

SESSION OF 2023

SUPPLEMENTAL NOTE ON SENATE BILL NO. 210

As Recommended by Senate Committee on
Federal and State Affairs

Brief*

SB 210 would amend election law concerning the listing of candidate names on ballots to allow nonpartisan candidates to list a political party or political designation printed with such candidate's name on the ballot.

The bill would also provide that any ordinance, resolution, or regulation adopted by local units of government, including school districts, would be considered null and void. The bill would also void any such measures adopted on or before July 1, 2023.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Thompson.

Senate Committee on Federal and State Affairs

In the Senate Committee hearing on February 20, 2023, **proponent** testimony was provided by representatives of Americans for Tax Reform and the Ellis County Republican Party. The proponents stated the bill would ensure greater

*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>

transparency in local elections and would help voters make an informed choice.

Written-only proponent testimony was provided by eight private citizens.

Neutral testimony was provided by a representative of the Kansas Secretary of State who listed items needing further clarification including how candidate partisan registration will be confirmed and how best to address voter confusion in situations where only some nonpartisan candidates have chosen to list a party.

Written-only neutral testimony was provided by a representative of Kansas Appleseed.

Opponent testimony was provided by representatives of the Kansas Association of School Boards, Kansas League of Municipalities, Loud Light Civic Action, and the Mainstream Coalition. The opponents expressed concern with further limiting local control on elections; inserting partisan politics into local issues; and concerns with the federal Hatch Act, which prohibits candidacy in a partisan election by federal employees.

Written-only opponent testimony was provided by representatives of the City of Overland Park, the City of Topeka, the Kansas National Education Association, the League of Women Voters of Kansas, the city manager of Junction City, and the mayor of Westwood.

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 it could implement the provisions of the bill using existing resources. Any fiscal effect associated with the bill is not reflected in *The FY 2024 Governor's Budget Report*.

The Kansas Association of Counties states the bill would not have a fiscal effect on the counties.

Elections; ballot; nonpartisan; candidate; political party; political designation; city; county; township; school district; ordinance; resolution; regulation