscal effect, but the precise impact cannot be determined.