

SESSION OF 2018

**SUPPLEMENTAL NOTE ON HOUSE SUBSTITUTE FOR
SENATE BILL NO. 57**

As Recommended by House Committee on
Elections

Brief*

House Sub. for SB 57 would amend the qualifications for candidacy for several statewide elected offices. The bill would require every candidate for the office of Governor, Lieutenant Governor, Secretary of State, Attorney General, State Treasurer, and State Commissioner of Insurance be a qualified elector of Kansas. The bill also would require a candidate for the office of the Attorney General to be licensed to practice law in Kansas.

The bill would take effect January 1, 2019.

Background

The House Committee on Elections created a substitute bill by removing the original contents of SB 57 and inserting the contents of HB 2539, as amended by the House Committee of the Whole.

SB 57 (Easing communications with political campaign officers and party committees through requiring email addresses in reports to secretary of state.)

The original contents of SB 57, relating to amending the Campaign Finance Act to allow certain campaign officers and party committees to provide optional email addresses as part of their reporting requirements, were included in the

*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>

conference committee report for HB 2158, which was passed during the 2017 Legislative Session.

The bill was requested by the Kansas Governmental Ethics Commission (KGEC). In the Senate Ethics, Elections, and Local Government hearing on February 1, 2017, representatives of the KGEC and the League of Women Voters provided proponent testimony. The KGEC representative stated having access to email addresses for candidate treasurers and party and political committee officers would assist the KGEC staff in contacting these individuals if questions arise on campaign reports or other campaign finance issues.

No opposing or neutral testimony was received.

The Senate Committee of the Whole amended the bill to make submission of email addresses optional.

In the House Committee on Elections hearing on March 13, 2017, a representative of the KGEC provided proponent testimony. No other testimony was provided.

The House Committee held a second hearing on the bill on January 22, 2018. At the hearing, a representative of the KGEC provided proponent testimony, stating access to the email address for candidate treasurers as well as political action committees and party officers would be an additional means for the KGEC to contact these individuals concerning campaign reports, or other issues concerning the campaign, or the committee.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, enactment of the bill would have no fiscal effect.

HB 2539 (Qualifications for candidates seeking statewide offices.)

The bill was introduced by Representative Carpenter.

In the House Committee on Elections hearing, Representative Carpenter provided proponent testimony stating currently Kansas law includes no age or residency requirements for candidates for Governor or Lieutenant Governor. A representative of the Office of the Secretary of State, also appeared as a proponent, testifying in favor of adding minimal age and residency requirements for candidates for statewide elected offices. The representative stated the effective date of the bill should be after the 2018 elections to avoid a conflict concerning current candidates who may not meet these requirements.

A current candidate for the Office of the Governor provided opponent written-only testimony to the House Committee, which stated the bill would discourage political participation and block potentially qualified candidates based on age.

No further testimony was provided.

The House Committee voted to pass the bill without recommendation.

The House Committee of the Whole amended the bill to require a candidate for the office of Attorney General to be licensed to practice law in Kansas. The House Committee of the Whole also amended the bill to remove the four-year residency requirement for candidates for the Office of Governor and Lieutenant Governor included in the bill, as introduced.

In the Senate Committee on Ethics, Elections and Local Government hearing, Representative Carpenter and a representative of the Office of the Secretary of State provided proponent testimony. A current candidate for the Office of the

Governor provided opponent testimony. No other testimony was provided.

The House Committee on Elections created a substitute bill by removing the original contents of SB 57 and inserting the contents of HB 2539, as amended by the House Committee of the Whole.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, enactment of the bill would have no fiscal impact.