

As Amended by House Committee

Session of 2011

SENATE BILL No. 125

By Committee on Ethics and Elections

2-7

1 AN ACT concerning elections; relating to candidate filing deadlines;  
2 amending K.S.A. **2-624 and** 25-4004 and K.S.A. 2010 Supp. 25-205  
3 and repealing the existing sections.  
4

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

6 Section 1. K.S.A. 2010 Supp. 25-205 is hereby amended to read as  
7 follows: 25-205. (a) Except as otherwise provided in this section, the  
8 names of candidates for national, state, county and township offices shall  
9 be printed upon the official primary ballot when each shall have qualified  
10 to become a candidate by one of the following methods and none other: (1)  
11 They shall have had filed in their behalf, not later than ~~12:00~~ 12 noon,  
12 June ~~10~~ 1, prior to such primary election, or if such date falls on Saturday,  
13 Sunday or a holiday, then before ~~12:00~~ 12 noon of the next following day  
14 that is not a Saturday, Sunday or a holiday, nomination petitions, as  
15 provided for in this act, ~~except that in 1998, candidates for judge or district~~  
16 ~~magistrate judge of the district court for positions created in 1998 in those~~  
17 ~~judicial districts that have not approved the proposition of nonpartisan~~  
18 ~~selection of judges of the district court shall have filed in their behalf, not~~  
19 ~~later than 12:00 noon, July 1, 1998, nomination petitions, as provided for~~  
20 ~~in this act; or (2) they shall have filed not later than the time for filing~~  
21 nomination petitions, as above provided, with the proper officer a  
22 declaration of intention to become a candidate, accompanied by the fee  
23 required by law. Such declaration shall be prescribed by the secretary of  
24 state.

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

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

1 such primary election.

2 (HEADING)

3 Name of	Street Number	Name of	Date of
4 Signers.	or Rural Route	City.	Signing.
5	(as registered).		

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

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

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

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

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

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

41 (3) If for a county office, by voters equal in number to not less than  
42 3% of the total of the current voter registration of the party designated in  
43 such district or county as compiled by the county election officer and

1 certified to the secretary of state in accordance with K.S.A. 25-3302, and  
2 amendments thereto; and

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

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

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

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

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

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

31 (B) for the office of member of the state board of education.....300 registered voters;

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

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

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

38 (1) If new boundary lines are defined and districts established in the  
39 manner prescribed by law on or before June 10, the deadline for filing  
40 nomination petitions and declarations of intention to become a candidate  
41 for such office, accompanied by the fee required by law, shall be ~~12:00~~ 12  
42 noon on June 24, or if such date falls on a Saturday, Sunday or a holiday,  
43 then before ~~12:00~~ 12 noon of the next following day that is not a Saturday,

1 Sunday or holiday.

2 (2) If new boundary lines are defined and districts established in the  
3 manner prescribed by law on or after June 11, the deadline for filing  
4 nomination petitions and declarations of intention to become a candidate  
5 for such office, accompanied by the fee required by law, shall be ~~12:00~~ 12  
6 noon on July 12, or if such date falls on a Saturday, Sunday or holiday,  
7 then before ~~12:00~~ 12 noon of the next day that is not a Saturday, Sunday or  
8 holiday.

9 **Sec. 2. K.S.A. 2-624 is hereby amended to read as follows: 2-624.**

10 **(a) The governing body of each extension district shall be composed of**  
11 **four representatives from each county included in the extension**  
12 **district. At the conclusion of the terms of the members first appointed**  
13 **to membership on the governing body of the district, the four**  
14 **members representing each county in an extension district shall be**  
15 **elected in a county-wide election by the qualified electors of the**  
16 **county.**

17 **(b) At the conclusion of the terms of the members first appointed**  
18 **to membership on the governing body of the district, each member of**  
19 **the governing body shall hold office for a term of four years and until**  
20 **such member's successor is elected and qualified. Each such term of**  
21 **office shall commence on the date of receipt of certification of election**  
22 **by the member elected and shall continue until the member's**  
23 **successor is elected and qualified.**

24 **(c) (1) Except as otherwise provided in this act, an election to**  
25 **elect successors to members of the governing body whose terms are**  
26 **expiring shall be held on the first Tuesday in April in each odd-**  
27 **numbered year.**

28 **(2) Elections to choose members of the governing body of an**  
29 **extension district shall be conducted, the returns made and the results**  
30 **ascertained in the manner provided by law for general county**  
31 **elections except as otherwise provided by this act. Not later than**  
32 **12:00 12 noon of the Wednesday next following the Tuesday, five 10**  
33 **weeks preceding the first Tuesday in April in odd-numbered years,**  
34 **each person desiring to be a candidate for membership on the**  
35 **governing body, in any election, shall file a declaration of candidacy**  
36 **with the county election officer of the county represented by the**  
37 **member of the governing body whose successor is to be elected, as a**  
38 **candidate in such election. The county election officer in making up**  
39 **the ballots and in placing the names thereon shall place the names on**  
40 **the ballots in alphabetical order.**

41 **(3) The county election officer of each county within the extension**  
42 **district shall appoint election boards as provided by law for other**  
43 **elections and shall designate places for holding the election. The**

1 county election officer shall cause to be ascertained the names of all  
2 persons within the district who are qualified electors, and shall furnish  
3 lists thereof to the judges of the election. Notice of the time and place  
4 of holding each election, signed by the county election officer, shall be  
5 given in a newspaper published in the county and posted in a  
6 conspicuous place in the office of the governing body at least five days  
7 before the holding thereof.

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

11 (e)(d) Any vacancy in the membership of the governing body of  
12 an extension district shall be filled by appointment by the governing  
13 body for the unexpired term of office. Each member so appointed  
14 shall be a resident of the county which was represented by the member  
15 creating the vacancy.

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

19 Sec. ~~2~~ 3. K.S.A. 25-4004 is hereby amended to read as follows: 25-  
20 4004. The provisions of K.S.A. 25-205, and amendments thereto, shall not  
21 apply to the offices of governor and lieutenant governor. The names of  
22 candidates for governor and lieutenant governor shall be printed upon the  
23 official primary ballot when each pair thereof shall have qualified to  
24 become candidates in one or the other of the following methods and none  
25 other: *First*, they shall have had filed in their behalf, not later than ~~twelve~~  
26 ~~o'clock~~ 12 noon, June ~~10~~ 1, prior to such primary election, or if such date  
27 falls on Saturday, Sunday or a legal holiday, then before ~~twelve o'clock~~ 12  
28 noon the following business day, nomination papers, commonly called  
29 nomination petitions, as provided for in K.S.A. 25-4005, and amendments  
30 thereto; or, *second*, they shall have filed not later than the time for filing  
31 nomination papers, as above provided, with the secretary of state, as  
32 hereinafter prescribed, a declaration of intention to become candidates,  
33 accompanied by a fee as provided in K.S.A. 25-4006, and amendments  
34 thereto.

35 Sec. ~~3~~ 4. K.S.A. 2-624 and 25-4004 and K.S.A. 2010 Supp. 25-205  
36 are hereby repealed.

37 Sec. ~~4~~ 5. This act shall take effect and be in force from and after its  
38 publication in the statute book.