

SENATE BILL No. 171

By Committee on Ethics and Elections

2-9

Proposed Amendments to SB 171  
February 18, 2015  
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Office of Revisor of Statutes

AN ACT concerning elections and voting; relating to certain municipalities and special districts; amending K.S.A. 2-623, 12-344, 12-363, 13-1220, 13-1221, 19-2680, 19-2760, 19-3505, 19-3507, 24-504, 25-202, 25-209, 25-210, 25-212, 25-610, 25-1115, 25-2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-2018, 25-2022, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 25-2804, 25-3503, 71-1408, 71-1412, 71-1413, 71-1414, 71-1419, 72-8008 and 80-2508 and K.S.A. 2014 Supp. 2-624, 24-412, 24-414, 24-459, 24-506, 25-205, 25-213, 25-611, 25-618, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311, 25-3801 and 42-706 and repealing the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005i, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 19-2762 and 71-1417.

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

New Section 1. (a) On and after January 1, ~~2016~~, 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 ~~2016~~ and on such date thereafter of ~~even-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 ~~2016~~ ~~of even-numbered~~ years and on such date thereafter.

(b) The term of members of governing bodies and other elected officials of any municipality that would expire at any time in ~~2016~~ shall expire on the second Monday in January, ~~2017~~, when newly elected members of the governing body and other newly elected officials shall take office. The governing body of the municipality shall establish by ordinance or resolution terms of office of elected officials to comply with this act.

(c) Primary elections for any municipality shall be conducted as

2017

2017

odd-numbered

2017

odd-numbered

2017

2018

Insert new paragraph "(c)"

(d)

1 provided in K.S.A. 25-202, and amendments thereto. A primary election  
2 shall only be required as provided in K.S.A. 25-202.1, and amendments  
3 thereto, and K.S.A. 25-2108a, and amendments thereto.

(c) 4 The filing deadline for all candidates for any municipality, unless  
5 otherwise provided by law, shall be as provided in K.S.A. 25-205, and  
6 amendments thereto.

(f) 7 Any person who meets the qualifications for the office sought may  
8 become a candidate for municipal office by filing a declaration of intent to  
9 become a candidate with the county election officer accompanied by a  
10 filing fee of \$20.

(g) 11 All elections for officers of municipalities shall be on a partisan  
12 basis.

(h) 13 "Municipality" means any city, consolidated city-county created  
14 under K.S.A. 12-340 et seq., and amendments thereto, and K.S.A. 2014  
15 Supp. 12-360 et seq., and amendments thereto, county adopting a charter  
16 under K.S.A. 19-2680 et seq., and amendments thereto, and school district.

(i) 17 Cites may provide for elections of elected officials in odd-  
18 numbered years in order to provide for staggered terms of office or for  
19 three-year terms of office for elected officials. All such elections shall be  
20 conducted on a partisan basis.

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

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

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

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

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

Strike

, 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

even-numbered

Strike

Strike

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

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

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

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

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

25 (b) The county election officer shall give not less than 60 days' notice  
26 to the superintendent of the school district of the need to use one or more  
27 school buildings as polling places for any primary or general election.

28 (c) All unified school districts shall schedule an in-service training  
29 day for teachers when school is in session on the date of any primary or  
30 general election.

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

33 New Sec. 5. (a) The secretary of state shall develop a public  
34 information program to inform the public generally of changes made as a  
35 result of moving spring elections to fall elections. Such public information  
36 program shall include, at a minimum, the explanation of which public  
37 office elections are being transferred from spring to fall elections, which  
38 offices will be elected on a partisan basis and which elected offices will be  
39 elected on a nonpartisan basis. The program shall include the use of  
40 advertisements and public service announcements as well as posting of  
41 information on the opening pages of the official internet websites of the  
42 secretary of state and county election officers. The secretary of state and  
43 county election officers shall develop dedicated websites to provide voter

Strike