

Presidential Electors; HB 2087

HB 2087 amends law regarding the selection of presidential electors, the day presidential electors meet and perform their required duties, and contests to the election of the presidential electors. [Note: This will update Kansas statutes to reflect new federal law, the Electoral Count Reform and Presidential Transition Improvement Act, included in the Consolidated Appropriations Act of 2023, P.L. 117-328.] The bill also repeals statutes related to presidential electors and political parties that are no longer in current use.

Selection of Presidential Electors

The bill requires recognized political parties to adopt procedures for the party's selection of presidential electors and select electors in accordance with such procedures. [Note: Current state law provides for presidential electors to be nominated in the same manner as candidates for office.]

The bill also provides the procedures for certifying the names of presidential electors to the Secretary of State (Secretary):

- For a political party with a state organization, the names of the presidential electors must be certified to the Secretary by the chairperson of the state political party;
- For a political party that does not have a state organization, the names of the presidential electors must be certified to the Secretary by the chairperson of the national political party; and
- For an independent presidential candidate, the names of the presidential electors must be selected and certified to the Secretary by the candidate.

The bill requires the names of the presidential electors to be certified to the Secretary by September 1 in a presidential election year. The bill requires the Secretary to provide each elector a certificate on or before the first Wednesday in December.

Electoral College Meeting Day

The bill changes the day presidential electors convene at the state capital and perform their duties from the first Monday after the second Wednesday in December after their election to the first Tuesday after the second Wednesday in December after their election.

Contesting the Election of a Presidential Elector

The bill requires any contest to the election of presidential electors to be made in accordance with federal law (3 U.S.C. § 5).