

HOUSE BILL No. 2739

By Committee on Elections

2-10

1 AN ACT concerning elections; relating to certain municipalities; amending
2 K.S.A. 2-623, 19-3505, 19-3507, 25-1115, 25-2006, 25-2007, 25-2010,
3 25-2023, 25-2109, 25-2120, 25-2502, 25-3503, 71-1413 and 71-1414
4 and K.S.A. 2011 Supp. 2-624, 24-412, 24-459, 24-506, 25-205, 25-
5 1122, 25-2102, 25-2108a, 25-2311 and 42-706 and repealing the
6 existing sections.
7

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

9 New Section 1. (a) All primary elections for members of the
10 governing body and other elected officials of any municipality shall be
11 held on the first Tuesday in August of even-numbered years and all general
12 elections for members of the governing body and other elected officials of
13 any municipality shall be held on the Tuesday succeeding the first Monday
14 in November of even-numbered years. This subsection shall not be
15 construed to require a primary election in any jurisdiction that is not
16 otherwise required or authorized by law to hold a primary election.

17 (b) (1) Except as provided by subsection (b)(2), the term of members
18 of governing bodies and other elected officials that would expire at any
19 time in 2013 shall expire on the second Monday in January, 2013, when
20 newly elected members of the governing body and other newly elected
21 officials shall take office.

22 (2) A board member elected at any time in 2009 shall hold office until
23 successors are elected and qualified in 2012. A board member elected in
24 2011 shall hold office until successors are elected and qualified in 2014.

25 (c) Primary elections for any municipality shall be held if there are
26 more than three candidates for an elected position. The names of the two
27 candidates receiving the greatest number of votes for any position at the
28 primary election shall appear on the ballot at the general election.

29 (d) The filing deadline for all candidates for any municipality unless
30 otherwise provided by law shall be as provided in K.S.A. 25-205, and
31 amendments thereto.

32 (e) "Municipality" means any city, school district, community
33 college, drainage district, extension district, irrigation district, library
34 district created under K.S.A. 12-1236 *et seq.*, and amendments thereto, and
35 water districts created under K.S.A. 19-3501 *et seq.*, and amendments
36 thereto. The term does not include any municipality where the election of

1 members of the governing body is conducted at a meeting of the
2 municipality.

3 New Sec. 2. (a) Any city may adopt by ordinance one of the
4 following forms of government:

5 (1) Commission;

6 (2) mayor-council;

7 (3) commission-manager;

8 (4) mayor-council-manager;

9 (5) council-manager; or

10 (6) any other form of government authorized by law or by ordinance
11 or charter ordinance of the city.

12 (b) Any city which has operated for four or more years under a form
13 of government may abandon such form and adopt a different form of
14 government. The provisions of K.S.A. 12-184, and amendments thereto,
15 shall govern the procedure for the adoption or abandonment of such form
16 of government.

17 (c) The governing body of the city may establish by ordinance any of
18 the following:

19 (1) The powers and duties of the governing body including the mayor
20 and other elected officials;

21 (2) the term of office of members of the governing body including the
22 mayor and other elected officials;

23 (3) the election by ward or district of members of the governing body,
24 if applicable;

25 (4) the powers and duties of the city manager, if applicable;

26 (5) the administrative departments of the city; and

27 (6) other matters deemed appropriate by the governing body.

28 New Sec. 3. All existing ordinances and charter ordinances relating to
29 a city's form of government, except those provisions relating to the timing
30 of city primary and general elections, shall remain in effect until amended
31 or repealed by such city.

32 Sec. 4. K.S.A. 2-623 is hereby amended to read as follows: 2-623. (a)
33 Prior to July 1 of any year, any two or more county extension councils may
34 establish an extension district composed of all of the counties of such
35 councils by entering into an agreement in accordance with this section to
36 combine the extension programs for each county involved into one
37 extension program serving the extension district. No such agreement shall
38 be effective unless such agreement has received the prior approval of (1)
39 the board of county commissioners of each county included in the
40 proposed extension district, subject to the provisions of subsection (i); (2)
41 the executive board of the extension council of each county included in the
42 proposed extension district and the director of extension of Kansas state
43 university of agriculture and applied science, or the director's authorized

1 representative, acting together as a body; and (3) the attorney general in
2 accordance with subsection (h).

3 (b) Prior to July 1 of any year, one or more county extension councils
4 and the governing body of any existing extension district may establish a
5 new extension district by entering into an agreement in accordance with
6 this section to combine the extension programs for each such county and
7 such district into one extension program serving a new extension district
8 composed of all counties represented by such county extension councils
9 and the area served by the existing extension district. No such agreement
10 shall be effective unless such agreement has received the prior approval of
11 (1) the board of county commissioners of each county being added to the
12 existing extension district, subject to the provisions of subsection (i); (2)
13 the executive board of the county extension council of each county being
14 added to the existing extension district, the governing body of the existing
15 extension district and the director of extension of Kansas state university
16 of agriculture and applied science, or the director's authorized
17 representative, acting together as a body; and (3) the attorney general in
18 accordance with subsection (h).

19 (c) On July 1 after the approval under subsection (a) or (b) of an
20 agreement to establish an extension district, such extension district is
21 hereby established and shall constitute a body corporate and politic
22 possessing the usual powers of a corporation for public purposes under the
23 name of "extension district no. _____ (the number designated by the
24 director of extension), _____ counties (naming the counties included
25 within the district), state of Kansas." Each extension district is a taxing
26 subdivision and has the power to contract, sue and be sued and to acquire,
27 hold and convey real and personal property in accordance with law.

28 (d) Upon the establishment of an extension district under subsection
29 (a) or (b), all of the personnel and property of each of the extension
30 programs which are combined into the new district extension programs
31 shall be transferred to the new extension district and shall be subject to the
32 authority of the governing body of the extension district in accordance
33 with the agreement to establish the extension district.

34 (e) Upon the establishment of an extension district under subsection
35 (a), the board of county commissioners of each county joining in the
36 establishing of an extension district shall appoint four qualified electors to
37 membership on the governing body of the district. The terms of all
38 members so appointed shall commence on July 1 following their
39 appointment. Of the members so appointed two members shall serve for
40 terms ending upon the election and qualification of their successors at an
41 election held on the ~~first Tuesday in April of the first odd-numbered~~
42 *Tuesday following the first Monday in November of the first even-*
43 *numbered* year following their appointment and two members shall serve

1 for terms ending upon the election and qualification of their successors at
2 an election held on the ~~first Tuesday in April of the second odd-numbered~~
3 *Tuesday succeeding the first Monday in November of the second even-*
4 *numbered year following their appointment.*

5 (f) In the case of one or more counties being included in an existing
6 extension district under subsection (b), the board of county commissioners
7 of each county being included in an existing extension district shall
8 appoint four qualified electors of the county to membership on the
9 governing body of the expanded district. The terms of all members so
10 appointed shall commence on July 1 following their appointment. Of the
11 members so appointed two members shall serve for terms ending upon the
12 election and qualification of their successors at an election held on the ~~first~~
13 *Tuesday in April of the first odd-numbered Tuesday following the first*
14 *Monday in November of the first even-numbered year following their*
15 *appointment and two members shall serve for terms ending upon the*
16 *election and qualification of their successors at an election held on the first*
17 *Tuesday in April of the second odd-numbered Tuesday following the first*
18 *Monday in November of the second even-numbered year following their*
19 *appointment. The offices of the members of the governing body of the*
20 *existing extension district shall continue in existence and the persons in*
21 *such offices shall be members of the governing body of the expanded*
22 *extension district which is established on July 1 for the remainder of their*
23 *existing terms of office.*

24 (g) In addition to other required provisions, each agreement entered
25 into under this section shall specify the permissible method or methods to
26 be employed in disposing of the assets and liabilities of the extension
27 district in the event that one or more counties withdraw from the extension
28 district under K.S.A. 2-628, and amendments thereto.

29 (h) Each agreement entered into under this section or under K.S.A. 2-
30 628, and amendments thereto, prior to and as a condition precedent to its
31 entry into force, shall be submitted to the attorney general who shall
32 determine whether the agreement is in proper form and compatible with
33 this act and the other laws of Kansas. The attorney general shall approve
34 any agreement submitted for approval under this section or K.S.A. 2-628,
35 and amendments thereto, unless the attorney general finds that the
36 submitted agreement does not meet the requirements of this act. In such
37 case, the attorney general shall specify in writing to the proposed parties to
38 the agreement and to each other entity required to approve the agreement,
39 the specific respects in which the proposed agreement fails to meet the
40 requirements of law. Failure by the attorney general to disapprove an
41 agreement submitted pursuant to this subsection within 90 days of its
42 submission shall constitute approval of the agreement by the attorney
43 general.

1 (i) Prior to approving an agreement under this section, the board of
2 county commissioners of each county to be included in a proposed
3 extension district under subsection (a) or to be added to an existing
4 extension district under subsection (b), as the case may be, shall adopt a
5 resolution stating the intention of the board of county commissioners to
6 approve such agreement and specifying the counties that are to be included
7 in the extension district. Such resolution shall be published once each
8 week for two consecutive weeks in the official county newspaper. If,
9 within 60 days following the last publication of the resolution, a petition in
10 opposition to the approval of the agreement and the inclusion of the county
11 in the extension district is signed by not less than 5% of the qualified
12 electors of the county and is filed with the county election officer, such
13 board of county commissioners shall not approve such agreement and the
14 county shall not be included in the extension district unless and until the
15 same is approved by a majority of the qualified electors of the county
16 voting thereon at a primary election or general election or at a special
17 election called and held for such purpose. Any such special election shall
18 be called, noticed and held in accordance with the provisions of K.S.A. 10-
19 120, and amendments thereto.

20 (j) *This section shall be subject to the provisions of subsections (a),*
21 *(b) and (d) of section 1, and amendments thereto.*

22 Sec. 5. K.S.A. 2011 Supp. 2-624 is hereby amended to read as
23 follows: 2-624. (a) The governing body of each extension district shall be
24 composed of four representatives from each county included in the
25 extension district. At the conclusion of the terms of the members first
26 appointed to membership on the governing body of the district, the four
27 members representing each county in an extension district shall be elected
28 in a county-wide election by the qualified electors of the county.

29 (b) At the conclusion of the terms of the members first appointed to
30 membership on the governing body of the district, each member of the
31 governing body shall hold office for a term of four years and until such
32 member's successor is elected and qualified. Each such term of office shall
33 commence on the date of receipt of certification of election by the member
34 elected and shall continue until the member's successor is elected and
35 qualified.

36 (c) (1) Except as otherwise provided in this act, an election to elect
37 successors to members of the governing body whose terms are expiring
38 shall be held on the ~~first Tuesday in April in each odd-numbered~~ *Tuesday*
39 *following the first Monday in November of the first even-numbered year.*

40 (2) Elections to choose members of the governing body of an
41 extension district shall be conducted, the returns made and the results
42 ascertained in the manner provided by law for general county elections
43 except as otherwise provided by this act. ~~Not later than 12 noon of the~~

1 ~~Wednesday next following the Tuesday, 10 weeks preceding the first~~
2 ~~Tuesday in April in odd-numbered years;~~ Each person desiring to be a
3 candidate for membership on the governing body, in any election, shall file
4 a declaration of candidacy *by the deadline provided by K.S.A. 25-205, and*
5 *amendments thereto*, with the county election officer of the county
6 represented by the member of the governing body whose successor is to be
7 elected, as a candidate in such election. The county election officer in
8 making up the ballots and in placing the names thereon shall place the
9 names on the ballots in alphabetical order.

10 (3) The county election officer of each county within the extension
11 district shall appoint election boards as provided by law for other elections
12 and shall designate places for holding the election. The county election
13 officer shall cause to be ascertained the names of all persons within the
14 district who are qualified electors, and shall furnish lists thereof to the
15 judges of the election. Notice of the time and place of holding each
16 election, signed by the county election officer, shall be given in a
17 newspaper published in the county and posted in a conspicuous place in
18 the office of the governing body at least five days before the holding
19 thereof.

20 (4) All election expenses shall be paid by the extension district.
21 Election officials shall receive the same compensation as provided under
22 the general election laws.

23 (d) Any vacancy in the membership of the governing body of an
24 extension district shall be filled by appointment by the governing body for
25 the unexpired term of office. Each member so appointed shall be a resident
26 of the county which was represented by the member creating the vacancy.

27 (e) The governing body of each extension district shall organize
28 annually in July by electing from among its members a chairperson, vice-
29 chairperson, secretary and treasurer.

30 (f) *This section shall be subject to the provisions of subsections (a),*
31 *(b) and (d) of section 1, and amendments thereto.*

32 Sec. 6. K.S.A. 19-3505 is hereby amended to read as follows: 19-
33 3505. (a) Except as otherwise provided by this section, the governing
34 body of any water district to which this section applies shall be a five-
35 member board holding positions numbered one to five, inclusive. Each
36 member shall be elected and shall hold office from ~~May~~ *December* 1
37 following such member's election until ~~April~~ *November* 30, four years
38 thereafter and until a successor is elected and has qualified.

39 ~~The first election of members of the governing body of any water~~
40 ~~district created after the effective date of this act shall be held on the first~~
41 ~~Tuesday in August of any even-numbered year, at which time members~~
42 ~~shall be elected for terms beginning on September 1 of the same year, and~~
43 ~~ending on April 30 of the third year following the beginning of such term,~~

1 to positions numbered three, four and five. At such first election, members
2 shall be elected for terms ending on April 30 of the first year following the
3 beginning of such terms, to positions numbered one and two. Members
4 first elected to positions one and two shall have terms of approximately
5 eight months. Elections shall be thereafter held on the first Tuesday in
6 April of each odd-numbered year for the member positions whose terms
7 expire in that year. *Elections shall be held on the first Tuesday following*
8 *the first Monday in November of each even-numbered year for the member*
9 *positions whose terms expire in that year.*

10 (b) From and after April 30, 1991, the governing body of the water
11 district shall be composed of seven members. At the election held in 1991,
12 positions numbered 1, 2, 6 and 7 shall be elected to four-year terms. At the
13 election in 1993, positions numbered 3, 4 and 5 shall be elected to four-
14 year terms.

15 (c) Elections shall be held on the ~~first Tuesday in April of each odd-~~
16 ~~numbered Tuesday following the first Monday in November of each even-~~
17 ~~numbered~~ year for the positions which terms expire in that year. Members
18 shall hold office from ~~May~~ December 1, following such member's election
19 until ~~April~~ November 30, four years thereafter and until a successor is
20 elected and qualified. All elections shall be nonpartisan and shall be called
21 and conducted by the county election officer. Laws applying to other local
22 elections occurring at the same time and in the same locality shall apply to
23 elections under this act to the extent that the same can be made to apply.

24 (d) Following each election the board shall organize and not later
25 than the second regular meeting following each election shall select from
26 among its members a chairperson and a vice-chairperson. The vice-
27 chairperson shall preside over any meetings at which the chairperson is not
28 present. Vacancies occurring during a term shall be filled for the unexpired
29 term by appointment by the remaining members. All members shall take
30 an oath of office as prescribed for other public officials. The members of
31 the board shall be qualified electors in the water district. Prior to accepting
32 office, the water district shall obtain for each member-elect a corporate
33 surety bond to the state of Kansas in the amount of \$10,000, conditioned
34 upon the faithful performance of the member's duties and for the true and
35 faithful accounting of all money that may come into the member's hands
36 by virtue of the office. Such bonds shall be filed in the office of the county
37 clerk for the county in which the major portion of such water district is
38 located after approval by the board of county commissioners of such
39 county.

40 (e) Each member of the board shall receive a monthly salary in an
41 amount determined by the board and shall be reimbursed for all necessary
42 and reasonable expenses incurred in performing official assigned duties.

43 (f) *This section shall be subject to the provisions of subsections (a),*

1 (b) and (d) of section 1, and amendments thereto.

2 Sec. 7. K.S.A. 19-3507 is hereby amended to read as follows: 19-
3 3507. (a) The water district election shall be held in each election
4 precinct, a part or all of which is located within such water district, ~~except~~
5 ~~that if no other election is being held in a given election precinct on the~~
6 ~~same date as the water district election, the county election officer may~~
7 ~~provide one or more convenient voting places where the water district~~
8 ~~electors of such precinct may vote, which may be a voting place located in~~
9 ~~another precinct.~~ The county election officer shall designate ~~such~~ voting
10 places and the persons entitled to vote thereat in the election notice. The
11 county election officer shall make a report in writing to the board of
12 county commissioners of such election precincts and voting places, which
13 report shall be filed with the county clerk of the county or counties in
14 which such precincts and voting places are located and an entry thereof
15 made upon the journal of the board or boards of county commissioners of
16 such county or counties and if any change shall be made in such voting
17 precincts and voting places by the county election officer, the same shall in
18 like manner be reported to the board or boards of county commissioners,
19 filed and entered as aforesaid. The polls for any election held under this
20 act shall be open between the hours of ~~7:00~~ 7 a.m. and ~~7:00~~ 7 p.m.

21 (b) All qualified persons desiring to be ~~voted upon a candidate for a~~
22 ~~position as a member of such board shall on or before 12:00 o'clock noon~~
23 ~~on the Tuesday which precedes by 10 weeks the first Tuesday in April of~~
24 ~~the year in which the election is being held, which date shall be stated in~~
25 ~~the publication notice of the election, file file a declaration of candidacy~~
26 ~~by the deadline provided in K.S.A. 25-205, and amendments thereto, with~~
27 ~~the county election officer, accompanied with a statement directing such~~
28 ~~officer to place such person's name on the ballot as a candidate for member~~
29 ~~of the board of the water district in such election, indicating the number of~~
30 ~~the position for which such person is filing. No candidate shall be~~
31 ~~permitted to withdraw as a candidate after the deadline for filing such~~
32 ~~statements of candidacy. There shall be no primary election for members~~
33 ~~of the water district board. The county election officer shall publish names~~
34 ~~of all candidates in a newspaper of general circulation within the water~~
35 ~~district not less than 10 days before such election. The county election~~
36 ~~officer shall provide for use of voting machines or printed ballots in each~~
37 ~~election precinct or voting place. Where printed ballots are prepared, the~~
38 ~~same shall be done at the expense of the water district. The names of~~
39 ~~candidates for each member position shall be rotated on the ballots in such~~
40 ~~a manner that each candidate shall be given an equitable opportunity to~~
41 ~~have such candidate's name appear first on the ballot. Where the only~~
42 ~~election being conducted in an election precinct or voting place is the~~
43 ~~water district election, the cost of providing judges and clerks in such~~

1 precinct or voting place shall be borne entirely by the water district, but
2 where held in conjunction with other elections, the cost shall be prorated in
3 the manner provided by article 22 of chapter 25 of the Kansas Statutes
4 Annotated, and amendments thereto.

5 (c) At least five days before any election, the county election officers
6 of the various counties within which a portion of such district is located, in
7 cooperation with the water district board, shall determine the voting areas
8 where no other elections will be held in conjunction with the water district
9 and the names of all qualified electors residing in the water district and
10 located in such precincts and shall determine the election precincts which
11 contain only a part of the water district and the names of all qualified
12 electors residing in the water district and in such election precincts. A list
13 of the qualified electors determined as hereinbefore provided shall be
14 furnished by the county election officer to the judges of the voting
15 precincts or voting places where such electors are entitled to vote.

16 (d) Qualified electors of any election precinct, the entirety of which is
17 within the water district, shall be entitled to vote in such precinct and a
18 separate list of their names need not be furnished.

19 (e) A voter shall not be eligible to vote in any election precinct other
20 than the one in which such person resides unless no election is being held
21 in such precinct, in which event, such voter shall be entitled to vote in the
22 voting place designated by the county election officer.

23 (f) Such list furnished by the county election officer to the judges of
24 each precinct shall be conclusive at all elections, except that one desirous
25 of voting, whose name does not appear on such list, may proceed to the
26 county election officer of the county and such officer may administer oaths
27 and affirm witnesses to determine the right of anyone to vote who may
28 claim erroneous omission from such list, and if such officer issues a
29 certificate entitling the voter to vote, such certificate shall be accepted by
30 the judges and clerks of the election. The list so furnished by the county
31 election officer shall be conclusive at all elections held within the same
32 year that the list is furnished.

33 (g) *This section shall be subject to the provisions of subsections (a),*
34 *(b) and (d) of section 1, and amendments thereto.*

35 Sec. 8. K.S.A. 2011 Supp. 24-412 is hereby amended to read as
36 follows: 24-412. ~~(a) Subject to the provisions of subsection (b), except as~~
37 ~~otherwise provided in this section, Except as provided by subsections (b)~~
38 ~~and (c), an election to choose three directors in each district as their~~
39 ~~successors, shall be held on the first Tuesday in April, 1983, Tuesday~~
40 ~~following the first Monday in November 2012, and an election shall be~~
41 ~~held each four years thereafter, on the first Tuesday in April following the~~
42 ~~first Monday in November, to choose directors.~~

43 (b) On and after January 1, 2012, the board of directors of drainage

1 district No. 2 of Finney county, Kansas, shall be elected as provided in
2 K.S.A. 2011 Supp. 24-139a, and amendments thereto.

3 (c) *Any director elected in any district in 2009 shall hold such office*
4 *until a successor is elected and qualified.*

5 (d) *This section shall be subject to the provisions of subsections (a),*
6 *(b) and (d) of section 1, and amendments thereto.*

7 Sec. 9. K.S.A. 2011 Supp. 24-459 is hereby amended to read as
8 follows: 24-459. (a) The board of directors of any drainage district
9 incorporated pursuant to K.S.A. 24-458, *and amendments thereto*, shall
10 consist of three qualified persons as defined in paragraph (3) of subsection
11 (e) of this section.

12 (b) The directors for the first term after the incorporation of the
13 drainage district shall be selected and designated in the petition for the
14 incorporation of the district and shall be declared directors by the county
15 commissioners to which the petition is presented.

16 (c) The directors shall hold office until ~~the first Tuesday in April~~
17 *December 1 of an even-numbered year* next after the incorporation of the
18 district, at which time and every four years thereafter directors shall be
19 elected and shall hold their office for the term of four years and until their
20 successors are elected and qualified.

21 (d) Every qualified person of the district shall be entitled to vote at
22 the election or at any election which may be held in the district.

23 (e) For the purposes of this section:

24 (1) "Owner" or "person who owns land" means any person or entity
25 who is the record owner of the fee in any real estate in the district or the
26 fee in the surface rights of any real estate in the district, but the owners of
27 an oil and gas lease, mineral rights or interest, easements or mortgages as
28 such shall not be considered owners, and school districts, cemetery
29 associations, and municipal corporations shall not be considered owners.

30 (2) "Taxpayer" means any owner who has paid all taxes currently due
31 on such real estate.

32 (3) "Qualified person" means any taxpayer 18 years of age or older,
33 whether a resident of the district or not. A taxpayer who is a qualified
34 person and who is not an individual may designate an individual to cast its
35 vote or to serve as a director of the district.

36 (f) The county clerk shall determine the qualified persons entitled to
37 vote at any election in the district. Any entity desiring to vote at an election
38 shall register the name of its designated representative with the county
39 election officer no later than 14 days in advance of any such election.

40 Sec. 10. K.S.A. 2011 Supp. 24-506 is hereby amended to read as
41 follows: 24-506. (a) The board of directors of any drainage district
42 incorporated pursuant to K.S.A. 24-501 *et seq.*, and amendments thereto,
43 shall consist of one person from each county in the district if the number

1 of counties is odd, but if the number of counties is even, then there shall be
 2 an additional director at large. If the drainage district is located wholly
 3 within one county, the number of directors shall be three. Except as
 4 provided in subsection (b), the directors shall be freeholders who shall be
 5 residents of Kansas, whose lands in whole or in part are located within the
 6 district. The directors shall hold their offices for a term of four years and
 7 until their successors are elected and qualified. Elections to choose
 8 directors, except the first, shall be held on the ~~first Tuesday in April~~
 9 *Tuesday following the first Monday in November of an even-numbered*
 10 *year* and every four years thereafter.

11 (b) If there are no residents in the drainage district, any owner of land
 12 within the district shall be a qualified voter and shall be qualified to hold
 13 the office of director.

14 (c) *This section shall be subject to the provisions of subsections (a),*
 15 *(b) and (d) of section 1, and amendments thereto.*

16 Sec. 11. K.S.A. 2011 Supp. 25-205 is hereby amended to read as
 17 follows: 25-205. (a) Except as otherwise provided in this section, the
 18 names of candidates for national, state, county and township offices shall
 19 be printed upon the official primary ballot when each shall have qualified
 20 to become a candidate by one of the following methods and none other: (1)
 21 They shall have had filed in their behalf, not later than 12 noon, June 1,
 22 prior to such primary election, or if such date falls on Saturday, Sunday or
 23 a holiday, then before 12 noon of the next following day that is not a
 24 Saturday, Sunday or a holiday, nomination petitions, as provided for in this
 25 act; or (2) they shall have filed not later than the time for filing nomination
 26 petitions, as above provided, with the proper officer a declaration of
 27 intention to become a candidate, accompanied by the fee required by law.
 28 Such declaration shall be prescribed by the secretary of state.

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

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

42 (HEADING)

43 Name of Street Number Name of Date of

1 Signers. or Rural Route City. Signing.
2 (as registered).
3

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

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

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

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

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

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

39 (3) if for a county office, by voters equal in number to not less than
40 3% of the total of the current voter registration of the party designated in
41 such district or county as compiled by the county election officer and
42 certified to the secretary of state in accordance with K.S.A. 25-3302, and
43 amendments thereto; and

1 (4) if for a township office, by voters equal in number to not less than
2 3% of the total of the current voter registration of the party designated in
3 such township as compiled by the county election officer and certified to
4 the secretary of state in accordance with K.S.A. 25-3302, and amendments
5 thereto.

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

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

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

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

27 (A) For the office of representative in the United States congress
28 1,000 registered voters;

29 (B) for the office of member of the state board of education 300
30 registered voters;

31 (C) for the office of state senator 75 registered voters; and

32 (D) for the office of state representative 25 registered voters.

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

37 (1) If new boundary lines are defined and districts established in the
38 manner prescribed by law on or before May 10, the deadline for filing
39 nomination petitions and declarations of intention to become a candidate
40 for such office, accompanied by the fee required by law, shall be 12 noon
41 on June 1, or if such date falls on a Saturday, Sunday or a holiday, then
42 before 12 noon of the next following day that is not a Saturday, Sunday or
43 holiday.

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

7 Sec. 12. K.S.A. 25-1115 is hereby amended to read as follows: 25-
8 1115. (a) "General election" means the election held on the Tuesday
9 succeeding the first Monday in November of even-numbered years, ~~the~~
10 ~~elections held for officers on the first Tuesday in April,~~ and in the case of
11 special elections of any officers to fill vacancies, the election at which any
12 such officer is finally elected.

13 (b) "Primary election" means the election held on the first Tuesday in
14 August of even-numbered years, ~~the election held five weeks preceding~~
15 ~~the election on the first Tuesday in April,~~ and any other preliminary
16 election at which part of the candidates for special election to any national,
17 state, county, city or school office are eliminated by the process of the
18 election but at which no officer is finally elected.

19 Sec. 13. K.S.A. 2011 Supp. 25-1122 is hereby amended to read as
20 follows: 25-1122. (a) Any registered voter may file with the county
21 election officer where such person is a resident, or where such person is
22 authorized by law to vote as a former precinct resident, an application for
23 an advance voting ballot. The signed application shall be transmitted only
24 to the county election officer by personal delivery, mail, facsimile or as
25 otherwise provided by law.

26 (b) If the registered voter is applying for an advance voting ballot to
27 be transmitted in person, such voter shall provide identification pursuant to
28 K.S.A. 25-2908, and amendments thereto.

29 (c) If the registered voter is applying for an advance voting ballot to
30 be transmitted by mail, such voter shall provide with the application for an
31 advance voting ballot the voter's current and valid Kansas driver's license
32 number, nondriver's identification card number or a photocopy of any
33 other identification provided by K.S.A. 25-2908, and amendments thereto.

34 (d) A voter may vote a provisional ballot according to K.S.A. 25-
35 409, and amendments thereto, if:

36 (1) The voter is unable or refuses to provide current and valid
37 identification; or

38 (2) the name and address of the voter provided on the application for
39 an advance voting ballot do not match the voter's name and address on the
40 registration book. The voter shall provide a valid form of identification as
41 defined in K.S.A. 25-2908, and amendments thereto, to the county election
42 officer in person or provide a copy by mail or electronic means before the
43 meeting of the county board of canvassers. At the meeting of the county

1 board of canvassers the county election officer shall present copies of
2 identification received from provisional voters and the corresponding
3 provisional ballots. If the county board of canvassers determines that a
4 voter's identification is valid and the provisional ballot was properly cast,
5 the ballot shall be counted.

6 (e) No county election officer shall provide an advance voting ballot
7 to a person who is requesting an advance voting ballot to be transmitted by
8 mail unless:

9 (1) The county election official verifies that the signature of the
10 person matches that on file in the county voter registration records.
11 Signature verification may occur by electronic device or by human
12 inspection. In the event that the signature of a person who is requesting an
13 advance voting ballot does not match that on file, the county election
14 officer shall attempt to contact the person and shall offer the person
15 another opportunity to provide such person's signature for the purposes of
16 verifying the person's identity. If the county election officer is unable to
17 reach the person, the county election officer may transmit a provisional
18 ballot, however, such provisional ballot may not be counted unless a
19 signature is included therewith that can be verified; and

20 (2) the person provides such person's full Kansas driver's license
21 number, Kansas nondriver's identification card number issued by the
22 division of vehicles, or submits such person's application for an advance
23 voting ballot and a copy of identification provided by K.S.A. 25-2908, and
24 amendments thereto, to the county election officer for verification. If a
25 person applies for an advance voting ballot to be transmitted by mail but
26 fails to provide identification pursuant to this subsection or the
27 identification of such person cannot be verified by the county election
28 officer, the county election officer shall provide information to such person
29 regarding the voter rights provisions of subsection (d) and shall provide
30 such person an opportunity to provide identification pursuant to this
31 subsection. For the purposes of this act, Kansas state offices and offices of
32 any subdivision of the state will allow any person seeking to vote by an
33 advance voting ballot the use of a photocopying device to make one
34 photocopy of an identification document at no cost.

35 (f) Applications for advance voting ballots to be transmitted to the
36 voter by mail shall be filed only at the following times:

37 (1) For the primary election occurring on the first Tuesday in August
38 in even-numbered years, between April 1 of such year and the last business
39 day of the week preceding such primary election.

40 (2) For the general election occurring on the Tuesday succeeding the
41 first Monday in November in even-numbered years, between 90 days prior
42 to such election and the last business day of the week preceding such
43 general election.

1 ~~(3) For the primary election held five weeks preceding the first~~
2 ~~Tuesday in April, between January 1 of the year of such election and the~~
3 ~~last business day of the week preceding such primary election.~~

4 ~~(4) For the general election occurring on the first Tuesday in April,~~
5 ~~between January 1 of the year of such election and the last business day of~~
6 ~~the week preceding such general election.~~

7 (5) (3) For question submitted elections occurring on the date of a
8 primary or general election, the same as is provided for ballots for election
9 of officers at such election.

10 ~~(6) (4) For question submitted elections not occurring on the date of a~~
11 ~~primary or general election, between the time of the first published notice~~
12 ~~thereof and the last business day of the week preceding such question~~
13 ~~submitted election, except that if the question submitted election is held on~~
14 ~~a day other than a Tuesday, the county election officer shall determine the~~
15 ~~final date for mailing of advance voting ballots, but such date shall not be~~
16 ~~more than three business days before such election.~~

17 ~~(7) (5) For any special election of officers, at such time as is specified~~
18 ~~by the secretary of state.~~

19 (8) (6) For the presidential preference primary, between January 1 of
20 the year in which such primary is held and the last business day of the
21 week preceding such primary election.

22 The county election officer of any county may receive applications
23 prior to the time specified in this subsection and hold such applications
24 until the beginning of the prescribed application period. Such applications
25 shall be treated as filed on that date.

26 (g) Unless an earlier date is designated by the county election office,
27 applications for advance voting ballots transmitted to the voter in person in
28 the office of the county election officer shall be filed on the Tuesday next
29 preceding the election and on each subsequent business day until no later
30 than ~~12:00~~ 12 noon on the day preceding such election. If the county
31 election officer so provides, applications for advance voting ballots
32 transmitted to the voter in person in the office of the county election
33 officer also may be filed on the Saturday preceding the election. Upon
34 receipt of any such properly executed application, the county election
35 officer shall deliver to the voter such ballots and instructions as are
36 provided for in this act.

37 An application for an advance voting ballot filed by a voter who has a
38 temporary illness or disability or who is not proficient in reading the
39 English language or by a person rendering assistance to such voter may be
40 filed during the regular advance ballot application periods until the close
41 of the polls on election day.

42 The county election officer may designate places other than the central
43 county election office as satellite advance voting sites. At any satellite

1 advance voting site, a registered voter may obtain an application for
2 advance voting ballots. Such ballots and instructions shall be delivered to
3 the voter in the same manner and subject to the same limitations as
4 otherwise provided by this subsection.

5 (h) Any person having a permanent disability or an illness which has
6 been diagnosed as a permanent illness is hereby authorized to make an
7 application for permanent advance voting status. Applications for
8 permanent advance voting status shall be in the form and contain such
9 information as is required for application for advance voting ballots and
10 also shall contain information which establishes the voter's right to
11 permanent advance voting status.

12 (i) On receipt of any application filed under the provisions of this
13 section, the county election officer shall prepare and maintain in such
14 officer's office a list of the names of all persons who have filed such
15 applications, together with their correct post office address and the
16 precinct, ward, township or voting area in which such persons claim to be
17 registered voters or to be authorized by law to vote as former precinct
18 residents and the present resident address of each applicant. Such names
19 and addresses shall remain so listed until the day of such election. The
20 county election officer shall maintain a separate listing of the names and
21 addresses of persons qualifying for permanent advance voting status. All
22 such lists shall be available for inspection upon request in compliance with
23 this subsection by any registered voter during regular business hours. The
24 county election officer upon receipt of such applications shall enter upon a
25 record kept by such officer the name and address of each applicant, which
26 record shall conform to the list above required. Before inspection of any
27 advance voting ballot application list, the person desiring to make such
28 inspection shall provide to the county election officer identification in the
29 form of driver's license or other reliable identification and shall sign a log
30 book or application form maintained by such officer stating such person's
31 name and address and showing the date and time of inspection. All records
32 made by the county election officer shall be subject to public inspection,
33 except that the voter identification information required by subsections (b)
34 and (c) and the identifying number on ballots and ballot envelopes and
35 records of such numbers shall not be made public.

36 (j) If a person on the permanent advance voting list fails to vote in
37 two consecutive general elections held on the Tuesday succeeding the first
38 Monday in November of each even-numbered year, the county election
39 officer may mail a notice to such voter. Such notice shall inform the voter
40 that the voter's name will be removed from the permanent advance voting
41 list unless the voter renews the application for permanent advance voting
42 status within 30 days after the notice is mailed. If the voter fails to renew
43 such application, the county election officer shall remove the voter's name

1 from the permanent advance voting list. Failure to renew the application
2 for permanent advance voting status shall not result in removal of the
3 voter's name from the voter registration list.

4 (k) The secretary of state may adopt rules and regulations in order to
5 implement the provisions of this section and to define valid forms of
6 identification.

7 Sec. 14. K.S.A. 25-2006 is hereby amended to read as follows: 25-
8 2006. (a) "General election" means the election held for school officers on
9 the first Tuesday ~~in April in any odd-numbered year~~ *succeeding the first*
10 *Monday in November of even-numbered years*, and in the case of special
11 elections of any school officers to fill vacancies, the election at which any
12 such officer is finally elected.

13 (b) "Primary election" means the election held ~~five weeks preceding~~
14 ~~the election on the first Tuesday in April~~ *on the first Tuesday in August of*
15 *even-numbered years*, and any other preliminary election at which part of
16 the candidates for special election to any school office are eliminated by
17 the process of the election but at which no officer is finally elected.

18 Sec. 15. K.S.A. 25-2007 is hereby amended to read as follows: 25-
19 2007. (a) "Question submitted election" means any election at which a
20 special question is to be voted on by the electors of the state or a part of
21 them.

22 (b) "County election officer" means:

23 (1) The election commissioner of the home county of the school
24 district if such county has an election commissioner;;

25 (2) the county clerk of the home county of the school district if the
26 county does not have an election commissioner; *or*

27 (3) the county clerk (or the election commissioner if there is one) of
28 the county in which all or the greater part of the population is located in
29 the case of a nonunified school district. In the event that doubt exists
30 concerning which public officer is the county election officer under this
31 subpart, the secretary of state shall specify such officer and such
32 specification shall be conclusive.

33 (c) "Filing deadline" means the ~~hour, date or time after which it is~~
34 ~~provided by law no person may become a candidate for election to public~~
35 ~~office; for school elections the filing deadline is 12:00 o'clock noon on the~~
36 ~~Tuesday which precedes by 10 weeks the first Tuesday in April of any~~
37 ~~odd-numbered year~~ *deadline established pursuant to K.S.A. 25-205, and*
38 *amendments thereto.*

39 Sec. 16. K.S.A. 25-2010 is hereby amended to read as follows: 25-
40 2010. (a) Election of board members and question submitted elections
41 shall be conducted by the county election officer of the home county of the
42 school district. Board member general elections shall be held on the first
43 Tuesday ~~in April of each odd-numbered year~~ *succeeding the first Monday*

1 *in November of even-numbered years. If a primary election is required to*
2 *be held, such primary election shall be held on the Tuesday preceding by*
3 *five weeks the first Tuesday in April of odd-numbered first Tuesday in*
4 *August of even-numbered years.*

5 *(b) This section shall be subject to the provisions of subsections (a),*
6 *(b) and (d) of section 1, and amendments thereto.*

7 Sec. 17. K.S.A. 25-2023 is hereby amended to read as follows: 25-
8 2023. *Except as provided in subsection (b), each board member shall*
9 *qualify by filing an oath of office with the election officer not later than*
10 *ten (10) 10 days following the date of the election, or not later than five (5)*
11 *days after issuance of such member's certificate of election, whichever is*
12 *the later date. Each board member shall take office on the July 1 following*
13 *the general school election. Each member elected to a board of education*
14 *shall hold office until a successor is elected or appointed and qualified and*
15 *shall serve for a term of four (4) years.*

16 *(b) A board member elected in 2009 shall hold office until a*
17 *successor is elected and qualified in 2012. A board member elected in*
18 *2011 shall hold office until a successor is elected and qualified in 2014.*

19 *(c) This section shall be subject to the provisions of subsections (a),*
20 *(b) and (d) of section 1, and amendments thereto.*

21 Sec. 18. K.S.A. 2011 Supp. 25-2102 is hereby amended to read as
22 follows: 25-2102. (a) "General election" means the election held on the
23 Tuesday succeeding the first Monday in November of even-numbered
24 years, ~~the elections held for officers on the first Tuesday in April,~~ and in
25 the case of special elections of any officers to fill vacancies, the election at
26 which any such officer is finally elected.

27 (b) "Primary election" means the election held on the first Tuesday in
28 August of even-numbered years, ~~the election held five weeks preceding~~
29 ~~the election on the first Tuesday in April,~~ and any other preliminary
30 election at which part of the candidates for special election to any national,
31 state, county, city or school office are eliminated by the process of the
32 election but at which no officer is finally elected.

33 (c) "District method" means the election of city officers where the city
34 is divided into member districts or wards.

35 (d) "Election at large method" means the election of city officers
36 without member districts or wards.

37 Sec. 19. K.S.A. 2011 Supp. 25-2108a is hereby amended to read as
38 follows: 25-2108a. (a) There shall be a primary election of city officers on
39 ~~the Tuesday preceding by five weeks~~ the first Tuesday in April August of
40 every year that such city has a city election, except as otherwise provided
41 in subsection (b) or subsection (c) of this section.

42 (b) In cities in which a district method of election is in effect, if there
43 are more than three qualified candidates for any member district, the

1 county election officer shall call, and there shall be held, a primary
2 election in each such member district. The names of the two candidates
3 receiving the greatest number of votes for any such member district at the
4 primary election shall appear on the ballots in the general election. If there
5 are three or fewer qualified candidates for any member district there shall
6 not be a primary election and the names of the candidates shall be placed
7 on the ballots in the general election.

8 (c) In cities in which the election at large method of election is in
9 effect, if there are more than three times the number of candidates as there
10 are members to be elected, the county election officer shall call, and there
11 shall be held, a primary election. The names of twice the number of
12 candidates as there are members to be elected who received the greatest
13 number of votes at the primary election shall appear on the ballots in the
14 general election. If there are not more than three times the number of
15 candidates as there are members to be elected there shall not be a primary
16 election and the names of the candidates shall be placed on the ballots in
17 the general election.

18 (d) On the ballots in general city elections, blank lines for the names
19 of write-in candidates shall be printed at the end of the list of candidates
20 for each different office. The number of blank lines for each elected office
21 shall be equal to the number of candidates to be elected thereto. The
22 purpose of such blank lines shall be to permit the voter to insert the name
23 of any person not printed on the ballot for whom such voter desires to vote
24 for such office. No lines for write-in candidates shall appear on primary
25 city election ballots.

26 (e) *This section shall be subject to the provisions of subsections (a),*
27 *(b) and (d) of section 1, and amendments thereto.*

28 Sec. 20. K.S.A. 25-2109 is hereby amended to read as follows: 25-
29 2109. The filing deadline for all city elections shall be ~~12:00 o'clock noon~~
30 ~~of the Tuesday preceding by 10 weeks the first Tuesday in April as~~
31 *provided in K.S.A. 25-205, and amendments thereto.*

32 Sec. 21. K.S.A. 25-2120 is hereby amended to read as follows: 25-
33 2120. (a) The county election officer who conducts the city election shall
34 promptly certify to the city governing body the determination of election
35 results made by the county board of canvassers. *Except as provided in*
36 *subsection (b),* the term of office shall commence with and include the first
37 regular meeting of the governing body following certification of the
38 election.

39 Every person elected or appointed to city office, before entering upon
40 the duties of such office, shall take and subscribe an oath or affirmation as
41 specified in K.S.A. 54-106, *and amendments thereto*, and every such oath
42 or affirmation shall be filed with the city clerk.

43 (b) (1) *Each member of the governing body and city official, the*

1 *starting date of whose term of office is governed by this section and who is*
2 *elected in 2011, shall hold office until the first regular meeting of the*
3 *governing body following the certification of the election in 2012.*

4 (2) *The term of each city official, the starting date of whose term of*
5 *office is governed by this section and who is elected in 2012, shall*
6 *commence with and include the first regular meeting of the governing*
7 *body following the certification of the election.*

8 (c) *This section shall be subject to the provisions of subsections (a),*
9 *(b) and (d) of section 1, and amendments thereto.*

10 Sec. 22. K.S.A. 2011 Supp. 25-2311 is hereby amended to read as
11 follows: 25-2311. (a) County election officers shall provide for the
12 registration of voters at one or more places on all days except the
13 following:

14 (1) Days when the main offices of the county government are closed
15 for business, except as is otherwise provided by any county election officer
16 under the provisions of K.S.A. 25-2312, and amendments thereto;

17 (2) days when the main offices of the city government are closed for
18 business, in the case of deputy county election officers who are city clerks
19 except as is otherwise provided by any county election officer under the
20 provisions of K.S.A. 25-2312, and amendments thereto;

21 (3) the 20 days preceding the day of primary and general state
22 elections;

23 (4) the 20 days preceding the day of primary city and school
24 elections, if either has a primary;

25 (5) the 20 days preceding each first Tuesday ~~in April of odd-~~
26 ~~numbered~~ *following the first Monday in November of even-numbered*
27 *years, being the day of city and school general elections;*

28 (6) the 20 days preceding the day of any election other than one
29 specified in paragraphs (3), (4) and (5) of this subsection; and

30 (7) the day of any primary or general election or any question
31 submitted election.

32 (b) For the purposes of this section in counting days that registration
33 books are to be closed, all of the days including Sunday and legal holidays
34 shall be counted.

35 (c) The secretary of state shall notify every county election officer of
36 the dates when registration shall be closed preceding primary and general
37 state, city and school elections. The days so specified by the secretary of
38 state shall be conclusive. Such notice shall be given by the secretary of
39 state by mail at least 60 days preceding every primary and general state,
40 city and school election.

41 (d) The last days before closing of registration books as directed by
42 the secretary of state under subsection (c) of this section, county election
43 officers shall provide for registration of voters during regular business

1 hours, during the noon hours and at other than regular business hours upon
2 such days as the county election officers deem necessary. The last three
3 business days before closing of registration books prior to state primary
4 and general elections, county election officers may provide for registration
5 of voters until 9 p.m. in cities of the first and second class.

6 (e) County election officers shall accept and process applications
7 received by voter registration agencies and the division of motor vehicles
8 not later than the 21st day preceding the date of any election; mailed voter
9 registration applications that are postmarked not later than the 21st day
10 preceding the date of any election; or, if the postmark is illegible or
11 missing, is received in the mail not later than the ninth day preceding the
12 day of any election.

13 (f) The secretary of state may adopt rules and regulations interpreting
14 the provisions of this section and specifying the days when registration
15 shall be open, days when registration shall be closed, and days when it is
16 optional with the county election officer for registration to be open or
17 closed.

18 (g) Before each primary and general election held in even-numbered
19 years, and at times and in a form prescribed by the secretary of state, each
20 county election officer shall certify to the secretary of state the number of
21 registered voters in each precinct of the county as shown by the
22 registration books in the office of such county election officer.

23 Sec. 23. K.S.A. 25-2502 is hereby amended to read as follows: 25-
24 2502. (a) "General election" means the election held on the Tuesday
25 succeeding the first Monday in November of even-numbered years, ~~the~~
26 ~~elections held for officers on the first Tuesday in April,~~ and in the case of
27 special elections of any officers to fill vacancies, the election at which any
28 such officer is finally elected.

29 (b) "Primary election" means the election held on the first Tuesday in
30 August of even-numbered years, ~~the election held five weeks preceding~~
31 ~~the election on the first Tuesday in April,~~ and any other preliminary
32 election at which part of the candidates for special election to any national,
33 state, county, township, city or school office are eliminated by the process
34 of the election but at which no officer is finally elected.

35 Sec. 24. K.S.A. 25-3503 is hereby amended to read as follows: 25-
36 3503. (a) In the event that any vacancy occurs to which this act applies,
37 and such occurrence is not more than ~~ninety (90)~~ 90 days and not less than
38 ~~thirty (30)~~ 30 days before any primary election of state officers, the
39 election provided for in this act shall be held on the same date as the
40 primary election of state officers.

41 ~~(b) In the event that any vacancy occurs to which this act applies, and~~
42 ~~such occurrence is not more than ninety (90) days and not less than thirty~~
43 ~~(30) days before any regular primary or general election of city and school~~

1 officers occurring in an odd-numbered year, the election provided for in
2 this act shall be held within such ninety (90) days and on the same date as
3 such primary or general election.

4 (e)(b) In the event that any vacancy occurs to which this act applies,
5 and such occurrence is not more than ~~thirty (30)~~ 30 days before any
6 primary election of state officers and before the general election of state
7 officers, at such general election votes cast for the office of congressman
8 in the district in which such vacancy has occurred shall be deemed to be
9 cast to fill the vacancy for the unexpired term, as well as for the election
10 for the next regular term. The governor shall proclaim the date of the
11 election to be the same as the general election of state officers.

12 (d)(c) In the event that any vacancy occurs to which this act applies,
13 on or after the date of any general election of state officers and before the
14 term of office in which the vacancy has occurred expires, votes cast for the
15 office of congressman in the district in which such vacancy occurs shall be
16 deemed to have been cast to fill such vacancy for the unexpired term, as
17 well as for election for the next regular term. The governor's approval of
18 this act shall be deemed to proclaim that every regular election of a
19 representative to the United States congress shall be an election for the
20 unexpired term if any should occur, as well as election for the next regular
21 term. In cases to which subsection (e) of this section (b) or this subsection
22 applies, the person elected for the next regular term shall be deemed to
23 have been elected for the balance of the unexpired term also.

24 Sec. 25. K.S.A. 2011 Supp. 42-706 is hereby amended to read as
25 follows: 42-706. (a) The officers of such district shall be a board of
26 directors consisting of three members who shall be persons entitled to vote
27 as provided in subsection (h) and residents of a county in which the district
28 or a portion thereof is located, or county adjoining a county in which such
29 irrigation district or a portion thereof is located. Such members shall hold
30 office for a period of ~~three~~ four years, and each shall serve until a
31 successor has been elected and qualified. The members of the board of
32 directors first elected after the creation of an irrigation district shall hold
33 their respective offices until the next regular election for the election of
34 directors as provided in subsection (e) or (f) of this section except that the
35 terms of the three directors shall be as provided in subsection (e) of this
36 section.

37 (b) The chief engineer of the division of water resources, after the
38 incorporation of such irrigation district, shall establish and designate the
39 polling place or places therein where the first election will be conducted
40 and fix the time for such election within 60 days after the date of
41 incorporation. In any irrigation district of more than 35,000 acres, the chief
42 engineer of the division of water resources shall, prior to designating
43 polling places, establish three voting areas within such district as equal as

1 possible in acreage and shall designate the same as the first, second or
2 third voting area. Such polling place or places may thereafter be changed
3 by the board of directors, and the board may arrange for polling places
4 outside the corporate boundaries of the district if such places are more
5 convenient than locations within the district. Prior to the holding of the
6 first election in newly created districts, the chief engineer of the division of
7 water resources shall appoint from the qualified electors of the district
8 three persons for such election for each voting place who shall constitute
9 boards of election for such district for such election. If the members
10 appointed do not attend at the opening of the polls on the day of election,
11 at the opening hour, the electors present at that hour shall elect from the
12 electors present members of the election board necessary to fill the place
13 of any absent member.

14 (c) The board of directors of every district of more than 35,000 acres
15 which was incorporated prior to the effective date of this act shall establish
16 three voting areas within the district as equal as possible in acreage and
17 designate the same as the first, second or third voting area. The board shall
18 also establish and designate the polling place or places within each voting
19 area. At the first election held after the effective date of this act, a director
20 shall be elected from each voting area and the person receiving the highest
21 number of votes shall serve for a term of three years, the person receiving
22 the second highest number of votes shall serve for a term of two years, and
23 the person receiving the third highest number of votes shall serve for a
24 term of one year. At each subsequent election, only one director shall be
25 elected each year for a term of three years. Any director elected under this
26 provision must be a person entitled to vote as provided in subsection (h).

27 (d) (1) Except as provided in paragraph (2), all elections shall be
28 conducted in accordance with the general election laws of the state except
29 as otherwise provided in this act. Advance voting as provided in article 11
30 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto,
31 shall be provided for by the county election officers and boards of
32 directors for those persons entitled to vote under subsection (h). The forms
33 for the ballot envelope declaration as provided in K.S.A. 25-1120, and
34 amendments thereto, and the applications for advance ballots as provided
35 in K.S.A. 25-1122d, and amendments thereto, shall be modified to
36 establish that such person is a qualified owner of irrigable land within the
37 district. After polls are closed the election boards shall proceed to canvass
38 the votes cast thereat, shall certify to the county election officer of the
39 county in which all or the greater part of the population of the irrigation
40 district is located and the chief engineer the result of such election. The
41 clerks shall then securely wrap the ballots cast at such elections and shall
42 express or mail the same by registered mail to the county election officer
43 of the county in which all or the greater part of the population of the

1 irrigation district is located. The county election officer shall canvass the
2 ballots, verify the results and declare the person receiving the highest
3 number of votes duly elected as director except that at the first election
4 after creation of a district the county election officer of the county in
5 which all or the greater part of the population of the irrigation district is
6 located shall declare the three persons receiving the highest number of
7 votes duly elected as directors except that in districts divided into three
8 voting areas, the person receiving the highest number of votes in each
9 voting area shall be duly elected as director. Such county election officer
10 shall immediately mail, to each person elected to the office of director a
11 certificate of election signed by such officer. The directors shall thereupon
12 qualify and enter upon the duties of their office. Directors shall qualify by
13 taking and subscribing to an oath of office of substantially the same tenor
14 as oath of office prescribed for county officials. Each member of the board
15 of directors shall execute an official bond in the sum of \$1,000 which oath
16 and bond shall be filed with the county election officer of the county in
17 which all or the greater part of the population of the irrigation district is
18 located. The treasurer of each irrigation district shall execute to the district
19 a corporate surety bond in an amount at least equal to 125% of the amount,
20 as near as can be ascertained, that shall be in such person's hands as
21 treasurer at any one time. The amount and sufficiency of the bond of the
22 treasurer shall be determined by the county election officer. Upon approval
23 of the bond, the county election officer shall endorse such approval
24 thereon and file the same in the office of the county election officer and
25 shall immediately notify the county treasurer of the county in which the
26 registered office of the irrigation district is located of such approval and
27 filing. In the event of the breach of any condition of the treasurer's bond,
28 the president and secretary of the board shall cause a suit to be commenced
29 thereon in the name of the irrigation district. It shall not be necessary to
30 include the treasurer as a party to the action and the money collected shall
31 be applied to the use of the district, as the same should have been applied
32 by the treasurer. Should the president and secretary neglect or refuse to
33 prosecute such a suit, then any person entitled to vote as provided in
34 subsection (h) may cause such suit to be instituted. Premiums on surety
35 bonds for such directors and treasurers of irrigation districts shall be paid
36 by the district out of its general funds. In case the office of any director
37 shall become vacant the remaining members of the board shall fill the
38 vacancy by appointment. A director appointed to fill a vacancy shall serve
39 the unexpired term of the director whose term such person was appointed
40 to fill.

41 (2) For any election except the election required in subsection (b), the
42 board of directors may adopt a procedure providing for the election of
43 members by mail ballot. Such procedure shall require the board to mail

1 ballots to all persons entitled to vote, to receive and tabulate the ballots, to
2 canvass the election and to certify the results to the county election officer.
3 The irrigation district shall be responsible for the direct expenses of
4 conducting the election. The ballot envelope used for mailing ballots shall
5 contain a declaration establishing that the person who signs the declaration
6 is a qualified owner of irrigable land within the district.

7 (e) All regular elections of directors of irrigation districts shall be
8 held ~~the first Tuesday in March~~ *on the Tuesday following the first Monday*
9 *in November of even-numbered years*, except as provided by subsection

10 (g). Any districts organized after the regular ~~March~~ *November* election
11 shall hold its election at the next regular ~~March~~ *November* election
12 following incorporation of the district and, at this election three directors
13 shall be elected and the person receiving the highest number of votes shall
14 serve for a term of three years, the person receiving the second highest
15 number of votes shall serve for a term of two years, and the person
16 receiving the third highest number of votes shall serve for a term of one
17 year. In case the first election after creation of a district is held between
18 June 1 of any year and the day preceding the ~~first Tuesday in March~~
19 *Tuesday following the first Monday in November* of the next succeeding
20 *even-numbered* year, the next regular ~~March~~ *November* election shall be
21 held in the second succeeding *even-numbered* year. At each subsequent
22 regular election, only one director shall be elected each year for a term of
23 ~~three~~ *four* years. *On or before the deadline provided in K.S.A. 25-205, and*
24 *amendments thereto*, all persons desiring to be voted upon as directors
25 shall ~~at least 30 days before the day of holding of the elections~~, file such
26 person's name with the county election officer of the county in which all or
27 the greater part of the population of the irrigation district is located, affixed
28 to a statement that such person desires such person's name to be placed on
29 the ticket as a candidate for member of board of directors of the district in
30 such election. The county election officer shall make up the ticket, at
31 expense of the irrigation district, and place the names thereon in
32 alphabetical order and shall supply election officials with necessary ballots
33 and polling books at the irrigation district's expense. At least five days
34 before any election held subsequent to first election of directors, the
35 boards of directors shall name and appoint three persons for each voting
36 place, who shall be qualified electors in the district. At least five days
37 before any election, the county clerks of the various counties within which
38 a portion of the district is located, shall cause to be ascertained the names
39 of all persons entitled to vote as provided in subsection (h) and shall
40 furnish lists thereof to each election board within such county and to the
41 secretary of the board of directors of the district. Notice of the time and
42 places of holding of the election, signed by the president and attested by
43 the secretary of the district shall be given in some newspaper or

1 newspapers of general circulation in the district for one issue at least five
2 days prior to date of the election. The return of all special or bond
3 elections shall be made to the secretary of the district, and canvassed by
4 the board of directors. All expenses of election, not otherwise provided for
5 herein, shall be paid for out of the general funds of the irrigation district.
6 Election officials shall receive the same compensation as provided under
7 general election laws.

8 (f) In lieu of the election procedures provided in this section
9 pertaining to regular elections of directors in accordance with the general
10 election laws of the state, the board of directors of any irrigation district of
11 less than 35,000 acres in size may call an annual meeting of all persons
12 entitled to vote as provided in subsection (h) for the purpose of electing
13 directors. Such annual meeting shall be held on the first Tuesday in March,
14 except as provided by subsection (g). Notice of the time and place of
15 holding said annual meeting shall be given in some newspaper or
16 newspapers of general circulation in the district for one issue at least 30
17 days prior to date of such meeting. Elections at the annual meeting shall be
18 by ballot, with absentee voting as provided under subsection (d) ~~of this~~
19 ~~section~~. All persons desiring to be voted upon as director shall at least 30
20 days before the day of holding the annual meeting file such person's name
21 with the secretary of the board of directors of the district, affixed to a
22 statement that such person desires such person's name to be placed on the
23 ballot as a candidate for member of board of directors of the district. The
24 board of directors shall appoint three owners of irrigable land in the
25 district to serve as an election board at the annual meeting. After the votes
26 are cast at the annual meeting the election board shall proceed to canvass
27 the votes and shall certify to the county election officer of the county in
28 which all or the greater part of the population of the irrigation district is
29 located and the chief engineer the result of such election. All provisions of
30 this section not inconsistent with the provisions of subsection (f) shall
31 apply to the election of directors at the annual meeting.

32 ~~(g) In any case where the time for any regular election of directors as~~
33 ~~described in subsection (e), or the election as described in subsection (f), is~~
34 ~~the same for any two districts having the same district manager, such~~
35 ~~election shall be held on the first Wednesday following the first Tuesday in~~
36 ~~March by the district organized latest in time.~~

37 (h) (g) Until such time as assessments are made in the district
38 pursuant to K.S.A. 42-715, and amendments thereto, those persons entitled
39 to vote shall be "qualified owners of land" within the irrigation district, as
40 such term is defined in K.S.A. 42-701, and amendments thereto, and who
41 are otherwise qualified electors.

42 After lands have been assessed in the district pursuant to K.S.A. 42-
43 715, and amendments thereto, those persons entitled to vote shall be

1 "qualified owners of land" within the irrigation district as such term is
2 defined in K.S.A. 42-701, and amendments thereto, which has been
3 assessed pursuant to K.S.A. 42-715, and amendments thereto, and who are
4 otherwise qualified electors. For voting purposes, any person entitled to
5 vote under this subsection who owns land in more than one voting area
6 shall vote in the voting area which includes the greatest portion of such
7 person's land. As used in this section, the term "qualified electors" shall
8 include a person who is the legal qualified owner of irrigable land or a
9 person, who is authorized, in writing, to vote for a trust, corporation,
10 association or partnership which is the legal qualified owner of irrigable
11 land. Such person is not required to be a resident of the district. Such trust,
12 corporation, association or partnership shall be allowed only one vote. The
13 person authorized by such entity to vote shall be someone who is not
14 otherwise entitled to a vote under this section.

15 *(h) This section shall be subject to the provisions of subsections (a),*
16 *(b) and (d) of section 1, and amendments thereto.*

17 Sec. 26. K.S.A. 71-1413 is hereby amended to read as follows: 71-
18 1413. *(a) Except as provided in subsection (b), elections of trustees of*
19 *community colleges shall be conducted by the county election officer of*
20 *the county in which the main campus of the college is located. In any*
21 *college district having territory in more than one county, the county*
22 *election officers of all such counties shall cooperate with the county*
23 *election officer of the county in which the main campus is located, and*
24 *upon establishing any new community college or adding territory to any of*
25 *the community college districts, the state board, in accordance with this*
26 *section, shall specify the county in which the main campus shall be located*
27 *for the purpose of this section. General community college elections shall*
28 ~~*be held on the first Tuesday in April of each odd-numbered year. Any*~~
29 ~~*primary community college election shall be held on the Tuesday*~~
30 ~~*preceding by five weeks the first Tuesday in April of odd-numbered years.*~~

31 *(b) On and after July 1, 2012, general community college elections*
32 *shall be held on the Tuesday following the first Monday in November of*
33 *each even-numbered year. Any primary community college election shall*
34 *be held on the first Tuesday in August of each even-numbered year.*

35 *(c) This section shall be subject to the provisions of subsections (a),*
36 *(b) and (d) of section 1, and amendments thereto.*

37 Sec. 27. K.S.A. 71-1414 is hereby amended to read as follows: 71-
38 1414. (a) (1) In college districts where a district method of election is in
39 effect, a person may become a candidate for election to trustee of a
40 community college by any one of the following methods:

41 (A) Any person who is an elector of any member district may petition
42 to be a candidate for member from the member district in which such
43 person resides. Any such person shall file with the election officer a

1 petition for such person's candidacy signed by not less than 50 electors
2 residing in such person's member district.

3 (B) Any person who is an elector of any member district may become
4 a candidate for member from the member district in which such person
5 resides by filing with the election officer a declaration of intent to be such
6 a candidate, and payment therewith of a filing fee in the amount of \$5.

7 (C) If a community college adopts and implements a seven member
8 board of trustees plan, any person who is an elector of the college district
9 may petition to be a candidate for the at-large member position. Any such
10 person shall file with the county election officer a petition for such
11 candidacy signed by not less than 50 electors residing in such college
12 district.

13 (D) If a community college adopts and implements a seven member
14 board of trustees plan, any person who is an elector of the college district
15 may become a candidate for the at-large member position by filing with
16 the county election officer a declaration of intent to be such a candidate,
17 and payment therewith of a filing fee in the amount of \$5.

18 (2) Every petition or declaration of intent filed under this subsection
19 must specify the member position for which the person is a candidate.

20 (b) In college districts where the election-at-large method of election
21 is in effect, a person may become a candidate for election to trustee of a
22 community college by either one of the following methods:

23 (1) Any person who is an elector of the college district may petition
24 to be a candidate for trustee. Any such person shall file with the election
25 officer a petition for such person's candidacy signed by not less than 50
26 electors residing in the college district.

27 (2) Any person who is an elector of the college district may become a
28 candidate for trustee by filing with the election officer a declaration of
29 intent to be such a candidate, and payment therewith of a filing fee in the
30 amount of \$5.

31 (c) Every petition or declaration of intent filed under this section must
32 be filed ~~on or before 12 o'clock noon on the Tuesday which precedes by 10~~
33 ~~weeks the first Tuesday in April of any odd-numbered year. No such~~
34 ~~petition or declaration shall be filed sooner than the second Tuesday of the~~
35 ~~December which next precedes the community college election by the~~
36 ~~deadline provided in K.S.A. 25-205, and amendments thereto.~~

37 (d) *This section shall be subject to the provisions of subsections (a),*
38 *(b) and (d) of section 1, and amendments thereto.*

39 Sec. 28. K.S.A. 2-623, 19-3505, 19-3507, 25-1115, 25-2006, 25-
40 2007, 25-2010, 25-2023, 25-2109, 25-2120, 25-2502, 25-3503, 71-1413
41 and 71-1414 and K.S.A. 2011 Supp. 2-624, 24-412, 24-459, 24-506, 25-
42 205, 25-1122, 25-2102, 25-2108a, 25-2311 and 42-706 are hereby
43 repealed.

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