

SESSION OF 2015

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2398

As Amended by House Committee on Elections

Brief*

HB 2398 would repeal the statute calling for a presidential preference primary election.

Background

The bill, which was introduced by the House Committee on Federal and State Affairs, was identical to SB 239, which would cancel the 2016 presidential preference primary and postpone the next one until 2020 but keep intact the statute calling for a preference primary in future presidential election years.

In the House Committee, a representative of the Secretary of State's Office provided neutral testimony, stating 1992 was the last time a presidential preference primary election was held in Kansas. A primary would entail a Secretary of State budget amendment request for approximately \$1.75 million. The Secretary of State's representative stated the cost prompted the Office to propose the bill.

The Executive Director of the Kansas Republican Party presented proponent testimony signed by the Party Chairman. The testimony stated the presidential preference primary law was enacted in 1978, and only two primaries (1980 and 1992) have been held since. After the 1978 law was passed, the U.S. Supreme Court made two rulings addressing political parties' rights to govern themselves. The

*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>

testimony stated a preference primary represents a substantial investment of taxpayer funds that is not proportional to the benefit to the state, and is difficult to time correctly with regard to delegate choice and ballot preparation.

There was no other testimony.

The House Committee amended the bill to eliminate the underlying statute calling for a presidential preference primary election.

According to the fiscal note prepared by the Division of the Budget on the original bill, if the bill were not to be adopted, there would be an additional cost of approximately \$1.8 million for the presidential preference primary election.