

## **House Committee on Elections**

### **Testimony on HB 2310**

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Office of the Secretary of State

February 20, 2017

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify on HB 2310. The Secretary of State's office is a proponent of this bill. We believe this bill to be technical in nature, and the bill addresses a few items that need clarified or updated from election law. This bill, if passed, would do the following:

First, this bill would increase the time table to conduct an election held under general bond law from 45 to 60 days. The current 45 day requirement does not allow local election officials the opportunity to send ballots to military voters and overseas citizens within the 45 days required by state election laws. We do not believe this proposed solution will present a hardship on entities that need to conduct a local special election under the general bond law requirements, and it is imperative to allow members of the military and overseas citizens the opportunity to receive and cast a ballot within the 45 days required by law.

Second, this bill would delete various references and laws that reference a Presidential Preference Primary. The Presidential Preference Primary was permanently cancelled during the 2016 legislative session. This bill deletes additional references and laws that were not removed when the Primary was cancelled.

Third, this bill clarifies the deadline to file for office as a member of the state board of education to ensure the deadline is consistent with all other partisan state and federal offices. Current law sets the filing deadline at noon on June 10<sup>th</sup>. The filing deadline for other partisan state and national offices is June 1<sup>st</sup>. This bill moves the deadline to June 1<sup>st</sup> for members of the state board of education.

Fourth, this bill clarifies that all candidates for city office elected by district must file with the county election officer, and the filing fee for all candidates, regardless of class of city, is \$20. This is consistent with candidates for city office elected at large, and the intent of the legislature with the passage of HB 2104 in 2015.

There is one additional item that is not included in the bill that I want to bring to your attention. With the passage of HB 2104 in 2015, a procedure was put into place that would require a

special election to take place in any municipality to fill a vacancy, when the vacancy has not been filled within 60 days of the date of the vacancy. The procedure adopted by the legislature to conduct the special election is not workable. The procedure requires there to be a special election that takes place within 45 days. And although the procedure references a law to file for office, the law referenced (K.S.A. 25-2110a), does not appear to be the correct. There are several possible solutions to this procedure, and the Secretary of State's office asks this committee to discuss those solutions.

Thank you for the opportunity to provide testimony in favor of this bill this afternoon, and I stand for questions.