

HOUSE BILL No. 2578

By Committee on Elections

2-1

1 AN ACT concerning elections; relating to petitions; recognition of
2 political parties; lowering the signature requirement for such
3 recognition; amending K.S.A. 25-302a and 25-3602 and repealing the
4 existing sections.

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

7 Section 1. K.S.A. 25-302a is hereby amended to read as follows: 25-
8 302a. Any political party seeking official recognition in this state after the
9 effective date of this act shall file in its behalf with the secretary of state,
10 not later than 12 noon, June 1, prior to the primary election held on the
11 first Tuesday of August in even-numbered years, or if such the date falls
12 on a Saturday, Sunday or a holiday, then before 12 noon of the next
13 following day that is not a Saturday, Sunday or a holiday, petitions signed
14 by qualified electors equal in number to at least 2% 1% of the total vote
15 cast for all candidates for the office of governor in the state in the last
16 preceding general election. Such The petitions shall declare support for the
17 official recognition of a political party, the name of which shall be stated in
18 the declaration. No political party seeking official recognition shall assume
19 a name or designation which, in the opinion of the secretary of state, is
20 unreasonably lengthy or so similar to the name or designation of an
21 existing political party as to confuse or mislead the voters at an election.

22 Petitions seeking official recognition of a political party shall be
23 substantially in the following form:

24 PETITION SEEKING THE OFFICIAL RECOGNITION OF
25 THE _____ PARTY IN THE STATE OF KANSAS

26 I, the undersigned, hereby declare my support for the official
27 recognition of the _____ Party.

28 I have personally signed this petition; I am a registered elector of the
29 state of Kansas and the County of _____, and my residence
30 address is correctly written after my name.

31 NAME OF SIGNER SIGNATURE ADDRESS AS
32 CITY DATE OF SIGNING
33 REGISTERED

34 Appended to each petition page or set of pages shall be an affidavit by
35 the petition circulator as defined in K.S.A. 25-3608, and amendments
36 thereto, of the petition affirming that such the circulator personally

1 witnessed the signing of the petition by each person whose name appears
2 thereon. The affidavit shall be executed before a person authorized to
3 administer oaths and include the address of the circulator.

4 Each page of such petition shall bear the names of registered voters of a
5 single county. All petitions shall be grouped according to the county in
6 which each was circulated before being filed with the secretary of state.
7 All such petitions shall be filed at one time. Any related petitions presented
8 thereafter will be deemed to be separate and not a part of earlier filings.
9 County election officers shall cooperate with the secretary of state in
10 verifying the sufficiency of these petitions as required by law.

11 The secretary of state shall transmit ~~such~~ *the* petitions to the county
12 election officer of each county for which petitions were presented to be
13 examined for sufficiency pursuant to the provisions of K.S.A. 25-3601 et
14 seq., and amendments thereto, and applicable regulations. Not more than
15 20 days following receipt of ~~such~~ *the* petitions from the secretary of state,
16 the county election officer shall return these documents to the secretary of
17 state certifying the number of sufficient signatures thereon. The secretary
18 of state shall gather all petitions and determine whether a sufficient
19 number of signatures was submitted. The secretary of state shall forthwith
20 notify the person who submitted the declaration of intent to circulate ~~such~~
21 *the* petitions of the sufficiency or insufficiency of the number of
22 signatures.

23 Sec. 2. K.S.A. 25-3602 is hereby amended to read as follows: 25-
24 3602. (a) Each petition shall consist of one or more documents pertaining
25 to a single issue or proposition under one distinctive title. The documents
26 shall be filed with the county election officer or other official, if another
27 official is designated in the applicable statutes. The filing shall be made at
28 one time all in one group. Later or successive filings of documents relating
29 to the same issue or proposition shall be deemed to be separate petitions
30 and not a part of any earlier or later filing.

31 (b) Unless otherwise specifically required, each petition shall:

32 (1) State the question which petitioners seek to bring to an election in
33 the form of a question as it should appear upon the ballot in accordance
34 with the requirements of K.S.A. 25-620 and 25-3601, and amendments
35 thereto;

36 (2) name the taxing subdivision or other political subdivision in
37 which an election is sought to be held;

38 (3) contain the following recital above the spaces provided for
39 signatures: "I have personally signed this petition. I am a registered elector
40 of the state of Kansas and of

41
42

43 (here insert name of political or taxing subdivision)
and my residence address is correctly written after my name."

1 The recital shall be followed by blank spaces for the signature,
 2 residence address and date of signing for each person signing the petition.

3 When petitioners are required by law to possess qualifications in
 4 addition to being registered electors, the form of the petition shall be
 5 amended to contain a recital specifying the additional qualifications
 6 required and stating that the petitioners possess the qualifications; and

7 (4) contain a recital in substance as follows, at the end of each set of
 8 documents carried by each petition circulator as defined in K.S.A. 25-
 9 3608, and amendments thereto: "I am the circulator of this petition and I
 10 am qualified to circulate this petition and I personally witnessed the
 11 signing of the petition by each person whose name appears thereon.

12 _____
 13 (Signature of circulator)

14 "

15 _____
 16 (Circulator's residence address)

17 The recital of the circulator of each petition shall be verified upon oath
 18 or affirmation before a notarial officer in the manner prescribed by the
 19 revised uniform law on notarial acts.

20 (c) Any person who has signed a petition who desires to withdraw
 21 such person's name may do so by giving written notice to the county
 22 election officer or other designated official not later than the third day
 23 following the date upon which the petition is filed.

24 (d) (1) *Except as provided in paragraph (2), any petition shall be null*
 25 *and void unless submitted to the county election officer or other*
 26 *designated official within 180 days of the date of the first signature on the*
 27 *petition.*

28 (2) *Any petition submitted for the purpose of a political party seeking*
 29 *official recognition pursuant to K.S.A. 25-302a, and amendments thereto,*
 30 *shall be null and void unless submitted to the secretary of state within one*
 31 *year of the date of the first signature on the petition.*

32 (e) Unless the governing body of the political or taxing subdivision in
 33 which the election is sought to be held authorizes a special election, all
 34 elections which are called as a result of the filing of a sufficient petition
 35 shall be held at the next succeeding primary or general election as defined
 36 by K.S.A. 25-2502, and amendments thereto, in which the political or
 37 taxing subdivision is participating.

38 (f) When a petition requires signatures equal in number to a
 39 percentage of the total number of registered voters, such percentage shall
 40 be based on the most recent number of registered voters as certified to the
 41 office of the secretary of state pursuant to K.S.A. 25-2311(g), and
 42 amendments thereto.

43 Sec. 3. K.S.A. 25-302a and 25-3602 are hereby repealed.

44 Sec. 4. This act shall take effect and be in force from and after its

- 1 publication in the statute book.