

UPDATED
SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2162

As Recommended by House Committee on
Elections

Brief*

HB 2162 would add and amend law related to data used in adopting senatorial and representative district boundaries. It also would repeal law related to data used in adopting senatorial and representative district boundaries, election-related contributions by certain corporations and stockholders, and a presidential preference primary.

Population Data

The bill would add law to specify the population data used in adopting Kansas legislative districts must be identical to the data collected by the U.S. Bureau of the Census (Census) and used for the apportionment of the U.S. House of Representatives. The bill would prohibit use of any other Census counts, including the use of statistical sampling, to add or subtract population.

Statutes to be Repealed

The bill would repeal provisions in the *Kansas Statutes Annotated*, Chapter 11, Census, and in Chapter 25, Elections.

State census. The bill would repeal provisions related to an enumeration of Kansas residents as of January 1, 1988. The bill also would repeal a requirement for the Secretary of

*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>

State to adjust the Census numbers for military personnel and postsecondary students for purposes of reapportioning senatorial and representative districts and provisions related to obtaining and using data for that adjustment.

Elections. The bill would repeal a prohibition on political contributions from certain types of government-regulated corporations, such as banks and railroads, and the penalties for violating that prohibition. The bill also would repeal statutes related to the presidential preference primary, on the topics of the state canvass of the votes, certification of results, payment of election expenses, eligibility to vote, the form of the ballot, county canvasses of votes, and transmitting results to the Secretary of State.

Other Provisions

The bill would amend law to remove references to the 1988 state census; in law regarding data used for grant applications and for certain credit union field-of-membership determinations, refer to the law added by the bill rather than to a section to be repealed; and remove a reference to a section that would be repealed by the bill from exceptions to the Kansas Open Records Act.

The bill would also make technical amendments.

Background

The bill was introduced by the House Committee on Elections at the request of the Office of the Secretary of State.

[*Note:* HB 2162 contains provisions identical to 2020 SB 256, as amended by the Senate Committee on Ethics, Elections, and Local Government.]

House Committee on Elections

In the House Committee hearing on the bill on February 2, 2020, a representative of the Office of the Secretary of State testified as a **proponent**, stating the bill was a “clean-up” bill following a 2019 amendment to the *Kansas Constitution*, eliminating an adjustment to the federal Census data.

House Committee of the Whole

The bill was withdrawn from the Calendar and rereferred to the House Committee on Elections.

House Committee on Elections

Following discussion on the bill on February 23, 2021, the House Committee recommended the bill be placed on the Consent Calendar.

Fiscal Information

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

Elections; redistricting; U.S. Bureau of the Census