

Filling Vacancies when the Number of County Commissioner Districts is Increased; HB 2006

HB 2006 addresses how vacancies on county commissions are filled when the vacancies are created by an increase in the number of county commissioner districts pursuant to law governing expansion of such districts (KSA 2016 Supp.19-204). The bill removes the requirement that the Governor appoint the new members and replaces it with a requirement to hold an election.

The bill authorizes either an election in conjunction with the next regularly scheduled general election or a special election. The bill requires the Governor, in consultation with the board of county commissioners and within five days of the board of county commissioners adopting a resolution expanding the size of the board of county commissioners, to either declare the election be held with the regularly scheduled general election or declare the date of the special election. If the decision is to call a special election, the bill requires the date be not less than 75 days and not more than 90 days from the date of the board of county commissioners adopting the resolution to expand the board's size.

The bill also prescribes how candidates will be nominated to fill the vacancies, requiring each county chairperson of an officially recognized political party to call a county convention for a date not less than 15 days and not more than 25 days after the Governor's declaration of an election to nominate a candidate to fill the vacancies. Independent candidates can be nominated by petition of not less than 5 percent of the qualified electors within the county commission district. The bill requires the petition to be filed with the county election officer within 25 days of the Governor's declaration.

The bill requires the candidate who receives the highest number of votes in each commission district to serve until successors are elected and qualified at the next general election.