

SESSION OF 2013

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 64**

As Amended by Senate Committee on Ethics,  
Elections and Local Government

**Brief\***

SB 64 would change the time prior to an election that a voter could change party affiliation from 14 to 21 days.

The bill, as amended, also would remove the requirement that a petition circulator be a resident of the State of Kansas and possess the qualifications of an elector. The bill would create a definition of a “petition circulator”: a U.S. citizen at least 18 years of age who has not been convicted of a felony. A petition circulator would be required to submit to the jurisdiction of the state for purposes of subpoena enforcement regarding the integrity and reliability of the petition process. The bill would add references to those requirements for petition circulators in statutes dealing with nomination petitions, petitions for political parties seeking official recognition in Kansas, petitions requesting elections in any political or taxing subdivision, and petitions for recall of state and local officers.

**Background**

The bill was requested by the Secretary of State, and the Deputy Assistant Secretary of State testified in support of the original bill. He said deadlines for registration, in KSA 25-2311, were changed in 2011 from “not less than 14” to “not less than 20” days before the primary or general election. He also said a provision that would prohibit a registered voter from changing party affiliations more than once in any 90-day

---

\*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>

period was intended to reduce the administrative burden on county election officials. There was no other testimony.

The Senate Committee on Ethics, Elections and Local Government amended the bill to remove a requirement that a person not change party or voter affiliation more than once in any 90-day period and to add the contents of HB 2130 regarding petition circulators, except the provision that would make HB 2130 effective upon publication in the *Kansas Register*. The Senate Committee heard testimony on HB 2130 from the Deputy Assistant Secretary of State, who said courts have found the residency requirement in current law to be unconstitutional, a 2010 order has permanently enjoined the enforcement of those residency requirements, and the Office of the Kansas Attorney General also supports the bill. There was no other testimony to the Senate Committee on HB 2130.

According to the fiscal note from the Division of the Budget on SB 64, as introduced, the bill would have no fiscal effect on operations of the Office of the Secretary of State and could produce savings, estimated as negligible, for county election offices from fewer voter changes of party affiliation. The fiscal note for HB 2130 also said any fiscal effect from that bill would be negligible.