

SESSION OF 2004

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2811

As Amended by House Committee on
Ethics and Elections

Brief*

HB 2811, as amended, would create the Municipal Judge Election Act, requiring the City of Wichita to elect its municipal court judges beginning July 1, 2004. Specifically, the act would:

- Require all municipal court judge elections be conducted by the Sedgwick County election officer.
- Require primary and general elections for these judges be held at the same time as all other city elections, insofar as is practicable.
- Require the judges be elected to four-year terms.
- Require the elections to be nonpartisan.
- Require the filing deadline to be the same as that for city governing body candidates.
- Require a primary election be held if there are more than two candidates for the office; and prohibit the inclusion of blank lines for write-in candidates on the primary ballot. (Write-ins would be permitted in the general election.)
- Require prospective candidates to file with the city clerk, using a prescribed form and accompanied by either a \$50 filing fee or a petition signed by 100 qualified city voters or a number of qualified voters equal to 1 percent of the ballots cast at the last general city election, whichever is less.
- Specify detail of instructions that must appear on the primary and general election ballots.

*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>

- Require the municipal court judge's term of office to commence with the first regular meeting of the city governing body following certification of the election; require the county election officer to certify to the city the determination of the election results made by the county board of canvassers.

Background

Representative Bonnie Huy introduced the bill together with several other legislators. Representative Huy testified concerns had arisen regarding the court process dealing with nuisance ordinances. A number of Wichita residents and one Topeka resident appeared as proponents. Appearing in opposition to the bill were representatives of the League of Kansas Municipalities and the Kansas Bar Association, as well as the Rossville city judge.

The bill was amended to apply to the City of Wichita only.

The fiscal note on the amended bill was not available at the time of passage by the Committee.