

SESSION OF 2020

SUPPLEMENTAL NOTE ON SENATE BILL NO. 256

As Amended by Senate Committee on Ethics,
Elections and Local Government

Brief*

SB 256, as amended, 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Statutes To Be Repealed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 KSA 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 State to adjust the Census numbers for military personnel

*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>

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.

Amendments

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credit union field-of-membership determinations, refer to the law added by the bill rather than to a section to be repealed; and remove a reference to a section that would be repealed by the bill from exceptions to the Kansas Open Records Act.

Background

The bill was introduced by Senator Denning.

In the Senate Committee on Ethics, Elections and Local Government hearing, the Deputy Assistant Secretary of State, Assistant Legal Counsel, provided proponent testimony. He stated the bill would remove statutes that no longer serve any purpose related to the presidential preference primary and campaign contributions from certain government-regulated entities. No other testimony was provided.

A requirement to hold a presidential preference primary in Kansas (formerly in KSA 25-4501) was repealed by 2015 HB 2104.

The Senate Committee amended the bill to add the contents of SB 257.

According to the fiscal note prepared by the Division of the budget on the bill, as introduced, the Secretary of State and the Kansas Governmental Ethics Commission reported enactment of SB 256 would have no fiscal effects on their budgets.

SB 257 (Census and Redistricting)

The bill was introduced by Senator Denning.

In the Senate Committee on Ethics, Elections and Local Government hearing, the Deputy Assistant Secretary of State for Communications and Policy testified as a proponent, stating the bill would remove from the statutes language made outdated by the 2019 amendment to the *Kansas Constitution*, clarify which Census numbers would be used, and delete statutes pertaining to a one-time state-conducted census. No other testimony was provided.

In 2019, Kansas voters approved an amendment to the *Kansas Constitution* to remove a census adjustment for military personnel and postsecondary students for purposes of reapportionment of senatorial and representative districts.

According to the fiscal note prepared by the Division of the Budget on HB 257, the Secretary of State indicates enactment of the bill would have no fiscal effect on agency operations.