

SESSION OF 2019

SUPPLEMENTAL NOTE ON SENATE BILL NO. 131

As Amended by Senate Committee of the Whole

Brief*

SB 131, as amended, would amend laws concerning the filing date for municipal offices and the date certain newly elected township officers take the oath of office.

The bill would change the filing deadline for a candidate in a municipal election where a primary election is not authorized or required by law from September 1 prior to the general election in odd-numbered years, or the next day that is not a Saturday, Sunday, or holiday, if the filing deadline falls on such date, to the day before the primary election date in both odd- and even-numbered years.

The bill would also change the date a newly elected trustee, clerk, or treasurer of any township must take the oath of office, from within 20 days after being notified of such election to on or before the second Monday in January when the term of office begins.

The bill also would make technical changes.

Background

The bill was introduced by the Senate Committee on Ethics, Elections and Local Government at the request of Senator Hardy on behalf of the Kansas County Clerks and Election Officials Association (KCCEOA).

*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>

During the Senate Committee hearing, a representative of the KCCEOA and the Sedgwick County Election Commissioner provided proponent testimony stating the bill would align the candidate filing deadline with the current deadline for other offices or candidates, reducing confusion for candidates and providing more time for election officers to prepare ballots. Proponents also stated the bill would align the date when certain township officers take the oath of office with that of other elected offices.

Written-only proponent testimony was provided by the Allen County Clerk and Election Officer, the Cowley County Clerk and Election Officer, the Ford County Clerk and Election Officer, and the Osborne County Clerk and Election Officer.

No neutral or opponent testimony was provided.

The Senate Committee amended the bill to specify the filing deadline for a candidate in a municipal election where a primary is not authorized or required by law as the day before the primary election date, rather than the day before the primary election.

The Senate Committee of the Whole amended the bill to remove language regarding filing on an alternative day if September 1 is a Saturday, Sunday, or holiday; the bill would establish the filing deadline as a Monday. The Senate Committee also amended the bill to allow a newly elected trustee, clerk, or treasurer of any township to take the oath of office on or before the second Monday in January.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Secretary of State (Secretary) indicates enactment of the bill would have a minor fiscal effect on the Secretary as that office would need to update training materials. The Secretary indicates any costs could be absorbed within existing resources. The Kansas Association of Counties also reports enactment of the bill could have a fiscal effect on Kansas counties because of

printing and distribution costs of ballots. However, it is unable to estimate the fiscal effect. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2020 Governor's Budget Report*.