

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2227

By Committee on Elections

2-5

1 AN ACT concerning elections; relating to certain municipalities; amending  
2 K.S.A. 2-623, 19-3505, 19-3507, 24-504, ~~25-202~~, 25-209, 25-1115, 25-  
3 2006, 25-2007, 25-2010, 25-2017, 25-2018, 25-2022, 25-2023, 25-  
4 2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 71-1408, 71-  
5 1412, 71-1413, 71-1414, ~~71-1417~~, 71-1419 and 72-8008 and K.S.A.  
6 ~~2012-2013~~ Supp. 2-624, 24-412, 24-414, 24-459, 24-506, 25-213, 25-  
7 611, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311 and 42-  
8 706 and repealing the existing sections.

9  
10 *Be it enacted by the Legislature of the State of Kansas:*

11 New Section 1. (a) On and after January 1, 2014, all primary  
12 elections for members of the governing body and other elected officials of  
13 any municipality shall be held on the first Tuesday in August of 2015 and  
14 on such date thereafter of odd-numbered years and all general elections for  
15 members of the governing body and other elected officials of any  
16 municipality shall be held on the Tuesday succeeding the first Monday in  
17 November of 2015 of odd-numbered years and on such date thereafter.

18 (b) The term of members of governing bodies and other elected  
19 officials **of municipalities** that would expire at any time in 2015 shall  
20 expire on the second Monday in January 2016, when newly elected  
21 members of the governing body and other newly elected officials shall  
22 take office. **The governing body of the municipality shall establish by**  
23 **ordinance or resolution terms of office of elected officials to comply**  
24 **with this act.**

25 (c) Primary elections for any municipality shall be conducted ~~as~~  
26 ~~provided in K.S.A. 25-202, and amendments thereto~~ **on the first Tuesday**  
27 **in August in odd-numbered years.**

28 (d) **The county election officers, with the assistance of the**  
29 **secretary of state, shall conduct municipal primary and general**  
30 **elections in odd-numbered years only.**

31 (e) The filing deadline for all candidates for any municipality unless  
32 otherwise provided by law shall be as provided in K.S.A. 25-205, and  
33 amendments thereto.

34 ~~(e)~~ (f) "Municipality" means any city, consolidated city-county  
35 created under K.S.A. 12-340 et seq., and amendments thereto, ~~and K.S.A.~~  
36 ~~2012 Supp. 12-360 et seq., and amendments thereto,~~ board of public

1 utilities created under K.S.A. 13-1220 et seq., and amendments thereto,  
2 ~~county adopting a charter under K.S.A. 19-2680 et seq., and amendments~~  
3 ~~thereto~~, school district, community college, drainage district, extension  
4 district, irrigation district, library district created under K.S.A. 12-1236 et  
5 seq., and amendments thereto, and water districts created under K.S.A. 19-  
6 3501 et seq., and amendments thereto. The term does not include any  
7 municipality where the election of members of the governing body is  
8 conducted at a meeting of the municipality.

9 ~~New Sec. 2. (a) Any city may adopt by ordinance one of the~~  
10 ~~following forms of government:~~

- 11 ~~(1) Commission;~~
- 12 ~~(2) mayor-council;~~
- 13 ~~(3) commission-manager;~~
- 14 ~~(4) mayor-council-manager;~~
- 15 ~~(5) council-manager; or~~
- 16 ~~(6) any other form of government authorized by law or by ordinance~~  
17 ~~or charter ordinance of the city.~~

18 ~~(b) Any city which has operated for four or more years under a form~~  
19 ~~of government may abandon such form and adopt a different form of~~  
20 ~~government. The provisions of K.S.A. 12-184, and amendments thereto,~~  
21 ~~shall govern the procedure for the adoption or abandonment of such form~~  
22 ~~of government.~~

23 ~~(c) The governing body of the city may establish by ordinance any of~~  
24 ~~the following:~~

- 25 ~~(1) The powers and duties of the governing body, including the mayor~~  
26 ~~and other elected officials;~~
- 27 ~~(2) the term of office of members of the governing body, including~~  
28 ~~the mayor and other elected officials of either two or four years;~~
- 29 ~~(3) the election by ward or district of members of the governing body,~~  
30 ~~if applicable;~~
- 31 ~~(4) the powers and duties of the city manager, if applicable;~~
- 32 ~~(5) the administrative departments of the city; and~~
- 33 ~~(6) other matters deemed appropriate by the governing body.~~

34 ~~New Sec. 3-2. All existing ordinances and charter ordinances relating~~  
35 ~~to a city's form of government, except those provisions relating to the~~  
36 ~~timing of city primary and general elections, shall remain in effect until~~  
37 ~~amended or repealed by such city.~~

38 ~~Sec. 4. 3. K.S.A. 2-623 is hereby amended to read as follows: 2-623.~~

39 ~~(a) Prior to July 1 of any year, any two or more county extension councils~~  
40 ~~may establish an extension district composed of all of the counties of such~~  
41 ~~councils by entering into an agreement in accordance with this section to~~  
42 ~~combine the extension programs for each county involved into one~~  
43 ~~extension program serving the extension district. No such agreement shall~~

1 be effective unless such agreement has received the prior approval of: (1)  
2 The board of county commissioners of each county included in the  
3 proposed extension district, subject to the provisions of subsection (i); (2)  
4 the executive board of the extension council of each county included in the  
5 proposed extension district and the director of extension of Kansas state  
6 university of agriculture and applied science, or the director's authorized  
7 representative, acting together as a body; and (3) the attorney general in  
8 accordance with subsection (h).

9 (b) Prior to July 1 of any year, one or more county extension councils  
10 and the governing body of any existing extension district may establish a  
11 new extension district by entering into an agreement in accordance with  
12 this section to combine the extension programs for each such county and  
13 such district into one extension program serving a new extension district  
14 composed of all counties represented by such county extension councils  
15 and the area served by the existing extension district. No such agreement  
16 shall be effective unless such agreement has received the prior approval of:  
17 (1) The board of county commissioners of each county being added to the  
18 existing extension district, subject to the provisions of subsection (i); (2)  
19 the executive board of the county extension council of each county being  
20 added to the existing extension district, the governing body of the existing  
21 extension district and the director of extension of Kansas state university  
22 of agriculture and applied science, or the director's authorized  
23 representative, acting together as a body; and (3) the attorney general in  
24 accordance with subsection (h).

25 (c) On July 1 after the approval under subsection (a) or (b) of an  
26 agreement to establish an extension district, such extension district is  
27 hereby established and shall constitute a body corporate and politic  
28 possessing the usual powers of a corporation for public purposes under the  
29 name of "extension district no. \_\_\_\_\_ (the number designated by the  
30 director of extension), \_\_\_\_\_ counties (naming the counties included  
31 within the district), state of Kansas." Each extension district is a taxing  
32 subdivision and has the power to contract, sue and be sued and to acquire,  
33 hold and convey real and personal property in accordance with law.

34 (d) Upon the establishment of an extension district under subsection  
35 (a) or (b), all of the personnel and property of each of the extension  
36 programs which are combined into the new district extension programs  
37 shall be transferred to the new extension district and shall be subject to the  
38 authority of the governing body of the extension district in accordance  
39 with the agreement to establish the extension district.

40 (e) Upon the establishment of an extension district under subsection  
41 (a), the board of county commissioners of each county joining in the  
42 establishing of an extension district shall appoint four qualified electors to  
43 membership on the governing body of the district. The terms of all

1 members so appointed shall commence on July 1 following their  
2 appointment. Of the members so appointed two members shall serve for  
3 terms ending upon the election and qualification of their successors at an  
4 election held on the ~~first Tuesday in April of the first odd-numbered year~~  
5 ~~following their appointment and two members shall serve for terms ending~~  
6 ~~upon the election and qualification of their successors at an election held~~  
7 ~~on the first Tuesday in April of the second odd-numbered year following~~  
8 ~~their appointment following the first Monday in November of the first odd-~~  
9 ~~numbered year following their appointment and two members shall serve~~  
10 ~~for terms ending upon the election and qualification of their successors at~~  
11 ~~an election held on the Tuesday succeeding the first Monday in November~~  
12 ~~of the second odd-numbered year following their appointment.~~

13 (f) *A primary election shall be held on the first Tuesday in August in*  
14 *accordance with K.S.A. 25-202, and amendments thereto* **odd-numbered**  
15 **years.**

16 (†) (g) In the case of one or more counties being included in an  
17 existing extension district under subsection (b), the board of county  
18 commissioners of each county being included in an existing extension  
19 district shall appoint four qualified electors of the county to membership  
20 on the governing body of the expanded district. The terms of all members  
21 so appointed shall commence on July 1 following their appointment. Of  
22 the members so appointed two members shall serve for terms ending upon  
23 the election and qualification of their successors at an election held on the  
24 ~~first Tuesday in April of the first odd-numbered year following their~~  
25 ~~appointment and two members shall serve for terms ending upon the~~  
26 ~~election and qualification of their successors at an election held on the first~~  
27 ~~Tuesday in April of the second odd-numbered year following their~~  
28 ~~appointment Tuesday following the first Monday in November of the first~~  
29 ~~odd-numbered year following their appointment and two members shall~~  
30 ~~serve for terms ending upon the election and qualification of their~~  
31 ~~successors at an election held on the Tuesday following the first Monday~~  
32 ~~in November of the second odd-numbered year following their~~  
33 ~~appointment.~~ The offices of the members of the governing body of the  
34 existing extension district shall continue in existence and the persons in  
35 such offices shall be members of the governing body of the expanded  
36 extension district which is established on July 1 for the remainder of their  
37 existing terms of office.

38 (‡) (h) In addition to other required provisions, each agreement  
39 entered into under this section shall specify the permissible method or  
40 methods to be employed in disposing of the assets and liabilities of the  
41 extension district in the event that one or more counties withdraw from the  
42 extension district under K.S.A. 2-628, and amendments thereto.

43 (†) (i) Each agreement entered into under this section or under K.S.A.

1 2-628, and amendments thereto, prior to and as a condition precedent to its  
2 entry into force, shall be submitted to the attorney general who shall  
3 determine whether the agreement is in proper form and compatible with  
4 this act and the other laws of Kansas. The attorney general shall approve  
5 any agreement submitted for approval under this section or K.S.A. 2-628,  
6 and amendments thereto, unless the attorney general finds that the  
7 submitted agreement does not meet the requirements of this act. In such  
8 case, the attorney general shall specify in writing to the proposed parties to  
9 the agreement and to each other entity required to approve the agreement,  
10 the specific respects in which the proposed agreement fails to meet the  
11 requirements of law. Failure by the attorney general to disapprove an  
12 agreement submitted pursuant to this subsection within 90 days of its  
13 submission shall constitute approval of the agreement by the attorney  
14 general.

15 (†) (j) Prior to approving an agreement under this section, the board of  
16 county commissioners of each county to be included in a proposed  
17 extension district under subsection (a) or to be added to an existing  
18 extension district under subsection (b), as the case may be, shall adopt a  
19 resolution stating the intention of the board of county commissioners to  
20 approve such agreement and specifying the counties that are to be included  
21 in the extension district. Such resolution shall be published once each  
22 week for two consecutive weeks in the official county newspaper. If,  
23 within 60 days following the last publication of the resolution, a petition in  
24 opposition to the approval of the agreement and the inclusion of the county  
25 in the extension district is signed by not less than 5% of the qualified  
26 electors of the county and is filed with the county election officer, such  
27 board of county commissioners shall not approve such agreement and the  
28 county shall not be included in the extension district unless and until the  
29 same is approved by a majority of the qualified electors of the county  
30 voting thereon at a primary election or general election or at a special  
31 election called and held for such purpose. Any such special election shall  
32 be called, noticed and held in accordance with the provisions of K.S.A. 10-  
33 120, and amendments thereto.

34 Sec. 5: 4. K.S.A. ~~2012~~-2013 Supp. 2-624 is hereby amended to read  
35 as follows: 2-624. (a) The governing body of each extension district shall  
36 be composed of four representatives from each county included in the  
37 extension district. At the conclusion of the terms of the members first  
38 appointed to membership on the governing body of the district, the four  
39 members representing each county in an extension district shall be elected  
40 in a county-wide election by the qualified electors of the county.

41 (b) At the conclusion of the terms of the members first appointed to  
42 membership on the governing body of the district, each member of the  
43 governing body shall hold office for a term of four years and until such

1 member's successor is elected and qualified. Each such term of office shall  
2 commence on the date of receipt of certification of election by the member  
3 elected and shall continue until the member's successor is elected and  
4 qualified.

5 (c) (1) ~~Except as otherwise provided in this act, an A primary shall be~~  
6 ~~held on the first Tuesday in August in accordance with K.S.A. 25-202, and~~  
7 ~~amendments thereto.~~ The general election to elect successors to members  
8 of the governing body whose terms are expiring shall be held on the first  
9 Tuesday **following the first Monday in April November** in each odd-  
10 numbered year.

11 (2) Elections to choose members of the governing body of an  
12 extension district shall be conducted, the returns made and the results  
13 ascertained in the manner provided by law for general county elections  
14 except as otherwise provided by this act. ~~Not later than 12 noon of the~~  
15 ~~Tuesday, 10 weeks preceding the first Tuesday in April in election years,~~  
16 ~~each person desiring to be a candidate for membership on the governing~~  
17 ~~body, in any election, shall file a declaration of candidacy, accompanied by~~  
18 ~~a filing fee of \$5, with the county election officer of the county represented~~  
19 ~~by the member of the governing body whose successor is to be elected, as~~  
20 ~~a candidate in such election. The county election officer shall remit such~~  
21 ~~filing fees to the county treasurer for deposit in the county general fund.~~  
22 ~~The county election officer in making up the ballots and in placing the~~  
23 ~~names thereon shall place the names on the ballots in alphabetical order~~  
24 ~~Any person desiring to be a candidate for election to the governing body~~  
25 ~~shall file a candidate's declaration of intention with the county election~~  
26 ~~officer of the county represented by the member of the governing body~~  
27 ~~whose successor is to be elected. Such candidate's filing shall be made as~~  
28 ~~provided in K.S.A. 25-205, and amendments thereto.~~

29 (3) The county election officer of each county within the extension  
30 district shall appoint election boards as provided by law for other elections  
31 and shall designate places for holding the election. The county election  
32 officer shall cause to be ascertained the names of all persons within the  
33 district who are qualified electors, and shall furnish lists thereof to the  
34 judges of the election. Notice of the time and place of holding each  
35 ~~general and primary election, signed by the county election officer, shall~~  
36 ~~be given in a newspaper published in the county and posted in a~~  
37 ~~conspicuous place in the office of the governing body at least five days~~  
38 ~~before the holding thereof shall be published by the county election officer~~  
39 ~~in a newspaper published in the county in accordance with K.S.A. 25-209,~~  
40 ~~and amendments thereto, and K.S.A. 25-105, and amendments thereto.~~

41 (4) All election expenses shall be paid by the extension district.  
42 Election officials shall receive the same compensation as provided under  
43 the general election laws.

1 (d) Any vacancy in the membership of the governing body of an  
2 extension district shall be filled by appointment by the governing body for  
3 the unexpired term of office. Each member so appointed shall be a resident  
4 of the county which was represented by the member creating the vacancy.

5 (e) The governing body of each extension district shall organize  
6 annually in July by electing from among its members a chairperson, vice-  
7 chairperson, secretary and treasurer.

8 ~~Sec. 6.~~ 5. K.S.A. 19-3505 is hereby amended to read as follows: 19-  
9 3505. (a) Except as otherwise provided by this section, the governing body  
10 of any water district to which this section applies shall be a five-member  
11 board holding positions numbered one to five, inclusive. Each member  
12 shall be elected and shall hold office from ~~May 1 following such member's~~  
13 ~~election until April 30; the second Monday in January succeeding such~~  
14 ~~member's election until~~ four years thereafter and until a successor is  
15 elected and has qualified.

16 The first election of members of the governing body of any water  
17 district created after the effective date of this act shall be held on the first  
18 Tuesday in August of any even-numbered year, at which time members  
19 shall be elected for terms beginning on September 1 of the same year, and  
20 ending on April 30 of the third year following the beginning of such term,  
21 to positions numbered three, four and five. At such first election, members  
22 shall be elected for terms ending on April 30 of the first year following the  
23 beginning of such terms, to positions numbered one and two. Members  
24 first elected to positions one and two shall have terms of approximately  
25 eight months. Elections shall be ~~thereafter~~ held on the ~~first~~ Tuesday ~~in~~  
26 ~~April~~ of each odd-numbered year *following the first Monday in November*  
27 for the member positions whose terms expire in that year.

28 (b) From and after April 30, 1991, the governing body of the water  
29 district shall be composed of seven members. At the election held in 1991,  
30 positions numbered 1, 2, 6 and 7 shall be elected to four-year terms. At the  
31 election in 1993, positions numbered 3, 4 and 5 shall be elected to four-  
32 year terms.

33 (c) ~~Elections A primary election shall be on the first Tuesday in~~  
34 ~~August in accordance with K.S.A. 25-202, and amendments thereto. The~~  
35 ~~general election shall be held on the first Tuesday in April following the~~  
36 ~~first Monday in November~~ of each odd-numbered year for the positions  
37 which terms expire in that year. Members shall hold office from ~~May 1,~~  
38 ~~the second Monday in January~~ following such member's election until  
39 ~~April 30,~~ four years thereafter and until a successor is elected and  
40 qualified. All elections shall be nonpartisan and shall be called and  
41 conducted by the county election officer. Laws applying to other local  
42 elections occurring at the same time and in the same locality shall apply to  
43 elections under this act to the extent that the same can be made to apply.

1 *Notice of the time and place of holding each ~~primary and general~~ election*  
2 *shall be published by the county election officer in a newspaper published*  
3 *in the county in accordance with K.S.A. 25-209, and amendments thereto,*  
4 *and K.S.A. 25-105, and amendments thereto.*

5 (d) *In January, following each election, the board shall organize and*  
6 *not later than the second regular meeting following each election shall*  
7 *select from among its members a chairperson and a vice-chairperson. The*  
8 *vice-chairperson shall preside over any meetings at which the chairperson*  
9 *is not present. Vacancies occurring during a term shall be filled for the*  
10 *unexpired term by appointment by the remaining members. All members*  
11 *shall take an oath of office as prescribed for other public officials. The*  
12 *members of the board shall be qualified electors in the water district. Prior*  
13 *to accepting office, the water district shall obtain for each member-elect a*  
14 *corporate surety bond to the state of Kansas in the amount of \$10,000,*  
15 *conditioned upon the faithful performance of the member's duties and for*  
16 *the true and faithful accounting of all money that may come into the*  
17 *member's hands by virtue of the office. Such bonds shall be filed in the*  
18 *office of the county clerk for the county in which the major portion of such*  
19 *water district is located after approval by the board of county*  
20 *commissioners of such county.*

21 (e) *Each member of the board shall receive a monthly salary in an*  
22 *amount determined by the board and shall be reimbursed for all necessary*  
23 *and reasonable expenses incurred in performing official assigned duties.*

24 ~~Sec. 7. 6. K.S.A. 19-3507 is hereby amended to read as follows: 19-~~  
25 ~~3507. The water district election shall be held in each election precinct, a~~  
26 ~~part or all of which is located within such water district, except that if no~~  
27 ~~other election is being held in a given election precinct on the same date as~~  
28 ~~the water district election, the county election officer may provide one or~~  
29 ~~more convenient voting places where the water district electors of such~~  
30 ~~precinct may vote, which may be a voting place located in another~~  
31 ~~precinct. (a) The county election officer shall designate such voting places~~  
32 ~~and the persons entitled to vote thereat in the election notice. The county~~  
33 ~~election officer shall make a report in writing to the board of county~~  
34 ~~commissioners of such election precincts and voting places, which report~~  
35 ~~shall be filed with the county clerk of the county or counties in which such~~  
36 ~~precincts and voting places are located and an entry thereof made upon the~~  
37 ~~journal of the board or boards of county commissioners of such county or~~  
38 ~~counties and if any change shall be made in such voting precincts and~~  
39 ~~voting places by the county election officer, the same shall in like manner~~  
40 ~~be reported to the board or boards of county commissioners, filed and~~  
41 ~~entered as aforesaid. The polls for any election held under this act shall be~~  
42 ~~open between the hours of 7:00 a.m. and 7:00 p.m.~~

43 ~~Any qualified persons~~ *person* ~~desiring to be voted upon as a~~



1 ~~candidate for a position as a member of such board shall on or before~~  
2 ~~12:00 o'clock noon on the Tuesday which precedes by 10 weeks the first~~  
3 ~~Tuesday in April of the year in which the election is being held, which date~~  
4 ~~shall be stated in the publication notice of the election, file a candidate's~~  
5 ~~declaration of intention as provided in K.S.A. 25-205, and amendments~~  
6 ~~thereto, with the county election officer, a statement directing such officer~~  
7 ~~to place such person's name on the ballot as a candidate for member of the~~  
8 ~~board of the water district in such election, indicating the number of the~~  
9 ~~position for which such person is filing. No candidate shall be permitted to~~  
10 ~~withdraw as a candidate after the deadline for filing such statements of~~  
11 ~~candidacy. There shall be no primary election for members of the water~~  
12 ~~district board. **There shall be no primary election for members of the**~~  
13 ~~**water district board.** The county election officer shall publish names of~~  
14 ~~all candidates in a newspaper of general circulation within the water~~  
15 ~~district not less than 10 days before such election in accordance with~~  
16 ~~K.S.A. 25-209, and amendments thereto. The county election officer shall~~  
17 ~~provide for use of voting machines or printed ballots in each election~~  
18 ~~precinct or voting place. Where printed ballots are prepared, the same shall~~  
19 ~~be done at the expense of the water district. The names of candidates for~~  
20 ~~each member position shall be rotated on the ballots in such a manner that~~  
21 ~~each candidate shall be given an equitable opportunity to have such~~  
22 ~~candidate's name appear first on the ballot. Where the only election being~~  
23 ~~conducted in an election precinct or voting place is the water district~~  
24 ~~election, the cost of providing judges and clerks in such precinct or voting~~  
25 ~~place shall be borne entirely by the water district, but where held in~~  
26 ~~conjunction with other elections, the cost shall be prorated in the manner~~  
27 ~~provided by article 22 of chapter 25 of the Kansas Statutes Annotated, and~~  
28 ~~amendments thereto.~~

29 At least five days before any election, the county election officers of  
30 the various counties within which a portion of such district is located, in  
31 cooperation with the water district board, shall determine the voting areas  
32 where no other elections will be held in conjunction with the water district  
33 and the names of all qualified electors residing in the water district and  
34 located in such precincts and shall determine the election precincts which  
35 contain only a part of the water district and the names of all qualified  
36 electors residing in the water district and in such election precincts. A list  
37 of the qualified electors determined as hereinbefore provided shall be  
38 furnished by the county election officer to the judges of the voting  
39 precincts or voting places where such electors are entitled to vote.

40 Qualified electors of any election precinct, ~~the entirety part or all of~~  
41 which is within the water district, shall be entitled to vote in such precinct  
42 and a separate list of their names need not be furnished.

43 A voter shall not be eligible to vote in any election precinct other than

1 the one in which such person resides unless no election is being held in  
2 such precinct, in which event, such voter shall be entitled to vote in the  
3 voting place designated by the county election officer.

4 ~~Such list furnished by the county election officer to the judges of each~~  
5 ~~precinct shall be conclusive at all elections, except that one desirous of~~  
6 ~~voting, whose name does not appear on such list, may proceed to the~~  
7 ~~county election officer of the county and such officer may administer oaths~~  
8 ~~and affirm witnesses to determine the right of anyone to vote who may~~  
9 ~~claim erroneous omission from such list, and if such officer issues a~~  
10 ~~certificate entitling the voter to vote, such certificate shall be accepted by~~  
11 ~~the judges and clerks of the election. The list so furnished by the county~~  
12 ~~election officer shall be conclusive at all elections held within the same~~  
13 ~~year that the list is furnished.~~

14 Sec.-8: 7. K.S.A.-2012 **2013** Supp. 24-412 is hereby amended to read  
15 as follows: 24-412. (a) ~~Subject to the provisions of subsection (b), except~~  
16 ~~as otherwise provided in this section, an election to choose three directors~~  
17 ~~in each district as their successors, shall be held on the first Tuesday in~~  
18 ~~April, 1983, and an election shall be held each four years thereafter, on the~~  
19 ~~first Tuesday in April, to choose directors~~ *An election to choose three*  
20 *directors in each district shall be held on the Tuesday following the first*  
21 *Monday in November 2015, and an election shall be held each four years*  
22 *thereafter, on the Tuesday following the first Monday in November, to*  
23 *choose directors. Any director elected in any district in 2011 shall hold*  
24 *such office until such successor is elected and qualified.*

25 (b) On and after January 1, 2012, the board of directors of drainage  
26 district No. 2 of Finney county, Kansas, shall be elected as provided in  
27 K.S.A.-2012 **2013** Supp. 24-139a, and amendments thereto.

28 (c) *A primary election shall be held on the first Tuesday in August in*  
29 *accordance with K.S.A. 25-202, and amendments thereto.*

30 Sec.-9: 8. K.S.A.-2012 **2013** Supp. 24-414 is hereby amended to read  
31 as follows: 24-414. (a) Elections to choose directors shall be conducted,  
32 the returns made and the results ascertained in the manner provided by law  
33 for general county elections except as otherwise provided by law, and ~~all~~  
34 ~~persons desiring to be voted upon as director, in any election, shall, not~~  
35 ~~later than 12 noon of the Tuesday, 10 weeks preceding the first Tuesday in~~  
36 ~~April in election years, file a declaration of candidacy; any qualified~~  
37 ~~person desiring to be a candidate for director shall file a candidate's~~  
38 ~~declaration of intention as provided in K.S.A. 25-205, and amendments~~  
39 ~~thereto, accompanied by a filing fee of \$5, with the county election officer~~  
40 ~~of the county wherein the district is located, as a candidate in such~~  
41 ~~election, and the election officer in making up the ballots and in placing~~  
42 ~~the names thereon shall place the names on the ballots in alphabetical~~  
43 ~~order, but the returns of all special or bond elections shall be made to the~~

1 secretary and canvassed by the board of directors. The county election  
2 officer shall remit such filing fees to the county treasurer for deposit in the  
3 county general fund. The county election officer of the county wherein the  
4 drainage district is situated shall appoint election boards as provided by  
5 law for other elections and shall designate places for holding the election.  
6 The county ~~clerk~~ *election officer* shall cause to be ascertained the names of  
7 all persons within the district who are also qualified electors, and shall  
8 furnish lists thereof to the judges of the election.

9 (b) Notice of the time and place of holding each *primary and general*  
10 election, ~~signed by the county election officer,~~ shall be ~~given~~ *published* in  
11 a newspaper published in the county *in accordance with K.S.A. 25-209,*  
12 *and amendments thereto, and K.S.A. 25-105, and amendments thereto,* and  
13 posted in a conspicuous place in the office of the board of directors at least  
14 five days before the holding thereof. At all elections and meetings held  
15 under the provisions of this act, only persons who are qualified electors  
16 shall be entitled to vote. In counties having a population of more than  
17 150,000, at all elections and meetings held under the provisions of this act,  
18 only persons who are taxpayers and residents of the district who are  
19 qualified electors shall be entitled to vote. All election expenses shall be  
20 paid for out of the general fund of the drainage district. Election officials  
21 shall receive the same compensation as provided under the general  
22 election laws.

23 (c) As used in this section, "taxpayer" means any person who owns  
24 any real property or tangible property within the district who pays taxes  
25 assessed on such property.

26 ~~Sec. 10. 9.~~ K.S.A. ~~2012~~ **2013** Supp. 24-459 is hereby amended to  
27 read as follows: 24-459. (a) The board of directors of any drainage district  
28 incorporated pursuant to K.S.A. 24-458, *and amendments thereto,* shall  
29 consist of three qualified persons as defined in paragraph (3) of subsection  
30 (e) of this section.

31 (b) The directors for the first term after the incorporation of the  
32 drainage district shall be selected and designated in the petition for the  
33 incorporation of the district and shall be declared directors by the county  
34 commissioners to which the petition is presented.

35 (c) The directors shall hold office until the ~~first Tuesday in April next~~  
36 *Tuesday following the first Monday in November of the next odd-*  
37 *numbered year* after the incorporation of the district, at which time and  
38 every four years thereafter directors shall be elected and shall hold their  
39 office for the term of four years and until their successors are elected and  
40 qualified. *Such elections shall be conducted by the county election officer*  
41 *at the time and in the manner in which other drainage district elections*  
42 *and county elections are conducted.*

43 (d) Every qualified person of the district shall be entitled to vote at

1 the election or at any election which may be held in the district.

2 (e) For the purposes of this section:

3 (1) "Owner" or "person who owns land" means any person or entity  
4 who is the record owner of the fee in any real estate in the district or the  
5 fee in the surface rights of any real estate in the district, but the owners of  
6 an oil and gas lease, mineral rights or interest, easements or mortgages as  
7 such shall not be considered owners, and school districts, cemetery  
8 associations, and municipal corporations shall not be considered owners.

9 (2) "Taxpayer" means any owner who has paid all taxes currently due  
10 on such real estate.

11 (3) "Qualified person" means any taxpayer 18 years of age or older,  
12 whether a resident of the district or not. A taxpayer who is a qualified  
13 person and who is not an individual may designate an individual to cast its  
14 vote or to serve as a director of the district.

15 (f) The county clerk shall determine the qualified persons entitled to  
16 vote at any election in the district. Any entity desiring to vote at an election  
17 shall register the name of its designated representative with the county  
18 election officer no later than ~~14~~ 21 days in advance of any such election.

19 Sec. ~~H~~. 10. K.S.A. 24-504 is hereby amended to read as follows: 24-  
20 504. Whenever a majority of the counties to be included within the  
21 proposed drainage district have reported in favor of the organization of  
22 ~~said the~~ drainage district, under the provisions of this act, the secretary of  
23 state shall report ~~such the~~ fact to the governor of Kansas, who shall  
24 ~~forthwith~~ declare, by suitable proclamation, the territory described in ~~said~~  
25 ~~the~~ petition and set forth in the reports of ~~said the~~ commissioners to  
26 constitute a public corporation, and the freeholders owning lands within  
27 ~~such the~~ bounds, and resident within the state of Kansas, to be  
28 incorporated as a drainage district under the name designated in ~~said the~~  
29 petition, and ~~therefor~~ the ~~said~~ territory and the freeholders thereof, who  
30 are residents of the state of Kansas, and their successors, shall constitute a  
31 body politic and corporate under ~~said the~~ corporate name and shall give  
32 perpetual succession.

33 In ~~said the~~ proclamation the governor shall designate the ~~last Tuesday~~  
34 ~~of the next succeeding calendar month~~ *Tuesday following the first Monday*  
35 *in November of the odd-numbered year* following the issuing of ~~said the~~  
36 proclamation on which an election shall be held in each of the counties to  
37 be included within the proposed drainage district for the purpose of  
38 electing directors of ~~said the~~ corporation, in number and in the manner  
39 hereinafter provided. The secretary of state shall make and keep full and  
40 complete records of the organization of all drainage districts organized  
41 under the provisions of this act, showing the findings and decisions of the  
42 boards of county commissioners and all of the acts of the governor in  
43 connection with the organization thereof, a true and correct copy of which

1 he shall forward to the ~~said~~ boards of county commissioners within five  
2 days after the issuing of the governor's proclamation provided for in this  
3 section, and they shall spread the same upon their records.

4 ~~Sec. 12.~~ **11.** K.S.A. ~~2012~~ **2013** Supp. 24-506 is hereby amended to  
5 read as follows: 24-506. (a) The board of directors of any drainage district  
6 incorporated pursuant to K.S.A. 24-501 et seq., and amendments thereto,  
7 shall consist of one person from each county in the district if the number  
8 of counties is odd, but if the number of counties is even, then there shall be  
9 an additional director at large. If the drainage district is located wholly  
10 within one county, the number of directors shall be three. Except as  
11 provided in subsection (b), the directors shall be freeholders who shall be  
12 residents of Kansas, whose lands in whole or in part are located within the  
13 district. The directors shall hold their offices for a term of four years and  
14 until their successors are elected and qualified. Elections to choose  
15 directors, except the first, shall be held on the ~~first Tuesday in April~~  
16 *Tuesday following the first Monday of November of the next odd-*  
17 *numbered year* and every four years thereafter.

18 (b) *Such elections shall be conducted by the county election officer at*  
19 *the time and in the manner in which other drainage district elections and*  
20 *county elections are conducted.*

21 (c) If there are no residents in the drainage district, any owner of land  
22 within the district shall be a qualified voter and shall be qualified to hold  
23 the office of director.

24 ~~Sec. 13.~~ K.S.A. 25-202 is hereby amended to read as follows: 25-202.  
25 (a) ~~Except as otherwise provided in subsection (b) all candidates for~~  
26 ~~national, state, county and township and municipal offices shall be~~  
27 ~~nominated by: (1) A primary election held in accordance with article 2 of~~  
28 ~~chapter 25 of the Kansas Statutes Annotated, and amendments thereto; or~~  
29 ~~(2) independent nomination petitions signed and filed as provided by~~  
30 ~~existing statutes.~~

31 (b) ~~Candidates for any of such offices who are members of any~~  
32 ~~political party whose candidate for governor did not poll at least 5% of the~~  
33 ~~total vote cast for all candidates for governor in the preceding general~~  
34 ~~election shall not be entitled to nomination by primary election but shall be~~  
35 ~~nominated by a delegate or mass convention according to article 3 of~~  
36 ~~chapter 25 of the Kansas Statutes Annotated, and amendments thereto.~~

37 (c) ~~No candidate for any national, state, county or township or~~  
38 ~~municipal office shall file for office as a partisan candidate in a primary~~  
39 ~~election and also file for office as an independent candidate for any~~  
40 ~~national, state, county or township or municipal office in the general~~  
41 ~~election immediately following.~~

42 (d) ~~The provisions of article 2 of chapter 25 of the Kansas Statutes~~  
43 ~~Annotated, and amendments thereto, shall not apply to the justices of the~~

1 ~~supreme court or to judges of the district court in judicial districts which~~  
 2 ~~have approved the proposition of nonpartisan selection of district court~~  
 3 ~~judges, as provided in K.S.A. 20-2901, and amendments thereto, nor to~~  
 4 ~~special elections to fill vacancies.~~

5 Sec. ~~14.~~ **12.** K.S.A. 25-209 is hereby amended to read as follows: 25-  
 6 209. As soon as possible after the filing deadline, the secretary of state  
 7 shall certify to each county election officer the name and post-office  
 8 address of each person who has filed valid nomination petitions or a  
 9 declaration of intent to become a candidate for United States senator or  
 10 representative or for state office, together with the designation of the office  
 11 for which each is a candidate and the party or principle which the  
 12 candidate represents.

13 The county election officer shall ~~forthwith~~, upon receipt thereof,  
 14 publish for three ~~(3)~~ consecutive weeks in the official paper, a notice  
 15 which shall set forth under the proper party designation, the title of each  
 16 national, state, county ~~and~~, **and** township ~~and municipal~~ office **and each**  
 17 **municipal office in odd-numbered years** any part of the district of which  
 18 is in the county, the names and addresses of all persons certified by the  
 19 secretary of state as candidates for any national or state office any part of  
 20 the district of which is in the county and, in addition thereto, the names  
 21 and addresses of all persons from whom valid nomination papers or  
 22 declarations have been filed in the county election officer's office, giving  
 23 the name and address of each, the day of the primary election, the hours  
 24 during which the polls will be open and stating that the primary election  
 25 will be held at the regular voting places. Where such voting places are not  
 26 well established and customarily known the published notice herein  
 27 provided for shall give the location of such voting places.

28 Sec. ~~15.~~ **13.** K.S.A. ~~2012~~ **2013** Supp. 25-213 is hereby amended to  
 29 read as follows: 25-213. (a) At all national and state primary elections, the  
 30 national and state offices as specified for each in this section shall be  
 31 printed upon the official primary election ballot for national and state  
 32 offices and the county and township offices as specified for each in this  
 33 section shall be printed upon the official primary election ballot for county  
 34 and township offices. The official primary election ballots shall have the  
 35 following heading:

36 OFFICIAL PRIMARY ELECTION BALLOT

37 \_\_\_\_\_ Party

38  
 39 To vote for a person whose name is printed on the ballot make a cross  
 40 or check mark in the square at the left of the person's name. To vote for a  
 41 person whose name is not printed on the ballot, write the person's name in  
 42 the blank space, if any is provided, and make a cross or check mark in the  
 43 square to the left.

1 The words national and state or the words county and township shall  
2 appear on the line preceding the part of the form shown above.

3 The form shown shall be followed by the names of the persons for  
4 whom nomination petitions or declarations have been filed according to  
5 law for political parties having primary elections, and for the national and  
6 state offices in the following order: United States senator, United States  
7 representative from \_\_\_\_\_ district, governor and lieutenant governor,  
8 secretary of state, attorney general, state treasurer, commissioner of  
9 insurance, senator \_\_\_\_\_ district, representative \_\_\_\_\_ district, district  
10 judge \_\_\_\_\_ district, district magistrate judge \_\_\_\_\_ district, district  
11 attorney \_\_\_\_\_ judicial district, and member state board of education  
12 \_\_\_\_\_ district. For county and township offices the form shall be followed  
13 by the names of persons for whom nomination petitions or declarations  
14 have been filed according to law for political parties having primary  
15 elections in the following order: Commissioner \_\_\_\_\_ district, county clerk,  
16 treasurer, register of deeds, county attorney, sheriff, township trustee,  
17 township treasurer, township clerk. When any office is not to be elected, it  
18 shall be omitted from the ballot. Other offices to be elected but not listed,  
19 shall be inserted in the proper places. For each office there shall be a  
20 statement of the number to vote for.

21 To the left of each name there shall be printed a square. Official  
22 primary election ballots may be printed in one or more columns. The  
23 names certified by the secretary of state or county election officer shall be  
24 printed on official primary election ballots and no others. In case there are  
25 no nomination petitions or declarations on file for any particular office, the  
26 title to the office shall be printed on the ballot followed by a blank line  
27 with a square, and such title, followed by a blank line, may be printed in  
28 the list of candidates published in the official paper. No blank line shall be  
29 printed following any office where there are nomination petitions or  
30 declarations on file for the office except following the offices of precinct  
31 committeeman and precinct committeewoman. Except as otherwise  
32 provided in this section, no person's name shall be printed more than once  
33 on either the official primary election ballot for national and state offices  
34 or the official primary election ballot for county and township offices. No  
35 name that is printed on the official primary election ballot as a candidate of  
36 a political party shall be printed or written in as a candidate for any office  
37 on the official primary election ballot of any other political party. If a  
38 person is a candidate for the unexpired term for an office, the person's  
39 name may be printed on the same ballot as a candidate for the next regular  
40 term for such office. The name of any candidate on the ballot may be  
41 printed on the same ballot as such candidate and also as a candidate for  
42 precinct committeeman or committeewoman. No name that is printed on  
43 the official primary election ballot for national and state offices shall be

1 printed or written in elsewhere on such ballot or on the official primary  
2 election ballot for county and township offices except for precinct  
3 committeeman or committeewoman. No name that is printed on the  
4 official primary election ballot for county and township offices shall be  
5 printed or written in on the official primary election ballot for national and  
6 state offices or elsewhere on such county and township ballot except for  
7 precinct committeeman or committeewoman.

8 No person shall be elected to the office of precinct committeeman or  
9 precinct committeewoman where no nomination petitions or declarations  
10 have been filed, unless the person receives at least five write-in votes. As a  
11 result of a primary election, no person shall receive the nomination and no  
12 person's name shall be printed on the official general election ballot when  
13 no nomination petitions or declarations were filed, unless the person  
14 receives votes equal in number to not less than 5% of the total of the  
15 current voter registration designated in the state, county, *municipality* or  
16 district in which the office is sought, as compiled by the office of the  
17 secretary of state, except that a candidate for township *or municipal* office  
18 may receive the nomination and have such person's name printed on the  
19 ballot where no nomination petitions or declarations have been filed if  
20 such candidate receives three or more write-in votes. No such person shall  
21 be required to obtain more than 5,000 votes.

22 *(b) The county election officer shall prepare the official primary*  
23 *election ballots for municipal elections held in August of odd-numbered*  
24 *years. The secretary of state shall provide technical assistance to county*  
25 *election officers.*

26 *(c) The secretary of state may adopt rules and regulations necessary*  
27 *to ensure orderly primary elections in both even-numbered years and odd-*  
28 *numbered years.*

29 ~~Sec. 16.~~ **14.** K.S.A. ~~2012~~ **2013** Supp. 25-611 is hereby amended to  
30 read as follows: 25-611. (a) The arrangement of offices on the official  
31 general ballot for national and state offices for those offices to be elected  
32 shall be in the following order: Names of candidates for the offices of  
33 president and vice-president, United States senator, United States  
34 representative \_\_\_\_\_ district, governor and lieutenant governor  
35 running together, secretary of state, attorney general, (and any other  
36 officers elected from the state as a whole), state senator \_\_\_\_\_ district,  
37 state representative \_\_\_\_\_ district, district judge \_\_\_\_\_ district, district  
38 magistrate judge \_\_\_\_\_ district, district attorney \_\_\_\_\_ judicial district,  
39 and state board of education member \_\_\_\_\_ district.

40 (b) The arrangement of offices on the official general ballot for  
41 county and township offices for those offices to be elected shall be in the  
42 following order: Names of candidates for county commissioner \_\_\_\_\_  
43 district, county clerk, county treasurer, register of deeds, county attorney,



1 sheriff, township trustee, township treasurer, and township clerk.

2 (c) *The arrangement of offices on the general ballot for municipal*  
3 *officers shall be established by the secretary of state upon consultation*  
4 *with county election officers.*

5 (d) *The secretary of state may adopt rules and regulations to ensure*  
6 *orderly general elections in both even-numbered years and odd-numbered*  
7 *years.*

8 Sec. ~~17~~. 15. K.S.A. 25-1115 is hereby amended to read as follows:  
9 25-1115. (a) "General election" means the election held on the Tuesday  
10 succeeding the first Monday in November of even-numbered years, the  
11 elections held for *municipal* officers on the ~~first Tuesday in April~~  
12 *succeeding the first Monday in November in odd-numbered years*, and in  
13 the case of special elections of any officers to fill vacancies, the election at  
14 which any such officer is finally elected.

15 (b) "Primary election" means the election held on the first Tuesday in  
16 August of even-numbered years, the election held ~~five weeks preceding~~  
17 ~~the election on the first Tuesday in April~~, *for municipal officers on the first*  
18 *Tuesday in August of odd-numbered years* and any other preliminary  
19 election at which part of the candidates for special election to any national,  
20 state, county, city or school office are eliminated by the process of the  
21 election but at which no officer is finally elected.

22 Sec. ~~18~~. 16. K.S.A. ~~2012~~ 2013 Supp. 25-1122 is hereby amended to  
23 read as follows: 25-1122. (a) Any registered voter may file with the county  
24 election officer where ~~such~~ *the* person is a resident, or where ~~such~~ *the*  
25 person is authorized by law to vote as a former precinct resident, an  
26 application for an advance voting ballot. The signed application shall be  
27 transmitted only to the county election officer by personal delivery, mail,  
28 facsimile or as otherwise provided by law.

29 (b) If the registered voter is applying for an advance voting ballot to  
30 be transmitted in person, ~~such~~ *the* voter shall provide identification  
31 pursuant to K.S.A. 25-2908, and amendments thereto.

32 (c) If the registered voter is applying for an advance voting ballot to  
33 be transmitted by mail, ~~such~~ *the* voter shall provide with the application  
34 for an advance voting ballot the voter's current and valid Kansas driver's  
35 license number, nondriver's identification card number or a photocopy of  
36 any other identification provided by K.S.A. 25-2908, and amendments  
37 thereto.

38 (d) A voter may vote a provisional ballot according to K.S.A. 25-  
39 409, and amendments thereto, if:

40 (1) The voter is unable or refuses to provide current and valid  
41 identification; or

42 (2) the name and address of the voter provided on the application for  
43 an advance voting ballot do not match the voter's name and address on the

1 registration book. The voter shall provide a valid form of identification as  
2 defined in K.S.A. 25-2908, and amendments thereto, to the county election  
3 officer in person or provide a copy by mail or electronic means before the  
4 meeting of the county board of canvassers. At the meeting of the county  
5 board of canvassers the county election officer shall present copies of  
6 identification received from provisional voters and the corresponding  
7 provisional ballots. If the county board of canvassers determines that a  
8 voter's identification is valid and the provisional ballot was properly cast,  
9 the ballot shall be counted.

10 (e) No county election officer shall provide an advance voting ballot  
11 to a person who is requesting an advance voting ballot to be transmitted by  
12 mail unless:

13 (1) The county election official verifies that the signature of the  
14 person matches that on file in the county voter registration records.  
15 Signature verification may occur by electronic device or by human  
16 inspection. In the event that the signature of a person who is requesting an  
17 advance voting ballot does not match that on file, the county election  
18 officer shall attempt to contact the person and shall offer the person  
19 another opportunity to provide ~~such~~ the person's signature for the purposes  
20 of verifying the person's identity. If the county election officer is unable to  
21 reach the person, the county election officer may transmit a provisional  
22 ballot, however, such provisional ballot may not be counted unless a  
23 signature is included therewith that can be verified; and

24 (2) the person provides such person's full Kansas driver's license  
25 number, Kansas nondriver's identification card number issued by the  
26 division of vehicles, or submits such person's application for an advance  
27 voting ballot and a copy of identification provided by K.S.A. 25-2908, and  
28 amendments thereto, to the county election officer for verification. If a  
29 person applies for an advance voting ballot to be transmitted by mail but  
30 fails to provide identification pursuant to this subsection or the  
31 identification of ~~such~~ the person cannot be verified by the county election  
32 officer, the county election officer shall provide information to ~~such~~ the  
33 person regarding the voter rights provisions of subsection (d) and shall  
34 provide ~~such~~ the person an opportunity to provide identification pursuant  
35 to this subsection. For the purposes of this act, Kansas state offices and  
36 offices of any subdivision of the state will allow any person seeking to  
37 vote by an advance voting ballot the use of a photocopying device to make  
38 one photocopy of an identification document at no cost.

39 (f) Applications for advance voting ballots to be transmitted to the  
40 voter by mail shall be filed only at the following times:

41 (1) For the primary election occurring on the first Tuesday in August  
42 in even-numbered years, between April 1 of such year and the last business  
43 day of the week preceding such primary election.

1       (2) For the general election occurring on the Tuesday ~~succeeding~~  
2 *following* the first Monday in November in even-numbered years, between  
3 90 days prior to such election and the last business day of the week  
4 preceding such general election.

5       ~~(3) For the primary election held five weeks preceding the first~~  
6 ~~Tuesday in April, between January 1 of the year of such election and the~~  
7 ~~last business day of the week preceding such primary election.~~

8       ~~(4) For the general election occurring on the first Tuesday in April,~~  
9 ~~between January 1 of the year of such election and the last business day of~~  
10 ~~the week preceding such general election.~~

11       ~~(5) (3) For the primary election occurring on the first Tuesday in~~  
12 ~~August in odd-numbered years, between April 1 of such year and the last~~  
13 ~~business day of the week preceding such primary election.~~

14       (4) For the general election occurring on the Tuesday following the  
15 first Monday in November in odd-numbered years, between 90 days prior  
16 to such election and the last business day of the week preceding such  
17 election.

18       (5) For question submitted elections occurring on the date of a  
19 primary or general election, the same as is provided for ballots for election  
20 of officers at such election.

21       (6) For question submitted elections not occurring on the date of a  
22 primary or general election, between the time of the first published notice  
23 thereof and the last business day of the week preceding such question  
24 submitted election, except that if the question submitted election is held on  
25 a day other than a Tuesday, the county election officer shall determine the  
26 final date for mailing of advance voting ballots, but such date shall not be  
27 more than three business days before such election.

28       (7) For any special election of officers, at such time as is specified by  
29 the secretary of state.

30       (8) For the presidential preference primary, between January 1 of the  
31 year in which such primary is held and the last business day of the week  
32 preceding such primary election.

33       The county election officer of any county may receive applications  
34 prior to the time specified in this subsection and hold such applications  
35 until the beginning of the prescribed application period. Such applications  
36 shall be treated as filed on that date.

37       (g) Unless an earlier date is designated by the county election office,  
38 applications for advance voting ballots transmitted to the voter in person in  
39 the office of the county election officer shall be filed on the Tuesday next  
40 preceding the election and on each subsequent business day until no later  
41 than 12:00 noon on the day preceding such election. If the county election  
42 officer so provides, applications for advance voting ballots transmitted to  
43 the voter in person in the office of the county election officer also may be

1 filed on the Saturday preceding the election. Upon receipt of any such  
2 properly executed application, the county election officer shall deliver to  
3 the voter such ballots and instructions as are provided for in this act.

4 An application for an advance voting ballot filed by a voter who has a  
5 temporary illness or disability or who is not proficient in reading the  
6 English language or by a person rendering assistance to such voter may be  
7 filed during the regular advance ballot application periods until the close  
8 of the polls on election day.

9 The county election officer may designate places other than the central  
10 county election office as satellite advance voting sites. At any satellite  
11 advance voting site, a registered voter may obtain an application for  
12 advance voting ballots. ~~Such~~ Ballots and instructions shall be delivered to  
13 the voter in the same manner and subject to the same limitations as  
14 otherwise provided by this subsection.

15 (h) Any person having a permanent disability or an illness which has  
16 been diagnosed as a permanent illness is hereby authorized to make an  
17 application for permanent advance voting status. Applications for  
18 permanent advance voting status shall be in the form and contain such  
19 information as is required for application for advance voting ballots and  
20 also shall contain information which establishes the voter's right to  
21 permanent advance voting status.

22 (i) On receipt of any application filed under the provisions of this  
23 section, the county election officer shall prepare and maintain in such  
24 officer's office a list of the names of all persons who have filed such  
25 applications, together with their correct post office address and the  
26 precinct, ward, township or voting area in which ~~such~~ *the* persons claim to  
27 be registered voters or to be authorized by law to vote as former precinct  
28 residents and the present resident address of each applicant. ~~Such~~ Names  
29 and addresses shall remain so listed until the day of such election. The  
30 county election officer shall maintain a separate listing of the names and  
31 addresses of persons qualifying for permanent advance voting status. All  
32 such lists shall be available for inspection upon request in compliance with  
33 this subsection by any registered voter during regular business hours. The  
34 county election officer upon receipt of ~~such~~ *the* applications shall enter  
35 upon a record kept by such officer the name and address of each applicant,  
36 which record shall conform to the list above required. Before inspection of  
37 any advance voting ballot application list, the person desiring to make  
38 ~~such~~ *the* inspection shall provide to the county election officer  
39 identification in the form of driver's license or other reliable identification  
40 and shall sign a log book or application form maintained by ~~such~~ *the*  
41 officer stating ~~such~~ *the* person's name and address and showing the date  
42 and time of inspection. All records made by the county election officer  
43 shall be subject to public inspection, except that the voter identification

1 information required by subsections (b) and (c) and the identifying number  
2 on ballots and ballot envelopes and records of such numbers shall not be  
3 made public.

4 (j) If a person on the permanent advance voting list fails to vote in  
5 two consecutive general elections held on the Tuesday succeeding the first  
6 Monday in November of each even-numbered year, the county election  
7 officer may mail a notice to such voter. ~~Such~~ The notice shall inform the  
8 voter that the voter's name will be removed from the permanent advance  
9 voting list unless the voter renews the application for permanent advance  
10 voting status within 30 days after the notice is mailed. If the voter fails to  
11 renew such application, the county election officer shall remove the voter's  
12 name from the permanent advance voting list. Failure to renew the  
13 application for permanent advance voting status shall not result in removal  
14 of the voter's name from the voter registration list.

15 (k) The secretary of state may adopt rules and regulations in order to  
16 implement the provisions of this section and to define valid forms of  
17 identification.

18 ~~Sec. 19.~~ **17.** K.S.A. 25-2006 is hereby amended to read as follows:  
19 25-2006. (a) "General election" means the election held for school officers  
20 on the ~~first Tuesday in April in any odd-numbered year~~ *Tuesday following*  
21 *the first Monday in November of odd-numbered years*, and in the case of  
22 special elections of any school officers to fill vacancies, the election at  
23 which any such officer is finally elected.

24 (b) "Primary election" means the election held ~~five weeks preceding~~  
25 ~~the election~~ on the first Tuesday in ~~April following the first Monday in~~  
26 *August of each odd-numbered year*, and any other preliminary election at  
27 which part of the candidates for special election to any school office are  
28 eliminated by the process of the election but at which no officer is finally  
29 elected.

30 ~~Sec. 20.~~ **18.** K.S.A. 25-2007 is hereby amended to read as follows:  
31 25-2007. (a) "Question submitted election" means any election at which a  
32 special question is to be voted on by the electors of the state or a part of  
33 them.

34 (b) "County election officer" means:

35 (1) The election commissioner of the home county of the school  
36 district if such county has an election commissioner;

37 (2) the county clerk of the home county of the school district if the  
38 county does not have an election commissioner; *or*

39 (3) the county clerk ~~(or the election commissioner if there is one)~~, of  
40 the county in which all or the greater part of the population is located in  
41 the case of a nonunified school district. In the event that doubt exists  
42 concerning which public officer is the county election officer under this  
43 subpart, the secretary of state shall specify such officer and such

1 specification shall be conclusive.

2 (c) "~~Filing deadline~~" means ~~the hour, date or time after which it is~~  
3 ~~provided by law no person may become a candidate for election to public~~  
4 ~~office; for school elections the filing deadline is 12:00 o'clock noon on the~~  
5 ~~Tuesday which precedes by 10 weeks the first Tuesday in April of any~~  
6 ~~odd-numbered year the deadline established in K.S.A. 25-205, and~~  
7 ~~amendments thereto.~~

8 ~~Sec. 21.~~ **19.** K.S.A. 25-2010 is hereby amended to read as follows:  
9 25-2010. Election of board members and question submitted elections  
10 shall be conducted by the county election officer of the home county of the  
11 school district. Board member general elections shall be held on the ~~first~~  
12 ~~Tuesday in April of each odd-numbered year. If a primary election is~~  
13 ~~required to be held, such Tuesday following the first Monday in November~~  
14 ~~of odd-numbered years. A primary election shall be held on the first~~  
15 ~~Tuesday preceding by five weeks the first Tuesday in April of odd-~~  
16 ~~numbered years in August.~~

17 ~~Sec. 22.~~ **20.** K.S.A. 25-2017 is hereby amended to read as follows:  
18 25-2017. Consistent with this act the county election officer shall prescribe  
19 the form ~~and time~~ of every publication notice applicable to any primary or  
20 general school election.

21 ~~Sec. 23.~~ **21.** K.S.A. 25-2018 is hereby amended to read as follows:  
22 25-2018. (a) Notices of board member elections and question submitted  
23 elections of a school district shall be made as provided in this section.

24 (b) ~~On or before January 15~~ *At the time and in the manner prescribed*  
25 *in K.S.A. 25-204, and amendments thereto,* the county election officer shall  
26 publish a notice of election one time in a newspaper having general  
27 circulation in the school district. The notice for board member elections  
28 shall state: (1) The name of the school district;; (2) the date of the general  
29 election;; (3) the date of the primary election if one is held;; (4) the filing  
30 deadline and the place of filing;; and (5) the offices or positions to be  
31 filled.

32 (c) All notices provided for by this section shall be given in the form  
33 prescribed by the secretary of state to the extent that any notice or part  
34 thereof is prescribed by the secretary of state. The provisions of this  
35 section shall not be construed to require the secretary of state to prescribe  
36 any particular form.

37 (d) ~~Not less than six weeks prior to the first Tuesday in April~~ *At the*  
38 *time and in the manner prescribed in K.S.A. 25-209, and amendments*  
39 *thereto,* a notice of primary elections shall be published by the county  
40 election officer in a newspaper having general circulation in the school  
41 district, if a primary election is required to be held. The publication shall  
42 be made one time and shall state: (1) The name of the school district;; (2)  
43 the date of the primary election;; (3) the names of the candidates and the

1 office or position for which each is a candidate;; (4) the voting place or  
2 places and the area each voting place is to serve;; *and* (5) the times of  
3 opening and closing of the polls. Description of areas shall be in the terms  
4 determined by the county election officer.

5 ~~(e) Not less than three days prior to the first Tuesday in April~~ *At the*  
6 *time and in the manner prescribed in K.S.A. 25-209, and amendments*  
7 *thereto*, a notice of the general election shall be published by the county  
8 election officer one time in a newspaper having general circulation in the  
9 school district. The notice shall state: (1) The name of the school district;;  
10 (2) the date of the general election;; (3) the names of the candidates and  
11 the office or position for which each is a candidate;; (4) the voting place or  
12 places and the area each voting place is to serve;; *and* (5) the time of  
13 opening and closing of polls. Description of areas shall be in such terms as  
14 may be determined by the county election officer.

15 (f) Notice of any question submitted election of any school district  
16 shall be made in the manner provided by K.S.A. 10-120, and amendments  
17 thereto. The notice shall state: (1) The name of the school district;; (2) the  
18 date of the election;; (3) the amount of bonds to be issued, if a bond  
19 election;; (4) the proposition to be voted upon;; (5) the hours of opening  
20 and closing of the polls;; (6) the voting place or places and the area each  
21 voting place is to serve;; and (7) any other information specifically  
22 required by law. Description of areas shall be in the terms determined by  
23 the county election officer.

24 ~~Sec. 24. 22.~~ K.S.A. ~~2012~~ **2013** Supp. 25-2020 is hereby amended to  
25 read as follows: 25-2020. (a) When a district method of election is in effect  
26 in any school district, a person may become a candidate for election to  
27 board member by any one of the following methods:

28 (1) Any person who is an elector in any member district may petition  
29 to be a candidate for board member from the member district in which  
30 such person resides. Any such person shall file with the county election  
31 officer, a petition for such candidacy signed by not less than 50 electors  
32 residing in such member district or by a number of such electors equal to  
33 not less than 10% of the electors residing in such member district,  
34 whichever is less.

35 (2) Any person who is an elector in any school district may petition to  
36 be a candidate for board member at-large from the school district in which  
37 such person resides. Any such person shall file with the county election  
38 officer, a petition for such candidacy signed by not less than 50 electors  
39 residing in such school district.

40 (3) Any person who is an elector in any member district may become  
41 a candidate for board member from the member district in which such  
42 person resides by filing with the county election officer a declaration of  
43 intention to become such a candidate, and payment therewith of a filing

1 fee in the amount of \$5. Such declaration shall be prescribed by the  
2 secretary of state.

3 (4) Any person who is an elector in any school district may become a  
4 candidate for board member at-large from the school district in which such  
5 person resides by filing with the county election officer a declaration of  
6 intention to become such a candidate, and payment therewith of a filing  
7 fee in the amount of \$5. Such declaration shall be prescribed by the  
8 secretary of state.

9 (5) Any such petition or declaration shall specify the member position  
10 for which the person is a candidate.

11 (b) When the election at large method is in effect in any school  
12 district, a person may become a candidate for election to board member by  
13 either one of the following methods:

14 (1) Any person who is an elector of the school district may petition to  
15 be a candidate for board member. Any such person shall file with the  
16 county election officer a petition for such candidacy signed by not less  
17 than 50 electors residing in the school district.

18 (2) Any person who is an elector in the unified school district may  
19 become a candidate for board member by filing with the county election  
20 officer a declaration of intention to become such a candidate, and payment  
21 therewith of a filing fee in the amount of \$5. Such declaration shall be  
22 prescribed by the secretary of state.

23 (3) Any such petition or declaration which is for an unexpired term of  
24 a member shall so specify.

25 (c) Any such petition or declaration of intent must be filed before the  
26 filing deadline *as prescribed in K.S.A. 25-205, and amendments thereto*.  
27 No candidate shall be permitted to withdraw from candidacy after the  
28 filing deadline.

29 (d) Within three days from the date of the filing of a nomination  
30 petition or a declaration of intention to become a candidate for board  
31 member, the county election officer shall determine the validity of such  
32 petition or declaration.

33 (e) If a nomination petition or declaration is found to be invalid, the  
34 county election officer shall notify the candidate on whose behalf the  
35 petition or declaration was filed that such nomination petition or  
36 declaration has been found to be invalid and the reason for the finding.  
37 Such candidate may make objection to the finding of invalidity by the  
38 county election officer in accordance with K.S.A. 25-308, and  
39 amendments thereto.

40 ~~Sec. 25-23.~~ **23.** K.S.A. 25-2022 is hereby amended to read as follows:  
41 25-2022. Any board shall have power to fill by appointment any vacancy  
42 which occurs thereon, and such appointee shall serve for the unexpired  
43 term. When a vacancy occurs, the board shall publish a notice one time in



1 a newspaper having general circulation in the school district stating that  
2 the vacancy has occurred and that it will be filled by appointment by the  
3 board not sooner than ~~fifteen (15)~~ 15 days after such publication. If such  
4 vacancy occurs before ~~January 1 of an odd-numbered year~~ *May 1 of the*  
5 *second year of the term* leaving an unexpired term of more than two years  
6 such appointee shall serve until the ~~July 1~~ *second Monday in January* after  
7 the following general school election as provided in K.S.A. 25-2023, ~~or~~  
8 ~~any and amendments thereto.~~

9 In the latter event, the unexpired term of two years commencing ~~July~~  
10 ~~on the second Monday in January~~ after the following general school  
11 election shall be filled at such election and the ballots or ballot labels and  
12 returns of election with respect to such office shall be designated as  
13 follows: "To fill the unexpired term."

14 ~~Sec. 26.~~ **24.** K.S.A. 25-2023 is hereby amended to read as follows:  
15 25-2023. ~~Each board member shall qualify by filing an oath of office with~~  
16 ~~the election officer not later than ten (10) days~~ *The term of office of each*  
17 *board member shall commence on the second Monday in January*  
18 ~~following the date of the election, or not later than five (5) days after~~  
19 ~~issuance of such member's certificate of election, whichever is the later~~  
20 ~~date. Each board member shall take office on the July 1 following the~~  
21 ~~general school election. Each member elected shall qualify by filing an~~  
22 ~~oath of office with the county election office.~~ Each member elected to a  
23 board of education shall hold office until a successor is elected or  
24 appointed and qualified and shall serve for a term of four ~~(4)~~ years.

25 ~~Sec. 27.~~ **25.** K.S.A. ~~2012~~ **2013** Supp. 25-2102 is hereby amended to  
26 read as follows: 25-2102. (a) "General election" means the election held on  
27 the Tuesday succeeding the first Monday in November of ~~even-numbered~~  
28 ~~odd-numbered~~ years, ~~the elections held for officers on the first Tuesday in~~  
29 ~~April,~~ and in the case of special elections of any officers to fill vacancies,  
30 the election at which any such officer is finally elected.

31 (b) "Primary election" means the election held on the first Tuesday in  
32 August of ~~even-numbered~~ ~~odd-numbered~~ years, ~~the election held five~~  
33 ~~weeks preceding the election on the first Tuesday in April,~~ and any other  
34 preliminary election at which part of the candidates for special election to  
35 any national, state, county, city ~~or~~, school *or municipal* office are  
36 eliminated by the process of the election but at which no officer is finally  
37 elected.

38 (c) "District method" means the election of city officers where the  
39 city is divided into member districts or wards.

40 (d) "Election at large method" means the election of city officers  
41 without member districts or wards.

42 ~~Sec. 28.~~ **26.** K.S.A. 25-2107 is hereby amended to read as follows:  
43 25-2107. The general election of city officers shall be held on the ~~first~~

1 ~~Tuesday in April. Except as otherwise provided by law or as provided by~~  
2 ~~charter ordinance passed after April 30, 1968, pursuant to article 12,~~  
3 ~~section 5, of the constitution of Kansas, every city shall have an election of~~  
4 ~~city officers in odd-numbered years only, and the terms of city officers~~  
5 ~~shall be two (2) years: Provided, however, That the provisions of this~~  
6 ~~section shall not invalidate, repeal or otherwise affect any charter~~  
7 ~~ordinance of any city of the third class having a population of not less than~~  
8 ~~one thousand five hundred (1,500) nor more than two thousand (2,000)~~  
9 ~~located in a county having a population of not less than fifty thousand~~  
10 ~~(50,000) nor more than one hundred thousand (100,000), which ordinance~~  
11 ~~had become effective prior to April 30, 1968 Tuesday following the first~~  
12 ~~Monday of November of odd-numbered years. The terms of city officers~~  
13 ~~shall be four years and shall be staggered in a manner such that all~~  
14 ~~members shall not be elected at the same regularly-scheduled election.~~

15 *(b) A primary shall be held on the first Tuesday in August of each*  
16 *odd-numbered year as prescribed in K.S.A. 25-202, and amendments*  
17 *thereto.*

18 ~~Sec. 29. 27. K.S.A.-2012 2013~~ Supp. 25-2108a is hereby amended to  
19 read as follows: 25-2108a. (a) There shall be a primary election of city  
20 officers on the *first* Tuesday ~~preceding by five weeks the first Tuesday in~~  
21 ~~April of every year that such city has a city election, except as otherwise~~  
22 ~~provided in subsection (b) or subsection (c) of this section in August of~~  
23 ~~each odd-numbered year.~~

24 (b) In cities in which a district method of election is in effect, if there  
25 are more than three qualified candidates for any member district, the  
26 county election officer shall call, and there shall be held, a primary  
27 election in each such member district. The names of the two candidates  
28 receiving the greatest number of votes for any such member district at the  
29 primary election shall appear on the ballots in the general election. If there  
30 are three or fewer qualified candidates for any member district there shall  
31 not be a primary election and the names of the candidates shall be placed  
32 on the ballots in the general election.

33 (c) In cities in which the election at large method of election is in  
34 effect, if there are more than three times the number of candidates as there  
35 are members to be elected, the county election officer shall call, and there  
36 shall be held, a primary election. The names of twice the number of  
37 candidates as there are members to be elected who received the greatest  
38 number of votes at the primary election shall appear on the ballots in the  
39 general election. If there are not more than three times the number of  
40 candidates as there are members to be elected there shall not be a primary  
41 election and the names of the candidates shall be placed on the ballots in  
42 the general election.

43 (d) On the ballots in general city elections, blank lines for the names

1 of write-in candidates shall be printed at the end of the list of candidates  
2 for each different office. The number of blank lines for each elected office  
3 shall be equal to the number of candidates to be elected thereto. The  
4 purpose of such blank lines shall be to permit the voter to insert the name  
5 of any person not printed on the ballot for whom such voter desires to vote  
6 for such office. No lines for write-in candidates shall appear on primary  
7 city election ballots.

8 ~~Sec. 30.~~ **28.** K.S.A. 25-2109 is hereby amended to read as follows:  
9 25-2109. The filing deadline for all city elections shall be ~~12:00 o'clock~~  
10 ~~noon of the Tuesday preceeding by 10 weeks the first Tuesday in April at~~  
11 ~~12 noon on June 1 as provided in K.S.A. 25-205, and amendmets thereto.~~

12 ~~Sec. 31.~~ **29.** K.S.A. ~~2012~~ **2013** Supp. 25-2110 is hereby amended to  
13 read as follows: 25-2110. (a) ~~In cities of the first and second class, any~~  
14 ~~person desiring to become a candidate for a city office elected at large~~  
15 ~~shall file with the city clerk before the filing deadline a statement of such~~  
16 ~~caandidacy on a form furnished by the county election officer as specified~~  
17 ~~by the secretary of state. The city clerk of any city upon receiving any~~  
18 ~~filing under this section shall record the same and transmit it, together with~~  
19 ~~the filing fee or petition herein provided, within three business days to the~~  
20 ~~county election officer. In cities of the third class, Any person desiring to~~  
21 ~~become a candidate for city office elected at large shall file with the county~~  
22 ~~election officer of the county in which the city is located, or of the county~~  
23 ~~in which the greater population of the city is located if the city extends into~~  
24 ~~more than one county, or the city clerk, before the filing deadline, a~~  
25 ~~statement of candidacy on a form furnished by the county election officer~~  
26 ~~as specified by the secretary of state.~~

27 (b) ~~In cities having a population of less than 5,000, each such filing~~  
28 ~~shall be accompanied by a filing fee of \$5 or, in lieu of such filing fee, by a~~  
29 ~~petition signed by 25 qualified electors of the city or by a number of such~~  
30 ~~qualified electors of the city equal to not less than 10% of the ballots cast~~  
31 ~~at the last general city election, whichever is less.~~

32 (c) ~~In cities having a population of not less than 5,000 nor more than~~  
33 ~~100,000, each such filing shall be accompanied by a filing fee of \$10 or, in~~  
34 ~~lieu of such filing fee, by a petition signed by 50 qualified electors of the~~  
35 ~~city or by a number of such qualified electors of the city equal to not less~~  
36 ~~than 1% of the ballots cast and counted at the last general city election,~~  
37 ~~whichever is less.~~

38 (d) ~~In cities having a population of more than 100,000, each such~~  
39 ~~filing shall be accompanied by a filing fee of \$50; or, in lieu of such filing~~  
40 ~~fee, by a petition signed by 100 qualified electors of the city or by a~~  
41 ~~number of qualified electors of the city equal to 1% of the ballots cast at~~  
42 ~~the last general city election, whichever is less.~~ *Filing fees, or in lieu of*  
43 *such filing fees, the number of qualified electors of the city which must*

1 *sign a nomination petition shall be established by the city governing body*  
2 *by ordinance.*

3 ~~(e)~~ (c) Within three days from the date of the filing of a nomination  
4 petition or a declaration of intention to become a candidate for a city office  
5 elected at large, the county election officer shall determine the validity of  
6 such petition or declaration.

7 ~~(f)~~ (d) If a nomination petition or declaration is found to be invalid,  
8 the county election officer shall notify the candidate on whose behalf the  
9 petition or declaration was filed that such nomination petition or  
10 declaration has been found to be invalid and the reason for the finding.  
11 Such candidate may make objection to the finding of invalidity by the  
12 county election officer in accordance with K.S.A. 25-308, and  
13 amendments thereto.

14 ~~(g)~~ (e) All city elections shall be conducted by the county election  
15 officer of the county in which such city is located, or of the county in  
16 which the greater population of the city is located if the city extends into  
17 more than one county.

18 Sec. ~~32~~ 30. K.S.A. 25-2113 is hereby amended to read as follows:  
19 25-2113. ~~(a) Except as provided in subsection (b) of this section, City~~  
20 ~~elections shall be nonpartisan and shall be conducted in accordance with~~  
21 ~~article 2 of chapter 25 of the Kansas Statutes Annotated, and amendments~~  
22 ~~thereto. Laws applicable to elections occurring at the same time as city~~  
23 ~~elections shall apply to city elections to the extent that the same are not in~~  
24 ~~conflict with the provisions of this act.~~

25 ~~(b) The provisions of this subsection (b) shall apply to cities of the~~  
26 ~~first class in counties which have been declared urban areas as authorized~~  
27 ~~by article 2, section 17, of the constitution of Kansas. Election laws of a~~  
28 ~~general nature which are applicable to partisan elections and which are not~~  
29 ~~in conflict with this subsection (b) or any specific law applicable to~~  
30 ~~election of city officers in any city to which this subsection (b) applies,~~  
31 ~~shall apply to elections held under the provisions of this subsection (b).~~  
32 ~~The county election officer shall prescribe the forms, ballots and ballot~~  
33 ~~labels for every election conducted under this subsection (b), and shall~~  
34 ~~make such rules and regulations not inconsistent with this subsection (b) as~~  
35 ~~may be necessary for the conduct of such elections.~~

36 **(b) The provisions of this subsection shall apply to cities of the**  
37 **first class in counties which have been declared urban areas as**  
38 **authorized by section 17 of article 2 of the constitution of the state of**  
39 **Kansas. Election laws of a general nature which are applicable to**  
40 **partisan elections and which are not in conflict with this subsection or**  
41 **any specific law applicable to election of city officers in any city to**  
42 **which this subsection applies, shall apply to elections held under the**  
43 **provisions of this subsection. The county election officer shall**

1 **prescribe the forms, ballots and ballot labels for every election**  
2 **conducted under this subsection, and shall make such rules and**  
3 **regulations which are consistent with this subsection as may be**  
4 **necessary for the conduct of such elections.**

5 ~~Sec. 33.~~ **31.** K.S.A. 25-2115 is hereby amended to read as follows:  
6 25-2115. Names of candidates appearing on the ballots in primary and  
7 general city elections ~~in cities of the first and second class~~ **in cities of the**  
8 **first and second class** shall be listed in the various possible orders in  
9 rotation.

10 ~~Sec. 34.~~ **32.** K.S.A. 25-2120 is hereby amended to read as follows:  
11 25-2120. The county election officer who conducts the city election shall  
12 promptly certify to the city governing body the determination of election  
13 results made by the county board of canvassers. The term of office shall  
14 ~~commence with and include the first regular meeting of the governing~~  
15 ~~body on the second Monday in January~~ following certification of the  
16 election.

17 Every person elected or appointed to city office, before entering upon  
18 the duties of such office, shall take and subscribe an oath or affirmation as  
19 specified in K.S.A. 54-106, *and amendments thereto*, and every such oath  
20 or affirmation shall be filed with the city clerk.

21 ~~Sec. 35.~~ **33.** K.S.A. 2012 Supp. 25-2311 is hereby amended to read as  
22 follows: 25-2311. (a) County election officers shall provide for the  
23 registration of voters at one or more places on all days except the  
24 following:

25 (1) Days when the main offices of the county government are closed  
26 for business, except as is otherwise provided by any county election officer  
27 under the provisions of K.S.A. 25-2312, and amendments thereto;

28 (2) days when the main offices of the city government are closed for  
29 business, in the case of deputy county election officers who are city clerks  
30 except as is otherwise provided by any county election officer under the  
31 provisions of K.S.A. 25-2312, and amendments thereto;

32 (3) the 20 days preceding the day of primary and general state **and**  
33 **municipal** elections;

34 ~~(4) the 20 days preceding the day of primary city and school~~  
35 ~~elections, if either has a primary;~~

36 ~~(5) the 20 days preceding each first Tuesday in April of odd-~~  
37 ~~numbered years, being the day of city and school general elections;~~

38 ~~(6) (4) the 20 days preceding the day of any election other than one~~  
39 ~~specified in paragraphs (3), (4) and (5) of this subsection; and~~

40 ~~(7) (5) the day of any primary or general election or any question~~  
41 ~~submitted election.~~

42 (b) For the purposes of this section in counting days that registration  
43 books are to be closed, all of the days including Sunday and legal holidays

1 shall be counted.

2 (c) The secretary of state shall notify every county election officer of  
3 the dates when registration shall be closed preceding primary and general  
4 state, city and school elections. The days so specified by the secretary of  
5 state shall be conclusive. Such notice shall be given by the secretary of  
6 state by mail at least 60 days preceding every primary and general state,  
7 city and school election.

8 (d) The last days before closing of registration books as directed by  
9 the secretary of state under subsection (c) of this section, county election  
10 officers shall provide for registration of voters during regular business  
11 hours, during the noon hours and at other than regular business hours upon  
12 such days as the county election officers deem necessary. The last three  
13 business days before closing of registration books prior to state primary  
14 and general elections, county election officers may provide for registration  
15 of voters until 9 p.m. in cities of the first and second class.

16 (e) County election officers shall accept and process applications  
17 received by voter registration agencies and the division of motor vehicles  
18 not later than the 21<sup>st</sup> day preceding the date of any election; mailed voter  
19 registration applications that are postmarked not later than the 21<sup>st</sup> day  
20 preceding the date of any election; or, if the postmark is illegible or  
21 missing, is received in the mail not later than the ninth day preceding the  
22 day of any election.

23 (f) The secretary of state may adopt rules and regulations interpreting  
24 the provisions of this section and specifying the days when registration  
25 shall be open, days when registration shall be closed, and days when it is  
26 optional with the county election officer for registration to be open or  
27 closed.

28 (g) Before each primary and general election held in even-numbered  
29 years, and at times and in a form prescribed by the secretary of state, each  
30 county election officer shall certify to the secretary of state the number of  
31 registered voters in each precinct of the county as shown by the  
32 registration books in the office of such county election officer.

33 ~~Sec. 36.~~ **34.** K.S.A. 25-2502 is hereby amended to read as follows:  
34 25-2502. (a) "General election" means the election held on the Tuesday  
35 ~~succeeding~~ *following* the first Monday in November of even-numbered  
36 years, ~~the elections held for officers on the first Tuesday in April, the~~  
37 *election held on the Tuesday following the first Monday in odd-numbered*  
38 *years* and in the case of special elections of any officers to fill vacancies,  
39 the election at which any such officer is finally elected.

40 (b) "Primary election" means the election held on the first Tuesday in  
41 August of even-numbered years, ~~the election held five weeks preceding~~  
42 ~~the election on the first Tuesday in April, the election held on the first~~  
43 *Tuesday in August of odd-numbered years* and any other preliminary

1 election at which part of the candidates for special election to any national,  
2 state, county, township, city ~~or~~, school *or municipal* office are eliminated  
3 by the process of the election but at which no officer is finally elected.

4 ~~Sec. 37.~~ **35.** K.S.A. ~~2012~~ **2013** Supp. 42-706 is hereby amended to  
5 read as follows: 42-706. (a) The officers of such district shall be a board of  
6 directors consisting of three members who shall be persons entitled to vote  
7 as provided in subsection ~~(h)~~ (g) and residents of a county in which the  
8 district or a portion thereof is located, or county adjoining a county in  
9 which such irrigation district or a portion thereof is located. Such members  
10 shall hold office for a period of three years, and each shall serve until a  
11 successor has been elected and qualified. The members of the board of  
12 directors first elected after the creation of an irrigation district shall hold  
13 their respective offices until the next regular election for the election of  
14 directors as provided in subsection (e) or (f) of this section except that the  
15 terms of the three directors shall be as provided in subsection (e) of this  
16 section.

17 (b) The chief engineer of the division of water resources, after the  
18 incorporation of such irrigation district, shall establish and designate the  
19 polling place or places therein where the first election will be conducted  
20 and fix the time for such election within 60 days after the date of  
21 incorporation. In any irrigation district of more than 35,000 acres, the chief  
22 engineer of the division of water resources shall, prior to designating  
23 polling places, establish three voting areas within such district as equal as  
24 possible in acreage and shall designate the same as the first, second or  
25 third voting area. Such polling place or places may thereafter be changed  
26 by the board of directors, and the board may arrange for polling places  
27 outside the corporate boundaries of the district if such places are more  
28 convenient than locations within the district. Prior to the holding of the  
29 first election in newly created districts, the chief engineer of the division of  
30 water resources shall appoint from the qualified electors of the district  
31 three persons for such election for each voting place who shall constitute  
32 boards of election for such district for such election. If the members  
33 appointed do not attend at the opening of the polls on the day of election,  
34 at the opening hour, the electors present at that hour shall elect from the  
35 electors present members of the election board necessary to fill the place  
36 of any absent member.

37 (c) The board of directors of every district of more than 35,000 acres  
38 which was incorporated prior to the effective date of this act shall establish  
39 three voting areas within the district as equal as possible in acreage and  
40 designate the same as the first, second or third voting area. The board shall  
41 also establish and designate the polling place or places within each voting  
42 area. At the first election held after the effective date of this act, a director  
43 shall be elected from each voting area and the person receiving the highest

1 number of votes shall serve for a term of three years, the person receiving  
2 the second highest number of votes shall serve for a term of two years, and  
3 the person receiving the third highest number of votes shall serve for a  
4 term of one year. At each subsequent election, only one director shall be  
5 elected each year for a term of three years. Any director elected under this  
6 provision must be a person entitled to vote as provided in subsection-~~(h)~~  
7 *(g)*.

8 (d) (1) Except as provided in paragraph (2), all elections shall be  
9 conducted in accordance with the general election laws of the state except  
10 as otherwise provided in this act. Advance voting as provided in article 11  
11 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto,  
12 shall be provided for by the county election officers and boards of  
13 directors for those persons entitled to vote under subsection-~~(h)~~ *(g)*. The  
14 forms for the ballot envelope declaration as provided in K.S.A. 25-1120,  
15 and amendments thereto, and the applications for advance ballots as  
16 provided in K.S.A. 25-1122d, and amendments thereto, shall be modified  
17 to establish that such person is a qualified owner of irrigable land within  
18 the district. After polls are closed the election boards shall proceed to  
19 canvass the votes cast thereat, shall certify to the county election officer of  
20 the county in which all or the greater part of the population of the  
21 irrigation district is located and the chief engineer the result of such  
22 election. The clerks shall then securely wrap the ballots cast at such  
23 elections and shall express or mail the same by registered mail to the  
24 county election officer of the county in which all or the greater part of the  
25 population of the irrigation district is located. The county election officer  
26 shall canvass the ballots, verify the results and declare the person receiving  
27 the highest number of votes duly elected as director except that at the first  
28 election after creation of a district the county election officer of the county  
29 in which all or the greater part of the population of the irrigation district is  
30 located shall declare the three persons receiving the highest number of  
31 votes duly elected as directors except that in districts divided into three  
32 voting areas, the person receiving the highest number of votes in each  
33 voting area shall be duly elected as director. Such county election officer  
34 shall immediately mail, to each person elected to the office of director a  
35 certificate of election signed by such officer. The directors shall thereupon  
36 qualify and enter upon the duties of their office. Directors shall qualify by  
37 taking and subscribing to an oath of office of substantially the same tenor  
38 as oath of office prescribed for county officials. Each member of the board  
39 of directors shall execute an official bond in the sum of \$1,000 which oath  
40 and bond shall be filed with the county election officer of the county in  
41 which all or the greater part of the population of the irrigation district is  
42 located. The treasurer of each irrigation district shall execute to the district  
43 a corporate surety bond in an amount at least equal to 125% of the amount,



1 as near as can be ascertained, that shall be in such person's hands as  
2 treasurer at any one time. The amount and sufficiency of the bond of the  
3 treasurer shall be determined by the county election officer. Upon approval  
4 of the bond, the county election officer shall endorse such approval  
5 thereon and file the same in the office of the county election officer and  
6 shall immediately notify the county treasurer of the county in which the  
7 registered office of the irrigation district is located of such approval and  
8 filing. In the event of the breach of any condition of the treasurer's bond,  
9 the president and secretary of the board shall cause a suit to be commenced  
10 thereon in the name of the irrigation district. It shall not be necessary to  
11 include the treasurer as a party to the action and the money collected shall  
12 be applied to the use of the district, as the same should have been applied  
13 by the treasurer. Should the president and secretary neglect or refuse to  
14 prosecute such a suit, then any person entitled to vote as provided in  
15 subsection ~~(h)~~ (g) may cause such suit to be instituted. Premiums on surety  
16 bonds for such directors and treasurers of irrigation districts shall be paid  
17 by the district out of its general funds. In case the office of any director  
18 shall become vacant the remaining members of the board shall fill the  
19 vacancy by appointment. A director appointed to fill a vacancy shall serve  
20 the unexpired term of the director whose term such person was appointed  
21 to fill.

22 (2) For any election except the election required in subsection (b), the  
23 board of directors may adopt a procedure providing for the election of  
24 members by mail ballot. Such procedure shall require the board to mail  
25 ballots to all persons entitled to vote, to receive and tabulate the ballots, to  
26 canvass the election and to certify the results to the county election officer.  
27 The irrigation district shall be responsible for the direct expenses of  
28 conducting the election. The ballot envelope used for mailing ballots shall  
29 contain a declaration establishing that the person who signs the declaration  
30 is a qualified owner of irrigable land within the district.

31 (e) All regular elections of directors of irrigation districts shall be  
32 held ~~the first Tuesday in March except as provided by subsection (g)~~  
33 *Tuesday following the first Monday in November in odd-numbered years.*  
34 Any districts organized after the regular ~~March~~ election shall hold its  
35 election at the next regular ~~March~~ election following incorporation of the  
36 district and, at this election three directors shall be elected and the person  
37 receiving the highest number of votes shall serve for a term of three years,  
38 the person receiving the second highest number of votes shall serve for a  
39 term of two years, and the person receiving the third highest number of  
40 votes shall serve for a term of one year. In case the first election after  
41 creation of a district is held between June 1 of any year and the day  
42 preceding the ~~first Tuesday in March~~ *following the first Monday in*  
43 *November* of the next succeeding *odd-numbered* year, the next regular

1 ~~March~~ election shall be held in the second succeeding *odd-numbered* year.  
2 At each subsequent regular election, only one director shall be elected  
3 each year for a term of ~~three~~ *four* years. ~~All persons desiring to be voted~~  
4 ~~upon as directors shall at least 30 days before the day of holding of the~~  
5 ~~elections, file such person's name with the county election officer of the~~  
6 ~~county in which all or the greater part of the population of the irrigation~~  
7 ~~district is located, affixed to a statement that such person desires such~~  
8 ~~person's name to be placed on the ticket as a candidate for member of~~  
9 ~~board of directors of the district in such election. Any person desiring to be~~  
10 ~~a candidate for election to the board of directors shall file a candidate's~~  
11 ~~declaration of intention with the county election officer of the county in~~  
12 ~~which all or the greater part of the population of the district is located.~~  
13 ~~Such candidate's filing shall be made as provided in K.S.A. 25-205, and~~  
14 ~~amendments thereto. The county election officer shall make up the ticket,~~  
15 ~~at expense of the irrigation district prepare the ballot, and place the names~~  
16 ~~thereon in alphabetical order and shall supply election officials with~~  
17 ~~necessary ballots and polling books at the irrigation district's expense. At~~  
18 ~~least five days before any election held subsequent to first election of~~  
19 ~~directors, the boards of directors shall name and appoint three persons for~~  
20 ~~each voting place, who shall be qualified electors in the district. At least~~  
21 ~~five days before any election, the county clerks of the various counties~~  
22 ~~within which a portion of the district is located, shall cause to be~~  
23 ~~ascertained the names of all persons entitled to vote as provided in~~  
24 ~~subsection (h) (g) and shall furnish lists thereof to each election board~~  
25 ~~within such county and to the secretary of the board of directors of the~~  
26 ~~district. Notice of the time and places of holding of the election, signed by~~  
27 ~~the president and attested by the secretary of the district shall be given in~~  
28 ~~some newspaper or newspapers primary and general elections, shall be~~  
29 ~~published by the county election officer in a newspaper of general~~  
30 ~~circulation in the district for one issue at least five days prior to date of the~~  
31 ~~election in accordance with K.S.A. 25-209, and amendments thereto, and~~  
32 ~~K.S.A. 25-105, and amendments thereto. The return results of all special or~~  
33 ~~bond elections shall be made available to the secretary of the district, and~~  
34 ~~canvassed by the board of directors. All expenses of election, not~~  
35 ~~otherwise provided for herein, shall be paid for out of the general funds of~~  
36 ~~the irrigation district. Election officials shall receive the same~~  
37 ~~compensation as provided under general election laws.~~

38 (f) In lieu of the election procedures provided in this section  
39 pertaining to regular elections of directors in accordance with the general  
40 election laws of the state, the board of directors of any irrigation district of  
41 less than 35,000 acres in size may call an annual meeting of all persons  
42 entitled to vote as provided in subsection (h) (g) for the purpose of electing  
43 directors. Such annual meeting shall be held on the first Tuesday in March;

1 ~~except as provided by subsection (g).~~ Notice of the time and place of  
2 holding said annual meeting shall be given in some newspaper or  
3 newspapers of general circulation in the district for one issue at least 30  
4 days prior to date of such meeting. Elections at the annual meeting shall be  
5 by ballot, with absentee voting as provided under subsection (d) of this  
6 section. All persons desiring to be voted upon as director shall at least 30  
7 days before the day of holding the annual meeting file such person's name  
8 with the secretary of the board of directors of the district, affixed to a  
9 statement that such person desires such person's name to be placed on the  
10 ballot as a candidate for member of board of directors of the district. The  
11 board of directors shall appoint three owners of irrigable land in the  
12 district to serve as an election board at the annual meeting. After the votes  
13 are cast at the annual meeting the election board shall proceed to canvass  
14 the votes and shall certify to the county election officer of the county in  
15 which all or the greater part of the population of the irrigation district is  
16 located and the chief engineer the result of such election. All provisions of  
17 this section not inconsistent with the provisions of subsection (f) shall  
18 apply to the election of directors at the annual meeting.

19 ~~(g) In any case where the time for any regular election of directors as~~  
20 ~~described in subsection (e), or the election as described in subsection (f), is~~  
21 ~~the same for any two districts having the same district manager, such~~  
22 ~~election shall be held on the first Wednesday following the first Tuesday in~~  
23 ~~March by the district organized latest in time.~~

24 (h) (g) Until such time as assessments are made in the district  
25 pursuant to K.S.A. 42-715, and amendments thereto, those persons entitled  
26 to vote shall be "qualified owners of land" within the irrigation district, as  
27 such term is defined in K.S.A. 42-701, and amendments thereto, and who  
28 are otherwise qualified electors.

29 After lands have been assessed in the district pursuant to K.S.A. 42-  
30 715, and amendments thereto, those persons entitled to vote shall be  
31 "qualified owners of land" within the irrigation district as such term is  
32 defined in K.S.A. 42-701, and amendments thereto, which has been  
33 assessed pursuant to K.S.A. 42-715, and amendments thereto, and who are  
34 otherwise qualified electors. For voting purposes, any person entitled to  
35 vote under this subsection who owns land in more than one voting area  
36 shall vote in the voting area which includes the greatest portion of such  
37 person's land. As used in this section, the term "qualified electors" shall  
38 include a person who is the legal qualified owner of irrigable land or a  
39 person, who is authorized, in writing, to vote for a trust, corporation,  
40 association or partnership which is the legal qualified owner of irrigable  
41 land. Such person is not required to be a resident of the district. Such trust,  
42 corporation, association or partnership shall be allowed only one vote. The  
43 person authorized by such entity to vote shall be someone who is not

1 otherwise entitled to a vote under this section.

2       ~~Sec. 38.~~ **36.** K.S.A. 71-1408 is hereby amended to read as follows:  
3 71-1408. Change of method of election in any community college district  
4 may be made in the manner provided in this act at any time during the  
5 period beginning on the first Wednesday in ~~April~~ *November* of each odd-  
6 numbered year and ending on the first Tuesday in ~~December~~ *June* of each  
7 even-numbered year, if such change is also approved in a manner  
8 authorized in this act before the end of such period. The new method of  
9 election in such district shall be followed in the election of trustees next  
10 following such change and shall continue in force until again changed in  
11 the manner provided in this act. Change of method of election shall not  
12 shorten the term of any trustee serving on the board at the time the change  
13 is made.

14       ~~Sec. 39.~~ **37.** K.S.A. 71-1412 is hereby amended to read as follows:  
15 71-1412. Each member of the board of trustees of a community college  
16 shall be elected for a four-year term commencing on the ~~July 1~~ *second*  
17 *Monday in January* following election. Members shall serve until their  
18 successors are elected or appointed and qualified.

19       ~~Sec. 40.~~ **38.** K.S.A. 71-1413 is hereby amended to read as follows:  
20 71-1413. (a) Elections of trustees of community colleges shall be  
21 conducted by the county election officer of the county in which the main  
22 campus of the college is located. In any college district having territory in  
23 more than one county, the county election officers of all such counties  
24 shall cooperate with the county election officer of the county in which the  
25 main campus is located, and upon establishing any new community  
26 college or adding territory to any of the community college districts, the  
27 state board, in accordance with this section, shall specify the county in  
28 which the main campus shall be located for the purpose of this section.  
29 General community college elections shall be held on the ~~first Tuesday in~~  
30 ~~April of each odd-numbered year~~ *following the first Monday in November*  
31 *of each odd-numbered year.*

32       (b) Any primary community college election shall be held on the  
33 ~~Tuesday preceding by five weeks the first Tuesday in April of odd-~~  
34 ~~numbered years~~ *first Tuesday of August of each odd-numbered year in*  
35 *accordance with K.S.A. 25-202, and amendments thereto.*

36       (c) *Notice of the time and place of holding each primary and general*  
37 *election shall be published by the county election officer in a newspaper*  
38 *published in the county in accordance with K.S.A. 25-209, and*  
39 *amendments thereto, and K.S.A. 25-105, and amendments thereto.*

40       ~~Sec. 41.~~ **39.** K.S.A. 71-1414 is hereby amended to read as follows:  
41 71-1414. (a) (1) In college districts where a district method of election is  
42 in effect, a person may become a candidate for election to trustee of a  
43 community college by any one of the following methods:

1 (A) Any person who is an elector of any member district may petition  
2 to be a candidate for member from the member district in which such  
3 person resides. Any such person shall file with the election officer a  
4 petition for such person's candidacy signed by not less than 50 electors  
5 residing in such person's member district.

6 (B) Any person who is an elector of any member district may become  
7 a candidate for member from the member district in which such person  
8 resides by filing with the election officer a declaration of intent to be such  
9 a candidate, and payment therewith of a filing fee in the amount of \$5.

10 (C) If a community college adopts and implements a seven member  
11 board of trustees plan, any person who is an elector of the college district  
12 may petition to be a candidate for the at-large member position. Any such  
13 person shall file with the county election officer a petition for such  
14 candidacy signed by not less than 50 electors residing in such college  
15 district.

16 (D) If a community college adopts and implements a seven member  
17 board of trustees plan, any person who is an elector of the college district  
18 may become a candidate for the at-large member position by filing with  
19 the county election officer a declaration of intent to be such a candidate,  
20 and payment therewith of a filing fee in the amount of \$5.

21 (2) Every petition or declaration of intent filed under this subsection  
22 must specify the member position for which the person is a candidate.

23 (b) In college districts where the election-at-large method of election  
24 is in effect, a person may become a candidate for election to trustee of a  
25 community college by either one of the following methods:

26 (1) Any person who is an elector of the college district may petition  
27 to be a candidate for trustee. Any such person shall file with the election  
28 officer a petition for such person's candidacy signed by not less than 50  
29 electors residing in the college district.

30 (2) Any person who is an elector of the college district may become a  
31 candidate for trustee by filing with the election officer a declaration of  
32 intent to be such a candidate, and payment therewith of a filing fee in the  
33 amount of \$5.

34 (c) Every petition or declaration of intent filed under this section must  
35 be filed on or before 12 o'clock 12 noon on the Tuesday which precedes by  
36 10 weeks the first Tuesday in April of any odd-numbered year. No such  
37 petition or declaration shall be filed sooner than the second Tuesday of the  
38 December which next precedes the community college election June 1 of  
39 each odd-numbered year as provided in K.S.A. 25-205, and amendments  
40 thereto.

41 ~~Sec. 42. K.S.A. 71-1417 is hereby amended to read as follows: 71-~~  
42 ~~1417. Names of candidates appearing on the ballots in primary and general~~  
43 ~~elections of members shall be listed in the various possible orders in~~

1 rotation. Ballots to be used in member elections shall be acquired by the  
2 election officer in such form and quantity as he shall determine—  
3 *alphabetical order according to the candidates' surnames.*

4 ~~Sec. 43.~~ **40.** K.S.A. 71-1419 is hereby amended to read as follows:  
5 71-1419. (a) The election of trustees of community colleges shall be  
6 ~~nonpartisan~~ *partisan* **nonpartisan**, in accordance with K.S.A. 25-202, and  
7 *amendments thereto*, and laws applicable only to partisan elections shall  
8 ~~not~~ apply in such elections. All laws applicable to elections, the violation  
9 of which is a crime, shall be applicable to election of trustees of  
10 community colleges.

11 (b) Except as is provided in (a) above, laws applicable to local  
12 elections, including voter registration laws, occurring at the same time as  
13 election of trustees shall apply to the election of trustees to the extent that  
14 the same are not in conflict with the provisions of this act. ~~The provisions~~  
15 ~~of this subsection (b) shall not apply to election notices.~~

16 (c) Ballots for election of trustees shall be canvassed by the members  
17 of election boards canvassing ballots in other ~~local~~ elections insofar as is  
18 practicable, and where it is not practicable, the county election officer shall  
19 provide for such canvass by other appropriate means.

20 ~~Sec. 44.~~ **41.** K.S.A. 72-8008 is hereby amended to read as follows:  
21 72-8008. Change of method of election or voting plan or both in any  
22 school district may be made in the manner provided in this act at any time  
23 during the period beginning on the first Wednesday in ~~April~~ *November* of  
24 each odd-numbered year and ending on the first Tuesday in ~~December~~  
25 *June* of each even-numbered year, if such change is also approved in a  
26 manner authorized in this act before the end of such period. The new  
27 method of election and voting plan in such school district shall be  
28 followed in the election of members next following such change and shall  
29 continue in force until again changed in the manner provided in this act.  
30 Change of method of election or voting plan shall not shorten the term of  
31 any member serving on the board at the time the change is made, and the  
32 county election officer shall not submit to election any plan of change  
33 which violates this prohibition.

34 ~~Sec. 45.~~ **42.** K.S.A. 2-623, 19-3505, 19-3507, 24-504, ~~25-202~~, 25-  
35 209, 25-1115, 25-2006, 25-2007, 25-2010, 25-2017, 25-2018, 25-2022, 25-  
36 2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 71-1408,  
37 71-1412, 71-1413, 71-1414, ~~71-1417~~, 71-1419 and 72-8008 and K.S.A.  
38 ~~2012~~ **2013**Supp. 2-624, 24-412, 24-414, 24-459, 24-506, 25-213, 25-611,  
39 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311 and 42-706 are  
40 hereby repealed.

41 ~~Sec. 46.~~ **43.** This act shall take effect and be in force from and after  
42 its publication in the statute book.