

HOUSE BILL No. 2649

By Committee on Elections and Governmental Organization

1-22

9 AN ACT concerning counties; relating to initiative and referendum.

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

12 Section 1. (a) Except as provided in subsection (e), a proposed res-
13 olution concerning a taxation or spending matter may be submitted to
14 the governing body of any county accompanied by a petition as provided
15 by this section. Such petition shall be signed by electors equal in number
16 to at least 15% of the electors who voted at the last preceding regular
17 county election as shown by the poll books and shall contain a request
18 that the governing body pass the resolution or submit the same to a vote
19 of the electors. Such resolution and petition shall be filed with the county
20 clerk for proposed resolution.

21 The signatures on the petition need not all be appended to one paper,
22 but each signer shall include the signer's place of residence, giving the
23 street and number (if there are street numbers). One person signing each
24 paper shall make oath before an officer competent to administer oaths
25 that such person believes the statements therein and that each signature
26 to the paper appended is the genuine signature of the person whose name
27 it purports to be. If the petition accompanying the proposed resolution
28 is signed by the required number of electors qualified to sign, the gov-
29 erning body shall either (1) pass such resolution without alteration within
30 20 days after attachment of the clerk's certificate to the accompanying
31 petition; or (2) if not passed within 20 days, shall submit the resolution,
32 without alteration, to the vote of the electors of the county at the next
33 regular election scheduled no sooner than 90 days thereafter.

34 (b) The ballots used when voting upon the resolution shall set forth
35 the proposed resolution in full or submit the proposed resolution by title
36 generally descriptive of the contents thereof. Each proposed resolution
37 set forth in full or submitted by title generally descriptive of the contents
38 thereof shall be preceded by the words, "Shall the following be adopted?"
39 If there is more than one proposed resolution to be voted upon, the
40 different proposed resolutions shall be separately numbered and printed,
41 and the ballots shall conform to the requirements of K.S.A. 25-605 and
42 amendments thereto.

43 (c) If a majority of the qualified electors voting on the proposed res-

1 olution votes in favor thereof, such resolution shall thereupon become a
2 valid and binding resolution of the county. Any resolution proposed by a
3 petition as herein provided and passed by the governing body or adopted
4 by a vote of the electors, shall not be repealed or amended except (1) by
5 a vote of the electors, or (2) by the governing body, if the resolution has
6 been in effect for 10 years from the date of publication, if passed by the
7 governing body, or from the date of the election, if adopted by a vote of
8 the electors. Any number of proposed resolutions may be voted upon at
9 the same election, in accordance with the provisions of this section, but
10 there shall not be more than one election in any period of six months for
11 such purpose. The mayor or any other county official having veto power
12 shall not veto any such resolution, and if passed by the council or com-
13 mission the mayor or other appropriate county official shall sign the
14 resolution.

15 (d) The governing body may submit a proposition for the repeal of
16 any such resolution, or for amendments thereto, to be voted upon at any
17 succeeding regular county election. If such proposition so submitted re-
18 ceives a majority of the votes cast thereon at the election, such resolution
19 shall thereby be repealed or amended accordingly. Whenever any reso-
20 lution or proposition is required by this act to be submitted to the electors
21 of the county at any election, the county shall cause such resolution or
22 proposition to be published once each week for two consecutive weeks
23 in the official county paper. Such publication shall be not more than 20
24 or less than five days before the election.

25 (e) The provisions of this section shall not apply to:

- 26 (1) Administrative resolutions;
27 (2) resolutions relating to a public improvement to be paid wholly or
28 in part by the levy of special assessments; or
29 (3) resolutions subject to referendum or election under another
30 statute.

31 Sec. 2. This act shall take effect and be in force from and after its
32 publication in the statute book.