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STATE OF KANSAS

Testimony: HB2508 (Neutral – written only)

House Elections Committee
Thursday, February 6, 2020

Chairman Sutton and members of the Committee:

HB2508 would elect the Secretary of State on a nonpartisan basis and require the officeholder to resign prior to running for another office. Our office is neutral on this legislation but wishes to raise a few concerns.

HB2508, in its current form, is unclear on the logistics of the election for the Secretary of State. If a primary election is held, which this bill does not expressly state, counties would be required to print a third ballot for unaffiliated voters to cast their ballot for the Secretary of State. Additionally, the bill is unclear on what would happen in a general election for the Office of Secretary of State. If a primary election is not held, would all of the candidates appear on the ballot? If a primary election is held, how do you determine which candidates move on to the general election?

From a functionality standpoint, all non-partisan means is the party affiliation of a candidate will not appear on the ballot. This legislation does not prevent candidates from affiliating with a party on campaign materials and it does not prevent political or third parties from recruiting or supporting candidates.

Finally, we would be remised if we did not question why this legislation does not include the other statewide elected positions. Each plays an equally important role in the administration of state government – representing the state in court, managing the state treasury, executive of state government, regulating the insurance and financial industries. When it comes to administering elections, the Secretary of State is largely a resource for local election officials who administer elections in Kansas. They are the ones who determine the location of polling places, decide the legitimacy of provisional ballots and oversee the counting of ballots for their respective jurisdictions.

Thank you for your consideration of our testimony with HB2508.

Respectfully submitted,

Scott Schwab
Kansas Secretary of State