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{As Amended by Senate Committee of the Whole}

Session of 2015

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
(Precinct)

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, 12-6415, 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
23
24 New Section 1. (a) On and after January 1, 2017, all primary
25 elections for members of the governing body and other elected officials of
26 any municipality shall be held on the first Tuesday in August of 2017 and
27 on such date thereafter of odd-numbered years, and all general elections
28 for members of the governing body and other elected officials of any
29 municipality shall be held on the Tuesday succeeding the first Monday in
30 November of 2017 of odd-numbered years and on such date thereafter.

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

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

Attachment: 5-1
Date: 3-3-2015
House Elections
33
35

3503. (a) In the event that any vacancy occurs to which this act applies, and such occurrence is not more than ~~thirty (30)~~ 90 days and not less than ~~thirty (30)~~ 30 days before any primary election of state officers, the election provided for in this act shall be held on the same date as the primary election of state officers.

~~(b) In the event that any vacancy occurs to which this act applies, and such occurrence is not more than thirty (30) days and not less than thirty (30) days before any regular primary or general election of city and school officers occurring in an odd-numbered year, the election provided for in this act shall be held within such ninety (90) days and on the same date as such primary or general election.~~

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

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

~~Sec. 52. K.S.A. 2014 Supp. 25-3801 is hereby amended to read as follows: 25-3801. (a) At each primary election held in August of a presidential election year, the members of the party residing in each precinct in each county of the state shall elect a man of their number as precinct committeeman and a woman of their number as precinct committeewoman to serve four-year terms. No person shall be eligible to be a candidate for or hold the office of precinct committeeman or precinct committeewoman of a party in any precinct unless such person actually lives, resides and occupies a place of abode in such precinct, and is in all other respects a qualified elector and is shown as a member of such party~~

strike

1 on the party affiliation list, in the office of the county election officer.
 2 Except as provided in subsection (b), any vacancy occurring in the office
 3 of precinct committeeman or committeewoman shall be promptly filled by
 4 appointment by the county chairperson, except that any vacancy which
 5 occurs because the party had no candidate at such primary election shall
 6 not be filled until the county central committee has elected or reelected its
 7 chairperson. Not later than three days after appointment of precinct
 8 committeemen and committeewomen, the county chairperson making the
 9 appointments shall notify the county election officer of such appointments.
 10 The county election officer shall make such appointments public
 11 immediately upon receipt thereof. As used in this act, "primary election"
 12 means the statewide *presidential* election held in August of even-
 13 numbered years.

14 (b) When a convention is to be held under article 39 of chapter 25 of
 15 Kansas Statutes Annotated, ~~and amendments thereto~~, to fill a vacancy, no
 16 appointments shall be made under subsection (a). (1) After the county
 17 chairperson has received notice from the county election officer of a
 18 vacancy or a pending vacancy in a county elected office; or (2) after the
 19 county chairperson in each county, all or a part of which, is located within
 20 a legislative district has received notice from the secretary of state of a
 21 vacancy or a pending vacancy in a legislative office.

22 After the vacancy has been filled by a person elected at a convention
 23 held under article 39 of chapter 25 of the Kansas Statutes Annotated, ~~and~~
 24 ~~amendments thereto~~, any vacancy in the office of precinct committeeman
 25 or committeewoman shall be filled as provided by subsection (a).

26 Sec. 53. K.S.A. 2014 Supp. 42-706 is hereby amended to read as
 27 follows: 42-706. (a) The officers of such district shall be a board of
 28 directors consisting of three members who shall be persons entitled to vote
 29 as provided in subsection (4) (g) and residents of a county in which the
 30 district or a portion thereof is located, or county adjoining a county in
 31 which such irrigation district or a portion thereof is located. Such members
 32 shall hold office for a period of ~~three~~ two or four years, *such term of office*
 33 *being established by the board of directors by passage of a resolution*, and
 34 each shall serve until a successor has been elected and qualified. The
 35 members of the board of directors first elected after the creation of an
 36 irrigation district shall hold their respective offices until the next regular
 37 election for the election of directors as provided in subsection (e) or (f) of
 38 this section except that the terms of the three directors shall be as provided
 39 in subsection (e) of this section.

40 (b) The chief engineer of the division of water resources, after the
 41 incorporation of such irrigation district, shall establish and designate the
 42 polling place or places therein where the first election will be conducted
 43 and fix the time for such election within 60 days after the date of

strike

Renumber sections accordingly.

1 *other rights, claims and assets of the county and city; and*

2 *(6) fix the rate of the retailers' sales tax, if any.*

3 *(d) Vacancies in the governing body shall be filled as provided in*
4 *section 1, and amendments thereto.*

5 *Sec. 64: {73} K.S.A. 2-623, {10-120, 12-138, 12-344, 12-6a15,} 12-*
6 *1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-*
7 *1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005i, 12-*
8 *1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011,*
9 *12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-*
10 *1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028,*
11 *12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-*
12 *1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-*
13 *1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 13-1221, {19-117,} 19-*
14 *2760, 19-2762, 19-3505, 19-3507, 24-504, 25-204, 25-209, 25-210, 25-*
15 *212, 25-610, 25-1115, 25-2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-*
16 *2018, 25-2022, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120,*
17 *25-2502, 25-2804, 25-2901, 25-3503, {68-438,} 71-1408, 71-1412, 71-*
18 *1413, 71-1414, 71-1417, 71-1419, 72-8008 and 80-2508 and K.S.A. 2014*
19 *Supp. 2-624, {12-363, 12-1737, 19-15, 116,} 24-412, 24-414, 24-459, 24-*
20 *506, 25-205, 25-213, 25-611, 25-618, 25-1122, 25-2020, 25-2102, 25-*
21 *2108a, 25-2110, 25-2311, [25-380] and {,} 42-706 {and 72-6433} are*
22 *hereby repealed.*

23 *Sec. 62: {74,} This act shall take effect and be in force from and after*
24 *its publication in the statute book.*