

#5

Substitute for SENATE BILL No. 171

By Committee on Ethics and Elections

2-20

Proposed Amendments to Sub for SB 171 (technical)
March 16, 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, 12-615, 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,
9 112-363, 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, 12-1005i, 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.
22
23
24
25
26

13-1220.

25-2017a.

25-2118.

Strike in line 4

25-2112

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

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

(b) *{(1)}* The term of members of governing bodies and other elected officials of any municipality 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.

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

Date: 2-16-2015
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officials of any municipality that have been elected to four-year terms and which would expire at any time in 2019 shall expire on the second Monday in January of 2020, when newly elected members of the governing body and other newly elected officials shall take office.

(c) The governing body of the municipality shall establish by ordinance or resolution terms of office of elected officials to comply with this act.

(d) Primary elections for any municipality shall be conducted as provided in K.S.A. 25-202, and amendments thereto. A primary election shall only be required as provided in K.S.A. 25-2021, and amendments thereto, and K.S.A. 25-2108a, and amendments thereto, or as otherwise required by law.

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

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

(g) "Municipality" means any city, consolidated city-county created under K.S.A. 12-340 et seq., and amendments thereto, and K.S.A. 2014 Supp. 12-360 et seq., and amendments thereto, county adopting a charter under K.S.A. 19-2680 et seq., and amendments thereto, school district, 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, 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.

(h) Cities may provide for elections of elected officials in even-numbered years in order to provide for staggered terms of office or for three-year terms of office for elected officials.

New Sec. 2. All existing ordinances and charter ordinances relating to a city's form of government, except those provisions relating to the timing of city primary and general elections, shall remain in effect until amended or repealed by such city.

New Sec. 3. (a) Subject to subsection (b), any city may adopt by ordinance one of the following forms of government:

- (1) Commission;
- (2) mayor-council;

(3) commission-manager;
(4) mayor-council-manager;
(5) council-manager; or
(6) any other form of government authorized by law or by ordinance or charter ordinance of the city.

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

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

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

(2) the terms of office of members of the governing body, including the mayor and other elected officials of either two or four years;

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

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

(5) the administrative departments of the city; and

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

New Sec. 4. (a) All unified school districts shall make suitable school buildings available for polling places at the request of a county election officer for the county in which all or any portion of the school district is located.

(b) The county election officer shall give not less than ~~90~~ *365* days' notice to the superintendent of the school district of the need to use one or more school buildings as polling places for any primary or general election.

(c) The terms "primary election" and "general election" shall have the meanings as provided in K.S.A. 25-2502, and amendments thereto.

New Sec. 5. (a) The secretary of state shall develop a public information program to inform the public generally of changes made as a result of moving spring elections to fall elections. Such public information program shall include, at a minimum, the explanation of which public office elections are being transferred from spring to fall elections. The program shall include the use of advertisements and public service announcements as well as posting of information on the opening pages of the official internet websites of the secretary of state and county election officers. The secretary of state and county election officers shall develop dedicated websites to provide voter education and sample ballots for elections.

(b) The county election officers in consultation with the secretary of

1 state shall develop ways to reduce the ballot length and expedite the voting
2 process on election days.

3 New Sec. 6. (a) The secretary of state shall develop the official
4 primary ballot for municipal offices.

5 (b) The declaration of intent to become a candidate shall be
6 prescribed by the secretary of state. The declarations shall be filed with the
7 county election officer not later than 12 noon, June 1, prior to the primary
8 election in odd-numbered years, or if such date falls on a Saturday, Sunday
9 or holiday, then before 12 noon of the next day that is not a Saturday,
10 Sunday or holiday.

11 (c) For municipalities where a primary election is not authorized or
12 otherwise required by law, the declaration of intent to become a candidate
13 shall be filed with the county election officer not later than 12 noon,
14 September 1, prior to the general election in odd-numbered years, or if
15 such date falls on a Saturday, Sunday or holiday, then before 12 noon of
16 the next day that is not a Saturday, Sunday or holiday.

17 (d) The secretary of state shall establish primary election procedures
18 for primary elections for municipalities.

19 (e) The secretary of state shall adopt rules and regulations to
20 implement this section *on or before July 1, 2016*.

21 New Sec. 7. Sections 1 through 7, and amendments thereto, may be
22 cited as and shall be known as the help Kansas vote act.

23 Sec. 8. K.S.A. 2-623 is hereby amended to read as follows: 2-623. (a)
24 Prior to July 1 of any year, any two or more county extension councils may
25 establish an extension district composed of all of the counties of such
26 councils by entering into an agreement in accordance with this section to
27 combine the extension programs for each county involved into one
28 extension program serving the extension district. No such agreement shall
29 be effective unless such agreement has received the prior approval of: (1)
30 The board of county commissioners of each county included in the
31 proposed extension district, subject to the provisions of subsection (i); (2)
32 the executive board of the extension council of each county included in the
33 proposed extension district and the director of extension of Kansas state
34 university of agriculture and applied science, or the director's authorized
35 representative, acting together as a body; and (3) the attorney general in
36 accordance with subsection (h).

37 (b) Prior to July 1 of any year, one or more county extension councils
38 and the governing body of any existing extension district may establish a
39 new extension district by entering into an agreement in accordance with
40 this section to combine the extension programs for each such county and
41 such district into one extension program serving a new extension district
42 composed of all counties represented by such county extension councils
43 and the area served by the existing extension district. No such agreement

style and form of the

and the official general election ballot

The secretary of state shall establish general election procedures
for general elections for municipalities.

(f) County election officers shall conduct municipal elections
in odd-numbered years and city elections in even-numbered
years if needed.

(g)

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

16 Sec. 9. K.S.A. 2014 Supp. 2-624 is hereby amended to read as
17 follows: 2-624. (a) The governing body of each extension district shall be
18 composed of four representatives from each county included in the
19 extension district. At the conclusion of the terms of the members first
20 appointed to membership on the governing body of the district, the four
21 members representing each county in an extension district shall be elected
22 in a county-wide election by the qualified electors of the county.

23 (b) At the conclusion of the terms of the members first appointed to
24 membership on the governing body of the district, each member of the
25 governing body shall hold office for a term of four years and until such
26 member's successor is elected and qualified. Each such term of office shall
27 commence on the date of receipt of certification of election by the member
28 elected and shall continue until the member's successor is elected and
29 qualified.

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

34 (2) Elections to choose members of the governing body of an
35 extension district shall be conducted, the returns made and the results
36 ascertained in the manner provided by law for general county elections
37 except as otherwise provided by this act. ~~Not later than 12 noon of the~~
38 ~~Tuesday, 10 weeks preceding the first Tuesday in April in election years,~~
39 ~~each person desiring to be a candidate for membership on the governing~~
40 ~~body, in any election, shall file a declaration of candidacy, accompanied by~~
41 ~~a filing fee of \$5, with the county election officer of the county represented~~
42 ~~by the member of the governing body whose successor is to be elected, as~~
43 ~~a candidate in such election. The county election officer shall remit such~~

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1 filing fees to the county treasurer for deposit in the county general fund.
 2 The county election officer in making up the ballots and in placing the
 3 names thereon shall place the names on the ballots in alphabetical order.
 4 Any person desiring to be a candidate for election to the governing body
 5 shall file a candidate's declaration of intention with the county election
 6 officer of the county represented by the member of the governing body
 7 whose successor is to be elected. Such candidate's filing shall be made in
 8 the manner as provided in section 6, and amendments thereto, and K.S.A.
 9 25-205, and amendments thereto.

10 (3) ~~The county election officer of each county within the extension~~
 11 ~~district shall appoint election boards as provided by law for other elections~~
 12 ~~and shall designate places for holding the election. The county election~~
 13 ~~officer shall cause to be ascertained the names of all persons within the~~
 14 ~~district who are qualified electors, and shall furnish lists thereof to the~~
 15 ~~judges of the election. Notice of the time and place of holding each~~
 16 ~~election, signed by the county election officer, shall be given in a~~
 17 ~~newspaper published in the county and posted in a conspicuous place in~~
 18 ~~the office of the governing body at least five days before the holding~~
 19 ~~thereof shall be published by the county election officer in a newspaper~~
 20 ~~published in the county in accordance with K.S.A. 25-209, and~~
 21 ~~amendments thereto, and K.S.A. 25-105, and amendments thereto.~~

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

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

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

32 Sec. 10. K.S.A. 13-1221 is hereby amended to read as follows: 13-
 33 1221. (a) The board of public utilities shall consist of six members, three
 34 of which shall be nominated and elected by the city at large and three of
 35 which shall be elected by the qualified electors of the city within each of
 36 the districts established pursuant to subsection (b). Members of the board
 37 shall be elected on a nonpartisan basis. Members elected to the board of
 38 public utilities after the effective date of this act shall hold their offices for
 39 terms of four years, and until their successors are elected and qualified.
 40 Each of the members elected from districts shall be qualified voters of the
 41 districts from which elected. Elections of members of the board shall be
 42 held at the time of the general city election in odd-numbered years. The
 43 provisions of article 17 of chapter 13 of the Kansas Statutes Annotated,

Sec. 10. K.S.A. 13-1220 is hereby amended to read as follows:
 13-1220. In each city of the first class that now has or hereafter
 acquires a population of more than one hundred thousand
 inhabitants, which now or hereafter owns and operates a municipal
 waterworks plant and a municipal electric-light plant, there shall be
 Any city may establish an administrative agency known as the board
 of public utilities of such city, to be elected in the manner
 hereinafter provided. The board shall manage, operate, maintain and
 control the daily operation of the water plant and electric-light plant
 of such city, and shall make all such rules and regulations as are
 necessary for the safe, economical and efficient operation and
 management of such water plants and electric-light plants. The
 board may also improve, extend or enlarge the water plants and
 electric-light plants as hereinafter provided, and furnish a supply of
 water, light, heat and power for domestic, industrial and municipal
 purposes.

And by renumbering sections accordingly

1 water district is located after approval by the board of county
2 commissioners of such county.

3 (c) Each member of the board shall receive a monthly salary in an
4 amount determined by the board and shall be reimbursed for all necessary
5 and reasonable expenses incurred in performing official assigned duties.

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

25 ~~Alt(a) Any qualified persons person desiring to be voted upon as a~~
26 ~~candidate for a position as a member of such board shall on or before~~
27 ~~12:00 o'clock noon on the Tuesday which precedes by 10 weeks the first~~
28 ~~Tuesday in April of the year in which the election is being held, which date~~
29 ~~shall be stated in the publication notice of the election, file a candidate's~~
30 ~~declaration of intention in the manner provided in section 6, and~~
31 ~~amendments thereto, and K.S.A. 25-205, and amendments thereto, with the~~
32 ~~county election officer, a statement directing such officer to place such~~
33 ~~person's name on the ballot as a candidate for member of the board of the~~
34 ~~water district in such election, indicating the number of the position for~~
35 ~~which such person is filing. No candidate shall be permitted to withdraw~~
36 ~~as a candidate after the deadline for filing such statements of candidacy.~~
37 ~~There shall be no primary election for members of the water district board.~~
38 ~~The county election officer shall publish names of all candidates in a~~
39 ~~newspaper of general circulation within the water district not less than 10~~
40 ~~days before such election in accordance with K.S.A. 25-209, and~~
41 ~~amendments thereto. The county election officer shall provide for use of~~
42 ~~voting machines or printed ballots in each election precinct or voting~~
43 ~~place. Where printed ballots are prepared, the same shall be done at the~~

The water district election shall be held in each election precinct, a part or all of which is located within such water district, except that if no other election is being held in a given election precinct on the same date as the water district election, the county election officer may provide one or more convenient voting places where the water district electors of such precinct may vote, which may be a voting place located in another precinct. The county election officer shall designate such voting places and the persons entitled to vote thereat in the election notice. The county election officer shall make a report in writing to the board of county commissioners of such election precincts and voting places, which report shall be filed with the county clerk of the county or counties in which such precincts and voting places are located and an entry thereof made upon the journal of the board or boards of county commissioners of such county or counties and if any change shall be made in such voting precincts and voting places by the county election officer, the same shall in like manner be reported to the board or boards of county commissioners, filed and entered as aforesaid. The polls for any election held under this act shall be open between the hours of 7:00 a.m. and 7:00 p.m

1 expense of the water district. The names of candidates for each member
 2 position shall be rotated on the ballots in such a manner that each
 3 candidate shall be given an equitable opportunity to have such candidate's
 4 name appear first on the ballot. Where the only election being conducted
 5 in an election precinct or voting place is the water district election, the
 6 cost of providing judges and clerks in such precinct or voting place shall
 7 be borne entirely by the water district, but where held in conjunction with
 8 other elections, the cost shall be prorated in the manner provided by article
 9 22 of chapter 25 of the Kansas Statutes Annotated, and amendments
 10 thereto.

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

22 (b) *All direct election expenses shall be paid by the water district.*

23 (c) Qualified electors of any election precinct, the entirety part or all
 24 of which is within the water district, shall be entitled to vote in such
 25 precinct and a separate list of their names need not be furnished.

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

30 Such list furnished by the county election officer to the judges of each
 31 precinct shall be conclusive at all elections, except that one desirous of
 32 voting, whose name does not appear on such list, may proceed to the
 33 county election officer of the county and such officer may administer oaths
 34 and affirm witnesses to determine the right of anyone to vote who may
 35 claim erroneous omission from such list, and if such officer issues a
 36 certificate entitling the voter to vote, such certificate shall be accepted by
 37 the judges and clerks of the election. The list so furnished by the county
 38 election officer shall be conclusive at all elections held within the same
 39 year that the list is furnished.

40 Sec. 14. K.S.A. 2014 Supp. 24-412 is hereby amended to read as
 41 follows: 24-412. (a) Subject to the provisions of subsection (b), except as
 42 otherwise provided in this section, an election to choose three directors in
 43 each district as their successors, shall be held on the first Tuesday in April;

Where the only election being conducted in an election precinct or voting place is the water district election, the cost of providing judges and clerks in such precinct or voting place shall be borne entirely by the water district, but where held in conjunction with other elections, the cost shall be prorated in the manner provided by article 22 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto.

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

the entirety

and a separate list of their names need not be furnished

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

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

1 drainage district have reported in favor of the organization of ~~said the~~
2 drainage district, under the provisions of this act, the secretary of state
3 shall report ~~such the~~ fact to the governor of Kansas, who shall ~~forthwith~~
4 declare, by suitable proclamation, the territory described in ~~said the~~
5 petition and set forth in the reports of ~~said the~~ commissioners to constitute
6 a public corporation, and the freeholders owning lands within ~~such the~~
7 bounds, and resident within the state of Kansas, to be incorporated as a
8 drainage district under the name designated in ~~said the~~ petition, and
9 ~~thereof~~ the ~~said~~ territory and the freeholders thereof, who are residents
10 of the state of Kansas, and their successors, shall constitute a body politic
11 and corporate under ~~said the~~ corporate name and shall give perpetual
12 succession.

13 In ~~said the~~ proclamation the governor shall designate the ~~last Tuesday~~
14 ~~of the next succeeding even-numbered month Tuesday following the first Monday~~
15 ~~in November of the odd-numbered year~~ following the issuing of ~~said the~~
16 proclamation on which an election shall be held in each of the counties to
17 be included within the proposed drainage district for the purpose of
18 electing directors of ~~said the~~ corporation, in number and in the manner
19 hereinafter provided. The secretary of state shall make and keep full and
20 complete records of the organization of all drainage districts organized
21 under the provisions of this act, showing the findings and decisions of the
22 boards of county commissioners and all of the acts of the governor in
23 connection with the organization thereof, a true and correct copy of which
24 he shall forward to the ~~said~~ boards of county commissioners within five
25 days after the issuing of the governor's proclamation provided for in this
26 section, and they shall spread the same upon their records.

27 Sec. 18. K.S.A. 2014 Supp. 24-506 is hereby amended to read as
28 follows: 24-506. (a) The board of directors of any drainage district
29 incorporated pursuant to K.S.A. 24-501 et seq., and amendments thereto,
30 shall consist of one person from each county in the district if the number
31 of counties is odd, but if the number of counties is even, then there shall be
32 an additional director at large. If the drainage district is located wholly
33 within one county, the number of directors shall be three. Except as
34 provided in subsection (b), the directors shall be freeholders who shall be
35 residents of Kansas, whose lands in whole or in part are located within the
36 district. The directors shall hold their offices for a term of four years and
37 until their successors are elected and qualified. Elections to choose
38 directors, except the first, shall be held on the ~~first Tuesday in April~~
39 ~~Tuesday following the first Monday in November of the next odd-~~
40 ~~numbered year~~ and every four years thereafter.

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

~~Sec. 19. K.S.A. 25-204 is hereby amended to read as follows: 25-204. On or before April second in even-numbered and odd-numbered years before the time of holding the statewide primary election or the municipal primary election, the secretary of state shall prepare and transmit to each county election officer a notice in writing, designating the offices for which candidates are to be nominated at such statewide primary election. Upon receipt of such notice each county election officer shall forthwith publish so much thereof as may be applicable to his county, once each week for three consecutive weeks, in the official county paper. Such The notice so published shall state the time when each the primary election will be held, together with the offices for which candidates are to be nominated.~~

Sec. 20. K.S.A. 2014 Supp. 25-205 is hereby amended to read as follows: 25-205. (a) Except as otherwise provided in this section, the names of candidates for national, state, county and township offices shall be printed upon the official primary ballot when each shall have qualified to become a candidate by one of the following methods and none other: (1) They shall have had filed in their behalf, not later than 12 noon, June 1, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12 noon of the next following day that is not a Saturday, Sunday or a holiday, nomination petitions, as provided for in this act; or (2) they shall have filed not later than the time for filing nomination petitions, as above provided, with the proper officer a declaration of intention to become a candidate, accompanied by the fee required by law. Such declaration shall be prescribed by the secretary of state.

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

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

(HEADING)

Name of Street Number	Name of Date of
Signers, or Rural Route City	Signing

(as registered).

All nomination petitions shall have substantially the foregoing form,

Strike lines 1 through 12;
Renumber sections accordingly

1 written or printed at the top thereof. No signature shall be counted unless it
2 is upon a sheet having such written or printed form at the top thereof.

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

12 (d) All signers of each separate nomination petition shall reside in the
13 same county and election district of the office sought. The affidavit
14 described in this paragraph of a petition circulator as defined in K.S.A.
15 2014 Supp. 25-3608, and amendments thereto, or of the candidate shall be
16 appended to each petition and shall contain, at the end of each set of
17 documents carried by each circulator, a verification, signed by the
18 circulator or the candidate, to the effect that such circulator or the
19 candidate personally witnessed the signing of the petition by each person
20 whose name appears thereon.

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

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

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

35 (3) If for a county office, by voters equal in number to not less than
36 3% of the total of the current voter registration of the party designated in
37 such district or county as compiled by the county election officer and
38 certified to the secretary of state in accordance with K.S.A. 25-3302, and
39 amendments thereto; and

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

1 thereto.

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

9 (g) In any year in which districts are reapportioned for the offices of
10 representative in the United States congress, senator and representative in
11 the legislature of the state of Kansas or member of the state board of
12 education:

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

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

23 (A) For the office of representative in the United States congress
24 1,000 registered voters;

25 (B) for the office of member of the state board of education 300
26 registered voters;

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

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

29 (h) In any year in which districts are reapportioned for the offices of
30 representative in the United States congress, senator and representative in
31 the legislature of the state of Kansas or member of the state board of
32 education:

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

40 (2) If new boundary lines are defined and districts established in the
41 manner prescribed by law on or after May 11, the deadline for filing
42 nomination petitions and declarations of intention to become a candidate
43 for such office, accompanied by the fee required by law, shall be 12 noon

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1 on June 10, or if such date falls on a Saturday, Sunday or holiday, then
2 before 12 noon of the next day that is not a Saturday, Sunday or holiday.

3 (i) Primary elections for candidates for municipal office shall be held
4 when otherwise required by law. The names of candidates for municipal
5 offices shall be printed upon the official primary ballot in odd-numbered
6 year elections when each shall have qualified to become a candidate by
7 one of the following methods:

8 (1) They shall have filed, not later than 12 noon, on June 1, prior to
9 such primary election, or if such date falls on Saturday, Sunday or a
10 holiday, then before 12 noon of the next following day that is not a
11 Saturday, Sunday or a holiday, nomination petitions, as otherwise
12 provided by law; or

13 (2) they shall have filed, not later than the time for filing nomination
14 petitions, as ~~above provided~~, with the proper officer a declaration of
15 intention to become a candidate, accompanied by the \$20 fee required by
16 law. Such declaration shall be prescribed by the secretary of state as
17 provided in section 6.

18 Sec. 21. K.S.A. 25-209 is hereby amended to read as follows: 25-209.

19 (a) As soon as possible after the filing deadline, the secretary of state shall
20 certify to each county election officer the name and post-office address of
21 each person who has filed valid nomination petitions or a declaration of
22 intent to become a candidate for United States senator or representative or
23 for state office, together with the designation of the office for which each
24 is a candidate and the party or principle which the candidate represents.

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

39 (c) ~~The secretary of state shall utilize the procedures established in~~
40 ~~this section to the extent applicable for municipal elections conducted in~~
41 ~~the fall of odd-numbered years.~~

42 Sec. 22. K.S.A. 25-210 is hereby amended to read as follows: 25-210.

43 (a) The official primary election ballot for national and state offices and

otherwise provided by law

county elections officer

1 the official primary election ballot for county and township offices of each
2 political party shall be arranged on the ballot, printed, voted, and
3 canvassed in the same manner as is now or hereafter provided by law for
4 the arrangement, printing, voting, and canvassing of official general ballots
5 for national and state offices and official general ballots for county and
6 township offices, except as otherwise provided by law.

7 (b) *The official primary election ballot for municipal elections in*
8 *odd-numbered years shall be arranged, printed, voted, and canvassed in*
9 *the manner as provided by law.*

10 Sec. 23. K.S.A. 25-212 is hereby amended to read as follows: 25-212.

11 (a) In case there are nomination petitions or declarations of intention to
12 become a candidate on file for more than one candidate or for more than
13 one pair of candidates for governor and lieutenant governor, of the same
14 party for any national or state office, the secretary of state shall divide the
15 state or appropriate part thereof, into as many divisions as there are names
16 to go on such party ballot for that office. Such divisions shall be as nearly
17 equal in number of members of such party as is convenient without
18 dividing any one county. In making such division the secretary of state
19 shall take the alphabetical list of counties in regular order until the
20 secretary of state gets the required proportion of party members of such
21 party based upon the party affiliation lists as shown by the certificates of
22 the respective county election officers, and so on through the list of
23 counties until the secretary of state gets the proper proportion of party
24 members in each division. The secretary of state shall also take the
25 alphabetical list of candidates or pairs of candidates in regular order and in
26 certifying to the county election officer the list of names for whom
27 nomination petitions or declarations of intent to become a candidate have
28 been filed, shall place one name or pair of candidates at the head of the list
29 in the first division of counties, another in the second division, and so on
30 with all the candidates for any particular office, so that every candidate or
31 pair of candidates for any office shall be at the head of the list in one
32 division of the state and second in another division thereof, and so forth.
33 When, in the case of candidates for the office of congressman, district
34 judge, district magistrate judge, state senator, state representative or state
35 board of education member, the secretary of state finds that the secretary
36 of state cannot get a fair proportion of party members to give each
37 candidate for congressman, district judge, district magistrate judge, state
38 senator, state representative or state board of education member in any
39 given district an equitable or fair opportunity to have the candidate's name
40 first on the ballot in the respective counties of the district, the secretary of
41 state shall order the county election officers in the various counties of the
42 district to rotate the names of the candidates for such district offices
43 according to precinct. If voting machines are used the arrangement of

and

by the county election officer

1 names of candidates or pair of candidates for all offices on the voting
2 machines shall be rotated, as near as may be, according to precinct.

3 The arrangement of the names certified by the secretary of state shall
4 govern the county election officer in arranging the primary election ballot,
5 and the county election officer in preparing the ballot for such officer's
6 county shall follow the same arrangement as provided in this section for
7 the secretary of state, for the candidates nominated for county offices,
8 using the township and precincts of the county in making the division.

9 *(b) The secretary of state by rules and regulations shall establish the*
10 *arrangement of names for the official primary ballot for municipal*
11 *elections.*

12 Sec. 24. K.S.A. 2014 Supp. 25-213 is hereby amended to read as
13 follows: 25-213. (a) At all national and state primary elections, the
14 national and state offices as specified for each in this section shall be
15 printed upon the official primary election ballot for national and state
16 offices and the county and township offices as specified for each in this
17 section shall be printed upon the official primary election ballot for county
18 and township offices.

19 *(b) The official primary election ballots shall have the following*
20 *heading:*

21 OFFICIAL PRIMARY ELECTION BALLOT

22 Party

23 To vote for a person whose name is printed on the ballot make a cross
24 or check mark in the square at the left of the person's name. To vote for a
25 person whose name is not printed on the ballot, write the person's name in
26 the blank space, if any is provided, and make a cross or check mark in the
27 square to the left.

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

30 The form shown shall be followed by the names of the persons for
31 whom nomination petitions or declarations have been filed according to
32 law for political parties having primary elections, and for the national and
33 state offices in the following order: United States senator, United States
34 representative from _____ district, governor and lieutenant governor,
35 secretary of state, attorney general, state treasurer, commissioner of
36 insurance, senator _____ district, representative _____ district, district
37 judge _____ district, district magistrate judge _____ district, district
38 attorney _____ judicial district, and member state board of education
39 _____ district. For county and township offices the form shall be followed
40 by the names of persons for whom nomination petitions or declarations
41 have been filed according to law for political parties having primary
42 elections in the following order: Commissioner _____ district, county clerk,
43 treasurer, register of deeds, county attorney, sheriff, township trustee,

adopted on or before July 1, 2016,

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1 township treasurer, township clerk. When any office is not to be elected, it
2 shall be omitted from the ballot. Other offices to be elected but not listed,
3 shall be inserted in the proper places. For each office there shall be a
4 statement of the number to vote for.

5 To the left of each name there shall be printed a square. Official
6 primary election ballots may be printed in one or more columns. The
7 names certified by the secretary of state or county election officer shall be
8 printed on official primary election ballots and no others. In case there are
9 no nomination petitions or declarations on file for any particular office, the
10 title to the office shall be printed on the ballot followed by a blank line
11 with a square, and such title, followed by a blank line, may be printed in
12 the list of candidates published in the official paper. No blank line shall be
13 printed following any office where there are nomination petitions or
14 declarations on file for the office except following the offices of precinct
15 committeeman and precinct committeewoman.

16 (c) Except as otherwise provided in this section, no person's name
17 shall be printed more than once on either the official primary election
18 ballot for national and state offices or the official primary election ballot
19 for county and township offices. No name that is printed on the official
20 primary election ballot as a candidate of a political party shall be printed or
21 written in as a candidate for any office on the official primary election
22 ballot of any other political party. If a person is a candidate for the
23 unexpired term for an office, the person's name may be printed on the
24 same ballot as a candidate for the next regular term for such office. The
25 name of any candidate on the ballot may be printed on the same ballot as
26 such candidate and also as a candidate for precinct committeeman or
27 committeewoman. No name that is printed on the official primary election
28 ballot for national and state offices shall be printed or written in elsewhere
29 on such ballot or on the official primary election ballot for county and
30 township offices except for precinct committeeman or committeewoman.
31 No name that is printed on the official primary election ballot for county
32 and township offices shall be printed or written in on the official primary
33 election ballot for national and state offices or elsewhere on such county
34 and township ballot except for precinct committeeman or
35 committeewoman.

36 (d) No person shall be elected to the office of precinct committeeman
37 or precinct committeewoman where no nomination petitions or
38 declarations have been filed, unless the person receives at least five write-
39 in votes. As a result of a primary election, no person shall receive the
40 nomination and no person's name shall be printed on the official general
41 election ballot when no nomination petitions or declarations were filed,
42 unless the person receives votes equal in number to not less than 5% of the
43 total of the current voter registration designated in the state, county or

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1 district in which the office is sought, as compiled by the office of the
2 secretary of state, except that a candidate for township office may receive
3 the nomination and have such person's name printed on the ballot where
4 no nomination petitions or declarations have been filed if such candidate
5 receives three or more write-in votes. No such person shall be required to
6 obtain more than 5,000 votes.

7 (e) *The secretary of state by rules and regulations shall develop the*
8 *official ballot for municipal elections in odd-numbered year elections*

9 Sec. 25. K.S.A. 25-610 is hereby amended to read as follows: 25-610.

10 (a) The secretary of state shall furnish to each county election officer
11 forms for ballots in their respective counties. The secretary of state shall
12 prepare a rotation of the different candidates appearing on the official
13 general ballot for the national and state offices for each such office. Such
14 rotation shall be developed and arranged so that each candidate shall have
15 an equal opportunity as near as practicable for the respective offices to
16 which they are nominated. In case there is more than one candidate for any
17 national or state office, the secretary of state shall divide the state or part
18 thereof, into as many divisions as there are names to go on the ballot for
19 each particular office. In making such division the secretary of state shall
20 divide, in regular order, the alphabetical list of counties into the required
21 number of divisions, in such a manner that all divisions are as nearly equal
22 as convenient in the number of registered voters in such division as
23 compiled by the office of the secretary of state. The secretary of state, in
24 certifying the list of names of candidates to the county election officers,
25 shall assign, in regular order from the alphabetical list of candidates for
26 each office, the ballot position for each candidate in such a manner that
27 every candidate for any office shall occupy a different ballot position in
28 each division. When, in the case of candidates for national or state offices
29 elected on less than a statewide basis, the secretary of state finds it
30 impossible to make a division which allows each such candidate in any
31 given district an equitable or fair opportunity to have such candidate's
32 name first on the ballot in the respective counties of the district, the
33 secretary of state shall order the county election officers in the various
34 counties of the district to rotate the names of the candidates for such
35 district offices according to precinct to obtain an equitable division. The
36 names of candidates for the same office but for different terms of service
37 therein shall be arranged in groups according to the length of their
38 respective terms.

39 In the case of the governor and lieutenant governor running together,
40 when the word "candidate" is used in this section, it shall mean pair of
41 candidates.

42 (b) *The secretary of state shall establish the general election ballot*
43 *styles for general elections in odd-numbered year elections for*

primary

on or before July 1, 2016

style

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1 *municipalities by rules and regulations:*

adopted on or before July 1, 2016,

2 Sec. 26. K.S.A. 2014 Supp. 25-611 is hereby amended to read as
3 follows: 25-611. (a) The arrangement of offices on the official general
4 ballot for national and state offices for those offices to be elected shall be
5 in the following order: Names of candidates for the offices of president
6 and vice-president, United States senator, United States representative
7 district, governor and lieutenant governor running together,
8 secretary of state, attorney general, (and any other officers elected from the
9 state as a whole), state senator _____ district, state representative _____
10 district, district judge _____ district, district magistrate judge _____
11 district, district attorney _____ judicial district, and state board of
12 education member _____ district.

13 (b) The arrangement of offices on the official general ballot for
14 county ~~and~~ township and municipal offices for those offices to be elected
15 shall be in the following order: Names of candidates for county
16 commissioner _____ district, county clerk, county treasurer, register of
17 deeds, county attorney, sheriff, township trustee, township treasurer, ~~and~~
18 township clerk _____

Strike "and" and insert a comma
and municipal offices

19 (c) *The arrangement of offices on the general ballot for*
20 *municipalities in odd-numbered year elections shall be established by the*
21 *secretary of state by rules and regulations:*

adopted on or before July 1, 2016

22 Sec. 27. K.S.A. 2014 Supp. 25-618 is hereby amended to read as
23 follows: 25-618. (a) The official general ballot for county and township
24 offices may be separate from the official general ballot for national and
25 state offices or may be combined with the official general ballot provided
26 for in K.S.A. 25-601, and amendments thereto. The secretary of state shall
27 prescribe the ballot format but the ballot shall be substantially in the form
28 shown in this section and K.S.A. 25-611, and amendments thereto.

29 STATE OF KANSAS

30 OFFICIAL GENERAL BALLOT

31 County and Township Offices

32 County of _____, City (or Township) of _____
33 November _____, _____ year

34
35 To vote for a person, make a cross or check mark in the square at the
36 left of the person's name. To vote for a person whose name is not printed
37 on the ballot, write the person's name in the blank space and make a cross
38 or check mark in the square to the left.
39

40 FOR COUNTY COMMISSIONER

41 _____ DISTRICT

42 Vote for One

43 ☐ _____

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1 ☐ _____
2 ☐ _____
3

4 FOR COUNTY CLERK

5 Vote for One

6 ☐ _____
7 ☐ _____
8 ☐ _____
9

10 FOR COUNTY TREASURER

11 Vote for One

12 ☐ _____
13 ☐ _____
14 ☐ _____
15

16 And continuing in like manner for all county and township offices to be
17 elected.

18 (b) *The official general ballot for municipalities shall be established*
19 *by the secretary of state by rules and regulations.*

style

adopted on or before July 1, 2016

20 Sec. 28. K.S.A. 25-1115 is hereby amended to read as follows: 25-
21 1115. (a) "General election" means the ~~election~~ elections held on the
22 Tuesday ~~preceding~~ following the first Monday in November of both even-
23 numbered and odd-numbered years, the ~~elections held for officers on the~~
24 ~~first Tuesday in April~~, and in the case of special elections of any officers to
25 fill vacancies, the election at which any such officer is finally elected.

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

33 Sec. 29. K.S.A. 2014 Supp. 25-1122 is hereby amended to read as
34 follows: 25-1122. (a) Any registered voter may file with the county
35 election officer where ~~such~~ the person is a resident, or where ~~such~~ the
36 person is authorized by law to vote as a former precinct resident, an
37 application for an advance voting ballot. The signed application shall be
38 transmitted only to the county election officer by personal delivery, mail,
39 facsimile or as otherwise provided by law.

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

43 (c) If the registered voter is applying for an advance voting ballot to

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1 be transmitted by mail; ~~that~~ the voter shall provide with the application
2 for an advance voting ballot the voter's current and valid Kansas driver's
3 license number, nondriver's identification card number or a photocopy of
4 any other identification provided by K.S.A. 25-2908, and amendments
5 thereto.

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

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

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

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

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

35 (2) the person provides such person's full Kansas driver's license
36 number, Kansas nondriver's identification card number issued by the
37 division of vehicles, or submits such person's application for an advance
38 voting ballot and a copy of identification provided by K.S.A. 25-2908, and
39 amendments thereto, to the county election officer for verification. If a
40 person applies for an advance voting ballot to be transmitted by mail but
41 fails to provide identification pursuant to this subsection or the
42 identification of ~~that~~ the person cannot be verified by the county election
43 officer, the county election officer shall provide information to ~~that~~ the

1 person regarding the voter rights provisions of subsection (d) and shall
2 provide ~~such~~ *the* person an opportunity to provide identification pursuant
3 to this subsection. For the purposes of this act, Kansas state offices and
4 offices of any subdivision of the state will allow any person seeking to
5 vote by an advance voting ballot the use of a photocopying device to make
6 one photocopy of an identification document at no cost.

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

9 (1) For the primary election occurring on the first Tuesday in August
10 in *both* even-numbered *and odd-numbered* years, between April 1 of such
11 year and the last business day of the week preceding such primary
12 election.

13 (2) For the general election occurring on the Tuesday ~~succeeding~~
14 ~~following~~ the first Monday in November in *both* even-numbered *and odd-*
15 *numbered* years, between 90 days prior to such election and the last
16 business day of the week preceding such general election.

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

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

23 (5) (3) For question submitted elections occurring on the date of a
24 primary or general election, the same as is provided for ballots for election
25 of officers at such election.

26 (6) (4) For question submitted elections not occurring on the date of a
27 primary or general election, between the time of the first published notice
28 thereof and the last business day of the week preceding such question
29 submitted election, except that if the question submitted election is held on
30 a day other than a Tuesday, the county election officer shall determine the
31 final date for mailing of advance voting ballots, but such date shall not be
32 more than three business days before such election.

33 (7) (5) For any special election of officers, at such time as is specified
34 by the secretary of state.

35 (8) (6) For the presidential preference primary, between January 1 of
36 the year in which such primary is held and the last business day of the
37 week preceding such primary election.

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

42 (g) Unless an earlier date is designated by the county election office,
43 applications for advance voting ballots transmitted to the voter in person in

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

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

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

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

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

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

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

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

24 Sec. 30. K.S.A. 25-2006 is hereby amended to read as follows: 25-
25 2006. (a) "General election" means the election held for school officers on
26 the ~~first Tuesday in April in any odd-numbered year; Tuesday following~~
27 ~~the first Monday in November of odd-numbered years, and in the case of~~
28 special elections of any school officers to fill vacancies, the election at
29 which any such officer is finally elected.

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

36 Sec. 31. K.S.A. 25-2007 is hereby amended to read as follows: 25-
37 2007. (a) "Question submitted election" means any election at which a
38 special question is to be voted on by the electors of the state or a part of
39 them.

40 (b) "County election officer" means:

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

43 (2) the county clerk of the home county of the school district if the

Strike

7-1-23

1 county does not have an election commissioner; and

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

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

14 Sec. 32. K.S.A. 25-2010 is hereby amended to read as follows: 25-
15 2010. Election of board members and question submitted elections shall be
16 conducted by the county election officer of the home county of the school
17 district. Board member general elections shall be held on the first Tuesday
18 in April of each odd-numbered year. If a primary election is required to be
19 held, such Tuesday following the first Monday in November of odd-
20 numbered years. A primary election shall be held on the first Tuesday
21 preceding by five weeks the first Tuesday in April of odd-numbered years
22 in August of odd-numbered years.

23 Sec. 33. K.S.A. 25-2014 is hereby amended to read as follows: 25-
24 2014. Names of candidates appearing on the ballots in primary and general
25 school elections shall be listed in the various possible orders in retention
26 order as provided in K.S.A. 25-212 and 25-610, and amendments thereto.

27 Sec. 34. K.S.A. 25-2017 is hereby amended to read as follows: 25-
28 2017. Consistent with this act the county election officer shall prescribe
29 the form and time of every publication notice applicable to any primary or
30 general school election.

31 Sec. 35. K.S.A. 25-2018 is hereby amended to read as follows: 25-
32 2018. (a) Notices of board member elections and question submitted
33 elections of a school district shall be made as provided in this section.

34 (b) ~~On or before January 15 at the time and in the manner prescribed~~
35 ~~in K.S.A. 25-204, and amendments thereto, the county election officer shall~~
36 publish a notice of election one time in a newspaper having general
37 circulation in the school district. The notice for board member elections
38 shall state: (1) The name of the school district; (2) the date of the general
39 election; (3) the date of the primary election if one is held; (4) the filing
40 deadline and the place of filings; and (5) the offices or positions to be
41 filled.

42 (c) All notices provided for by this section shall be given in the form
43 prescribed by the secretary of state to the extent that any notice or part

Sec. 35. K.S.A. 25-2017a is hereby amended to read as follows: 25-2017a. The clerk of the board of education of every school district shall certify to the county election officer of the home county of the school district a list of all school offices to be voted upon at each school election, any boundary changes of member districts since the last preceding election and the voting plan to be used as defined in K.S.A. 25-2005, and amendments thereto, not later than January May 1 of each odd-numbered year. A copy of the above information shall be furnished to the county election officer of every county in which a part of the territory of the school district is located.

And by renumbering sections accordingly

On or before June 10 of odd-numbered years

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1 thereof is prescribed by the secretary of state. The provisions of this
2 section shall not be construed to require the secretary of state to prescribe
3 any particular form.

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

15 ~~(e) Not less than three days prior to the first Tuesday in April, at the~~
16 ~~time and in the manner prescribed in K.S.A. 25-209, and amendments~~
17 ~~thereto,~~ a notice of the general election shall be published by the county
18 election officer one time in a newspaper having general circulation in the
19 school district. The notice shall state: (1) The name of the school district;
20 (2) the date of the general election; (3) the names of the candidates and
21 the office or position for which each is a candidate; (4) the voting place or
22 places and the area each voting place is to serve; and (5) the time of
23 opening and closing of polls. Description of areas shall be in such terms as
24 may be determined by the county election officer.

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

34 Sec. 36. K.S.A. 2014 Supp. 25-2020 is hereby amended to read as
35 follows: 25-2020. (a) When a district method of election is in effect in any
36 school district, a person may become a candidate for election to board
37 member by any one of the following methods:

38 (1) Any person who is an elector in any member district may petition
39 to be a candidate for board member from the member district in which
40 such person resides. Any such person shall file with the county election
41 officer, a petition for such candidacy signed by not less than 50 electors
42 residing in such member district or by a number of such electors equal to
43 not less than 10% of the electors residing in such member district,

On or before June 10 of odd-numbered years

On or before September 1 of odd-numbered years

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1 whichever is less.

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

7 (3) Any person who is an elector in any member district may become
8 a candidate for board member from the member district in which such
9 person resides by filing with the county election officer a declaration of
10 intention to become such a candidate, and payment therewith of a filing
11 fee in the amount of \$5 \$20. Such declaration shall be prescribed by the
12 secretary of state.

13 (4) Any person who is an elector in any school district may become a
14 candidate for board member at-large from the school district in which such
15 person resides by filing with the county election officer a declaration of
16 intention to become such a candidate, and payment therewith of a filing
17 fee in the amount of \$5 \$20. Such declaration shall be prescribed by the
18 secretary of state.

19 (5) Any such petition or declaration shall specify the member position
20 for which the person is a candidate.

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

24 (1) Any person who is an elector of the school district may petition to
25 be a candidate for board member. Any such person shall file with the
26 county election officer a petition for such candidacy signed by not less
27 than 50 electors residing in the school district.

28 (2) Any person who is an elector in the unified school district may
29 become a candidate for board member by filing with the county election
30 officer a declaration of intention to become such a candidate, and payment
31 therewith of a filing fee in the amount of \$5 \$20. Such declaration shall be
32 prescribed by the secretary of state.

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

35 (c) Any such petition or declaration of intent must be filed before the
36 filing deadline *as prescribed in K.S.A. 25-205, and amendments thereto*.
37 No candidate shall be permitted to withdraw from candidacy after the
38 filing deadline.

39 (d) Within three days from the date of the filing of a nomination
40 petition or a declaration of intention to become a candidate for board
41 member, the county election officer shall determine the validity of such
42 petition or declaration.

43 (e) If a nomination petition or declaration is found to be invalid, the

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1 county election officer shall notify the candidate on whose behalf the
2 petition or declaration was filed that such nomination petition or
3 declaration has been found to be invalid and the reason for the finding.
4 Such candidate may make objection to the finding of invalidity by the
5 county election officer in accordance with K.S.A. 25-308, and
6 amendments thereto.

7 Sec. 37. K.S.A. 25-2022 is hereby amended to read as follows: 25-
8 2022. Any board shall have power to fill by appointment any vacancy
9 which occurs thereon, and such appointee shall serve for the unexpired
10 term. When a vacancy occurs, the board shall publish a notice one time in
11 a newspaper having general circulation in the school district stating that
12 the vacancy has occurred and that it will be filled by appointment by the
13 board not sooner than ~~fifteen (15)~~ 15 days after such publication. If such
14 vacancy occurs before ~~January 1 of an odd-numbered year May 1 of the~~
15 ~~second year of the term~~ leaving an unexpired term of more than two years
16 such appointee shall serve until the ~~July 1 second Monday in January~~ after
17 the following general school election as provided in K.S.A. 25-2023, ~~or~~
18 ~~any and~~ amendments thereto.

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

24 Sec. 38. K.S.A. 25-2023 is hereby amended to read as follows: 25-
25 2023. ~~Each board member shall qualify by filing an oath of office with the~~
26 ~~election officer not later than ten (10) days. The term of office of each~~
27 ~~board member shall commence on the second Monday in January~~
28 ~~following the date of the election, or not later than five (5) days after~~
29 ~~issuance of such member's certificate of election, whichever is the later~~
30 ~~date. Each board member shall take office on the July 1 following the~~
31 ~~general school election. Each member elected shall qualify by filing an~~
32 ~~oath of office with the county election office. Each member elected to a~~
33 ~~board of education shall hold office until a successor is elected or~~
34 ~~appointed and qualified and shall serve for a term of four (4) years.~~

35 Sec. 39. K.S.A. 2014 Supp. 25-2102 is hereby amended to read as
36 follows: 25-2102. (a) "General election" means the ~~election~~ elections held
37 on the Tuesday succeeding the first Monday in November of both even-
38 numbered ~~and odd-numbered~~ years, ~~the elections held for officers on the~~
39 ~~first Tuesday in April; and in the case of special elections of any officers to~~
40 ~~fill vacancies, the election at which any such officer is finally elected.~~

41 (b) "Primary election" means the ~~election~~ elections held on the first
42 Tuesday in August of ~~even-numbered both even-numbered and odd-~~
43 ~~numbered~~ years, ~~the election held five weeks preceding the election on the~~

~~first Tuesday in April, and any other preliminary election at which part of the candidates for special election to any national, state, county, city, or school or municipal office are eliminated by the process of the election but at which no officer is finally elected.~~

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

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

Sec. 40. K.S.A. 25-2107 is hereby amended to read as follows: 25-2107. The general election of city officers shall be held on the first Tuesday in April. Except as otherwise provided by law or as provided by charter ordinance passed after April 30, 1968, pursuant to article 12, section 5, of the constitution of Kansas, every city shall have an election of city officers in odd-numbered years only, and the terms of city officers shall be two (2) years. Provided, however, That the provisions of this section shall not invalidate, repeal or otherwise affect any charter ordinance of any city of the third class having a population of not less than one thousand five hundred (1,500) nor more than two thousand (2,000) located in a county having a population of not less than fifty thousand (50,000) nor more than one hundred thousand (100,000), which ordinance had become effective prior to April 30, 1968 Tuesday following the first Monday in November of odd-numbered years.

(b) A primary may be held on the first Tuesday in August of each odd-numbered year as prescribed in K.S.A. 25-205, and amendments thereto, and as provided in K.S.A. 25-2108a, and amendments thereto.

Sec. 41. K.S.A. 2014 Supp. 25-2108a is hereby amended to read as follows: 25-2108a. (a) There shall be a primary election of city officers on the first Tuesday preceding by five weeks the first Tuesday in April of every year that such city has a city election, except as otherwise provided in subsection (b) or subsection (c) of this section in August of each odd-numbered year.

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

(c) In cities in which the election at large method of election is in effect, if there are more than three times the number of candidates as there are members to be elected, the county election officer shall call, and there

Strike in lines 1 through 4

and even-numbered

7-28

1 Sec. 45. K.S.A. 25-2115 is hereby amended to read as follows: 25-
 2 2115. Names of candidates appearing on the ballots in primary and general
 3 city elections in cities of the first and second class shall be listed in the
 4 ~~various possible orders in rotation as provided in K.S.A. 25-212, and~~
 5 ~~amendments thereto, and K.S.A. 25-610, and amendments thereto.~~

6 Sec. 46. K.S.A. 25-2120 is hereby amended to read as follows: 25-
 7 2120. The county election officer who conducts the city election shall
 8 promptly certify to the city governing body the determination of election
 9 results made by the county board of canvassers. The term of office shall
 10 commence with and include the first regular meeting of the governing
 11 body on the second Monday in January following certification of the
 12 election.

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

17 Sec. 47. K.S.A. 2014 Supp. 25-2311 is hereby amended to read as
 18 follows: 25-2311. (a) County election officers shall provide for the
 19 registration of voters at one or more places on all days except the
 20 following:

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

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

28 (3) the 20 days preceding the day of primary and general state
 29 elections;

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

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

34 ~~(6) (4) the 20 days preceding the day of any election other than one~~
 35 ~~specified in paragraphs (3), (4) and (5) of this subsection; and~~

36 ~~(7) (5) the day of any primary or general election or any question~~
 37 ~~submitted election.~~

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

41 (c) The secretary of state shall notify every county election officer of
 42 the dates when registration shall be closed preceding primary and general
 43 state, city and school elections. The days so specified by the secretary of

Sec. 47. K.S.A. 25-2118 is hereby amended to read as follows:
 25-2118. The city clerk shall certify to the county election
 officer a list of all city offices to be voted upon at each city
 election not later than January May 1 of every year that such
 city has a city election.

And by renumbering sections accordingly

1 state shall be conclusive. Such notice shall be given by the secretary of
2 state by mail at least 60 days preceding every primary and general ~~state-~~
3 ~~city-and-school~~ election.

4 (d) The last days before closing of registration books as directed by
5 the secretary of state under subsection (c) ~~of this section~~, county election
6 officers shall provide for registration of voters during regular business
7 hours, during the noon hours and at other than regular business hours upon
8 such days as the county election officers deem necessary. The last three
9 business days before closing of registration books prior to ~~state~~ primary
10 and general elections, county election officers may provide for registration
11 of voters until 9 p.m. ~~in cities of the first and second class any city~~.

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

19 (f) The secretary of state may adopt rules and regulations interpreting
20 the provisions of this section and specifying the days when registration
21 shall be open, days when registration shall be closed, and days when it is
22 optional with the county election officer for registration to be open or
23 closed.

24 (g) Before each primary and general election held in ~~even-numbered~~
25 ~~odd-numbered~~ years, and at times and in a form prescribed by the
26 secretary of state, each county election officer shall certify to the secretary
27 of state the number of registered voters in each precinct of the county as
28 shown by the registration books in the office of such county election
29 officer.

30 Sec. 48. K.S.A. 25-2502 is hereby amended to read as follows: 25-
31 2502. (a) "General election" means the ~~election~~ *elections* held on the
32 Tuesday ~~preceding~~ *following* the first Monday in November of *both* even-
33 numbered *and odd-numbered* years, ~~the elections held for officers on the~~
34 ~~first Tuesday in April~~, and in the case of special elections of any officers to
35 fill vacancies, the election at which any such officer is finally elected.

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

43 Sec. 49. K.S.A. 25-2804 is hereby amended to read as follows: 25-
7-30

both even-numbered and

1 purposes, the board may extend the term of any member for not to exceed
 2 one year from the date such member's term would otherwise expire and the
 3 board of Sublette hospital district may change prior to the election the
 4 length of term for one member to be elected at the 1997 election from four
 5 years to two years. If the members of the board are currently selected
 6 pursuant to ~~provision (3) of~~ subsection (a)(3), the method of selection may
 7 be changed to the method provided for in ~~provision (4) of~~ subsection (a)
 8 (4) by a majority vote of the board members.

9 ~~{New Sec. 61. (4) Whenever a statute requires or otherwise provides~~
 10 ~~for an election on the issue of:~~

11 ~~(1) Levying or increasing the levy of any tax; or~~

12 ~~(2) authorizing the issuance of bonds by any municipality, the~~
 13 ~~elections shall be held at the next regularly scheduled primary or~~
 14 ~~general election.~~

15 ~~{(b) "Municipality" shall mean any city, county or school district.~~

16 ~~Sec. 62. K.S.A. 10-120 is hereby amended to read as follows: 10-~~
 17 ~~120. {(a) Whenever an election is required for the issuance of bonds for~~
 18 ~~any purpose by any municipality other than an irrigation district or~~
 19 ~~where a different procedure for giving notice of the election is~~
 20 ~~specifically provided by law, upon compliance with the legal~~
 21 ~~requirements necessary and precedent to the call for the election, the~~
 22 ~~proper municipal officers shall call an election. The election shall be~~
 23 ~~held within 45 days after compliance with the necessary requirements, or~~
 24 ~~within 90 days, should the longer period include the date of a at the next~~
 25 ~~primary or general election which permits the notice requirements of~~
 26 ~~subsection (b) to be met.~~

27 ~~(b) Notice of the election shall be published in a newspaper of~~
 28 ~~general circulation in the municipality once each week for two~~
 29 ~~consecutive weeks. The first publication shall be not less than 21 days~~
 30 ~~prior to the election. The notice shall set forth the time and place of~~
 31 ~~holding the election and the purpose for which the bonds are to be~~
 32 ~~issued and shall be signed by the county election officer. The election~~
 33 ~~shall be held at the usual place of holding elections and shall be~~
 34 ~~conducted by the officers or persons provided by law for holding~~
 35 ~~elections in the municipality.~~

36 ~~Sec. 63. K.S.A. 12-138 is hereby amended to read as follows: 12-~~
 37 ~~138. Any city election called under the provisions of this act shall be~~
 38 ~~called within 30 days and held within 90 days after the filing of a petition~~
 39 ~~demanding such election, or after the publication of an ordinance~~
 40 ~~authorizing a levy for which an election is called without petition. The~~
 41 ~~governing body shall pass an ordinance calling the election and fixing~~
 42 ~~the date, which at the next regular primary or general election and such~~
 43 ~~ordinance shall be published once in the official city newspaper. The~~

which applies to a city, county or school district and which

Strike in lines 10 through 12

Except as provided in subsection (b)

within 45 days after compliance with the necessary requirements,
 or within 90 days, should the longer period include the date of a
 general election

Strike in line 27

(b) Whenever an election is required for the issuance of bonds or
 for the levying of any tax by any city, county or school district,
 such election shall take place at the next primary or general election
 which permits the notice requirements of subsection (a) to be met.

1-31

1 sufficiency of the number of signers of any petition filed under the
2 provisions of this act shall be determined by the county election officer.
3 Every election held under the provisions of this act shall be conducted by
4 the county election officer. The county election officer shall publish a
5 notice of such election once each week for two consecutive weeks in the
6 official city newspaper, the first publication to be not less than 21 days
7 prior to such election. The notice shall state the time of the election and
8 the proposition which shall appear on the ballot. The proposition shall
9 be: "Shall revenue ordinance No. _____, entitled (title of ordinance) take
10 effect?"

11 Sec. 64. K.S.A. 12-6a15 is hereby amended to read as follows: 12-
12 6a15. The governing body of any city proposing to issue general
13 obligation bonds of the city for payment of any portion of the costs of
14 any improvement authorized by this act may by resolution submit the
15 question of issuing such bonds at a general or special election called
16 for that purpose under the provisions of K.S.A. 10-120, and amendments
17 thereto, and if such election be called, no such bonds shall be issued ~~with~~
18 ~~and~~ unless a majority of the electors voting on the proposition shall have
19 given their approval to the issuance of ~~such~~ the bonds.

20 Sec. 65. K.S.A. 2014 Supp. 12-1737 is hereby amended to read as
21 follows: 12-1737. The governing body of any city may, for the purposes
22 hereinbefore authorized and provided:

23 (a) Receive and expend gifts;

24 (b) receive and expend grants-in-aid of state or federal funds;

25 (c) issue bonds of the city;

26 (d) ~~levy an annual tax of not more than one mill for any city of the~~
27 ~~first class and not more than two mills for any city of the second or third~~
28 ~~class, which tax levy may be made for a period not exceeding 10 years~~
29 ~~upon all taxable tangible property in such city for the purpose of~~
30 ~~creating a building fund to be used for the purposes herein provided and~~
31 ~~to pay a portion of the principal and interest on bonds issued by such~~
32 ~~city under the authority of K.S.A. 12-1774, and amendments thereto;~~

33 (e) issue no-fund warrants;

34 (f) use moneys from the general operating fund or other
35 appropriate budgeted fund when available;

36 (g) use moneys received from the sale of public buildings or
37 buildings and sites; or

38 (h) combine any two or more of such methods of financing for the
39 purposes herein authorized except that cities shall first use funds
40 received from the payment of insurance claims for damages sustained by
41 any such public building before resorting to methods of financing herein
42 authorized.

43 An election upon the issuance of bonds under the authority of this

1 general fund. The fund shall consist of all amounts deposited therein or
2 credited thereto according to law.

3 (2) Subject to the limitation imposed under paragraph (3) and
4 ~~subsection (e) of K.S.A. 72-6434(e), and amendments thereto, amounts~~
5 in the supplemental general fund may be expended for any purpose for
6 which expenditures from the general fund are authorized or may be
7 transferred to any program weighted fund or categorical fund of the
8 district. Amounts in the supplemental general fund attributable to any
9 percentage over 25% of state financial aid determined for the current
10 school year may be transferred to the capital improvements fund of the
11 district and the capital outlay fund of the district if such transfers are
12 specified in the resolution authorizing the adoption of a local option
13 budget in excess of 25%.

14 (3) Amounts in the supplemental general fund may not be expended
15 for the purpose of making payments under any lease-purchase
16 agreement involving the acquisition of land or buildings which is
17 entered into pursuant to the provisions of K.S.A. 72-8225, and
18 amendments thereto.

19 (4) (A) Except as provided in paragraph (B), any unexpended
20 budget remaining in the supplemental general fund of a district at the
21 conclusion of any school year in which a local option budget is adopted
22 shall be maintained in such fund.

23 (B) If the district received supplemental general state aid in the
24 school year, the state board shall determine the ratio of the amount of
25 supplemental general state aid received to the amount of the local option
26 budget of the district for the school year and multiply the total amount of
27 the unexpended budget remaining by such ratio. An amount equal to the
28 amount of the product shall be transferred to the general fund of the
29 district or remitted to the state treasurer. Upon receipt of any such
30 remittance, the state treasurer shall deposit the same in the state treasury
31 to the credit of the state school district finance fund.

32 (b) Each year the state board of education shall determine the
33 statewide average percentage of local option budgets legally adopted by
34 school districts for the preceding school year.

35 (l) The provisions of this section shall be subject to the provisions of
36 K.S.A. 2014 Supp. 72-6433d, and amendments thereto.

37 New Sec. 70. (u) The purpose of this section is to provide an orderly
38 and prompt means of filling vacancies in the governing body of a
39 municipality. Prolonged vacancies in the governing body of a
40 municipality deprive citizens of their right to representation and act as
41 impediments to the orderly function of government of municipalities.

42 (b) As used in this section, the following terms are defined as
43 follows:

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33

1 (1) "Governing body" shall include the mayor and members of the
2 council, the mayor and commissioners or the chairperson and members
3 of the board of supervisors, depending on the form of government of the
4 city or the consolidated city and county.

5 (2) "Municipality" means any city or any consolidated city and
6 county.

7 (c) Except as provided in subsection (d), the governing body of any
8 municipality where a vacancy exists shall appoint, by a majority vote of
9 the remaining members, a person to fill the vacancy within 60 days of
10 the vacancy. If the appointment is not made within the 60-day time
11 frame, the governing body shall pass a resolution calling for a special
12 election to fill such vacancy to be held within 45 days of the passage of
13 such resolution. Candidates for the vacant office shall file for such
14 office as provided in K.S.A. 25-2110a, and amendments thereto. The
15 special election shall be conducted by the county election officer. The
16 candidate receiving the highest number of votes for the vacant position
17 shall assume such office upon certification of the election results.

18 (d) The provisions of subsection (c) shall not apply to any
19 municipality which has a procedure for filling vacancies in its governing
20 body and which has filled such vacancies within 60 days of the vacancy.

21 Sec. 71. K.S.A. 12-344 is hereby amended to read as follows: 12-
22 344. (a) Any plan submitted by the commission shall provide for the
23 exercise of powers of local legislation and administration not
24 inconsistent with the constitution or other laws of this state.

25 (b) If the commission submits a plan providing for the
26 consolidation of certain city and county offices, functions, services and
27 operations, the plan shall:

28 (1) Include a description of the form, structure, functions, powers
29 and officers and the duties of such officers recommended in the plan;

30 (2) provide for the method of amendment of the plan;

31 (3) authorize the appointment of, or elimination of elective officials
32 and offices;

33 (4) specify the effective date of the consolidation; and

34 (5) include other provisions determined necessary by the
35 commission.

36 (c) If the plan provides for the consolidation of the city and county,
37 in addition to the requirements of subsection (b), the plan shall:

38 (1) Fix the boundaries of the governing body's election districts,
39 provide a method for changing the boundaries from time-to-time, any at-
40 large positions on the governing body, fix the number, term and initial
41 compensation of the governing body of the consolidated city-county and
42 the method of election;

43 (2) determine whether elections of the governing body of the

7-34

1 consolidated city-county shall be partisan or nonpartisan elections and
2 the time at which such elections shall be held;:

3 (3) determine the distribution of legislative and administrative
4 duties of the consolidated city-county officials, provide for consolidation
5 or expansion of services as necessary, authorize the appointment of a
6 consolidated city-county administrator or a city-county manager, if
7 deemed advisable, and prescribe the general structure of the
8 consolidated city-county government;:

9 (4) provide for the official name of the consolidated city-county;:
10 and

11 (5) provide for the transfer or other disposition of property and
12 other rights, claims and assets of the county and city.

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

15 Sec. 72. K.S.A. 2014 Supp. 12-363 is hereby amended to read as
16 follows: 12-363. (a) Any plan submitted by the commission shall provide
17 for the exercise of powers of local legislation and administration not
18 inconsistent with the constitution or other laws of this state.

19 (b) If the commission submits a plan providing for the unification
20 of certain city and county offices, functions, services and operations, the
21 plan shall:

22 (1) Include a description of the form, structure, functions, powers
23 and officers and the duties of such officers recommended in the plan;:

24 (2) provide for the method of amendment of the plan;:

25 (3) specify the effective date of the unification;: and

26 (4) include other provisions determined necessary by the
27 commission.

28 (c) If the plan provides for the unification of the city and county, in
29 addition to the requirements of subsection (b) the plan shall:

30 (1) Provide that the members of the governing body be elected from
31 districts or on an at-large basis and fix the number, term and initial
32 compensation of the governing body of the unified city-county and the
33 method of election;:

34 (2) determine whether elections of the governing body of the
35 unified city-county shall be partisan or nonpartisan elections and the
36 time at which such elections shall be held;:

37 (3) determine the distribution of legislative and administrative
38 duties of the unified city-county officials, provide for unification or
39 expansion of services as necessary, authorize the appointment of a city-
40 county administrator or manager, if deemed advisable, and prescribe the
41 general structure of the unified city-county government;:

42 (4) provide for the official name of the unified city-county;:

43 (5) provide for the transfer or other disposition of property and

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 4, and amendments thereto.*

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5 ~~Sec. 64-173, } K.S.A. 2-623, 110-120, 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, 119-117, 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, 668-438, 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, 112-363, 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, 25-3801 and 42-706 and 72-6433} are~~
 22 ~~hereby repealed.~~

23 ~~Sec. 62-174, } This act shall take effect and be in force from and after~~
 24 ~~its publication in the statute book.~~

13-1220,

25-2017a,

25-2112,

25-2118,