

HOUSE BILL No. 2401

By Committee on Federal and State Affairs

3-13

1 AN ACT concerning elections; relating to certain municipalities; amending
2 K.S.A. 2-623, 19-3505, 19-3507, 24-504, 25-202, 25-209, 25-1115, 25-
3 2003, 25-2004, 25-2006, 25-2007, 25-2010, 25-2017, 25-2018, 25-
4 2021, 25-2022, 25-2022a, 25-2023, 25-2107, 25-2109, 25-2113, 25-
5 2115, 25-2120, 25-2502, 71-1408, 71-1412, 71-1413, 71-1414, 71-
6 1417, 71-1419 and 72-7901 and K.S.A. 2012 Supp. 2-624, 24-412, 24-
7 414, 24-459, 24-506, 25-213, 25-611, 25-1122, 25-2020, 25-2021, 25-
8 2102, 25-2108a, 25-2110, 25-2311 and 42-706 and repealing the
9 existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003,
10 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-
11 1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l,
12 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-
13 1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-
14 1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-
15 1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-
16 1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e,
17 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 25-2003, 25-2005,
18 71-1404, 71-1405, 71-1406, 71-1407, 71-1409, 71-1410, 71-1411, 72-
19 8001, 72-8002, 72-8003, 72-8004, 72-8005, 72-8006, 72-8007, 72-
20 8008 and 72-8009 and K.S.A. 2012 Supp. 25-2110a.

21

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

23 New Section 1. (a) On and after January 1, 2014, all primary
24 elections for members of the governing body and other elected officials of
25 any municipality shall be held on the first Tuesday in August of 2015 and
26 on such date thereafter of odd-numbered years and all general elections for
27 members of the governing body and other elected officials of any
28 municipality shall be held on the Tuesday succeeding the first Monday in
29 November of 2015 of odd-numbered years and on such date thereafter.

30 (b) The terms of members of governing bodies and other elected
31 officials that would expire at any time in 2015 shall expire on the second
32 Monday in January 2016, when newly elected members of the governing
33 body and other newly elected officials shall take office.

34 (c) Primary elections for any municipality shall be conducted as
35 provided in K.S.A. 25-202, and amendments thereto.

36 (d) The filing deadline for all candidates for any municipality unless

1 otherwise provided by law shall be as provided in K.S.A. 25-205, and
2 amendments thereto.

3 (e) All elections for members of the governing body of cities, except
4 for the office of mayor, shall be by ward or district. The office of mayor
5 may be elected at large.

6 (f) All elections for members of the boards of education for unified
7 school districts shall be by district.

8 (g) "Municipality" means any city, consolidated city-county created
9 under K.S.A. 12-340 et seq., and amendments thereto, and K.S.A. 2012
10 Supp. 12-360 et seq., and amendments thereto, board of public utilities
11 created under K.S.A. 13-1220 et seq., and amendments thereto, county
12 adopting a charter under K.S.A. 19-2680 et seq., and amendments thereto,
13 school district, community college, drainage district, extension district,
14 irrigation district, library district created under K.S.A. 12-1236 et seq., and
15 amendments thereto, and water districts created under K.S.A. 19-3501 et
16 seq., and amendments thereto. The term does not include any municipality
17 where the election of members of the governing body is conducted at a
18 meeting of the municipality.

19 New Sec. 2. (a) Subject to section 1(e), and amendments thereto, any
20 city may adopt by ordinance one of the following forms of government:

- 21 (1) Commission;
- 22 (2) mayor-council;
- 23 (3) commission-manager;
- 24 (4) mayor-council-manager;
- 25 (5) council-manager; or
- 26 (6) any other form of government authorized by law or by ordinance
27 or charter ordinance of the city.

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

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

- 35 (1) The powers and duties of the governing body, including the mayor
36 and other elected officials;
- 37 (2) the term of office of members of the governing body, including
38 the mayor and other elected officials of either two or four years;
- 39 (3) the election by ward or district of members of the governing body;
- 40 (4) the powers and duties of the city manager, if applicable;
- 41 (5) the administrative departments of the city; and
- 42 (6) other matters deemed appropriate by the governing body.

43 New Sec. 3. All existing ordinances and charter ordinances relating to

1 a city's form of government, except those provisions relating to the timing
2 of city primary and general elections, and the election of members of the
3 governing body, except for the office of mayor, by ward or district shall
4 remain in effect until amended or repealed by such city

5 Sec. 4. K.S.A. 2-623 is hereby amended to read as follows: 2-623. (a)
6 Prior to July 1 of any year, any two or more county extension councils may
7 establish an extension district composed of all of the counties of such
8 councils by entering into an agreement in accordance with this section to
9 combine the extension programs for each county involved into one
10 extension program serving the extension district. No such agreement shall
11 be effective unless such agreement has received the prior approval of: (1)
12 The board of county commissioners of each county included in the
13 proposed extension district, subject to the provisions of subsection (~~h~~) (*j*);
14 (2) the executive board of the extension council of each county included in
15 the proposed extension district and the director of extension of Kansas
16 state university of agriculture and applied science, or the director's
17 authorized representative, acting together as a body; and (3) the attorney
18 general in accordance with subsection (~~h~~) (*i*).

19 (b) Prior to July 1 of any year, one or more county extension councils
20 and the governing body of any existing extension district may establish a
21 new extension district by entering into an agreement in accordance with
22 this section to combine the extension programs for each such county and
23 such district into one extension program serving a new extension district
24 composed of all counties represented by such county extension councils
25 and the area served by the existing extension district. No such agreement
26 shall be effective unless such agreement has received the prior approval of:
27 (1) The board of county commissioners of each county being added to the
28 existing extension district, subject to the provisions of subsection (~~h~~) (*j*);
29 (2) the executive board of the county extension council of each county
30 being added to the existing extension district, the governing body of the
31 existing extension district and the director of extension of Kansas state
32 university of agriculture and applied science, or the director's authorized
33 representative, acting together as a body; and (3) the attorney general in
34 accordance with subsection (~~h~~) (*i*).

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

1 (d) Upon the establishment of an extension district under subsection
2 (a) or (b), all of the personnel and property of each of the extension
3 programs which are combined into the new district extension programs
4 shall be transferred to the new extension district and shall be subject to the
5 authority of the governing body of the extension district in accordance
6 with the agreement to establish the extension district.

7 (e) Upon the establishment of an extension district under subsection
8 (a), the board of county commissioners of each county joining in the
9 establishing of an extension district shall appoint four qualified electors to
10 membership on the governing body of the district. The terms of all
11 members so appointed shall commence on July 1 following their
12 appointment. Of the members so appointed two members shall serve for
13 terms ending upon the election and qualification of their successors at an
14 election held on the first Tuesday in April of the first odd-numbered year
15 following their appointment and two members shall serve for terms ending
16 upon the election and qualification of their successors at an election held
17 on the first Tuesday in April of the second odd-numbered year following
18 their appointment following the first Monday in November of the first
19 oddnumbered year following their appointment and two members shall
20 serve for terms ending upon the election and qualification of their
21 successors at an election held on the Tuesday succeeding the first Monday
22 in November of the second odd-numbered year following their
23 appointment.

24 (f) *A primary election shall be held on the first Tuesday in August in*
25 *accordance with K.S.A. 25-202, and amendments thereto.*

26 (f) (g) In the case of one or more counties being included in an
27 existing extension district under subsection (b), the board of county
28 commissioners of each county being included in an existing extension
29 district shall appoint four qualified electors of the county to membership
30 on the governing body of the expanded district. The terms of all members
31 so appointed shall commence on July 1 following their appointment. Of
32 the members so appointed two members shall serve for terms ending upon
33 the election and qualification of their successors at an election held on the
34 first Tuesday in April of the first odd-numbered year following their
35 appointment and two members shall serve for terms ending upon the
36 election and qualification of their successors at an election held on the first
37 Tuesday in April of the second odd-numbered year following their
38 appointment Tuesday following the first Monday in November of the first
39 odd-numbered year following their appointment and two members shall
40 serve for terms ending upon the election and qualification of their
41 successors at an election held on the Tuesday following the first Monday
42 in November of the second odd-numbered year following their
43 appointment. The offices of the members of the governing body of the

1 existing extension district shall continue in existence and the persons in
2 such offices shall be members of the governing body of the expanded
3 extension district which is established on July 1 for the remainder of their
4 existing terms of office.

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

10 ~~(h)~~ (i) Each agreement entered into under this section or under K.S.A.
11 2-628, and amendments thereto, prior to and as a condition precedent to its
12 entry into force, shall be submitted to the attorney general who shall
13 determine whether the agreement is in proper form and compatible with
14 this act and the other laws of Kansas. The attorney general shall approve
15 any agreement submitted for approval under this section or K.S.A. 2-628,
16 and amendments thereto, unless the attorney general finds that the
17 submitted agreement does not meet the requirements of this act. In such
18 case, the attorney general shall specify in writing to the proposed parties to
19 the agreement and to each other entity required to approve the agreement,
20 the specific respects in which the proposed agreement fails to meet the
21 requirements of law. Failure by the attorney general to disapprove an
22 agreement submitted pursuant to this subsection within 90 days of its
23 submission shall constitute approval of the agreement by the attorney
24 general.

25 ~~(i)~~ (j) Prior to approving an agreement under this section, the board of
26 county commissioners of each county to be included in a proposed
27 extension district under subsection (a) or to be added to an existing
28 extension district under subsection (b), as the case may be, shall adopt a
29 resolution stating the intention of the board of county commissioners to
30 approve such agreement and specifying the counties that are to be included
31 in the extension district. Such resolution shall be published once each
32 week for two consecutive weeks in the official county newspaper. If,
33 within 60 days following the last publication of the resolution, a petition in
34 opposition to the approval of the agreement and the inclusion of the county
35 in the extension district is signed by not less than 5% of the qualified
36 electors of the county and is filed with the county election officer, such
37 board of county commissioners shall not approve such agreement and the
38 county shall not be included in the extension district unless and until the
39 same is approved by a majority of the qualified electors of the county
40 voting thereon at a primary election or general election or at a special
41 election called and held for such purpose. Any such special election shall
42 be called, noticed and held in accordance with the provisions of K.S.A. 10-
43 120, and amendments thereto.

1 Sec. 5. K.S.A. 2012 Supp. 2-624 is hereby amended to read as
2 follows: 2-624. (a) The governing body of each extension district shall be
3 composed of four representatives from each county included in the
4 extension district. At the conclusion of the terms of the members first
5 appointed to membership on the governing body of the district, the four
6 members representing each county in an extension district shall be elected
7 in a county-wide election by the qualified electors of the county.

8 (b) At the conclusion of the terms of the members first appointed to
9 membership on the governing body of the district, each member of the
10 governing body shall hold office for a term of four years and until such
11 member's successor is elected and qualified. Each such term of office shall
12 commence on the date of receipt of certification of election by the member
13 elected and shall continue until the member's successor is elected and
14 qualified.

15 (c) (1) ~~Except as otherwise provided in this act, an~~ *A primary shall be*
16 *held on the first Tuesday in August in accordance with K.S.A. 25-202, and*
17 *amendments thereto. The general election to elect successors to members*
18 *of the governing body whose terms are expiring shall be held on the first*
19 *Tuesday in April in each odd-numbered year.*

20 (2) Elections to choose members of the governing body of an
21 extension district shall be conducted, the returns made and the results
22 ascertained in the manner provided by law for general county elections
23 except as otherwise provided by this act. ~~Not later than 12 noon of the~~
24 ~~Tuesday, 10 weeks preceding the first Tuesday in April in election years,~~
25 ~~each person desiring to be a candidate for membership on the governing~~
26 ~~body, in any election, shall file a declaration of candidacy, accompanied by~~
27 ~~a filing fee of \$5, with the county election officer of the county represented~~
28 ~~by the member of the governing body whose successor is to be elected, as~~
29 ~~a candidate in such election. The county election officer shall remit such~~
30 ~~filing fees to the county treasurer for deposit in the county general fund.~~
31 ~~The county election officer in making up the ballots and in placing the~~
32 ~~names thereon shall place the names on the ballots in alphabetical order.~~
33 *Any person desiring to be a candidate for election to the governing body*
34 *shall file a candidate's declaration of intention with the county election*
35 *officer of the county represented by the member of the governing body*
36 *whose successor is to be elected. Such candidate's filing shall be made as*
37 *provided in K.S.A. 25-205, and amendments thereto.*

38 (3) The county election officer of each county within the extension
39 district shall appoint election boards as provided by law for other elections
40 and shall designate places for holding the election. The county election
41 officer shall cause to be ascertained the names of all persons within the
42 district who are qualified electors, and shall furnish lists thereof to the
43 judges of the election. Notice of the time and place of holding each

1 ~~general and primary election, signed by the county election officer, shall~~
2 ~~be given in a newspaper published in the county and posted in a~~
3 ~~conspicuous place in the office of the governing body at least five days~~
4 ~~before the holding thereof shall be published by the county election officer~~
5 ~~in a newspaper published in the county in accordance with K.S.A. 25-209,~~
6 ~~and amendments thereto, and K.S.A. 25-105, and amendments thereto.~~

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

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

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

17 Sec. 6. K.S.A. 19-3505 is hereby amended to read as follows: 19-
18 3505. (a) Except as otherwise provided by this section, the governing body
19 of any water district to which this section applies shall be a five-member
20 board holding positions numbered one to five, inclusive. Each member
21 shall be elected and shall hold office from ~~May 1 following such member's~~
22 ~~election until April 30, the second Monday in January succeeding such~~
23 ~~member's election until~~ four years thereafter and until a successor is
24 elected and has qualified.

25 The first election of members of the governing body of any water
26 district created after the effective date of this act shall be held on the first
27 Tuesday in August of any even-numbered year, at which time members
28 shall be elected for terms beginning on September 1 of the same year, and
29 ending on April 30 of the third year following the beginning of such term,
30 to positions numbered three, four and five. At such first election, members
31 shall be elected for terms ending on April 30 of the first year following the
32 beginning of such terms, to positions numbered one and two. Members
33 first elected to positions one and two shall have terms of approximately
34 eight months. Elections shall be ~~thereafter~~ held on the ~~first Tuesday in~~
35 ~~April~~ of each odd-numbered year *following the first Monday in November*
36 for the member positions whose terms expire in that year.

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

42 (c) ~~Elections~~ *A primary election shall be held on the first Tuesday in*
43 *August in accordance with K.S.A. 25-202, and amendments thereto. The*

1 *general election shall be held on the first Tuesday in April following the*
2 *first Monday in November of each odd-numbered year for the positions*
3 *which terms expire in that year. Members shall hold office from May 1,*
4 *the second Monday in January following such member's election until*
5 ~~*April 30,*~~ *four years thereafter and until a successor is elected and*
6 *qualified. All elections shall be nonpartisan and shall be called and*
7 *conducted by the county election officer. Laws applying to other local*
8 *elections occurring at the same time and in the same locality shall apply to*
9 *elections under this act to the extent that the same can be made to apply.*
10 *Notice of the time and place of holding each primary and general election*
11 *shall be published by the county election officer in a newspaper published*
12 *in the county in accordance with K.S.A. 25-209, and amendments thereto,*
13 *and K.S.A. 25-105, and amendments thereto.*

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

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

33 *Sec. 7. K.S.A. 19-3507 is hereby amended to read as follows: 19-*
34 ~~*3507. The water district election shall be held in each election precinct, a*~~
35 ~~*part or all of which is located within such water district, except that if no*~~
36 ~~*other election is being held in a given election precinct on the same date as*~~
37 ~~*the water district election, the county election officer may provide one or*~~
38 ~~*more convenient voting places where the water district electors of such*~~
39 ~~*precinct may vote, which may be a voting place located in another*~~
40 ~~*precinct. The county election officer shall designate such voting places and*~~
41 *the persons entitled to vote thereat in the election notice. The county*
42 *election officer shall make a report in writing to the board of county*
43 *commissioners of such election precincts and voting places, which report*

1 shall be filed with the county clerk of the county or counties in which such
2 precincts and voting places are located and an entry thereof made upon the
3 journal of the board or boards of county commissioners of such county or
4 counties and if any change shall be made in such voting precincts and
5 voting places by the county election officer, the same shall in like manner
6 be reported to the board or boards of county commissioners, filed and
7 entered as aforesaid. The polls for any election held under this act shall be
8 open between the hours of 7:00 a.m. and 7:00 p.m.

9 ~~Any qualified persons~~ *person* desiring to be voted upon as a
10 *candidate for a position as a member of such board shall on or before*
11 ~~12:00 o'clock noon on the Tuesday which precedes by 10 weeks the first~~
12 ~~Tuesday in April of the year in which the election is being held, which date~~
13 ~~shall be stated in the publication notice of the election, file a candidate's~~
14 ~~declaration of intention as provided in K.S.A. 25-205, and amendments~~
15 ~~thereto, with the county election officer, a statement directing such officer~~
16 ~~to place such person's name on the ballot as a candidate for member of the~~
17 ~~board of the water district in such election, indicating the number of the~~
18 ~~position for which such person is filing. No candidate shall be permitted to~~
19 ~~withdraw as a candidate after the deadline for filing such statements of~~
20 ~~candidacy. There shall be no primary election for members of the water~~
21 ~~district board. The county election officer shall publish names of all~~
22 ~~candidates in a newspaper of general circulation within the water district~~
23 ~~not less than 10 days before such election in accordance with K.S.A. 25-~~
24 ~~209, and amendments thereto. The county election officer shall provide for~~
25 ~~use of voting machines or printed ballots in each election precinct or~~
26 ~~voting place. Where printed ballots are prepared, the same shall be done at~~
27 ~~the expense of the water district. The names of candidates for each~~
28 ~~member position shall be rotated on the ballots in such a manner that each~~
29 ~~candidate shall be given an equitable opportunity to have such candidate's~~
30 ~~name appear first on the ballot. Where the only election being conducted~~
31 ~~in an election precinct or voting place is the water district election, the cost~~
32 ~~of providing judges and clerks in such precinct or voting place shall be~~
33 ~~borne entirely by the water district, but where held in conjunction with~~
34 ~~other elections, the cost shall be prorated in the manner provided by article~~
35 ~~22 of chapter 25 of the Kansas Statutes Annotated, and amendments~~
36 ~~thereto.~~

37 At least five days before any election, the county election officers of
38 the various counties within which a portion of such district is located, in
39 cooperation with the water district board, shall determine the voting areas
40 where no other elections will be held in conjunction with the water district
41 and the names of all qualified electors residing in the water district and
42 located in such precincts and shall determine the election precincts which
43 contain only a part of the water district and the names of all qualified

1 electors residing in the water district and in such election precincts. A list
2 of the qualified electors determined as hereinbefore provided shall be
3 furnished by the county election officer to the judges of the voting
4 precincts or voting places where such electors are entitled to vote.

5 Qualified electors of any election precinct, ~~the entirety part or all of~~
6 which is within the water district, shall be entitled to vote in such precinct
7 and a separate list of their names need not be furnished.

8 A voter shall not be eligible to vote in any election precinct other than
9 the one in which such person resides unless no election is being held in
10 such precinct, in which event, such voter shall be entitled to vote in the
11 voting place designated by the county election officer.

12 ~~Such list furnished by the county election officer to the judges of each~~
13 ~~precinct shall be conclusive at all elections, except that one desirous of~~
14 ~~voting, whose name does not appear on such list, may proceed to the~~
15 ~~county election officer of the county and such officer may administer oaths~~
16 ~~and affirm witnesses to determine the right of anyone to vote who may~~
17 ~~claim erroneous omission from such list, and if such officer issues a~~
18 ~~certificate entitling the voter to vote, such certificate shall be accepted by~~
19 ~~the judges and clerks of the election. The list so furnished by the county~~
20 ~~election officer shall be conclusive at all elections held within the same~~
21 ~~year that the list is furnished.~~

22 Sec. 8. K.S.A. 2012 Supp. 24-412 is hereby amended to read as
23 follows: 24-412. (a) ~~Subject to the provisions of subsection (b), except as~~
24 ~~otherwise provided in this section, an election to choose three directors in~~
25 ~~each district as their successors, shall be held on the first Tuesday in April,~~
26 ~~1983, and an election shall be held each four years thereafter, on the first~~
27 ~~Tuesday in April, to choose directors~~ An election to choose three directors
28 in each district shall be held on the Tuesday following the first Monday in
29 November 2015, and an election shall be held each four years thereafter,
30 on the Tuesday following the first Monday in November, to choose
31 directors. Any director elected in any district in 2011 shall hold such office
32 until such successor is elected and qualified.

33 (b) On and after January 1, 2012, the board of directors of drainage
34 district No. 2 of Finney county, Kansas, shall be elected as provided in
35 K.S.A. 2012 Supp. 24-139a, and amendments thereto.

36 (c) *A primary election shall be held on the first Tuesday in August in*
37 *accordance with K.S.A. 25-202, and amendments thereto.*

38 Sec. 9. K.S.A. 2012 Supp. 24-414 is hereby amended to read as
39 follows: 24-414. (a) Elections to choose directors shall be conducted, the
40 returns made and the results ascertained in the manner provided by law for
41 general county elections except as otherwise provided by law, and ~~all~~
42 ~~persons desiring to be voted upon as director, in any election, shall, not~~
43 ~~later than 12 noon of the Tuesday, 10 weeks preceding the first Tuesday in~~

1 ~~April in election years, file a declaration of candidacy;~~ any qualified
2 person desiring to be a candidate for director shall file a candidate's
3 declaration of intention as provided in K.S.A. 25-205, and amendments
4 thereto, accompanied by a filing fee of \$5, with the county election officer
5 of the county wherein the district is located, ~~as a candidate in such~~
6 ~~election;~~ and the election officer in making up the ballots and in placing
7 the names thereon shall place the names on the ballots in alphabetical
8 order, but the returns of all special or bond elections shall be made to the
9 secretary and canvassed by the board of directors. The county election
10 officer shall remit such filing fees to the county treasurer for deposit in the
11 county general fund. The county election officer of the county wherein the
12 drainage district is situated shall appoint election boards as provided by
13 law for other elections and shall designate places for holding the election.
14 The county ~~clerk~~ election officer shall cause to be ascertained the names of
15 all persons within the district who are also qualified electors, and shall
16 furnish lists thereof to the judges of the election.

17 (b) Notice of the time and place of holding each *primary and general*
18 election, ~~signed by the county election officer,~~ shall be ~~given~~ *published* in
19 a newspaper published in the county *in accordance with K.S.A. 25-209,*
20 *and amendments thereto, and K.S.A. 25-105, and amendments thereto,* and
21 posted in a conspicuous place in the office of the board of directors at least
22 five days before the holding thereof. At all elections and meetings held
23 under the provisions of this act, only persons who are qualified electors
24 shall be entitled to vote. In counties having a population of more than
25 150,000, at all elections and meetings held under the provisions of this act,
26 only persons who are taxpayers and residents of the district who are
27 qualified electors shall be entitled to vote. All election expenses shall be
28 paid for out of the general fund of the drainage district. Election officials
29 shall receive the same compensation as provided under the general
30 election laws.

31 (c) As used in this section, "taxpayer" means any person who owns
32 any real property or tangible property within the district who pays taxes
33 assessed on such property.

34 Sec. 10. K.S.A. 2012 Supp. 24-459 is hereby amended to read as
35 follows: 24-459. (a) The board of directors of any drainage district
36 incorporated pursuant to K.S.A. 24-458, and amendments thereto, shall
37 consist of three qualified persons as defined in paragraph (3) of subsection
38 (e) of this section.

39 (b) The directors for the first term after the incorporation of the
40 drainage district shall be selected and designated in the petition for the
41 incorporation of the district and shall be declared directors by the county
42 commissioners to which the petition is presented.

43 (c) The directors shall hold office until the ~~first Tuesday in April next~~

1 *Tuesday following the first Monday in November of the next odd-*
2 *numbered year* after the incorporation of the district, at which time and
3 every four years thereafter directors shall be elected and shall hold their
4 office for the term of four years and until their successors are elected and
5 qualified. *Such elections shall be conducted by the county election officer*
6 *at the time and in the manner in which other drainage district elections*
7 *and county elections are conducted.*

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

10 (e) For the purposes of this section:

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

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

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

23 (f) The county clerk shall determine the qualified persons entitled to
24 vote at any election in the district. Any entity desiring to vote at an election
25 shall register the name of its designated representative with the county
26 election officer no later than ~~14~~ 21 days in advance of any such election.

27 Sec. 11. K.S.A. 24-504 is hereby amended to read as follows: 24-504.
28 Whenever a majority of the counties to be included within the proposed
29 drainage district have reported in favor of the organization of ~~said~~ the
30 drainage district, under the provisions of this act, the secretary of state
31 shall report ~~such~~ the fact to the governor of Kansas, who shall ~~forthwith~~
32 declare, by suitable proclamation, the territory described in ~~said~~ the
33 petition and set forth in the reports of ~~said~~ the commissioners to constitute
34 a public corporation, and the freeholders owning lands within ~~such~~ the
35 bounds, and resident within the state of Kansas, to be incorporated as a
36 drainage district under the name designated in ~~said~~ the petition, and
37 ~~thenceforth~~ the ~~said~~ territory and the freeholders thereof, who are residents
38 of the state of Kansas, and their successors, shall constitute a body politic
39 and corporate under ~~said~~ the corporate name and shall give perpetual
40 succession.

41 In ~~said~~ the proclamation the governor shall designate the ~~last Tuesday~~
42 ~~of the next succeeding calendar month~~ *Tuesday following the first Monday*
43 *in November of the odd-numbered year* following the issuing of ~~said~~ the

1 proclamation on which an election shall be held in each of the counties to
2 be included within the proposed drainage district for the purpose of
3 electing directors of ~~said~~ the corporation, in number and in the manner
4 hereinafter provided. The secretary of state shall make and keep full and
5 complete records of the organization of all drainage districts organized
6 under the provisions of this act, showing the findings and decisions of the
7 boards of county commissioners and all of the acts of the governor in
8 connection with the organization thereof, a true and correct copy of which
9 ~~he~~ the secretary of state shall forward to the ~~said~~ boards of county
10 commissioners within five days after the issuing of the governor's
11 proclamation provided for in this section, and they shall spread the same
12 upon their records.

13 Sec. 12. K.S.A. 2012 Supp. 24-506 is hereby amended to read as
14 follows: 24-506. (a) The board of directors of any drainage district
15 incorporated pursuant to K.S.A. 24-501 et seq., and amendments thereto,
16 shall consist of one person from each county in the district if the number
17 of counties is odd, but if the number of counties is even, then there shall be
18 an additional director at large. If the drainage district is located wholly
19 within one county, the number of directors shall be three. Except as
20 provided in subsection (b), the directors shall be freeholders who shall be
21 residents of Kansas, whose lands in whole or in part are located within the
22 district. The directors shall hold their offices for a term of four years and
23 until their successors are elected and qualified. Elections to choose
24 directors, except the first, shall be held on the ~~first Tuesday in April~~
25 Tuesday following the first Monday of the next odd-numbered year and
26 every four years thereafter.

27 (b) *Such elections shall be conducted by the county election officer at*
28 *the time and in the manner in which other drainage district elections and*
29 *county elections are conducted.*

30 (c) If there are no residents in the drainage district, any owner of land
31 within the district shall be a qualified voter and shall be qualified to hold
32 the office of director.

33 Sec. 13. K.S.A. 25-202 is hereby amended to read as follows: 25-202.

34 (a) Except as otherwise provided in subsection (b) all candidates for
35 national, state, county ~~and~~, township and municipal offices shall be
36 nominated by: (1) A primary election held in accordance with article 2 of
37 chapter 25 of the Kansas Statutes Annotated, and amendments thereto; or
38 (2) independent nomination petitions signed and filed as provided by
39 existing statutes.

40 (b) Candidates for any of such offices who are members of any
41 political party whose candidate for governor did not poll at least 5% of the
42 total vote cast for all candidates for governor in the preceding general
43 election shall not be entitled to nomination by primary election but shall be

1 nominated by a delegate or mass convention according to article 3 of
2 chapter 25 of the Kansas Statutes Annotated, and amendments thereto.

3 (c) No candidate for any national, state, county ~~or~~, township *or*
4 *municipal* office shall file for office as a partisan candidate in a primary
5 election and also file for office as an independent candidate for any
6 national, state, county ~~or~~, township *or municipal* office in the general
7 election immediately following.

8 (d) The provisions of article 2 of chapter 25 of the Kansas Statutes
9 Annotated, and amendments thereto, shall not apply to the justices of the
10 supreme court or to judges of the district court in judicial districts which
11 have approved the proposition of nonpartisan selection of district court
12 judges, as provided in K.S.A. 20-2901, and amendments thereto, nor to
13 special elections to fill vacancies.

14 Sec. 14. K.S.A. 25-209 is hereby amended to read as follows: 25-209.
15 As soon as possible after the filing deadline, the secretary of state shall
16 certify to each county election officer the name and post-office address of
17 each person who has filed valid nomination petitions or a declaration of
18 intent to become a candidate for United States senator or representative or
19 for state office, together with the designation of the office for which each
20 is a candidate and the party or principle which the candidate represents.

21 The county election officer shall ~~forthwith~~, upon receipt thereof,
22 publish for three~~(3)~~ consecutive weeks in the official paper, a notice
23 which shall set forth under the proper party designation, the title of each
24 national, state, county ~~and~~, township *and municipal* office any part of the
25 district of which is in the county, the names and addresses of all persons
26 certified by the secretary of state as candidates for any national or state
27 office any part of the district of which is in the county and, in addition
28 thereto, the names and addresses of all persons from whom valid
29 nomination papers or declarations have been filed in the county election
30 officer's office, giving the name and address of each, the day of the
31 primary election, the hours during which the polls will be open and stating
32 that the primary election will be held at the regular voting places. Where
33 such voting places are not well established and customarily known the
34 published notice herein provided for shall give the location of such voting
35 places.

36 Sec. 15. K.S.A. 2012 Supp. 25-213 is hereby amended to read as
37 follows: 25-213. (a) At all national and state primary elections, the national
38 and state offices as specified for each in this section shall be printed upon
39 the official primary election ballot for national and state offices and the
40 county and township offices as specified for each in this section shall be
41 printed upon the official primary election ballot for county and township
42 offices. The official primary election ballots shall have the following
43 heading:

1 OFFICIAL PRIMARY ELECTION BALLOT

2 _____ Party

3 To vote for a person whose name is printed on the ballot make a cross
4 or check mark in the square at the left of the person's name. To vote for a
5 person whose name is not printed on the ballot, write the person's name in
6 the blank space, if any is provided, and make a cross or check mark in the
7 square to the left.

8 The words national and state or the words county and township shall
9 appear on the line preceding the part of the form shown above.

10 The form shown shall be followed by the names of the persons for
11 whom nomination petitions or declarations have been filed according to
12 law for political parties having primary elections, and for the national and
13 state offices in the following order: United States senator, United States
14 representative from _____ district, governor and lieutenant governor,
15 secretary of state, attorney general, state treasurer, commissioner of
16 insurance, senator _____ district, representative _____ district, district
17 judge _____ district, district magistrate judge _____ district, district
18 attorney _____ judicial district, and member state board of education
19 _____ district. For county and township offices the form shall be followed
20 by the names of persons for whom nomination petitions or declarations
21 have been filed according to law for political parties having primary
22 elections in the following order: Commissioner _____ district, county clerk,
23 treasurer, register of deeds, county attorney, sheriff, township trustee,
24 township treasurer, township clerk. When any office is not to be elected, it
25 shall be omitted from the ballot. Other offices to be elected but not listed,
26 shall be inserted in the proper places. For each office there shall be a
27 statement of the number to vote for.

28 To the left of each name there shall be printed a square. Official
29 primary election ballots may be printed in one or more columns. The
30 names certified by the secretary of state or county election officer shall be
31 printed on official primary election ballots and no others. In case there are
32 no nomination petitions or declarations on file for any particular office, the
33 title to the office shall be printed on the ballot followed by a blank line
34 with a square, and such title, followed by a blank line, may be printed in
35 the list of candidates published in the official paper. No blank line shall be
36 printed following any office where there are nomination petitions or
37 declarations on file for the office except following the offices of precinct
38 committeeman and precinct committeewoman. Except as otherwise
39 provided in this section, no person's name shall be printed more than once
40 on either the official primary election ballot for national and state offices
41 or the official primary election ballot for county and township offices. No
42 name that is printed on the official primary election ballot as a candidate of
43 a political party shall be printed or written in as a candidate for any office

1 on the official primary election ballot of any other political party. If a
2 person is a candidate for the unexpired term for an office, the person's
3 name may be printed on the same ballot as a candidate for the next regular
4 term for such office. The name of any candidate on the ballot may be
5 printed on the same ballot as such candidate and also as a candidate for
6 precinct committeeman or committeewoman. No name that is printed on
7 the official primary election ballot for national and state offices shall be
8 printed or written in elsewhere on such ballot or on the official primary
9 election ballot for county and township offices except for precinct
10 committeeman or committeewoman. No name that is printed on the
11 official primary election ballot for county and township offices shall be
12 printed or written in on the official primary election ballot for national and
13 state offices or elsewhere on such county and township ballot except for
14 precinct committeeman or committeewoman.

15 No person shall be elected to the office of precinct committeeman or
16 precinct committeewoman where no nomination petitions or declarations
17 have been filed, unless the person receives at least five write-in votes. As a
18 result of a primary election, no person shall receive the nomination and no
19 person's name shall be printed on the official general election ballot when
20 no nomination petitions or declarations were filed, unless the person
21 receives votes equal in number to not less than 5% of the total of the
22 current voter registration designated in the state, county, *municipality* or
23 district in which the office is sought, as compiled by the office of the
24 secretary of state, except that a candidate for township *or municipal* office
25 may receive the nomination and have such person's name printed on the
26 ballot where no nomination petitions or declarations have been filed if
27 such candidate receives three or more write-in votes. No such person shall
28 be required to obtain more than 5,000 votes.

29 *(b) The county election officer shall prepare the official primary*
30 *election ballots for municipal elections held in August of odd-numbered*
31 *years. The secretary of state shall provide technical assistance to county*
32 *election officers.*

33 *(c) The secretary of state may adopt rules and regulations necessary*
34 *to ensure orderly primary elections in both even-numbered years and odd-*
35 *numbered years.*

36 Sec. 16. K.S.A. 2012 Supp. 25-611 is hereby amended to read as
37 follows: 25-611. (a) The arrangement of offices on the official general
38 ballot for national and state offices for those offices to be elected shall be
39 in the following order: Names of candidates for the offices of president
40 and vice-president, United States senator, United States representative
41 _____ district, governor and lieutenant governor running together,
42 secretary of state, attorney general, (and any other officers elected from the
43 state as a whole), state senator _____ district, state representative _____

1 district, district judge _____ district, district magistrate judge ____
2 district, district attorney _____ judicial district, and state board of
3 education member _____ district.

4 (b) The arrangement of offices on the official general ballot for
5 county and township offices for those offices to be elected shall be in the
6 following order: Names of candidates for county commissioner _____
7 district, county clerk, county treasurer, register of deeds, county attorney,
8 sheriff, township trustee, township treasurer, *and* township clerk.

9 (c) *The arrangement of offices on the general ballot for municipal*
10 *officers shall be established by the secretary of state upon consultation*
11 *with county election officers.*

12 (d) *The secretary of state may adopt rules and regulations to ensure*
13 *orderly general elections in both even-numbered years and odd-numbered*
14 *years.*

15 Sec. 17. K.S.A. 25-1115 is hereby amended to read as follows: 25-
16 1115. (a) "General election" means the election held on the Tuesday
17 succeeding the first Monday in November of even-numbered years, the
18 elections held for municipal officers on the ~~first Tuesday in April~~
19 succeeding the first Monday in November in odd-numbered years, and in
20 the case of special elections of any officers to fill vacancies, the election at
21 which any such officer is finally elected.

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

29 Sec. 18. K.S.A. 2012 Supp. 25-1122 is hereby amended to read as
30 follows: 25-1122. (a) Any registered voter may file with the county
31 election officer where ~~such~~ the person is a resident, or where ~~such~~ the
32 person is authorized by law to vote as a former precinct resident, an
33 application for an advance voting ballot. The signed application shall be
34 transmitted only to the county election officer by personal delivery, mail,
35 facsimile or as otherwise provided by law.

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

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

1 thereto.

2 (d) A voter may vote a provisional ballot according to K.S.A. 25-
3 409, and amendments thereto, if:

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

6 (2) the name and address of the voter provided on the application for
7 an advance voting ballot do not match the voter's name and address on the
8 registration book. The voter shall provide a valid form of identification as
9 defined in K.S.A. 25-2908, and amendments thereto, to the county election
10 officer in person or provide a copy by mail or electronic means before the
11 meeting of the county board of canvassers. At the meeting of the county
12 board of canvassers the county election officer shall present copies of
13 identification received from provisional voters and the corresponding
14 provisional ballots. If the county board of canvassers determines that a
15 voter's identification is valid and the provisional ballot was properly cast,
16 the ballot shall be counted.

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

20 (1) The county election official verifies that the signature of the
21 person matches that on file in the county voter registration records.
22 Signature verification may occur by electronic device or by human
23 inspection. In the event that the signature of a person who is requesting an
24 advance voting ballot does not match that on file, the county election
25 officer shall attempt to contact the person and shall offer the person
26 another opportunity to provide ~~such~~ the person's signature for the purposes
27 of verifying the person's identity. If the county election officer is unable to
28 reach the person, the county election officer may transmit a provisional
29 ballot, however, such provisional ballot may not be counted unless a
30 signature is included therewith that can be verified; and

31 (2) the person provides such person's full Kansas driver's license
32 number, Kansas nondriver's identification card number issued by the
33 division of vehicles, or submits such person's application for an advance
34 voting ballot and a copy of identification provided by K.S.A. 25-2908, and
35 amendments thereto, to the county election officer for verification. If a
36 person applies for an advance voting ballot to be transmitted by mail but
37 fails to provide identification pursuant to this subsection or the
38 identification of ~~such~~ the person cannot be verified by the county election
39 officer, the county election officer shall provide information to ~~such~~ the
40 person regarding the voter rights provisions of subsection (d) and shall
41 provide ~~such~~ the person an opportunity to provide identification pursuant
42 to this subsection. For the purposes of this act, Kansas state offices and
43 offices of any subdivision of the state will allow any person seeking to

1 vote by an advance voting ballot the use of a photocopying device to make
2 one photocopy of an identification document at no cost.

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

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

8 (2) For the general election occurring on the Tuesday ~~succeeding~~
9 *following* the first Monday in November in even-numbered years, between
10 90 days prior to such election and the last business day of the week
11 preceding such general election.

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

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

18 ~~(5)~~ (3) *For the primary election occurring on the first Tuesday in*
19 *August in odd-numbered years, between April 1 of such year and the last*
20 *business day of the week preceding such primary election.*

21 (4) *For the general election occurring on the Tuesday following the*
22 *first Monday in November in odd-numbered years, between 90 days prior*
23 *to such election and the last business day of the week preceding such*
24 *election.*

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

28 (6) For question submitted elections not occurring on the date of a
29 primary or general election, between the time of the first published notice
30 thereof and the last business day of the week preceding such question
31 submitted election, except that if the question submitted election is held on
32 a day other than a Tuesday, the county election officer shall determine the
33 final date for mailing of advance voting ballots, but such date shall not be
34 more than three business days before such election.

35 (7) For any special election of officers, at such time as is specified by
36 the secretary of state.

37 (8) For the presidential preference primary, between January 1 of the
38 year in which such primary is held and the last business day of the week
39 preceding such primary election.

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

1 (g) Unless an earlier date is designated by the county election office,
2 applications for advance voting ballots transmitted to the voter in person in
3 the office of the county election officer shall be filed on the Tuesday next
4 preceding the election and on each subsequent business day until no later
5 than 12:00 noon on the day preceding such election. If the county election
6 officer so provides, applications for advance voting ballots transmitted to
7 the voter in person in the office of the county election officer also may be
8 filed on the Saturday preceding the election. Upon receipt of any such
9 properly executed application, the county election officer shall deliver to
10 the voter such ballots and instructions as are provided for in this act.

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

16 The county election officer may designate places other than the central
17 county election office as satellite advance voting sites. At any satellite
18 advance voting site, a registered voter may obtain an application for
19 advance voting ballots. ~~Such~~ Ballots and instructions shall be delivered to
20 the voter in the same manner and subject to the same limitations as
21 otherwise provided by this subsection.

22 (h) Any person having a permanent disability or an illness which has
23 been diagnosed as a permanent illness is hereby authorized to make an
24 application for permanent advance voting status. Applications for
25 permanent advance voting status shall be in the form and contain such
26 information as is required for application for advance voting ballots and
27 also shall contain information which establishes the voter's right to
28 permanent advance voting status.

29 (i) On receipt of any application filed under the provisions of this
30 section, the county election officer shall prepare and maintain in such
31 officer's office a list of the names of all persons who have filed such
32 applications, together with their correct post office address and the
33 precinct, ward, township or voting area in which ~~such~~ the persons claim to
34 be registered voters or to be authorized by law to vote as former precinct
35 residents and the present resident address of each applicant. ~~Such~~ Names
36 and addresses shall remain so listed until the day of such election. The
37 county election officer shall maintain a separate listing of the names and
38 addresses of persons qualifying for permanent advance voting status. All
39 such lists shall be available for inspection upon request in compliance with
40 this subsection by any registered voter during regular business hours. The
41 county election officer upon receipt of ~~such~~ the applications shall enter
42 upon a record kept by such officer the name and address of each applicant,
43 which record shall conform to the list above required. Before inspection of

1 any advance voting ballot application list, the person desiring to make
2 ~~such the~~ inspection shall provide to the county election officer
3 identification in the form of driver's license or other reliable identification
4 and shall sign a log book or application form maintained by ~~such the~~
5 officer stating ~~such the~~ person's name and address and showing the date
6 and time of inspection. All records made by the county election officer
7 shall be subject to public inspection, except that the voter identification
8 information required by subsections (b) and (c) and the identifying number
9 on ballots and ballot envelopes and records of such numbers shall not be
10 made public.

11 (j) If a person on the permanent advance voting list fails to vote in
12 two consecutive general elections held on the Tuesday succeeding the first
13 Monday in November of each even-numbered year, the county election
14 officer may mail a notice to such voter. ~~Such The~~ notice shall inform the
15 voter that the voter's name will be removed from the permanent advance
16 voting list unless the voter renews the application for permanent advance
17 voting status within 30 days after the notice is mailed. If the voter fails to
18 renew such application, the county election officer shall remove the voter's
19 name from the permanent advance voting list. Failure to renew the
20 application for permanent advance voting status shall not result in removal
21 of the voter's name from the voter registration list.

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

25 Sec. 19. K.S.A. 25-2003 is hereby amended to read as follows: 25-
26 2003. (a) "Board" means the board of education of any unified school
27 district.

28 (b) "Board member" and "member" mean a member of a board of
29 education of any unified school district.

30 (c) "Holdover member" means a member, or an appointed successor
31 to such member, whose term extends for any period before and two years
32 after the July 1 following a change in method of election under this act.

33 (d) "Member position" means one of the seven positions of members
34 of the board of education ~~when a elected by district method is used, each~~
35 ~~member position, except the at-large member position, is numbered.~~

36 Sec. 20. K.S.A. 25-2004 is hereby amended to read as follows: 25-
37 2004. ~~(a)~~ "Member district" means one of the subdistricts into which a
38 school district is or may be divided for the purpose of election of board
39 members.

40 ~~(b) "District method" means either a six-district method, three-district~~
41 ~~method, or two-district method.~~

42 ~~(c) "Election at large method" means election of board members~~
43 ~~without member districts.~~

1 ~~(d) "Election at large" means an election at which all electors vote on~~
2 ~~all candidates.~~

3 Sec. 21. K.S.A. 25-2006 is hereby amended to read as follows: 25-
4 2006. (a) "General election" means the election held for school officers on
5 ~~the first Tuesday in April in any odd-numbered year~~ Tuesday following the
6 first Monday in November of odd-numbered years, and in the case of
7 special elections of any school officers to fill vacancies, the election at
8 which any such officer is finally elected.

9 (b) "Primary election" means the election held ~~five weeks preceding~~
10 ~~the election~~ on the first Tuesday in ~~April~~ *following the first Monday in*
11 *August of each odd-numbered year*, and any other preliminary election at
12 which part of the candidates for special election to any school office are
13 eliminated by the process of the election but at which no officer is finally
14 elected.

15 Sec. 22. K.S.A. 25-2007 is hereby amended to read as follows: 25-
16 2007. (a) "Question submitted election" means any election at which a
17 special question is to be voted on by the electors of the state or a part of
18 them.

19 (b) "County election officer" means:

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

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

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

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

36 Sec. 23. K.S.A. 25-2010 is hereby amended to read as follows: 25-
37 2010. Election of board members and question submitted elections shall be
38 conducted by the county election officer of the home county of the school
39 district. Board member general elections shall be held on the ~~first Tuesday~~
40 ~~in April of each odd-numbered year. If a primary election is required to be~~
41 ~~held, such~~ Tuesday following the first Monday in November of odd-
42 numbered years. A primary election shall be held on the first Tuesday
43 ~~preceding by five weeks the first Tuesday in April of odd-numbered years~~

1 in August.

2 Sec. 24. K.S.A. 25-2017 is hereby amended to read as follows: 25-
3 2017. Consistent with this act the county election officer shall prescribe
4 the form ~~and time~~ of every publication notice applicable to any primary or
5 general school election.

6 Sec. 25. K.S.A. 25-2018 is hereby amended to read as follows: 25-
7 2018. (a) Notices of board member elections and question submitted
8 elections of a school district shall be made as provided in this section.

9 (b) ~~On or before January 15~~ *At the time and in the manner prescribed*
10 *in K.S.A. 25-204, and amendments thereto*, the county election officer shall
11 publish a notice of election one time in a newspaper having general
12 circulation in the school district. The notice for board member elections
13 shall state: (1) The name of the school district;; (2) the date of the general
14 election;; (3) the date of the primary election if one is held;; (4) the filing
15 deadline and the place of filing;; and (5) the offices or positions to be
16 filled.

17 (c) All notices provided for by this section shall be given in the form
18 prescribed by the secretary of state to the extent that any notice or part
19 thereof is prescribed by the secretary of state. The provisions of this
20 section shall not be construed to require the secretary of state to prescribe
21 any particular form.

22 (d) ~~Not less than six weeks prior to the first Tuesday in April~~ *At the*
23 *time and in the manner prescribed in K.S.A. 25-209, and amendments*
24 *thereto*, a notice of primary elections shall be published by the county
25 election officer in a newspaper having general circulation in the school
26 district, if a primary election is required to be held. The publication shall
27 be made one time and shall state: (1) The name of the school district;; (2)
28 the date of the primary election;; (3) the names of the candidates and the
29 office or position for which each is a candidate;; (4) the voting place or
30 places and the area each voting place is to serve;; *and* (5) the times of
31 opening and closing of the polls. Description of areas shall be in the terms
32 determined by the county election officer.

33 (e) ~~Not less than three days prior to the first Tuesday in April~~ *At the*
34 *time and in the manner prescribed in K.S.A. 25-209, and amendments*
35 *thereto*, a notice of the general election shall be published by the county
36 election officer one time in a newspaper having general circulation in the
37 school district. The notice shall state: (1) The name of the school district;;
38 (2) the date of the general election;; (3) the names of the candidates and
39 the office or position for which each is a candidate;; (4) the voting place or
40 places and the area each voting place is to serve;; *and* (5) the time of
41 opening and closing of polls. Description of areas shall be in such terms as
42 may be determined by the county election officer.

43 (f) Notice of any question submitted election of any school district

1 shall be made in the manner provided by K.S.A. 10-120, and amendments
2 thereto. The notice shall state: (1) The name of the school district;; (2) the
3 date of the election;; (3) the amount of bonds to be issued, if a bond
4 election;; (4) the proposition to be voted upon;; (5) the hours of opening
5 and closing of the polls;; (6) the voting place or places and the area each
6 voting place is to serve;; and (7) any other information specifically
7 required by law. Description of areas shall be in the terms determined by
8 the county election officer.

9 Sec. 26. K.S.A. 2012 Supp. 25-2020 is hereby amended to read as
10 follows: 25-2020. (a) ~~When a district method of election is in effect in any~~
11 ~~school district,~~ A person may become a candidate for election to board
12 member by any one of the following methods:

13 (1) Any person who is an elector in any member district may petition
14 to be a candidate for board member from the member district in which
15 such person resides. Any such person shall file with the county election
16 officer, a petition for such candidacy signed by not less than 50 electors
17 residing in such member district or by a number of such electors equal to
18 not less than 10% of the electors residing in such member district,
19 whichever is less.

20 ~~(2) Any person who is an elector in any school district may petition to~~
21 ~~be a candidate for board member at large from the school district in which~~
22 ~~such person resides. Any such person shall file with the county election~~
23 ~~officer, a petition for such candidacy signed by not less than 50 electors~~
24 ~~residing in such school district.~~

25 ~~(3)~~ (2) Any person who is an elector in any member district may
26 become a candidate for board member from the member district in which
27 such person resides by filing with the county election officer a declaration
28 of intention to become such a candidate, and payment therewith of a filing
29 fee in the amount of \$5. Such declaration shall be prescribed by the
30 secretary of state.

31 ~~(4) Any person who is an elector in any school district may become a~~
32 ~~candidate for board member at large from the school district in which such~~
33 ~~person resides by filing with the county election officer a declaration of~~
34 ~~intention to become such a candidate, and payment therewith of a filing~~
35 ~~fee in the amount of \$5. Such declaration shall be prescribed by the~~
36 ~~secretary of state.~~

37 ~~(5)~~ (3) Any such petition or declaration shall specify the member
38 position for which the person is a candidate.

39 ~~(b) When the election at large method is in effect in any school~~
40 ~~district, a person may become a candidate for election to board member by~~
41 ~~either one of the following methods:~~

42 ~~(1) Any person who is an elector of the school district may petition to~~
43 ~~be a candidate for board member. Any such person shall file with the~~

1 county election officer a petition for such candidacy signed by not less
2 than 50 electors residing in the school district.

3 ~~(2) Any person who is an elector in the unified school district may
4 become a candidate for board member by filing with the county election
5 officer a declaration of intention to become such a candidate, and payment
6 therewith of a filing fee in the amount of \$5. Such declaration shall be
7 prescribed by the secretary of state.~~

8 ~~(3) Any such petition or declaration which is for an unexpired term of
9 a member shall so specify.~~

10 ~~(e) (b) Any such petition or declaration of intent must be filed before
11 the filing deadline as prescribed in K.S.A. 25-205, and amendments
12 thereto. No candidate shall be permitted to withdraw from candidacy after
13 the filing deadline.~~

14 ~~(d) (c) Within three days from the date of the filing of a nomination
15 petition or a declaration of intention to become a candidate for board
16 member, the county election officer shall determine the validity of such
17 petition or declaration.~~

18 ~~(e) (d) If a nomination petition or declaration is found to be invalid,
19 the county election officer shall notify the candidate on whose behalf the
20 petition or declaration was filed that such nomination petition or
21 declaration has been found to be invalid and the reason for the finding.
22 Such candidate may make objection to the finding of invalidity by the
23 county election officer in accordance with K.S.A. 25-308, and
24 amendments thereto.~~

25 Sec. 27. K.S.A. 2012 Supp. 25-2021 is hereby amended to read as
26 follows: 25-2021. (a) In school districts ~~in which a member district method
27 of election is in effect~~, if there are more than three qualified candidates for
28 any member position in any member district, the county election officer
29 shall call, and there shall be held, a primary election in each such member
30 district. The names of the two candidates receiving the greatest number of
31 votes for any member position at the primary election shall appear on the
32 ballots in the general election. If there are three or fewer qualified
33 candidates for any member position, there shall not be a primary election
34 and the names of the candidates shall be placed on the ballots in the
35 general election.

36 ~~(b) In school districts in which the election at large method of
37 election is in effect, if there are more than three times the number of
38 candidates as there are board members to be elected, the county election
39 officer shall call, and there shall be held, a primary election. The names of
40 twice the number of candidates as there are board members to be elected
41 who received the greatest number of votes at the primary election shall
42 appear on the ballots in the general election. If there are not more than
43 three times the number of candidates as there are board members to be~~

1 ~~elected, there shall not be a primary election and the names of the~~
2 ~~candidates shall be placed on the ballots in the general election.~~

3 (e) (b) If a member is to be elected to fill an unexpired term, the
4 office shall be listed separately on the ballots. If there are more than three
5 candidates for such unexpired term, the county election officer shall call,
6 and there shall be held, a primary election. The names of the two
7 candidates for such unexpired term receiving the greatest number of votes
8 shall appear on the ballots in the general election. If there are three or
9 fewer qualified candidates for the unexpired term of any member position,
10 there shall not be a primary election and the names of the candidates shall
11 be placed on the ballots in the general election.

12 (d) (c) On the ballots in general school elections, blank lines for the
13 names of write-in candidates shall be printed at the end of the list of
14 candidates for each different office. The number of blank lines for such
15 elected office shall be equal to the number to be elected thereto. The
16 purpose of such blank lines shall be to permit the voter to insert the name
17 of any person not printed on the ballot for whom such voter desires to vote
18 for such office. No lines for write-in candidates shall appear on primary
19 school election ballots.

20 Sec. 28. K.S.A. 25-2022 is hereby amended to read as follows: 25-
21 2022. Any board shall have power to fill by appointment any vacancy
22 which occurs thereon, and such appointee shall serve for the unexpired
23 term. When a vacancy occurs, the board shall publish a notice one time in
24 a newspaper having general circulation in the school district stating that
25 the vacancy has occurred and that it will be filled by appointment by the
26 board not sooner than ~~fifteen (15)~~ 15 days after such publication. If such
27 vacancy occurs before ~~January 1 of an odd-numbered year~~ May 1 of the
28 second year of the term leaving an unexpired term of more than two years
29 such appointee shall serve until the ~~July 1~~ second Monday in January after
30 the following general school election as provided in K.S.A. 25-2023, ~~or~~
31 ~~any~~ and amendments thereto.

32 In the latter event, the unexpired term of two years commencing ~~July~~
33 ~~on the second Monday in January~~ after the following general school
34 election shall be filled at such election and the ballots or ballot labels and
35 returns of election with respect to such office shall be designated as
36 follows: "To fill the unexpired term."

37 Sec. 29. K.S.A. 25-2022a is hereby amended to read as follows: 25-
38 2022a. ~~Whenever a school district has a voting plan or method of election~~
39 ~~which provides for member districts,~~ Persons elected or appointed to be a
40 member of the board of education of such school district shall reside in the
41 member district corresponding to the member position to which such
42 person is elected or appointed ~~unless such person is a member at large of~~
43 ~~the board of education. The member at large may reside anywhere within~~

1 the school district. Changes of member district territory and boundaries
2 such that a member of a board of education no longer resides in the
3 member district from which elected or appointed shall not shorten the term
4 of such member. In the event a member of a board of education elected or
5 appointed from a member district changes residence from one place to
6 another within a school district, such that he or she no longer resides in the
7 member district from which elected or appointed, such member shall
8 nevertheless continue the term to its conclusion without such term being
9 shortened. In the event a member of a board of education establishes
10 residence outside the school district in which such member resided at the
11 time of election, a vacancy in the membership of the board shall exist as of
12 the date upon which the determination is made by the county election
13 officer of the home county of such school district that a change of
14 residence has occurred, and such member shall no longer be eligible to
15 serve on the board of education of such school district.

16 Sec. 30. K.S.A. 25-2023 is hereby amended to read as follows: 25-
17 2023. ~~Each board member shall qualify by filing an oath of office with the~~
18 ~~election officer not later than ten (10) days~~ The term of office of each
19 board member shall commence on the second Monday in January
20 following the date of the election, or not later than five (5) days after
21 issuance of such member's certificate of election, whichever is the later
22 date. ~~Each board member shall take office on the July 1 following the~~
23 ~~general school election.~~ Each member elected shall qualify by filing an
24 oath of office with the county election office. Each member elected to a
25 board of education shall hold office until a successor is elected or
26 appointed and qualified and shall serve for a term of four (4) years.

27 Sec. 31. K.S.A. 2012 Supp. 25-2102 is hereby amended to read as
28 follows: 25-2102. (a) "General election" means the election held on the
29 Tuesday succeeding the first Monday in November of ~~even-numbered~~
30 ~~odd-numbered years, the elections held for officers on the first Tuesday in~~
31 ~~April~~; and in the case of special elections of any officers to fill vacancies,
32 the election at which any such officer is finally elected.

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

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

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

1 Sec. 32. K.S.A. 25-2107 is hereby amended to read as follows: 25-
2 2107. *(a)* The general election of city officers shall be held on the first
3 Tuesday in April. Except as otherwise provided by law or as provided by
4 charter ordinance passed after April 30, 1968, pursuant to article 12,
5 section 5, of the constitution of Kansas, every city shall have an election of
6 city officers in odd-numbered years only, and the terms of city officers
7 shall be two (2) years: Provided, however, That the provisions of this
8 section shall not invalidate, repeal or otherwise affect any charter
9 ordinance of any city of the third class having a population of not less than
10 one thousand five hundred (1,500) nor more than two thousand (2,000)
11 located in a county having a population of not less than fifty thousand
12 (50,000) nor more than one hundred thousand (100,000), which ordinance
13 had become effective prior to April 30, 1968 Tuesday following the first
14 Monday of November of odd-numbered years. The terms of city officers
15 shall be four years and shall be staggered in a manner such that all
16 members shall not be elected at the same regularly-scheduled election.

17 *(b)* A primary shall be held on the first Tuesday in August of each
18 odd-numbered year as prescribed in K.S.A. 25-202, and amendments
19 thereto.

20 Sec. 33. K.S.A. 2012 Supp. 25-2108a is hereby amended to read as
21 follows: 25-2108a. (a) There shall be a primary election of city officers on
22 the first Tuesday preceding by five weeks the first Tuesday in April of
23 every year that such city has a city election, except as otherwise provided
24 in subsection (b) or subsection (c) of this section in August of each odd-
25 numbered year.

26 (b) In cities in which a district method of election is in effect, if there
27 are more than three qualified candidates for any member district, the
28 county election officer shall call, and there shall be held, a primary
29 election in each such member district. The names of the two candidates
30 receiving the greatest number of votes for any such member district at the
31 primary election shall appear on the ballots in the general election. If there
32 are three or fewer qualified candidates for any member district there shall
33 not be a primary election and the names of the candidates shall be placed
34 on the ballots in the general election.

35 (c) In cities in which the election at large method of election is in
36 effect, if there are more than three times the number of candidates as there
37 are members to be elected, the county election officer shall call, and there
38 shall be held, a primary election. The names of twice the number of
39 candidates as there are members to be elected who received the greatest
40 number of votes at the primary election shall appear on the ballots in the
41 general election. If there are not more than three times the number of
42 candidates as there are members to be elected there shall not be a primary
43 election and the names of the candidates shall be placed on the ballots in

1 ~~the general election.~~

2 (d) (c) On the ballots in general city elections, blank lines for the
3 names of write-in candidates shall be printed at the end of the list of
4 candidates for each different office. The number of blank lines for each
5 elected office shall be equal to the number of candidates to be elected
6 thereto. The purpose of such blank lines shall be to permit the voter to
7 insert the name of any person not printed on the ballot for whom such
8 voter desires to vote for such office. No lines for write-in candidates shall
9 appear on primary city election ballots.

10 Sec. 34. K.S.A. 25-2109 is hereby amended to read as follows: 25-
11 2109. The filing deadline for all city elections shall be ~~12:00 o'clock noon~~
12 ~~of the Tuesday preceding by 10 weeks the first Tuesday in April~~ at 12 noon
13 on June 1 as provided in K.S.A. 25-205, and amendments thereto.

14 Sec. 35. K.S.A. 2012 Supp. 25-2110 is hereby amended to read as
15 follows: 25-2110. (a) ~~In cities of the first and second class, any person~~
16 ~~desiring to become a candidate for a city office elected at large shall file~~
17 ~~with the city clerk before the filing deadline a statement of such candidacy~~
18 ~~on a form furnished by the county election officer as specified by the~~
19 ~~secretary of state. The city clerk of any city upon receiving any filing~~
20 ~~under this section shall record the same and transmit it, together with the~~
21 ~~filing fee or petition herein provided, within three business days to the~~
22 ~~county election officer. In cities of the third class, Any person desiring to~~
23 ~~become a candidate for city office elected at large shall file with the county~~
24 ~~election officer of the county in which the city is located, or of the county~~
25 ~~in which the greater population of the city is located if the city extends into~~
26 ~~more than one county, or the city clerk, before the filing deadline, a~~
27 ~~statement of candidacy on a form furnished by the county election officer~~
28 ~~as specified by the secretary of state~~ *Cities shall establish by ordinance,*
29 *filing fees for candidates for city office and, in lieu of such filing fees,*
30 *requirements for city office by petition.*

31 (b) ~~In cities having a population of less than 5,000, each such filing~~
32 ~~shall be accompanied by a filing fee of \$5 or, in lieu of such filing fee, by a~~
33 ~~petition signed by 25 qualified electors of the city or by a number of such~~
34 ~~qualified electors of the city equal to not less than 10% of the ballots cast~~
35 ~~at the last general city election, whichever is less.~~

36 (c) ~~In cities having a population of not less than 5,000 nor more than~~
37 ~~100,000, each such filing shall be accompanied by a filing fee of \$10 or, in~~
38 ~~lieu of such filing fee, by a petition signed by 50 qualified electors of the~~
39 ~~city or by a number of such qualified electors of the city equal to not less~~
40 ~~than 1% of the ballots cast and counted at the last general city election,~~
41 ~~whichever is less.~~

42 (d) ~~In cities having a population of more than 100,000, each such~~
43 ~~filing shall be accompanied by a filing fee of \$50; or, in lieu of such filing~~

1 fee, by a petition signed by 100 qualified electors of the city or by a
2 number of qualified electors of the city equal to 1% of the ballots cast at
3 the last general city election, whichever is less. *Filing fees, or in lieu of*
4 *such filing fees, the number of qualified electors of the city who must sign*
5 *a nomination petition shall be established by the city governing body by*
6 *ordinance.*

7 (e) (c) Within three days from the date of the filing of a nomination
8 petition or a declaration of intention to become a candidate for a city office
9 elected at large, the county election officer shall determine the validity of
10 such petition or declaration.

11 (f) (d) If a nomination petition or declaration is found to be invalid,
12 the county election officer shall notify the candidate on whose behalf the
13 petition or declaration was filed that such nomination petition or
14 declaration has been found to be invalid and the reason for the finding.
15 Such candidate may make objection to the finding of invalidity by the
16 county election officer in accordance with K.S.A. 25-308, and
17 amendments thereto.

18 (g) (e) All city elections shall be conducted by the county election
19 officer of the county in which such city is located, or of the county in
20 which the greater population of the city is located if the city extends into
21 more than one county.

22 Sec. 36. K.S.A. 25-2113 is hereby amended to read as follows: 25-
23 2113. (a) ~~Except as provided in subsection (b) of this section,~~ City
24 elections shall be nonpartisan and shall be conducted in accordance with
25 article 2 of chapter 25 of the Kansas Statutes Annotated, and amendments
26 thereto. Laws applicable to elections occurring at the same time as city
27 elections shall apply to city elections to the extent that the same are not in
28 conflict with the provisions of this act.

29 ~~(b) The provisions of this subsection (b) shall apply to cities of the~~
30 ~~first class in counties which have been declared urban areas as authorized~~
31 ~~by article 2, section 17, of the constitution of Kansas. Election laws of a~~
32 ~~general nature which are applicable to partisan elections and which are not~~
33 ~~in conflict with this subsection (b) or any specific law applicable to~~
34 ~~election of city officers in any city to which this subsection (b) applies,~~
35 ~~shall apply to elections held under the provisions of this subsection (b).~~
36 ~~The county election officer shall prescribe the forms, ballots and ballot~~
37 ~~labels for every election conducted under this subsection (b), and shall~~
38 ~~make such rules and regulations not inconsistent with this subsection (b) as~~
39 ~~may be necessary for the conduct of such elections.~~

40 Sec. 37. K.S.A. 25-2115 is hereby amended to read as follows: 25-
41 2115. Names of candidates appearing on the ballots in primary and general
42 city elections in cities of the first and second class shall be listed in the
43 various possible orders in rotation.

1 Sec. 38. K.S.A. 25-2120 is hereby amended to read as follows: 25-
2 2120. The county election officer who conducts the city election shall
3 promptly certify to the city governing body the determination of election
4 results made by the county board of canvassers. The term of office shall
5 commence ~~with and include the first regular meeting of the governing~~
6 ~~body~~ on the second Monday in January following certification of the
7 election.

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

12 Sec. 39. K.S.A. 2012 Supp. 25-2311 is hereby amended to read as
13 follows: 25-2311. (a) County election officers shall provide for the
14 registration of voters at one or more places on all days except the
15 following:

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

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

23 (3) the 20 days preceding the day of primary and general state
24 elections;

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

27 ~~(5) the 20 days preceding each first Tuesday in April of odd-~~
28 ~~numbered years, being the day of city and school general elections;~~

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

31 ~~(7) (5) the day of any primary or general election or any question~~
32 ~~submitted election.~~

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

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

42 (d) The last days before closing of registration books as directed by
43 the secretary of state under subsection (c) of this section, county election

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

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

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

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

24 Sec. 40. K.S.A. 25-2502 is hereby amended to read as follows: 25-
25 2502. (a) "General election" means the election held on the Tuesday
26 ~~succeeding~~ following the first Monday in November of even-numbered
27 years, ~~the elections held for officers on the first Tuesday in April,~~ the
28 election held on the Tuesday following the first Monday in odd-numbered
29 years and in the case of special elections of any officers to fill vacancies,
30 the election at which any such officer is finally elected.

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

38 Sec. 41. K.S.A. 2012 Supp. 42-706 is hereby amended to read as
39 follows: 42-706. (a) The officers of such district shall be a board of
40 directors consisting of three members who shall be persons entitled to vote
41 as provided in subsection ~~(h)~~ (g) and residents of a county in which the
42 district or a portion thereof is located, or county adjoining a county in
43 which such irrigation district or a portion thereof is located. Such members

1 shall hold office for a period of three years, and each shall serve until a
2 successor has been elected and qualified. The members of the board of
3 directors first elected after the creation of an irrigation district shall hold
4 their respective offices until the next regular election for the election of
5 directors as provided in subsection (e) or (f) of this section except that the
6 terms of the three directors shall be as provided in subsection (e) of this
7 section.

8 (b) The chief engineer of the division of water resources, after the
9 incorporation of such irrigation district, shall establish and designate the
10 polling place or places therein where the first election will be conducted
11 and fix the time for such election within 60 days after the date of
12 incorporation. In any irrigation district of more than 35,000 acres, the chief
13 engineer of the division of water resources shall, prior to designating
14 polling places, establish three voting areas within such district as equal as
15 possible in acreage and shall designate the same as the first, second or
16 third voting area. Such polling place or places may thereafter be changed
17 by the board of directors, and the board may arrange for polling places
18 outside the corporate boundaries of the district if such places are more
19 convenient than locations within the district. Prior to the holding of the
20 first election in newly created districts, the chief engineer of the division of
21 water resources shall appoint from the qualified electors of the district
22 three persons for such election for each voting place who shall constitute
23 boards of election for such district for such election. If the members
24 appointed do not attend at the opening of the polls on the day of election,
25 at the opening hour, the electors present at that hour shall elect from the
26 electors present members of the election board necessary to fill the place
27 of any absent member.

28 (c) The board of directors of every district of more than 35,000 acres
29 which was incorporated prior to the effective date of this act shall establish
30 three voting areas within the district as equal as possible in acreage and
31 designate the same as the first, second or third voting area. The board shall
32 also establish and designate the polling place or places within each voting
33 area. At the first election held after the effective date of this act, a director
34 shall be elected from each voting area and the person receiving the highest
35 number of votes shall serve for a term of three years, the person receiving
36 the second highest number of votes shall serve for a term of two years, and
37 the person receiving the third highest number of votes shall serve for a
38 term of one year. At each subsequent election, only one director shall be
39 elected each year for a term of three years. Any director elected under this
40 provision must be a person entitled to vote as provided in subsection ~~(h)~~
41 (g).

42 (d) (1) Except as provided in paragraph (2), all elections shall be
43 conducted in accordance with the general election laws of the state except

1 as otherwise provided in this act. Advance voting as provided in article 11
2 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto,
3 shall be provided for by the county election officers and boards of
4 directors for those persons entitled to vote under subsection ~~(h)~~ (g). The
5 forms for the ballot envelope declaration as provided in K.S.A. 25-1120,
6 and amendments thereto, and the applications for advance ballots as
7 provided in K.S.A. 25-1122d, and amendments thereto, shall be modified
8 to establish that such person is a qualified owner of irrigable land within
9 the district. After polls are closed the election boards shall proceed to
10 canvass the votes cast thereat, shall certify to the county election officer of
11 the county in which all or the greater part of the population of the
12 irrigation district is located and the chief engineer the result of such
13 election. The clerks shall then securely wrap the ballots cast at such
14 elections and shall express or mail the same by registered mail to the
15 county election officer of the county in which all or the greater part of the
16 population of the irrigation district is located. The county election officer
17 shall canvass the ballots, verify the results and declare the person receiving
18 the highest number of votes duly elected as director except that at the first
19 election after creation of a district the county election officer of the county
20 in which all or the greater part of the population of the irrigation district is
21 located shall declare the three persons receiving the highest number of
22 votes duly elected as directors except that in districts divided into three
23 voting areas, the person receiving the highest number of votes in each
24 voting area shall be duly elected as director. Such county election officer
25 shall immediately mail, to each person elected to the office of director a
26 certificate of election signed by such officer. The directors shall thereupon
27 qualify and enter upon the duties of their office. Directors shall qualify by
28 taking and subscribing to an oath of office of substantially the same tenor
29 as oath of office prescribed for county officials. Each member of the board
30 of directors shall execute an official bond in the sum of \$1,000 which oath
31 and bond shall be filed with the county election officer of the county in
32 which all or the greater part of the population of the irrigation district is
33 located. The treasurer of each irrigation district shall execute to the district
34 a corporate surety bond in an amount at least equal to 125% of the amount,
35 as near as can be ascertained, that shall be in such person's hands as
36 treasurer at any one time. The amount and sufficiency of the bond of the
37 treasurer shall be determined by the county election officer. Upon approval
38 of the bond, the county election officer shall endorse such approval
39 thereon and file the same in the office of the county election officer and
40 shall immediately notify the county treasurer of the county in which the
41 registered office of the irrigation district is located of such approval and
42 filing. In the event of the breach of any condition of the treasurer's bond,
43 the president and secretary of the board shall cause a suit to be commenced

1 thereon in the name of the irrigation district. It shall not be necessary to
2 include the treasurer as a party to the action and the money collected shall
3 be applied to the use of the district, as the same should have been applied
4 by the treasurer. Should the president and secretary neglect or refuse to
5 prosecute such a suit, then any person entitled to vote as provided in
6 subsection ~~(h)~~ (g) may cause such suit to be instituted. Premiums on surety
7 bonds for such directors and treasurers of irrigation districts shall be paid
8 by the district out of its general funds. In case the office of any director
9 shall become vacant the remaining members of the board shall fill the
10 vacancy by appointment. A director appointed to fill a vacancy shall serve
11 the unexpired term of the director whose term such person was appointed
12 to fill.

13 (2) For any election except the election required in subsection (b), the
14 board of directors may adopt a procedure providing for the election of
15 members by mail ballot. Such procedure shall require the board to mail
16 ballots to all persons entitled to vote, to receive and tabulate the ballots, to
17 canvass the election and to certify the results to the county election officer.
18 The irrigation district shall be responsible for the direct expenses of
19 conducting the election. The ballot envelope used for mailing ballots shall
20 contain a declaration establishing that the person who signs the declaration
21 is a qualified owner of irrigable land within the district.

22 (e) All regular elections of directors of irrigation districts shall be
23 held ~~the first Tuesday in March except as provided by subsection (g)~~
24 *Tuesday following the first Monday in November in odd-numbered years.*
25 Any districts organized after the regular ~~March~~ election shall hold its
26 election at the next regular ~~March~~ election following incorporation of the
27 district and, at this election three directors shall be elected and the person
28 receiving the highest number of votes shall serve for a term of three years,
29 the person receiving the second highest number of votes shall serve for a
30 term of two years, and the person receiving the third highest number of
31 votes shall serve for a term of one year. In case the first election after
32 creation of a district is held between June 1 of any year and the day
33 preceding the ~~first Tuesday in March~~ *following the first Monday in*
34 *November* of the next succeeding *odd-numbered* year, the next regular
35 ~~March~~ election shall be held in the second succeeding *odd-numbered* year.
36 At each subsequent regular election, only one director shall be elected
37 each year for a term of ~~three~~ *four* years. ~~All persons desiring to be voted~~
38 ~~upon as directors shall at least 30 days before the day of holding of the~~
39 ~~elections, file such person's name with the county election officer of the~~
40 ~~county in which all or the greater part of the population of the irrigation~~
41 ~~district is located, affixed to a statement that such person desires such~~
42 ~~person's name to be placed on the ticket as a candidate for member of~~
43 ~~board of directors of the district in such election~~ *Any person desiring to be*

1 *a candidate for election to the board of directors shall file a candidate's*
2 *declaration of intention with the county election officer of the county in*
3 *which all or the greater part of the population of the district is located.*
4 *Such candidate's filing shall be made as provided in K.S.A. 25-205, and*
5 *amendments thereto. The county election officer shall ~~make up the ticket,~~*
6 *at expense of the irrigation district ~~prepare the ballot,~~ and place the names*
7 *thereon in alphabetical order and shall supply election officials with*
8 *necessary ballots and polling books at the irrigation district's expense. At*
9 *least five days before any election held subsequent to first election of*
10 *directors, the boards of directors shall name and appoint three persons for*
11 *each voting place, who shall be qualified electors in the district. At least*
12 *five days before any election, the county clerks of the various counties*
13 *within which a portion of the district is located, shall cause to be*
14 *ascertained the names of all persons entitled to vote as provided in*
15 *subsection ~~(h)~~ (g) and shall furnish lists thereof to each election board*
16 *within such county and to the secretary of the board of directors of the*
17 *district. Notice of the time and places of holding of the election, signed by*
18 *the president and attested by the secretary of the district shall be given in*
19 *some newspaper or newspapers primary and general elections, shall be*
20 *published by the county election officer in a newspaper of general*
21 *circulation in the district for one issue at least five days prior to date of the*
22 *election in accordance with K.S.A. 25-209, and amendments thereto, and*
23 *K.S.A. 25-105, and amendments thereto. The ~~return~~ results of all special or*
24 *bond elections shall be made available to the secretary of the district, and*
25 *canvassed by the board of directors. All expenses of election, not*
26 *otherwise provided for herein, shall be paid for out of the general funds of*
27 *the irrigation district. Election officials shall receive the same*
28 *compensation as provided under general election laws.*

29 (f) In lieu of the election procedures provided in this section
30 pertaining to regular elections of directors in accordance with the general
31 election laws of the state, the board of directors of any irrigation district of
32 less than 35,000 acres in size may call an annual meeting of all persons
33 entitled to vote as provided in subsection ~~(h)~~ (g) for the purpose of electing
34 directors. Such annual meeting shall be held on the first Tuesday in March;
35 ~~except as provided by subsection (g).~~ Notice of the time and place of
36 holding said annual meeting shall be given in some newspaper or
37 newspapers of general circulation in the district for one issue at least 30
38 days prior to date of such meeting. Elections at the annual meeting shall be
39 by ballot, with absentee voting as provided under subsection (d) of this
40 section. All persons desiring to be voted upon as director shall at least 30
41 days before the day of holding the annual meeting file such person's name
42 with the secretary of the board of directors of the district, affixed to a
43 statement that such person desires such person's name to be placed on the

1 ballot as a candidate for member of board of directors of the district. The
2 board of directors shall appoint three owners of irrigable land in the
3 district to serve as an election board at the annual meeting. After the votes
4 are cast at the annual meeting the election board shall proceed to canvass
5 the votes and shall certify to the county election officer of the county in
6 which all or the greater part of the population of the irrigation district is
7 located and the chief engineer the result of such election. All provisions of
8 this section not inconsistent with the provisions of subsection (f) shall
9 apply to the election of directors at the annual meeting.

10 ~~(g) In any case where the time for any regular election of directors as~~
11 ~~described in subsection (c), or the election as described in subsection (f), is~~
12 ~~the same for any two districts having the same district manager, such~~
13 ~~election shall be held on the first Wednesday following the first Tuesday in~~
14 ~~March by the district organized latest in time.~~

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

20 After lands have been assessed in the district pursuant to K.S.A. 42-
21 715, and amendments thereto, those persons entitled to vote shall be
22 "qualified owners of land" within the irrigation district as such term is
23 defined in K.S.A. 42-701, and amendments thereto, which has been
24 assessed pursuant to K.S.A. 42-715, and amendments thereto, and who are
25 otherwise qualified electors. For voting purposes, any person entitled to
26 vote under this subsection who owns land in more than one voting area
27 shall vote in the voting area which includes the greatest portion of such
28 person's land. As used in this section, the term "qualified electors" shall
29 include a person who is the legal qualified owner of irrigable land or a
30 person, who is authorized, in writing, to vote for a trust, corporation,
31 association or partnership which is the legal qualified owner of irrigable
32 land. Such person is not required to be a resident of the district. Such trust,
33 corporation, association or partnership shall be allowed only one vote. The
34 person authorized by such entity to vote shall be someone who is not
35 otherwise entitled to a vote under this section.

36 Sec. 42. K.S.A. 71-1408 is hereby amended to read as follows: 71-
37 1408. Change of method of election in any community college district may
38 be made in the manner provided in this act at any time during the period
39 beginning on the first Wednesday in ~~April~~ November of each odd-
40 numbered year and ending on the first Tuesday in ~~December~~ June of each
41 even-numbered year, if such change is also approved in a manner
42 authorized in this act before the end of such period. The new method of
43 election in such district shall be followed in the election of trustees next

1 following such change and shall continue in force until again changed in
2 the manner provided in this act. Change of method of election shall not
3 shorten the term of any trustee serving on the board at the time the change
4 is made.

5 Sec. 43. K.S.A. 71-1412 is hereby amended to read as follows: 71-
6 1412. Each member of the board of trustees of a community college shall
7 be elected for a four-year term commencing on the ~~July 1~~ second Monday
8 in January following *the* election. Members shall serve until their
9 successors are elected or appointed and qualified.

10 Sec. 44. K.S.A. 71-1413 is hereby amended to read as follows: 71-
11 1413. (a) Elections of trustees of community colleges shall be conducted
12 by the county election officer of the county in which the main campus of
13 the college is located. In any college district having territory in more than
14 one county, the county election officers of all such counties shall cooperate
15 with the county election officer of the county in which the main campus is
16 located, and upon establishing any new community college or adding
17 territory to any of the community college districts, the state board, in
18 accordance with this section, shall specify the county in which the main
19 campus shall be located for the purpose of this section. General
20 community college elections shall be held on the ~~first Tuesday in April of~~
21 ~~each odd-numbered year~~ following the first Monday in November of each
22 odd-numbered year.

23 (b) Any primary community college election shall be held on the
24 ~~Tuesday preceding by five weeks the first Tuesday in April of odd-~~
25 ~~numbered years~~ *first Tuesday of August of each odd-numbered year in*
26 *accordance with K.S.A. 25-202, and amendments thereto.*

27 (c) *Notice of the time and place of holding each primary and general*
28 *election shall be published by the county election officer in a newspaper*
29 *published in the county in accordance with K.S.A. 25-209, and*
30 *amendments thereto, and K.S.A. 25-105, and amendments thereto.*

31 Sec. 45. K.S.A. 71-1414 is hereby amended to read as follows: 71-
32 1414. (a) (1) In college districts where a district method of election is in
33 effect, a person may become a candidate for election to trustee of a
34 community college by any one of the following methods:

35 (A) Any person who is an elector of any member district may petition
36 to be a candidate for member from the member district in which such
37 person resides. Any such person shall file with the election officer a
38 petition for such person's candidacy signed by not less than 50 electors
39 residing in such person's member district.

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

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

7 (D) 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 become a candidate for the at-large member position by filing with
10 the county election officer a declaration of intent to be such a candidate,
11 and payment therewith of a filing fee in the amount of \$5.

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

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

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

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

25 (c) Every petition or declaration of intent filed under this section must
26 be filed on or ~~before 12 o'clock~~ 12 noon on the Tuesday which precedes by
27 ~~10 weeks the first Tuesday in April of any odd-numbered year. No such~~
28 ~~petition or declaration shall be filed sooner than the second Tuesday of the~~
29 ~~December which next precedes the community college election June 1 of~~
30 ~~each odd-numbered year as provided in K.S.A. 25-205, and amendments~~
31 ~~thereto.~~

32 Sec. 46. K.S.A. 71-1417 is hereby amended to read as follows: 71-
33 1417. Names of candidates appearing on the ballots in primary and general
34 elections of members shall be listed in ~~the various possible orders in~~
35 ~~rotation. Ballots to be used in member elections shall be acquired by the~~
36 ~~election officer in such form and quantity as he shall determine~~
37 ~~alphabetical order according to the candidates' surnames.~~

38 Sec. 47. K.S.A. 71-1419 is hereby amended to read as follows: 71-
39 1419. (a) The election of trustees of community colleges shall be
40 ~~nonpartisan~~ partisan, in accordance with K.S.A. 25-202, and amendments
41 thereto, and laws applicable only to partisan elections shall ~~not~~ apply in
42 such elections. All laws applicable to elections, the violation of which is a
43 crime, shall be applicable to election of trustees of community colleges.

1 (b) Except as is provided in (a) above, laws applicable to local
2 elections, including voter registration laws, occurring at the same time as
3 election of trustees shall apply to the election of trustees to the extent that
4 the same are not in conflict with the provisions of this act. ~~The provisions~~
5 ~~of this subsection (b) shall not apply to election notices.~~

6 (c) Ballots for election of trustees shall be canvassed by the members
7 of election boards canvassing ballots in other ~~local~~ elections insofar as is
8 practicable, and where it is not practicable, the county election officer shall
9 provide for such canvass by other appropriate means.

10 Sec. 48. K.S.A. 72-7901 is hereby amended to read as follows: 72-
11 7901. The governing body of a unified school district is and shall be a
12 board of education composed of seven ~~(7)~~ members, except as is
13 specifically otherwise provided in K.S.A. 72-5333b. The members ~~may~~
14 ~~shall~~ be elected by ~~any combination of method of election and voting plan~~
15 ~~authorized by law~~ *district*, and shall serve for a term of four ~~(4)~~ years.

16 Sec. 49. K.S.A. 2-623, 12-1001, 12-1002, 12-1003, 12-1004, 12-
17 1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-
18 1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-
19 1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015,
20 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-
21 1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031,
22 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-
23 1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-
24 1038, 19-3505, 19-3507, 24-504, 25-202, 25-209, 25-1115, 25-2003, 25-
25 2004, 25-2005, 25-2006, 25-2007, 25-2010, 25-2017, 25-2018, 25-2021,
26 25-2022, 25-2022a, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-
27 2120, 25-2502, 71-1404, 71-1405, 71-1406, 71-1407, 71-1408, 71-1409,
28 71-1410, 71-1411, 71-1412, 71-1413, 71-1414, 71-1417, 71-1419, 72-
29 7901, 72-8001, 72-8002, 72-8004, 72-8005, 72-8006, 72-8007 and 72-
30 8009 and K.S.A. 2012 Supp. 2-624, 24-412, 24-414, 24-459, 24-506, 25-
31 213, 25-611, 25-1122, 25-2020, 25-2021, 25-2102, 25-2108a, 25-2110, 25-
32 2110a, 25-2311 and 42-706 are hereby repealed.

33 Sec. 50. This act shall take effect and be in force from and after its
34 publication in the statute book.