

SESSION OF 2017

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2006

As Amended by House Committee of the Whole

Brief*

HB 2006, as amended, would address how vacancies on county commissions are filled when the vacancies are created by an increase in the number of county commissioner districts pursuant to KSA 2016 Supp.19-204. The bill would strike the requirement that the Governor appoint the new members and would replace it with a requirement to hold a special election.

The bill would provide a time frame within which the special election must be held to fill board vacancies created by the expansion. The bill would require the Governor to declare the date of the special election within five days of the board of county commissioners adopting a resolution dividing the county into the number of districts approved by voters following an election expanding the size of a board of county commissioners, and to set the date of the election not less than 75 days and not more than 90 days from the date of the board of county commissioners adopting such a resolution.

The bill would also prescribe how candidates would be nominated to fill the vacancies, requiring each county chairperson of an officially recognized political party to call a county convention for a date not less than 15 days and not more than 25 days after the Governor's declaration of a special election to nominate a candidate to fill the vacancies. Independent candidates could be nominated by petition of not less than 5 percent of the qualified electors within the county commission district. The bill would require the petition to be

*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>

filed with the county election officer within 25 days of the Governor's declaration.

Finally, the bill would require the candidate who receives the highest number of votes in each commission district to serve until successors are elected and qualified at the next general election.

Background

In the House Committee on Local Government hearing, testimony in support of the bill was provided by Representative Claeys, who introduced the bill, and a representative of the Kansas Association of Counties (KAC). Both conferees noted the change was requested by the Governor, and citizens served by the county commission should have the opportunity to vote for their new commissioners.

Written-only neutral testimony was received from the Secretary of State.

No other testimony was provided.

The House Committee amended the bill to provide clarification on the time frame of special elections held to fill board vacancies that result from the expansion of a county board of commissioners, and to clarify the candidate nomination process.

The House Committee of the Whole amended the bill to change the event that requires the Governor to call a countywide special election.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KAC states countywide elections tend to be the most expensive elections to conduct for county governments, and estimates the cost to conduct a countywide election can range from \$2 to \$4 per registered voter. Additionally, the League of Kansas

Municipalities estimates no fiscal effect on cities. Any fiscal effect associated with enactment of the bill was not reflected in *The FY 2018 Governor's Budget Report*.