

## House Substitute for SENATE BILL No. 74

By Committee on Federal and State Affairs

5-11

---

AN ACT concerning elections; relating to filing deadlines for certain candidates; amending K.S.A. 2001 Supp. 25-205 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2001 Supp. 25-205 is hereby amended to read as follows: 25-205. (a) Except as otherwise provided in this section, the names of candidates for national, state, county and township offices shall be printed upon the official primary ballot when each shall have qualified to become a candidate by one of the following methods and none other: (1) They shall have had filed in their behalf, not later than 12:00 noon, June 10, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12:00 noon of the next following day that is not a Saturday, Sunday or a holiday, nomination petitions, as provided for in this act, except that in 1998, candidates for judge or district magistrate judge of the district court for positions created in 1998 in those judicial districts that have not approved the proposition of nonpartisan selection of judges of the district court shall have filed in their behalf, not later than 12:00 noon, July 1, 1998, nomination petitions, as provided for in this act; or (2) they shall have filed not later than the time for filing nomination petitions, as above provided, with the proper officer a declaration of intention to become a candidate, accompanied by the fee required by law. Such declaration shall be prescribed by the secretary of state.

(b) Nomination petitions shall be in substantially the following form:

I, the undersigned, an elector of the county of \_\_\_\_\_, and state of Kansas, and a duly registered voter, and a member of \_\_\_\_\_ party, hereby nominate \_\_\_\_\_, who resides in the township of \_\_\_\_\_ (or at number \_\_\_\_\_ on \_\_\_\_\_ street, city of \_\_\_\_\_), in the county of \_\_\_\_\_ and state of Kansas, as a candidate for the office of (here specify the office) \_\_\_\_\_, to be voted for at the primary election to be held on the first Tuesday in August in \_\_\_\_\_, as representing the principles of such party; and I further declare that I intend to support the candidate herein named and that I have not signed and will not sign any nomination petition for any other person, for such office at such primary election.

(HEADING)

Name of	Street Number	Name of	Date of
Signers.	or Rural Route	City.	Signing.
	(as registered).		

All nomination petitions shall have substantially the foregoing form, written or printed at the top thereof. No signature shall be counted unless it is upon a sheet having such written or printed form at the top thereof.

(c) Each signer of a nomination petition shall sign but one such petition for the same office, and shall declare that such person intends to support the candidate therein named, and shall add to such person's signature and residence, if in a city, by street and number (if any); or, otherwise by post-office address. No signature shall be counted unless the place of residence of the signer is clearly indicated and the date of signing given as herein required and if ditto marks are used to indicate address they shall be continuous and clearly made. Such sheets shall not be cut or pasted together.

(d) All signers of each separate nomination petition shall reside in the same county and election district of the office sought. The affidavit described in this paragraph of a petition circulator who is a resident of the state of Kansas and has the qualifications of an elector in the state of Kansas or of the candidate shall be appended to each petition and shall contain, at the end of each set of documents carried by each circulator, a verification, signed by the circulator or the candidate, to the effect that such circulator or the candidate personally witnessed the signing of the petition by each person whose name appears thereon.

(e) Except as otherwise provided in subsection (g), nomination petitions shall be signed:

(1) If for a state officer elected on a statewide basis or for the office of United States senator, by voters equal in number to not less than 1% of the total of the current voter registration of the party designated in the state as compiled by the office of the secretary of state;

(2) If for a state or national officer elected on less than a statewide basis, by voters equal in number to not less than 2% of the total of the current voter registration of the party designated in such district as compiled by the office of the secretary of state, except that for the office of district magistrate judge, by not less than 2% of the total of the current voter registration of the party designated in the county in which such office is to be filled as certified to the secretary of state in accordance with K.S.A. 25-3302, and amendments thereto;

(3) If for a county office, by voters equal in number to not less than 3% of the total of the current voter registration of the party designated in such district or county as compiled by the county election officer and

1 certified to the secretary of state in accordance with K.S.A. 25-3302, and  
2 amendments thereto; and

3 (4) If for a township office, by voters equal in number to not less than  
4 3% of the total of the current voter registration of the party designated  
5 in such township as compiled by the county election officer and certified  
6 to the secretary of state in accordance with K.S.A. 25-3302, and amend-  
7 ments thereto.

8 (f) Subject to the requirements of K.S.A. 25-202, and amendments  
9 thereto, any political organization filing nomination petitions for a major-  
10 ity of the state or county offices, as provided in this act, shall have a  
11 separate primary election ballot as a political party and, upon receipt of  
12 such nomination petitions, the respective officers shall prepare a separate  
13 state and county ballot for such new party in their respective counties or  
14 districts thereof in the same manner as is provided for existing parties.

15 (g) In any year in which districts are reapportioned for the offices of  
16 representative in the United States congress, senator and representative  
17 in the legislature of the state of Kansas or member of the state board of  
18 education:

19 (1) If new boundary lines are defined and districts established in the  
20 manner prescribed by law on or before May 10, nomination petitions for  
21 nomination to such offices shall be signed by voters equal in number to  
22 not less than 1% of the total of the current voter registration of the party  
23 designated in the district as compiled by the office of the secretary of  
24 state.

25 (2) If new boundary lines are defined and districts established in the  
26 manner prescribed by law on or after May 11, nomination petitions for  
27 nomination to the following offices shall be signed by registered voters  
28 of the party designated in the district equal in number to not less than  
29 the following:

- 30 (A) For the office of representative in the United States
- 31 congress ..... 1,000 registered voters;
- 32 (B) for the office of member of the state board of
- 33 education ..... 300 registered voters;
- 34 (C) for the office of state senator ..... 75 registered voters; and
- 35 (D) for the office of state representative..... 25 registered voters.

36 (h) In any year in which districts are reapportioned for the offices of  
37 representative in the United States congress, senator and representative  
38 in the legislature of the state of Kansas or member of the state board of  
39 education:

40 ~~(1) If new boundary lines are defined and districts established in the~~  
41 ~~manner prescribed by law on or before June 10, the deadline for filing~~  
42 ~~nomination petitions and declarations of intention to become a candidate~~  
43 ~~for such office, accompanied by the fee required by law, shall be 12:00~~

1 noon on June 24 10, or if such date falls on a Saturday, Sunday or a  
2 holiday, then before 12:00 noon of the next following day that is not a  
3 Saturday, Sunday or holiday.

4 ~~(2) If new boundary lines are defined and districts established in the~~  
5 ~~manner prescribed by law on or after June 11, the deadline for filing~~  
6 ~~nomination petitions and declarations of intention to become a candidate~~  
7 ~~for such office, accompanied by the fee required by law, shall be 12:00~~  
8 ~~noon on July 12, or if such date falls on a Saturday, Sunday or holiday,~~  
9 ~~then before 12:00 noon of the next day that is not a Saturday, Sunday or~~  
10 ~~holiday.~~

11 *(i) In any year in which districts are reapportioned for the offices of*  
12 *representative in the United States congress:*

13 *(1) If new boundary lines are defined and districts established in the*  
14 *manner prescribed by law on or before June 10, the deadline for filing*  
15 *nomination petitions and declarations of intention to become a candidate*  
16 *for such office, accompanied by the fee required by law, shall be 12:00*  
17 *noon on June 24, or if such date falls on a Saturday, Sunday or a holiday,*  
18 *then before 12:00 noon of the next following day that is not a Saturday,*  
19 *Sunday or holiday.*

20 *(2) If new boundary lines are defined and districts established in the*  
21 *manner prescribed by law on or after June 11, the deadline for filing*  
22 *nomination petitions and declarations of intention to become a candidate*  
23 *for such office, accompanied by the fee required by law, shall be 12:00*  
24 *noon on July 12, or if such date falls on a Saturday, Sunday or holiday,*  
25 *then before 12:00 noon of the next day that is not a Saturday, Sunday or*  
26 *holiday.*

27 Sec. 2. K.S.A. 2001 Supp. 25-205 is hereby repealed.

28 Sec. 3. This act shall take effect and be in force from and after its  
29 publication in the Kansas register.

30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43