

HOUSE BILL No. 2017

By Representative Esau

1-6

1 AN ACT concerning elections; dealing with vacancies in the office of
2 United States representative to congress; amending K.S.A. 25-3502,
3 25-3504 and 25-3507 and repealing the existing sections.
4

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

6 Section 1. K.S.A. 25-3502 is hereby amended to read as follows: 25-
7 3502. Except as ~~is~~ otherwise provided in this act, the governor shall
8 proclaim the date of any election held under this act to be a day not less
9 than ~~45~~ 75 days nor more than ~~60~~ 90 days after such proclamation is
10 issued. ~~Such~~ The proclamation shall be made in writing, signed by the
11 governor and delivered by ~~him~~ the governor to the secretary of state.
12 ~~Thereupon~~ The secretary of state shall promptly cause ~~such~~ the
13 proclamation to be published in the Kansas register, and a copy ~~thereof~~
14 shall be transmitted by the secretary to the chairperson of all state political
15 parties authorized to hold congressional district conventions under the
16 provisions of K.S.A. 25-3504, and amendments thereto.

17 Sec. 2. K.S.A. 25-3504 is hereby amended to read as follows: 25-
18 3504. Whenever a vacancy has occurred to which this act applies, except
19 in cases where ~~subsection (c) or (d) of K.S.A. 25-3503(b) or (c), and~~
20 amendments thereto, applies, a congressional district convention of the
21 district party of each political party ~~whose candidate for governor received~~
22 ~~not less than 5% of the votes cast at the next preceding election of the~~
23 ~~governor that has obtained official recognition~~ shall be called by the state
24 chairperson of the party, or if there is no state chairperson, by the party's
25 candidate for governor at the next preceding general election. ~~Such~~ The
26 convention shall be called for a date not less than 15 days and not more
27 than 25 days after the proclamation of election is issued by the governor in
28 the cases to which K.S.A. 25-3503, and amendments thereto, does not
29 apply, and within 15 days in cases to which ~~subsection (a) or (b) of K.S.A.~~
30 ~~25-3503(a) or (b), and amendments thereto, apply.~~ In accordance with the
31 rules of the district party and the provisions of this act, each ~~such~~
32 convention shall nominate a candidate to fill the vacancy which has
33 occurred and shall file a certificate of the nomination ~~so made~~ with the
34 secretary of state immediately. Every ~~such~~ certificate shall be signed by the
35 presiding officer and secretary of the convention making ~~such~~ the
36 nomination. Independent candidates may be nominated by petition of

1 registered voters of the district equal in number to ~~4% of the number of~~
2 *not less than 1,000* qualified voters of the congressional district. Any such
3 petition shall be filed with the secretary of state not later than ~~the time for~~
4 ~~district party convention certificates to be filed 25 days after the~~
5 *proclamation of election is issued by the governor*. Except as is provided in
6 ~~subsections (e) and (d) of K.S.A. 25-3503(b) or (c)~~, and amendments
7 thereto, no candidate shall be nominated to fill such vacancy by any means
8 other than provided by this section.

9 Sec. 3. K.S.A. 25-3507 is hereby amended to read as follows: 25-
10 3507. In cases to which ~~subsection (e) or (d) of K.S.A. 25-3503(b) or (c)~~,
11 *and amendments thereto*, apply, canvass of the election shall be conducted
12 as for other elections of United States congressmen. In all other cases to
13 which this act applies, intermediate canvass of the election shall be made
14 by the county boards of canvassers at ~~ten o'clock~~ *10:00 a.m.* on the ~~second~~
15 *third* day following the election, unless such day is a Sunday or holiday, in
16 which case ~~such~~ *the* canvass shall be on the next following day which is
17 not a Sunday or holiday. County election officers shall dispatch the
18 abstract of the intermediate canvass to the secretary of state immediately
19 upon completion of the canvass by the board of county canvassers. The
20 state board of canvassers shall meet in the office of the secretary of state
21 on the ~~fourth~~ *sixth* day following the election, unless such day is a Sunday
22 or holiday, in which case ~~such~~ *the* canvass shall be on the next following
23 day which is not a Sunday or holiday. The state board of canvassers shall
24 make the final canvass, and the certificate of election of the candidate
25 receiving the highest number of votes shall be issued in the same manner
26 as is provided for regular elections of national officers.

27 Sec. 4. K.S.A. 25-3502, 25-3504 and 25-3507 are hereby repealed.

28 Sec. 5. This act shall take effect and be in force from and after its
29 publication in the Kansas register.