

HOUSE BILL No. 2018

By Representative Carmichael

1-10

1 AN ACT concerning elections; relating to election crimes; prosecution;
2 amending K.S.A. 2018 Supp. 25-2435 and repealing the existing
3 section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2018 Supp. 25-2435 is hereby amended to read as
7 follows: 25-2435. (a) Independent authority to prosecute any person who
8 has committed or attempted to commit any act that constitutes a Kansas
9 elections crime defined in K.S.A. 25-1128, and amendments thereto, or
10 article 24 of chapter 25 of the Kansas Statutes Annotated, and amendments
11 thereto, shall be vested in:

12 (1) The district attorney or county attorney of the county where such
13 act occurred; *or*

14 (2) the Kansas attorney general; ~~or~~

15 ~~(3) the Kansas secretary of state.~~

16 (b) If one of the officers listed in subsection (a) has commenced the
17 prosecution of a person who has committed or attempted to commit any
18 act that constitutes a Kansas election crime, the other officers listed in
19 subsection (a) may provide assistance to the prosecuting officer but shall
20 not commence a separate prosecution.

21 Sec. 2. K.S.A. 2018 Supp. 25-2435 is hereby repealed.

22 Sec. 3. This act shall take effect and be in force from and after its
23 publication in the statute book.