

SESSION OF 2024

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2661

As Recommended by House Committee on
Local Government

Brief*

HB 2661 would amend the process for filling county commission vacancies when the vacancies are created by an increase of commission districts.

The bill would require county commission vacancies created by the adoption of a resolution expanding the commission to be filled at the next general election. [*Note:* Current law directs the Governor to consult with the county commission and determine whether there will be a special election or the new commissioners will be elected at the next general election.]

Continuing law requires no more than a simple majority of county commissioners be elected in one cycle. The bill would specify the following procedures to meet that requirement:

- If more than a simple majority of commissioners are elected at the next general election, the new commissioner districts shall be elected for two-year terms, then four year terms after; and
- If the next general election is in an odd-numbered year, the new commissioner positions shall serve either one-year or three-year terms, determined by the resolution, so as to prevent more than a simple majority from being elected in one general election.

*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>

Effective Date

The bill would be effective upon publication in *The Kansas Register*.

Technical Amendments

The bill would make technical amendments to implement the provisions of the bill and to ensure consistency in statutory phrasing. The bill would also make technical amendments to remove references to a statute allowing Sherman County to expand its board of county commissioners. [Note: The statute concerning Sherman County referenced in current law contains a sunset date of December 31, 2010.]

Background

The bill was introduced by the House Committee on Local Government at the request of Representative Titus.

House Committee on Local Government

In the House Committee hearing, **proponent** testimony was presented by Representative Titus, a representative of the Pottawatomie County Planning and Zoning Commission, and a private citizen. The proponents generally stated this bill would make the process of filling vacancies after an expansion of districts clearer and remove unnecessary steps.

After the hearing, written-only proponent testimony was submitted by a representative of the Kansas Association of Counties.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Secretary of State would use existing resources to implement the provisions of the bill and ensure knowledge of the change in election procedures. The Office of Judicial Administration states enactment of the bill would have no fiscal effect. Any fiscal effect associated with HB 2661 is not reflected in *The FY 2025 Governor's Budget Report*.

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

County commission; special election; redistricting; office vacancies