

**SENATE BILL No. 432**

By Senator Hensley

2-9

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1 AN ACT concerning elections; relating to county election officers;  
2 concerning requirements for the office of election commissioner;  
3 amending K.S.A. 19-3419 and repealing the existing section.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 19-3419 is hereby amended to read as follows: 19-  
7 3419. (a) In counties of this state having a population exceeding 130,000,  
8 there shall be an office of commissioner of elections, which shall be  
9 administered by an election commissioner. The election commissioner  
10 shall be appointed by the secretary of state and shall hold office for a term  
11 of four years and until a successor is appointed and qualified. The  
12 secretary of state may remove the election commissioner for official  
13 misconduct. Upon occurrence of a vacancy in the office of county election  
14 commissioner, the secretary of state shall appoint a successor. If the  
15 vacancy occurs before the expiration of a term of office, the appointment  
16 shall be for the unexpired term. Such election commissioner shall have  
17 been a qualified elector and a resident of the county at least two years prior  
18 to appointment. Within 10 days after receiving official notice of the  
19 appointment and before entering upon the duties of the office, the election  
20 commissioner shall take, subscribe and cause to be filed in the office of the  
21 secretary of state an oath of office for the faithful discharge of official  
22 duties.

23 (b) *On and after the effective date of this act, no person shall be*  
24 *appointed to the office of election commissioner who has held the office of*  
25 *chairperson, vice-chairperson or treasurer of any county, district or state*  
26 *political party committee, or who, within five years preceding the date of*  
27 *such appointment, has been a candidate for or the holder of any partisan*  
28 *political office or who within three years preceding the date of such*  
29 *appointment, has:*

- 30 (1) *Held an elective state office;*  
31 (2) *held the office of secretary of any department of state*  
32 *government;*  
33 (3) *been a lobbyist as defined by K.S.A. 46-222, and amendments*  
34 *thereto;*  
35 (4) *been an officer or employee who directly participated in the*  
36 *making of a contract on behalf of a vendor of goods and services with the*

1 *state of Kansas or any agency thereof; or*

2 *(5) provided services under contract to the state of Kansas or any*  
3 *agency thereof.*

4 *(c) On and after the effective date of this act, while serving in the*  
5 *office of election commissioner, no election commissioner shall:*

6 *(1) Be an individual subject to the provisions of the campaign finance*  
7 *law or the provisions of K.S.A. 46-215 et seq., and amendments thereto,*  
8 *administered or enforced by the ethics commission;*

9 *(2) serve as a chairperson or treasurer for any candidate or*  
10 *committee subject to the provisions of the campaign finance act;*

11 *(3) actively solicit contributions subject to the provisions of the*  
12 *campaign finance act;*

13 *(4) be a lobbyist as defined by K.S.A. 46-222, and amendments*  
14 *thereto;*

15 *(5) be an officer or employee who directly participated in the making*  
16 *of a contract on behalf of a vendor of goods and services with the state of*  
17 *Kansas or any agency thereof;*

18 *(6) provide services under contract to the state of Kansas or any*  
19 *agency thereof;*

20 *(7) be a candidate for or the holder of any partisan political office;*

21 *(8) be the chairperson, vice-chairperson or treasurer of any county,*  
22 *district or state political party committee;*

23 *(9) directly or indirectly solicit contributions for any partisan*  
24 *political party or any organization thereof or any candidate for partisan*  
25 *political office; or*

26 *(10) endorse any candidate for any partisan political office subject to*  
27 *the provisions of this act.*

28 *(d) Whenever any election commissioner is ineligible to serve under*  
29 *the provisions of subsections (b) and (c), the term of such commissioner*  
30 *shall terminate and such person shall no longer be eligible to discharge*  
31 *the duties of election commissioner. Such vacancy shall be filled in the*  
32 *manner prescribed by subsection (a).*

33 *Sec. 2. K.S.A. 19-3419 is hereby repealed.*

34 *Sec. 3. This act shall take effect and be in force from and after its*  
35 *publication in the statute book.*