



# CITY OF TOPEKA

Legal Department  
215 SE 7<sup>th</sup> Street, Room 353  
Topeka, KS 66603

Amanda Stanley, City Attorney  
Tel: (785) 368-3883  
[www.topeka.org](http://www.topeka.org)

To: Senate Federal and State Affairs

From: Amanda L. Stanley, City Attorney on behalf of the City of Topeka

Date: February 14, 2023

Re: Written Opposition Testimony SB 210

Contact Info: [alstanley@topeka.org](mailto:alstanley@topeka.org); 785-368-3883

I would like to thank Chairman Thompson and the Committee for allowing the City of Topeka the opportunity to provide opposition testimony to SB 210.

On its face, this bill seems innocuous; however, it actually has extremely far reaching implications. This bill would allow one individual to make a choice for an entire community on whether their city's governing body should be non-partisan. This choice could result in excluding or disqualifying suitable and willing candidates wishing to serve their communities. Under the Hatch Act, all federal employees are allowed to run for political office in nonpartisan elections. Once any candidate lists a party affiliation, the election is considered partisan. We would hate to exclude qualified candidates. Additionally, SB 210 creates the possibility that a single person's decision to declare their partisan affiliation –would disrupt Topeka's longstanding history of nonpartisan, district elections that is working well for our community. Our community believes that the vast majority of issues faced by a governing body are nonpartisan. You do not have to be a democrat or a republican to fill a pothole, provide public safety, or produce clean water. As national politics gets nastier every year, nonpartisan elections become even more important at the local level.

Perhaps even more concerning is the language in section one (c) of the bill that any ordinance in direct conflict with the provisions of this subsection shall be null and void. The language establishing the City of Topeka's elections as nonpartisan is contained in our charter ordinance establishing our City's form of government. This language could result in one individual, who likely would not even know what was at stake, invalidating the entirety of the City of Topeka's charter ordinance establishing our governing body compensation, election terms, and district compositions.

No one individual should have the authority to invalidate the wishes of our citizens. Our residents have not expressed concern about our current municipal election process. The citizens of Topeka have a mechanism for switching to partisan elections. Please leave that power in their hands.