

Substitute for SENATE BILL No. 254

By Committee on Federal and State Affairs

3-4

1 AN ACT concerning the office of United States senator; relating to the
2 filling of a vacancy in such office; requiring appointment of a person of
3 the same political party as the incumbent; requiring senate confirmation
4 of such appointment; amending K.S.A. 25-318 and repealing the
5 existing section.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 25-318 is hereby amended to read as follows: 25-
9 318. When a vacancy shall occur in the office of United States senator
10 from this state, the governor shall ~~make a temporary appointment to fill~~
11 ~~such vacancy until the next election of representatives in congress, at~~
12 ~~which time such vacancy shall be filled by election, and the senator so~~
13 ~~elected shall take office as soon thereafter as he shall receive his certificate~~
14 ~~of election~~ *appoint a suitable person who for the 10 years preceding such*
15 *vacancy shall have been registered with the same political party as that of*
16 *the United States senator elected at the immediately preceding election for*
17 *such office, to serve for the unexpired term and until a successor is elected*
18 *and qualified. If the United States senator elected at the immediately*
19 *preceding election for such office was not registered with any political*
20 *party, then the governor shall appoint a suitable person to serve for the*
21 *unexpired term and until a successor is elected and qualified.*
22 *Appointments by the governor under this section shall be subject to*
23 *confirmation by the senate as provided in K.S.A. 75-4315b, and*
24 *amendments thereto. Except as provided by K.S.A. 46-2601, and*
25 *amendments thereto, no person appointed to the office of United States*
26 *senator shall exercise any power, duty or function as United States senator*
27 *until confirmed by the senate.*

28 Sec. 2. K.S.A. 25-318 is hereby repealed.

29 Sec. 3. This act shall take effect and be in force from and after its
30 publication in the statute book.