

SESSION OF 2017

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2013

As Amended by House Committee on Elections

Brief*

HB 2013 would allow a write-in winning candidate of a primary election for national, state, county, township, or municipal office to notify the appropriate election entity in writing within ten days following the canvass the person does not want his or her name on the official general ballot. The bill would require the write-in candidate's name appear on the general election ballot if the notification is not received in the ten-day period.

The bill would require the above-mentioned notification be delivered to the Secretary of State for national or state office and to the county election office for all other offices.

Background

The bill was introduced by Representative Esau. Testifying as a proponent before the House Committee on Local Government was the Harvey County Clerk and Election Officer, who reported about a write-in candidate who was surprised when notified he had won the election, as he did not know he had been a write-in candidate. No other testimony was received; however, at the request of a legislator, Shawnee, Johnson, and Reno counties reported general historical information regarding write-in candidates winning elections.

The House Committee amended the bill to require county election officers to print all write-in candidates' names

*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>

on the general election ballot, unless any such candidate had requested his or her name be removed. As introduced, the bill would have mandated all write-in candidates' names be removed unless they notified the county election officer they wanted their names to remain.

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Office of the Secretary of State indicated enactment of the bill would have no fiscal effect.