

SESSION OF 2024

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR SENATE
BILL NO. 249**

As Recommended by Senate Committee on
Federal and State Affairs

Brief*

Sub. for SB 249 would amend the process for filling the vacancies of the State Treasurer, the Commissioner of Insurance, and the Lieutenant Governor.

The bill would preserve the process of gubernatorial appointment for the three officers, but would require the vacancies to be filled with an appointee of the same political party as the vacating incumbent. Should the vacating incumbent not be registered with any political party, the Governor would be required to appoint a suitable person to serve for the unexpired term.

The bill would also require Senate confirmation of each appointee and would prohibit any power, duty, or function to be performed until Senate confirmation is completed. [Note: KSA 46-2601 provides for the Senate Committee on Confirmation Oversight to consider appointments to fill vacancies when the Legislature is not in session. The appointment is then confirmed by the Senate at the next regular or special session of the Legislature.]

Background

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

*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 <http://www.kslegislature.org>

Senate Committee on Federal and State Affairs

In the Senate Committee hearing on January 18, 2024, Senator Tyson provided **proponent** testimony on the bill, stating the bill would allow vacancies in these statewide offices would follow the same process to replace other elected offices at the state and local level.

Written-only proponent testimony was provided by three private citizens.

No other testimony was provided.

On January 22, 2024, the Senate Committee amended the bill to:

- Revert the vacancy filling process to gubernatorial appointment;
- Require the appointment of a person of the same political party as the incumbent at the time of the incumbent's election;
- Require confirmation by the Senate; and
- Require confirmation by the Senate in the event of a vacancy in the office of Lieutenant Governor.

The Senate Committee recommended a substitute bill be passed incorporating its amendments.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Insurance Department, the State Treasurer, and the Office of the Governor all stated the bill would have no fiscal effect.

Vacancy; State Treasurer; Commissioner of Insurance; Lieutenant Governor; Senate confirmation