

HOUSE BILL No. 2274

By Committee on Local Government

2-10

1 AN ACT concerning elections; relating to petitions; concerning
2 recognition of political parties; amending K.S.A. 2014 Supp. 25-302a
3 and 25-3602 and repealing the existing sections.
4

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

6 Section 1. K.S.A. 2014 Supp. 25-302a is hereby amended to read as
7 follows: 25-302a. Any political party seeking official recognition in this
8 state after the effective date of this act shall file in its behalf, not later than
9 12 noon, June 1, prior to the primary election held on the first Tuesday of
10 August in even-numbered years, or if such date falls on a Saturday,
11 Sunday or a holiday, then before 12 noon of the next following day that is
12 not a Saturday, Sunday or a holiday petitions signed by qualified electors
13 equal in number to at least ~~2%~~ 1% of the total vote cast for all candidates
14 for the office of governor in the state in the last preceding general election.
15 Such petitions shall declare support for the official recognition of a
16 political party, the name of which shall be stated in the declaration. No
17 political party seeking official recognition shall assume a name or
18 designation which, in the opinion of the secretary of state, is unreasonably
19 lengthy or so similar to the name or designation of an existing political
20 party as to confuse or mislead the voters at an election.

21 Petitions seeking official recognition of a political party shall be
22 substantially in the following form:

23 PETITION SEEKING THE OFFICIAL RECOGNITION OF THE _____
24 PARTY IN THE STATE OF KANSAS

25 I, the undersigned, hereby declare my support for the official
26 recognition of the _____ Party.

27 I have personally signed this petition; I am a registered elector of the
28 state of Kansas and the County of _____, and my residence
29 address is correctly written after my name.

30 NAME OF SIGNER ADDRESS AS REGISTERED CITY DATE OF SIGNING

31 Appended to each petition page or set of pages shall be an affidavit by
32 the petition circulator as defined in K.S.A. 2014 Supp. 25-3608, and
33 amendments thereto, of the petition affirming that such circulator
34 personally witnessed the signing of the petition by each person whose
35 name appears thereon. The affidavit shall be executed before a person
36 authorized to administer oaths and include the address of the circulator.

1 Each page of such petition shall bear the names of registered voters of a
2 single county. All petitions shall be grouped according to the county in
3 which each was circulated before being filed with the secretary of state.
4 All such petitions shall be filed at one time. Any related petitions presented
5 thereafter will be deemed to be separate and not a part of earlier filings.
6 County election officers shall cooperate with the secretary of state in
7 verifying the sufficiency of these petitions as required by law.

8 The secretary of state shall transmit such petitions to the county
9 election officer of each county for which petitions were presented to be
10 examined for sufficiency pursuant to the provisions of K.S.A. 25-3601 et
11 seq., and amendments thereto, and applicable regulations. Not more than
12 20 days following receipt of such petitions from the secretary of state, the
13 county election officer shall return these documents to the secretary of
14 state certifying the number of sufficient signatures thereon. The secretary
15 of state shall gather all petitions and determine whether a sufficient
16 number of signatures was submitted. The secretary of state shall forthwith
17 notify the person who submitted the declaration of intent to circulate such
18 petitions of the sufficiency or insufficiency of the number of signatures.

19 Sec. 2. K.S.A. 2014 Supp. 25-3602 is hereby amended to read as
20 follows: 25-3602. (a) Each petition shall consist of one or more documents
21 pertaining to a single issue or proposition under one distinctive title. The
22 documents shall be filed with the county election officer or other official,
23 if another official is designated in the applicable statutes. The filing shall
24 be made at one time all in one group. Later or successive filings of
25 documents relating to the same issue or proposition shall be deemed to be
26 separate petitions and not a part of any earlier or later filing.

27 (b) Unless otherwise specifically required, each petition shall: (1)
28 State the question which petitioners seek to bring to an election in the form
29 of a question as it should appear upon the ballot in accordance with the
30 requirements of K.S.A. 25-620 and K.S.A. 25-3601, and amendments
31 thereto;

32 (2) name the taxing subdivision or other political subdivision in
33 which an election is sought to be held;

34 (3) contain the following recital above the spaces provided for
35 signatures: "I have personally signed this petition. I am a registered elector
36 of the state of Kansas and of

37
38 (here insert name of political or taxing subdivision)
39 and my residence address is correctly written after my name."

40 The recital shall be followed by blank spaces for the signature,
41 residence address and date of signing for each person signing the petition.

42 When petitioners are required by law to possess qualifications in
43 addition to being registered electors, the form of the petition shall be

1 amended to contain a recital specifying the additional qualifications
 2 required and stating that the petitioners possess the qualifications; and

3 (4) contain a recital in substance as follows, at the end of each set of
 4 documents carried by each petition circulator as defined in K.S.A. 2014
 5 Supp. 25-3608, and amendments thereto: "I am the circulator of this
 6 petition and I am qualified to circulate this petition and I personally
 7 witnessed the signing of the petition by each person whose name appears
 8 thereon.

9 _____
 10 (Signature of circulator)

11 _____"
 12 _____"
 13 (Circulator's residence address)

14
 15 The recital of the circulator of each petition shall be verified upon oath
 16 or affirmation before a notarial officer in the manner prescribed by K.S.A.
 17 53-501 et seq., and amendments thereto.

18 (c) Any person who has signed a petition who desires to withdraw
 19 such person's name may do so by giving written notice to the county
 20 election officer or other designated official not later than the third day
 21 following the date upon which the petition is filed.

22 (d) (1) *Except as provided in paragraph (2), any petition shall be null*
 23 *and void unless submitted to the county election officer or other*
 24 *designated official within 180 days of the date of the first signature on the*
 25 *petition.*

26 (2) *Any petition submitted for the purpose of a political party seeking*
 27 *official recognition pursuant to K.S.A. 25-302a, and amendments thereto,*
 28 *shall be null and void unless submitted to the county election officer within*
 29 *one year of the date of the first signature on the petition.*

30 (e) Unless the governing body of the political or taxing subdivision in
 31 which the election is sought to be held authorizes a special election, all
 32 elections which are called as a result of the filing of a sufficient petition
 33 shall be held at the next succeeding primary or general election as defined
 34 by K.S.A. 25-2502, and amendments thereto, in which the political or
 35 taxing subdivision is participating.

36 (f) When a petition requires signatures equal in number to a
 37 percentage of the total number of registered voters, such percentage shall
 38 be based on the most recent number of registered voters as certified to the
 39 office of the secretary of state pursuant to ~~subsection (g)~~ of K.S.A. 25-
 40 2311(g), and amendments thereto.

41 Sec. 3. K.S.A. 2014 Supp. 25-302a and 25-3602 are hereby repealed.

42 Sec. 4. This act shall take effect and be in force from and after its
 43 publication in the statute book.