

KANSAS OFFICE *of*
REVISOR *of* STATUTES

LEGISLATURE *of* THE STATE *of* KANSAS
Legislative Attorneys transforming ideas into legislation.

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: January 29, 2026

Subject: SCR 1617 – Proposing amendments to Section 13 of Article 2 of the Constitution of the State of Kansas regarding majority voting requirements.

Senate Concurrent Resolution No. 1617 (SCR 1617) would amend Section 13 of Article 2 of the Constitution of the State of Kansas (Section 13) concerning voting requirements for certain types of legislative action. Currently, Section 13 provides that a $\frac{2}{3}$ majority of the members of each house are required to pass any resolution to ratify an amendment to the United States Constitution or to make application to Congress to call a convention of the states for proposing such amendments. This provision was the subject of recent litigation that resulted in the United States District Court of Kansas holding that the provision violated Article V of the United States Constitution.¹ The Court held that because Article V delegates the authority to make application to Congress to call a convention of the states directly to the state legislatures, and not the states, any state constitutional provision or law that imposes restrictions on the exercise of the legislature’s authority is in conflict with Article V.

SCR 1617 proposes to amend Section 13 to remove the $\frac{2}{3}$ majority requirement for resolutions to ratify U.S. Constitution amendments or to make application to Congress to call a convention of the states. If the amendment is adopted, then only a simple majority would be necessary under Section 13.

If adopted, SCR 1617 would be presented to the voters at the general election in November 2026.

¹ Thompson v. Masterson, -- F.Supp.3d --, 2025 WL 3088942 (D. Kan. 2025).