

SESSION OF 2026

SUPPLEMENTAL NOTE ON SENATE BILL NO. 392

As Recommended by Senate Committee on
Federal and State Affairs

Brief*

SB 392 would provide for when a candidate can withdraw in city, school district, or community college elections and prohibit the filling of a vacancy in the joint candidacy of the Governor and Lieutenant Governor.

***Withdrawal from a School District, City, or Community
College Election***

The bill would provide for a candidate for school board, city official, or community college trustee to withdraw their candidacy if:

- The candidate certifies to the county election officer that the candidate is withdrawing because of severe medical hardship on the candidate or the candidate's immediate family. The candidate would be required to send the county election officer a certification of the severe medical hardship signed by a physician; or
- The candidate certifies to the county election officer that the candidate no longer resides in the district for which the candidate filed for office.

*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 <https://klrd.gov/>

If the county election officer receives a certification or a candidate dies on or before September 1 of the year of the election, the candidate's name would be withdrawn and would not be printed on the ballots.

Vacancy in the Joint Candidacy of Governor and Lieutenant Governor

The bill would state that no vacancy in the candidacy of Governor or Lieutenant Governor would be filled after a joint candidacy has been filed with the Secretary of State. If such vacancy occurs for any reason, that joint candidacy would be terminated. The bill would allow for the remaining candidate to file a new joint candidacy with another individual in accordance with all statutory requirements for filing, including payment of the filing fee.

Background

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of a representative of the Office of the Secretary of State (Office).

Senate Committee on Federal and State Affairs

In the Senate Committee hearing, a representative of the Office provided **proponent** testimony, generally stating that current law provides no mechanism for candidates for city office, school district board, or community college trustee to withdraw their names from the ballot after the filing deadline of June 1, and the bill would create such a mechanism that is in line with withdrawal procedures for candidates for state office. The conferee also stated that the bill would codify a 2025 Attorney General opinion regarding a vacancy in the joint candidacy of Governor and Lieutenant Governor.

Written-only proponent testimony was provided by a representative of the League of Kansas Municipalities.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Office indicates enactment of the bill would not have a fiscal effect on agency operations. The Kansas Association of Counties (Association) indicates the bill would increase costs for counties associated with filing and documenting requirements, changing procedures associated with voting and election standards, enforcing and verifying of certifications, and changing ballot format. The Association is unable to estimate the fiscal effect.

Elections; candidacy; vacancy; governor; lieutenant governor; city election; school district election; community college election