

HOUSE BILL No. 2508

By Committee on Elections

1-28

1 AN ACT concerning the secretary of state; requiring nonpartisan elections;
2 requiring resignation before becoming a candidate for another office;
3 amending K.S.A. 2019 Supp. 25-101 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2019 Supp. 25-101 is hereby amended to read as
7 follows: 25-101. (a) On the Tuesday succeeding the first Monday in
8 November of each even-numbered year, there shall be held a general
9 election to elect officers as follows:

10 (1) At each alternate election, prior to the year in which the term of
11 office of the president and ~~vice president~~ *vice president* of the United
12 States will expire, there shall be elected the electors of president and ~~vice~~
13 ~~president~~ *vice president* of the United States to which the state may be
14 entitled at the time of such election;

15 (2) at each such election, when the term of a United States senator for
16 this state shall expire during the next year, there shall be elected a United
17 States senator;

18 (3) at each such election there shall be elected the representatives in
19 congress to which the state may be entitled at the time of such election;

20 (4) at each alternate election, prior to the year in which their regular
21 terms of office will expire, there shall be elected a governor, lieutenant
22 governor, secretary of state, attorney general, state treasurer and state
23 commissioner of insurance;

24 (5) at each such election there shall be elected such members of the
25 state board of education as provided by law;

26 (6) at each such election, when, in a judicial district in which judges
27 of the district court are elected, the term of any district judge expires
28 during the next year, or a vacancy in a district judgeship has been filled by
29 appointment more than 30 days prior to the election, there shall be elected
30 a district judge of such judicial district;

31 (7) at each such election, when, in a judicial district in which judges
32 of the district court are elected, the term of any district magistrate judge
33 expires during the next year, or a vacancy in a district magistrate judgeship
34 has been filled by appointment more than 30 days prior to the election,
35 there shall be elected a district magistrate judge of such judicial district;

36 (8) at each alternate election, prior to the year in which the regular

1 term of office of state senators shall expire, there shall be elected a state
2 senator in each state senatorial district;

3 (9) at each election there shall be elected a representative from each
4 state representative district;

5 (10) at each alternate election there shall be elected, in each county, a
6 county clerk, county treasurer, register of deeds, county or district attorney,
7 sheriff and such other officers as provided by law; and

8 (11) at each election, when the term of county commissioner in any
9 district in any county shall expire during the next year, there shall be
10 elected from such district a county commissioner.

11 (b) This section shall apply to the filling of vacancies only *in* so far as
12 is consistent with the provisions of law relating thereto.

13 (c) *On and after January 1, 2022, the secretary of state shall be*
14 *elected on a nonpartisan basis.*

15 New Sec. 2. The legislative coordinating council shall appoint a
16 special committee to make recommendations regarding statutory changes
17 needed to implement the nonpartisan election of the office of secretary of
18 state. The committee shall make recommendations to the 2021 legislature,
19 including, but not limited to, the nomination process and the ballot format.

20 New Sec. 3. Any person who holds the office of secretary of state as a
21 nonpartisan office shall resign such office before becoming a candidate for
22 a partisan office.

23 Sec. 4. K.S.A. 2019 Supp. 25-101 is hereby repealed.

24 Sec. 5. This act shall take effect and be in force from and after its
25 publication in the statute book.