

SENATE BILL No. 43

AN ACT concerning elections; dealing with vacancies in the office of United States representative to congress; amending K.S.A. 25-3504, as amended by section 2 of 2017 House Bill No. 2017 and 25-3507, as amended by section 3 of 2017 House Bill No. 2017 and repealing the existing sections.

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

Section 1. K.S.A. 25-3504, as amended by section 2 of 2017 House Bill No. 2017, is hereby amended to read as follows: 25-3504. (a) Whenever a vacancy has occurred to which this act applies, except in cases where K.S.A. 25-3503(b) or (c), and amendments thereto, applies, a congressional district convention of the district party of each political party that has obtained official recognition shall be called by the state chairperson of the party, or if there is no state chairperson, by the party's candidate for governor at the next preceding general election. The convention shall be called for a date not less than 15 days and not more than 25 days after the proclamation of election is issued by the governor in the cases to which K.S.A. 25-3503, and amendments thereto, does not apply, and within 15 days in cases to which K.S.A. 25-3503(a) or (b), and amendments thereto, apply. In accordance with the rules of the district party and the provisions of this act, each convention shall nominate a candidate to fill the vacancy which has occurred and shall file a certificate of the nomination with the secretary of state immediately. Every certificate shall be signed by the presiding officer and secretary of the convention making the nomination. Independent candidates may be nominated by petition of ~~registered voters of the district equal in number to~~ not less than 3,000 qualified voters electors of the congressional district. Such petitions may not be circulated for signatures prior to the governor proclaiming the date of the election. Any such petition shall be filed with the secretary of state not later than 25 days after the proclamation of election is issued by the governor. Except as is provided in K.S.A. 25-3503(b) or (c), and amendments thereto, no candidate shall be nominated to fill such vacancy by any means other than provided by this section.

(b) The amendments made by this act to this section shall be effective on and after January 1, 2017.

Sec. 2. K.S.A. 25-3507, as amended by section 3 of 2017 House Bill No. 2017, is hereby amended to read as follows: 25-3507. (a) ~~In cases to which K.S.A. 25-3503(b) or (c), and amendments thereto, apply, The canvass of the election shall be conducted as for other elections of United States congressmen. In all other cases to which this act applies, intermediate canvass of the election shall be made by the county boards of canvassers at 10:00 a.m. on the third day following the election, unless such day is a Sunday or holiday, in which case the canvass shall be on the next following day which is not a Sunday or holiday provided in K.S.A. 25-3104, and amendments thereto.~~ County election officers shall dispatch the abstract of the intermediate canvass to the secretary of state immediately upon completion of the canvass by the board of county canvassers. The state board of canvassers shall meet in the office of the secretary of state on the ~~sixth~~ *third* day following the *intermediate canvass of the election held in all counties*, unless such day is a Sunday or holiday, in which case the canvass shall be on the next following day which is not a Sunday or holiday. The state board of canvassers shall make the final canvass, and the certificate of election of the candidate receiving the highest number of votes shall be issued in the same manner as is provided for regular elections of national officers.

(b) The amendments made by this act to this section shall be effective on and after January 1, 2017.

Sec. 3. K.S.A. 25-3504, as amended by section 2 of 2017 House Bill No. 2017 and 25-3507, as amended by section 3 of 2017 House Bill No. 2017 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body

President of the Senate.

Secretary of the Senate.

Passed the HOUSE _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.