

## HOUSE BILL No. 2516

By Committee on Elections

Requested by Representative Waggoner

1-17

1 AN ACT concerning elections; raising the number of signatures required  
2 for nomination petitions for independent candidates for statewide  
3 office; eliminating the ability of independent candidates for statewide  
4 office to pay a filing fee; amending K.S.A. 25-4119f and K.S.A. 2023  
5 Supp. 25-303 and repealing the existing sections.  
6

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

8 Section 1. K.S.A. 2023 Supp. 25-303 is hereby amended to read as  
9 follows: 25-303. (a) This section shall not apply to city and school  
10 elections, nor to election of other officers provided by law to be elected in  
11 odd-numbered years.

12 (b) All nominations other than party nominations shall be  
13 independent nominations. No person who has declared and retains a party  
14 affiliation in accordance with K.S.A. 25-3301, and amendments thereto,  
15 shall be eligible to accept an independent nomination for any office.

16 (c) Independent nominations of candidates for any office to be filled  
17 by the voters of the state at large may be made by nomination petitions  
18 signed by not less than ~~5,000~~ 25,000 qualified voters for each candidate  
19 and in the case of governor and lieutenant governor for each pair of such  
20 candidates.

21 (d) Independent nominations of candidates for offices to be filled by  
22 the voters of a county, district or other division less than a state may be  
23 made by nomination petitions signed by voters equal in number to not less  
24 than 4% of the current total of qualified voters of such county, district or  
25 other division as compiled by the office of the secretary of state in the case  
26 of state offices and as compiled in the office of the county election officer  
27 and certified to the secretary of state in accordance with K.S.A. 25-2311,  
28 and amendments thereto, in the case of local offices, and in no case to be  
29 signed by less than 25 nor more than 5,000 qualified voters of such county,  
30 district or division, for each candidate.

31 (e) Independent nominations of candidates for offices to be filled by  
32 the voters of a township may be made by nomination papers signed by not  
33 less than 5% of the current total of qualified voters of such township,  
34 computed as above provided, for each candidate, and in no case to be  
35 signed by less than 10 such voters of ~~such~~ the township for each candidate.

1 (f) The signatures to ~~such~~ *the* nomination petitions need not all be  
 2 appended to one paper, but each registered voter signing an independent  
 3 certificate of nomination shall add to the signature ~~such~~ *the* petitioner's  
 4 place of residence and post office address. All signers of each separate  
 5 nomination petition shall reside in the same county and election district of  
 6 the office sought. The affidavit of the candidate or a petition circulator  
 7 shall be appended to each petition and shall contain, at the end of each set  
 8 of documents carried by each circulator or candidate, a verification, signed  
 9 by the circulator or candidate, to the effect that ~~such~~ *the* circulator or  
 10 candidate personally witnessed the signing of the petition by each person  
 11 whose name appears thereon.

12 (g) No ~~such~~ nomination petition shall contain the name of a candidate  
 13 for governor without in the same ~~such~~ petition containing the name of a  
 14 candidate for lieutenant governor, and if it does ~~it~~ *not contain such name*  
 15 *the nomination petition* shall be void.

16 (h) No person shall join in nominating more than one person for the  
 17 same office, and if this is done, the name of such petitioner shall not be  
 18 counted on any certificate.

19 (i) Within 20 days after receipt of an independent nominating  
 20 petition, but not later than the date of the meeting of the state board of  
 21 canvassers in accordance with K.S.A. 25-3205, and amendments thereto,  
 22 the secretary of state shall determine the validity of ~~such~~ *the* independent  
 23 nominating petition. If any independent nomination petitions are found to  
 24 be invalid, the secretary of state shall notify the candidate on whose behalf  
 25 the independent nomination petitions were filed that ~~such~~ *the* nomination  
 26 petitions have been found to be invalid and the reason for such finding of  
 27 invalidity. Such candidate may make objection to the finding of invalidity  
 28 by the secretary of state in accordance with K.S.A. 25-308, and  
 29 amendments thereto.

30 Sec. 2. K.S.A. 25-4119f is hereby amended to read as follows: 25-  
 31 4119f. (a) *Subject to the provisions of subsection (c)*, in addition to any  
 32 other fee required by law, every person becoming a candidate for the  
 33 following offices shall pay a fee at the time of filing for such office in the  
 34 amount prescribed by this section:

- 35 (1) Governor and lieutenant governor..... \$650;
- 36 (2) state offices elected by statewide election, other than the governor  
 37 and lieutenant  
 38 governor..... \$650;
- 39 (3) state senator, state representative, state board of education, district  
 40 attorney, board of public utilities of the city of Kansas City and  
 41 elected county offices..... \$50;  
 42 and
- 43 (4) members of boards of education of unified school districts having

1           35,000 or more pupils regularly enrolled in the preceding school  
2           year, members of governing bodies of cities of the first class and  
3           judges of the district court in judicial districts in which judges are  
4           elected..... \$50.

5           (b) The secretary of state shall remit all fees received by that office to  
6           the state treasurer in accordance with the provisions of K.S.A. 75-4215,  
7           and amendments thereto. County election officers receiving fees in  
8           accordance with this section shall remit such fees to the county treasurer of  
9           the county who shall quarterly remit the same to the state treasurer. Upon  
10          receipt of each such remittance, the state treasurer shall deposit the entire  
11          amount in the state treasury to the credit of the governmental ethics  
12          commission fee fund.

13          (c) *No independent candidate for statewide office shall have the*  
14          *option of paying a filing fee to run for such office. Such candidate shall*  
15          *utilize the nomination petition process under K.S.A. 25-503, and*  
16          *amendments thereto.*

17          Sec. 3. K.S.A. 25-4119f and K.S.A. 2023 Supp. 25-303 are hereby  
18          repealed.

19          Sec. 4. This act shall take effect and be in force from and after its  
20          publication in the statute book.