

## SENATE BILL No. 273

By Committee on Federal and State Affairs

2-18

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1 AN ACT concerning elections; relating to election dates; requiring that any  
2 special election be held on the first Tuesday in March; amending  
3 K.S.A. 25-2006 and 25-2019 and K.S.A. 2024 Supp. 10-120, 25-1115  
4 and 25-2502 and repealing the existing sections.

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

7 Section 1. K.S.A. 2024 Supp. 10-120 is hereby amended to read as  
8 follows: 10-120. (a) Whenever an election is required for the issuance of  
9 bonds for any purpose by any municipality other than an irrigation district  
10 or where a different procedure for giving notice of the election is  
11 specifically provided by law, upon compliance with the legal requirements  
12 necessary and precedent to the call for the election, the proper municipal  
13 officers shall call an election. The election shall be held ~~within 60 days~~  
14 ~~after compliance with the necessary requirements, or within 90 days,~~  
15 ~~should the longer period include the date of a general election on the date~~  
16 *of a general election, primary election or special election, as such terms*  
17 *are defined in K.S.A. 25-2502, and amendments thereto.*

18 (b) Notice of the election shall be published in a newspaper of general  
19 circulation in the municipality once each week for two consecutive weeks.  
20 The first publication shall be not less than 21 days prior to the election.  
21 Notice of the election shall also be published on the website of the county  
22 election office of any county where the election is to be conducted. Such  
23 notice shall be published not less than 21 days prior to the election and  
24 shall remain on the website until the day after the election. The notice shall  
25 set forth the time and place of holding the election and the purpose for  
26 which the bonds are to be issued and shall be signed by the county election  
27 officer. The election shall be held at the usual place of holding elections  
28 and shall be conducted by the officers or persons provided by law for  
29 holding elections in the municipality.

30 Sec. 2. K.S.A. 2024 Supp. 25-1115 is hereby amended to read as  
31 follows: 25-1115. (a) "General election" means the elections held on the  
32 Tuesday following the first Monday in November of both even-numbered  
33 and odd-numbered years, and in the case of an election of any officers to  
34 fill vacancies held on a date other than the Tuesday following the first  
35 Monday in November, the election at which any such officer is finally  
36 elected.

1 (b) "Primary election" means the elections held on the first Tuesday  
 2 in August of both even-numbered and odd-numbered years and any other  
 3 preliminary election held on a date other than the first Tuesday in August  
 4 at which part of the candidates for election to any national, state, county,  
 5 city, school or other municipal office are eliminated by the process of the  
 6 election but at which no officer is finally elected.

7 (c) "Special election" means any election ~~that is not a general or~~  
 8 ~~primary election, including, but not limited to, any mail ballot election~~  
 9 ~~conducted pursuant to K.S.A. 25-431 et seq., and amendments thereto. A~~  
 10 ~~special election shall not be held within 45 days of a general or primary~~  
 11 ~~election but may be held on the same day as a general or primary election~~  
 12 ~~held on the first Tuesday in March of any year.~~

13 Sec. 3. K.S.A. 25-2006 is hereby amended to read as follows: 25-  
 14 2006. *As used in article 20 of chapter 25 of the Kansas Statutes*  
 15 *Annotated:*

16 (a) "General election" means the election held for school officers on  
 17 the Tuesday following the first Monday in November of odd-numbered  
 18 years, and in the case of special elections of any school officers to fill  
 19 vacancies, the election at which any such officer is finally elected.

20 (b) "Primary election" means the election held on the first Tuesday in  
 21 August of each odd-numbered year, and any other preliminary election at  
 22 which part of the candidates for special election to any school office are  
 23 eliminated by the process of the election but at which no officer is finally  
 24 elected.

25 (c) *"Special election" means any election held on the first Tuesday in*  
 26 *March of any year.*

27 Sec. 4. K.S.A. 25-2019 is hereby amended to read as follows: 25-  
 28 2019. (a) No school district shall call or hold more than one ~~special~~ bond  
 29 election at a time other than *on the same date as a primary or general*  
 30 *election, at a special election* or the election of board of education  
 31 members within any one calendar year; ~~nor shall any special bond election~~  
 32 ~~be held within sixty (60) days before or after a general election or election~~  
 33 ~~of members of the board of education of such district.~~ The provisions of  
 34 this act shall not prohibit the planning for or consideration of any bond  
 35 election during the period between authorized bond elections, nor shall this  
 36 act prohibit notice or other preparation for election during such period.

37 (b) The provisions of this act shall have no application to any capital  
 38 outlay tax levy or election for authorization thereof. ~~This act shall apply to~~  
 39 ~~every school district offering any of grades one to twelve and to~~  
 40 ~~community junior colleges.~~

41 (c) This section shall not apply to bond elections held for the purpose  
 42 of replacing, or repairing and equipping school buildings or facilities  
 43 destroyed or substantially damaged by fire, windstorm, flood or other

1 casualty, if approval for such election is obtained from the state board of  
2 education.

3 Sec. 5. K.S.A. 2024 Supp. 25-2502 is hereby amended to read as  
4 follows: 25-2502. (a) "General election" means the elections held on the  
5 Tuesday following the first Monday in November of both even-numbered  
6 and odd-numbered years, and in the case of an election of any officers to  
7 fill vacancies held on a date other than the Tuesday following the first  
8 Monday in November, the election at which any such officer is finally  
9 elected.

10 (b) "Primary election" means the elections held on the first Tuesday  
11 in August of both even-numbered and odd-numbered years and any other  
12 preliminary election held on a date other than the first Tuesday in August  
13 at which part of the candidates for election to any national, state, county,  
14 township, city, school or other municipal office are eliminated by the  
15 process of the election but at which no officer is finally elected.

16 (c) "Special election" means any election ~~that is not a general or~~  
17 ~~primary election, including, but not limited to, any mail ballot election~~  
18 ~~conducted pursuant to K.S.A. 25-431 et seq., and amendments thereto. A~~  
19 ~~special election shall not be held within 45 days of a general or primary~~  
20 ~~election but may be held on the same day as a general or primary election~~  
21 *held on the first Tuesday in March of any year.*

22 Sec. 6. K.S.A. 25-2006 and 25-2019 and K.S.A. 2024 Supp. 10-120,  
23 25-1115 and 25-2502 are hereby repealed.

24 Sec. 7. This act shall take effect and be in force from and after its  
25 publication in the statute book.