

2023 Kansas Statutes

25-303. Independent nominations; section not applicable to certain elections; number of signers of petition; requirements; validity of petitions, determination. (a) This section shall not apply to city and school elections, nor to election of other officers provided by law to be elected in odd-numbered years.

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

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

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

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

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

(g) No such nomination petition shall contain the name of a candidate for governor without in the same such petition containing the name of a candidate for lieutenant governor, and if it does it shall be void.

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

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

History: R.S. 1923, 25-303; L. 1943, ch. 155, § 1; L. 1968, ch. 406, § 90; L. 1973, ch. 153, § 16; L. 1982, ch. 154, § 1; L. 1988, ch. 119, § 2; L. 1990, ch. 120, § 2; L. 1990, ch. 129, § 1; L. 1991, ch. 99, § 2; L. 1992, ch. 194, § 4; L. 2001, ch. 128, § 3; L. 2014, ch. 98, § 4; L. 2023, ch. 79, § 20; July 1.