

SESSION OF 2015

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2214

As Amended by House Committee on Elections

Brief*

HB 2214 would make changes to a statute dealing with filling a vacancy in a district office by district convention. The bill would:

- When a vacancy occurs due to death of an officer, deem the date of death to be the date of notice 21 days from which the county chairperson must call and convene a convention;
- Require the state party chairperson call a district convention if both the chairperson and the vice-chairperson are absent or otherwise unable or refuse to call the convention;
- Expand current authority to adopt the necessary rules governing district convention procedures. Current law allows governing rules to cover making nominations, voting, counting and canvassing votes and for the conduct of any business which may properly be brought before the convention; the bill would add eligibility of members to constitute a quorum and administrative rules regarding proxy votes to the list; and
- Add email or facsimile transmission as ways the official notice that a person has been elected to be appointed by the Governor to fill a vacancy in a district office may be transmitted. Current law

*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>

specifies transmission by hand delivery or registered mail, return receipt requested.

Background

The bill was introduced by the House Committee on Elections, to which it also was assigned. Both the Chairperson of the Kansas Democratic Party and the Executive Director of the Kansas Republican Party testified in favor of the bill. The proponents indicated the portion deeming the date of death as the date of notice cleared up confusion and prevented county party chairpersons from waiting extended periods of time for a notice letter directing them to schedule a convention to replace the officer who had died. One conferee indicated the bill also would prevent county chairpersons from appointing additional precinct leaders after the death had occurred but before the convention was held. With respect to making rules, a proponent stated the addition would prevent objections at the meeting regarding items such as how many proxy votes one person was allowed to carry.

No neutral or opposing testimony was received.

During the bill hearing, one conferee indicated a question remains as to what happens when a vacancy occurs in a county not organized by the party, or when the chairperson and vice-chairperson are not functioning. The conferee recommended, in these cases, the state party be allowed to call the convention. The House Committee amended the bill to accomplish this.

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