

## SENATE BILL No. 84

By Senator Journey

1-16

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9 AN ACT concerning the presidential primary; establishing the date  
10 thereof; amending K.S.A. 25-4502 and 25-4503 and K.S.A. 2006 Supp.  
11 25-4501 and repealing the existing sections.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2006 Supp. 25-4501 is hereby amended to read as  
15 follows: 25-4501. (a) Subject to the provisions of this section, there shall  
16 be held a presidential preference primary election in the year 2008, and  
17 every fourth year thereafter.

18 (b) On or before November 1, 2007, and on or before November 1  
19 every fourth year thereafter, the secretary of state shall certify to the  
20 governor, to the chief clerk of the house of representatives and to the  
21 secretary of the senate a common date in the next succeeding year on  
22 which at least five other states will hold a presidential preference primary  
23 election, a delegate or mass convention or a caucus of qualified voters at  
24 which delegates to a national convention are selected. On or before each  
25 such date, if the secretary of state determines that there is no common  
26 date on which at least five states are conducting such a selection process  
27 in the next succeeding year, the secretary of state shall certify to the  
28 governor, the chief clerk of the house of representatives and the secretary  
29 of the senate on a date, which shall be on or before *eight weeks preceding*  
30 *the election* on the first Tuesday in April of the next following year, on  
31 which the presidential preference primary election shall be held.

32 (c) The date certified by the secretary of state pursuant to subsection  
33 (b) shall be the date on which the presidential preference primary election  
34 authorized by subsection (a) shall be held in the state of Kansas.

35 Sec. 2. K.S.A. 25-4502 is hereby amended to read as follows: 25-  
36 4502. (a) Every registered elector who has declared such elector's party  
37 affiliation with a political party eligible to participate in a state primary  
38 election shall have the opportunity to vote one vote at a presidential pref-  
39 erence primary election for such elector's preference for one person to  
40 be the candidate for nomination by such candidate's party for president  
41 of the United States or for "none of the names shown." Any registered  
42 elector who has not declared such candidate's party affiliation prior to the  
43 election may make such a declaration at the polling place, and thereupon

1 shall be permitted likewise the opportunity to vote one vote at the pres-  
 2 idential preference primary. A vote for “none of the names shown” shall  
 3 express the preference for an uncommitted delegation from Kansas to  
 4 the national convention of that elector’s party. Preference shall be indi-  
 5 cated by marking with a cross or check mark inside a voting square on  
 6 the ballot at the left of the voter’s choice, or by voting by using a voting  
 7 machine.

8 (b) The name of any candidate for a political party nomination for  
 9 president of the United States shall be printed on the ballots only if, not  
 10 later than twelve o’clock noon, ~~February 12 prior to~~ *on the date which*  
 11 *precedes by seven weeks the date of* the presidential preference primary  
 12 or, if such date falls on Saturday, Sunday or a holiday, not later than twelve  
 13 o’clock noon the following day that is not a Saturday, Sunday or holiday:

14 (1) The candidate files with the secretary of state a declaration of  
 15 intent to become a candidate accompanied by a fee of \$100; or

16 (2) there is filed in the office of secretary of state a petition in the  
 17 form prescribed by K.S.A. 25-205, and amendments thereto, signed by  
 18 not less than 1,000 registered electors, who are affiliated with the political  
 19 party of such candidate as shown by the party affiliation list. The secretary  
 20 of state shall determine the sufficiency of each such petition, and such  
 21 determination shall be final.

22 Sec. 3. K.S.A. 25-4503 is hereby amended to read as follows: 25-  
 23 4503. (a) The names of the candidates for nomination for president of  
 24 the United States by a political party eligible to participate in a state  
 25 primary election shall be printed on the official ballots for the presidential  
 26 preference primary elections of their respective parties along with the  
 27 choice of “none of the names shown.” The ballots shall be marked, re-  
 28 turned and canvassed in the same manner and under the same conditions,  
 29 so far as the same are applicable, as in the case of the primary election  
 30 of candidates for nomination for state offices.

31 (b) The official presidential preference primary election ballots shall  
 32 be printed in a single column and shall have the following heading:

33 **OFFICIAL PRESIDENTIAL PREFERENCE PRIMARY**  
 34 **ELECTION BALLOT**

35 \_\_\_\_\_ Party

36 To vote for a person whose name is printed on the ballot make a cross  
 37 or check mark in the square to the left of the name of the person for  
 38 whom you desire to vote. To vote for “none of the names shown” make  
 39 a cross or check mark in the square to the left of such words.

40 This shall be followed by the names of the candidates for president of  
 41 the United States of such party in the manner and order certified by the  
 42 secretary of state.

43 (c) As soon as possible after ~~February 12~~ *the candidate filing deadline*

1 *as specified in subsection (b) of K.S.A. 25-4502, and amendments thereto,*  
2 secretary of state shall certify to each county election officer the name of  
3 each person who is a candidate for nomination to be president of the  
4 United States of each party authorized to participate in the presidential  
5 preference primary election. The secretary of state shall publish, not less  
6 than 21 days prior to the presidential preference primary, a notice in one  
7 newspaper in each county of the state where a newspaper is published,  
8 that the official list of candidates and the date of the election can be  
9 acquired in the office of the secretary of state or the office of the county  
10 election officer.

11 (d) When a party participating in the presidential preference primary  
12 election has more than one candidate, the secretary of state shall deter-  
13 mine by lot the order in which the candidates' names will appear on the  
14 ballot. The order of names, as established by the secretary of state, shall  
15 be uniform in each county throughout the state.

16 Sec. 4. K.S.A. 25-4502 and 25-4503 and K.S.A. 2006 Supp. 25-4501  
17 are hereby repealed.

18 Sec. 5. This act shall take effect and be in force from and after its  
19 publication in the statute book.