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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Chairperson Thompson
Members of the Senate Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: March 23, 2023

Subject: SB 321 – Providing for a presidential preference primary election.

Senate Bill No. 321 (SB 321) would amend election statutes to provide for a presidential preference primary election. Current law allows for those political parties that are officially recognized under K.S.A. 25-302a to adopt procedures to select a presidential nominee every four years. SB 321 establishes a primary election to be held on March 19, 2024, that allows voters of a political party to vote for their preference for the party's presidential nominee for the 2024 election. The bill allows any political party to exercise the option to not participate in the primary election by filing notice with the Secretary of State by December 1, 2023.

SB 321 amends other provisions governing presidential preference primary elections. First, the bill would additionally require any presidential candidate to have filed the appropriate registration filings with the Federal Election Commission. The bill also raises the fee for a declaration of intent to be a candidate from \$100 to \$10,000.

SB 321 also establishes unique requirements for advance voting for the presidential preference primary election. Advance voting ballots could not be mailed to the voter until 14 days prior to the election date (compared to 20 days prior for August primary elections and general elections). Also advance voting in person could not begin until 8 days prior to the election date. Under the bill advance voting ballots must be returned either in person by noon on the day before the election or, if by mail, then by the close of the polls on the day of the election.

If enacted, SB 321 would become effective on July 1, 2023.