

SENATE BILL No. 171

By Committee on Ethics and Elections

2-9

Balloon Amendments for SB 171

for

Prepared by Mike Heim

Office of Revisor of Statutes

February 17, 2015

1 AN ACT concerning elections and voting; relating to certain
2 municipalities and special districts; amending K.S.A. 2-623, 12-344,
3 12-363, 13-1220, 13-1221, 19-2680, 19-2760, 19-3505, 19-3507, 24-
4 504, 25-202, 25-209, 25-210, 25-212, 25-610, 25-1115, 25-2006, 25-
5 2007, 25-2010, 25-2014, 25-2017, 25-2018, 25-2022, 25-2023, 25-
6 2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 25-2804, 25-
7 3503, 71-1408, 71-1412, 71-1413, 71-1414, 71-1419, 72-8008 and 80-
8 2508 and K.S.A. 2014 Supp. 2-624, 24-412, 24-414, 24-459, 24-506,
9 25-205, 25-213, 25-611, 25-618, 25-1122, 25-2020, 25-2102, 25-2108a,
10 25-2110, 25-2311, 25-3801 and 42-706 and repealing the existing
11 sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-1004,
12 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-
13 1005f, 12-1005g, 12-1005h, 12-1005i, 12-1005k, 12-1005l, 12-1006,
14 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-
15 1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-
16 1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-
17 1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-
18 1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f,
19 12-1036g, 12-1036h, 12-1037, 12-1038, 19-2762 and 71-1417.
20

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

22 New Section 1. (a) On and after January 1, 2016, all primary elections
23 for members of the governing body and other elected officials of any
24 municipality shall be held on the first Tuesday in August of 2016 and on
25 such date thereafter of even-numbered years, and all general elections for
26 members of the governing body and other elected officials of any
27 municipality shall be held on the Tuesday succeeding the first Monday in
28 November of 2016 of even-numbered years and on such date thereafter:

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

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

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. 25-2021, and amendments
3 thereto, and K.S.A. 25-2108a, and amendments thereto.

4 (d) 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.

7 (e) 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.

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

13 (g) "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.

17 (h) Cities 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.

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

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

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

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

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

New Sec. 2. (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 term 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. 3. 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.

Renumber sections accordingly.