

SESSION OF 2017

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 43**

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

**Brief\***

SB 43 would amend provisions recently enacted in 2017 HB 2017 in regard to filling vacancies in the U.S. House of Representatives. The bill would change the county-level canvass date for these congressional elections to coincide with the date for other county-level canvasses by deleting the current requirement to hold the congressional election county canvass on the third day following the election and replacing it with a requirement to follow the provisions of KSA 2016 Supp. 25-3104.

The bill would make other adjustments, including moving the state canvass date from the sixth day to the third day following the county-level canvass.

The bill also would make technical changes.

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

**Background**

The bill was requested by a representative of the Sedgwick County Board of County Commissioners who explained the issue arose during discussion on 2017 HB 2017. Also testifying in support of the bill was a representative of the Office of the Secretary of State. The representatives reported at least one school district plans to hold a bond

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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>

election on the same day as the congressional special election. Without the change contained in the bill, they stated, local election offices would be required to have duplicate election systems in place to certify official election results on different days even though the elections were held on the same day.

By way of explanation, KSA 25-3103 distinguishes between "intermediate" and other county-level canvasses. County canvasses of county, township, city and school elections are final, whereas county canvasses of state and national office elections are intermediate. The State Board of Canvassers conducts the final canvass of state and national office elections.

According to the fiscal note prepared by the Division of the Budget, enactment of the bill would have no fiscal effect on the Office of the Secretary of State.