

SESSION OF 2026

SUPPLEMENTAL NOTE ON SENATE BILL NO. 65

As Amended by Senate Committee on Federal
and State Affairs

Brief*

SB 65, as amended, would modify the Mail Ballot Election Act (Act) to permit the elections for members of the board of directors (directors) of irrigation districts of more than 35,000 acres to be conducted by mail ballot, specify the timing and procedures of such election, and modify the term length for directors.

Mail Ballot Election Act

The bill would amend the Act to allow the elections for directors of irrigation districts of more than 35,000 acres to be conducted by mail ballot. [Note: Current law prohibits elections by mail ballot unless the election is not one at which any candidate is elected, retained, or recalled.]

Resolution Providing for Mail Ballot Election

The bill would allow each board of directors to adopt a resolution providing for mail ballot elections in an even-numbered or odd-numbered year and that any such resolution be submitted to the county election officer of each county containing territory of the irrigation district.

In the resolution, each board of directors would be required to establish the term of such members to be a period of two, three, or four years. [Note: Current law provides that

*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/>

the term of office for directors is a period of two years or four years.]

Timing and Procedures

The bill would require the election to be held on the first Tuesday in March in each even-numbered or odd-numbered year.

At least 90 days before the date of each election to select the directors, the county election officers of each county containing territory of the irrigation district would be required to jointly file a mail ballot election plan with the Secretary of State.

The bill would prohibit any person from filing as a candidate for a position on the board of directors after 12:00 pm 10 weeks prior to the date of the election.

The bill would require all elections held in accordance with the provisions of the bill to be conducted in accordance with the general election laws of the state and the Act.

Conforming and Technical Changes

The bill would also make conforming and technical changes.

Background

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Bowers.

Senate Committee on Federal and State Affairs

In the Senate Committee hearing on February 10, 2025, **proponent** testimony was provided by a representative of the

Bostwick Irrigation District No. 2 (KBID), who stated the bill would apply only to irrigation districts constructed under contracts with the U.S. Bureau of Reclamation, and the bill would fix inconsistencies in state law and allow KBID to continue using its mail ballot election process.

Neutral testimony was provided by a representative of the Office of the Secretary of State, who expressed concerns about creating a conflict of law because the Act does not allow any person to be elected using an all-mail ballot election and causing voter confusion because the type of election may vary by district.

No other testimony was provided.

The Senate Committee amended the bill to:

- Amend the Act to allow the elections for directors of irrigation districts of more than 35,000 acres to be conducted by mail ballot;
- Specify that the board of directors may adopt a resolution providing for a mail ballot election; and
- Specify the timing of the election and election procedures.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Department of Agriculture and the Kansas Water Office indicate that enactment of the bill would not have a fiscal effect on agency operations.

The Kansas Association of Counties indicates that the enactment of the bill could create some cost savings for counties from the utilization of mail ballots as opposed to in-

person voting; however, a precise fiscal effect could not be estimated.

Irrigation districts; board member elections; mail ballots