

SESSION OF 2022

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 418**

As Amended by Senate Committee on Federal  
and State Affairs

**Brief\***

SB 418, as amended, would amend law regarding modifying election laws by agreement.

The bill would specify the Governor, the Secretary of State (Secretary), and any other officer in the executive branch could not enter into a consent decree or other agreement with any state or federal court or any agreement with any other party regarding the enforcement of election law or the alteration of any election procedure without specific approval by the Legislature. [Note: Current law restricts only the Secretary from entering into such agreements without specific approval by the Legislative Coordinating Council (LCC).]

If the Legislature is not in session when such agreement is submitted for review, the bill would require approval be sought from the LCC.

**Background**

HB 2332, enacted in 2021, included provisions prohibiting the modification of election laws or procedure. SB 418 would modify those provisions concerning modification of election laws or procedure.

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\*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>

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Opportunity Solutions Project.

### ***Senate Committee on Federal and State Affairs***

In the Senate Committee hearing, a representative of Opportunity Solutions Project provided **proponent** testimony, stating the bill would prevent the Governor from modifying election laws and procedures or entering into agreements regarding elections without specific approval from the Legislature.

Written-only **opponent** testimony was provided by a representative of Kansas National Education Association, stating concern that the bill would hinder action in an emergency situation where changes to election law or procedure might be needed.

The Senate Committee amended the bill to state the approval for any changes to election law or election procedures would be submitted to the Legislature for approval or, when the Legislature is not in session, the LCC.

### **Fiscal Information**

According to the fiscal note provided by the Division of the Budget on the bill as introduced, the Offices of the Governor, the Secretary, Legislative Administrative Services, and the Judiciary all state that enactment of the bill would have no fiscal effect.

Elections; election laws; Legislative Coordinating Council; legislative branch; executive branch; judicial branch