

Substitute for SENATE BILL No. 171

By Committee on Ethics and Elections

2-20

Proposed Amendments to Sub for SB 171
March 12, 2015
Prepared by: Mike Heim
Office of Revisor of Statutes

1 AN ACT concerning elections and voting; relating to certain
2 municipalities and special districts; amending K.S.A. 2-623, ~~{10-120,~~
3 ~~12-138, 12-344, 12-645,}~~ 13-1221, ~~{19-117,}~~ 19-2760, 19-3505, 19-
4 3507, 24-504, 25-204, 25-209, 25-210, 25-212, 25-610, 25-1115, 25-
5 2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-2018, 25-2022, 25-
6 2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 25-
7 2804, 25-2901, 25-3503, ~~{68-438,}~~ 71-1408, 71-1412, 71-1413, 71-
8 1414, 71-1419, 72-8008 and 80-2508 and K.S.A. 2014 Supp. 2-624,
9 ~~{12-363, 12-1737, 19-15,116,}~~ 24-412, 24-414, 24-459, 24-506, 25-
10 205, 25-213, 25-611, 25-618, 25-1122, 25-2020, 25-2102, 25-2108a,
11 25-2110, 25-2311, 25-3801 ~~and~~ ~~{}~~ 42-706 ~~{and 72-6433}~~ and repealing
12 the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003,
13 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-
14 1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l,
15 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-
16 1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-
17 1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-
18 1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-
19 1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e,
20 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 19-2762 and 71-
21 1417.

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

22 New Section 1. (a) On and after January 1, 2017, all primary
23 elections for members of the governing body and other elected officials of
24 any municipality shall be held on the first Tuesday in August of 2017 and
25 on such date thereafter of odd-numbered years, and all general elections
26 for members of the governing body and other elected officials of any
27 municipality shall be held on the Tuesday succeeding the first Monday in
28 November of 2017 of odd-numbered years and on such date thereafter.

29 (b) ~~{(1)}~~ The term of members of governing bodies and other elected
30 officials of any municipality that would expire at any time in 2017 shall
31 expire on the second Monday in January of 2018, when newly elected
32 members of the governing body and other newly elected officials shall
33 take office.

34 ~~{(2)}~~ The term of members of governing bodies and other elected

2016
2016
even
2016
even
2016
2017

1	<i>officials of any municipality that have been elected to four-year terms</i>	2017
2	<i>and which would expire at any time in 2019, shall expire on the second</i>	
3	<i>Monday in January of 2020, when newly elected members of the</i>	
4	<i>governing body and other newly elected officials shall take office;</i>	2018
5	(c) The governing body of the municipality shall establish by	
6	ordinance or resolution terms of office of elected officials to comply with	
7	this act.	
8	(d) Primary elections for any municipality shall be conducted as	
9	provided in K.S.A. 25-202, and amendments thereto. A primary election	
10	shall only be required as provided in K.S.A. 25-2021, and amendments	
11	thereto, and K.S.A. 25-2108a, and amendments thereto, or as otherwise	
12	required by law.	
13	(e) The filing deadline for all candidates for any municipality, unless	
14	otherwise provided by law, shall be as provided in K.S.A. 25-205, and	
15	amendments thereto.	
16	(f) Any person who meets the qualifications for the office sought may	
17	become a candidate for municipal office by filing a declaration of intent to	
18	become a candidate with the county election officer accompanied by a	
19	filing fee of \$20.	
20	(g) "Municipality" means any city, consolidated city-county created	
21	under K.S.A. 12-340 et seq., and amendments thereto, and K.S.A. 2014	
22	Supp. 12-360 et seq., and amendments thereto, county adopting a charter	
23	under K.S.A. 19-2680 et seq., and amendments thereto, school district, any	
24	board of public utilities created under K.S.A. 13-1220 et seq., and	and
25	amendments thereto, community college, drainage district, extension	
26	district created under K.S.A. 2-623 et seq., and amendments thereto,	
27	irrigation district, improvement district created under K.S.A. 19-2753 et	
28	seq., and amendments thereto, water district created under K.S.A. 19-3501	
29	et seq., and amendments thereto, and hospital district created under K.S.A.	
30	80-2501 et seq., and amendments thereto. The term does not include any	
31	special district where the election of members of the governing body is	
32	conducted at a meeting of the special district.	
33	(h) Cities may provide for elections of elected officials in even-	
34	numbered years in order to provide for staggered terms of office or for	
35	three-year terms of office for elected officials.	
36	New Sec. 2. All existing ordinances and charter ordinances relating to	
37	a city's form of government, except those provisions relating to the timing	
38	of city primary and general elections, shall remain in effect until amended	
39	or repealed by such city.	
40	New Sec. 3. (a) Subject to subsection (b), any city may adopt by	
41	ordinance one of the following forms of government:	
42	(1) Commission;	
43	(2) mayor-council;	

New Sec. 3. (a) On and after January 1, 2016, all primary elections for members of the governing body and other elected officials of any special district shall be held on the first Tuesday in August of 2017 and on such date thereafter of odd-numbered years and all general elections for members of the governing body and other elected officials of any special district shall be held on the Tuesday succeeding the first Monday in November of 2017 of odd-numbered years and on such date thereafter.

(b) The term of members of governing bodies and other elected officials of special districts that would expire at any time in 2017 shall expire on the second Monday in January of 2018, when newly elected members of the governing body and other newly elected officials shall take office. The governing body of the special district shall establish by resolution terms of office of elected officials to comply with this act.

(c) Primary elections for any special district, if otherwise required by law, shall be conducted on the first Tuesday in August in odd-numbered years.

(d) The county election officers, with the assistance of the secretary of state, shall conduct special district primary and general elections in odd-numbered years.

(e) Any person who meets the qualifications for the office sought may become a candidate for the special district office by filing a declaration of intent to become a candidate with the county election officer accompanied by a filing fee of \$20.

(f) All elections for officers of special districts shall be on a non-partisan basis.

(g) The filing deadline for all candidates for any special district unless otherwise provided by law shall be as provided in K.S.A. 25-205, and amendments thereto.

(h) "Special district" means any board of public utilities created under K.S.A. 13-1220 et seq., and amendments thereto, community college, drainage district, extension district created under K.S.A. 2-623 et seq., and amendments thereto, irrigation district, improvement district created under K.S.A. 19-2753 et seq., and amendments thereto, library district created under K.S.A. 12-1236 et seq., and amendments thereto, water district created under K.S.A. 19-3501 et seq., and amendments thereto, and hospital district created under K.S.A. 80-2501 et seq., and amendments thereto. The term does not include any special district where the election of members of the governing body is conducted at a meeting of the special district.

Renumber sections accordingly.