

SESSION OF 2015

SUPPLEMENTAL NOTE ON SENATE BILL NO. 10

As Amended by Senate Committee on Ethics
and Elections

Brief*

SB 10 would require a special election to fill a vacancy on the governing body of any city or consolidated city and county, when the following conditions exist:

- The municipality does not have its own procedure for filling vacancies and has not filled any such vacancies within 60 days; and
- The governing body has not made an appointment to fill the vacancy within 60 days of the vacancy.

Background

The bill was introduced by Senator Haley, who testified as a proponent before the Senate Committee on Ethics and Elections. Senator Haley described the recent situation in the Unified Government of Wyandotte County and Kansas City, Kansas, where one position on the governing body has been left vacant for a period of approximately two years.

Representatives of the Unified Government of Wyandotte County and Kansas City, Kansas; the City of Shawnee; and the League of Kansas Municipalities testified in opposition to the bill. Opponents indicated many cities already have established succession plans within their charters; the bill, as introduced, would negate those

*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>

provisions. Opponents also objected to the expense of having to call a special election.

There was no other testimony.

The Senate Committee amended the bill to increase, from 30 days to 60 days, the time frame for filling a vacancy before a special election would be triggered, and to limit the special election requirement to only those cities that do not have a procedure for filling vacancies and have not filled such vacancies within 60 days.

The fiscal note prepared by the Division of the Budget indicated the bill, as introduced, has the potential for an inestimable fiscal effect on cities and counties due to the requirement of a special election. Special election costs vary from county to county, and it is not known how many special elections would result.