

As Amended by House Committee

{As Amended by Senate Committee of the Whole}

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Session of 2019

SENATE BILL No. 131

By Committee on Ethics, Elections and Local Government

2-8

1 AN ACT concerning elections; amending K.S.A. 80-202 and K.S.A. 2018  
2 Supp. 25-21a03 and repealing the existing sections.

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 2018 Supp. 25-21a03 is hereby amended to read as  
6 follows: 25-21a03. (a) The secretary of state shall develop the style and  
7 form of the official primary ballot and the official general election ballot  
8 for municipal offices.

9 (b) The declaration of intent to become a candidate shall be  
10 prescribed by the secretary of state. The declarations **for any municipality**  
11 shall be filed with the county election officer not later than 12 noon, June  
12 1, prior to the primary election in both even-numbered and odd-numbered  
13 years, or if such date falls on a Saturday, Sunday or holiday, then before 12  
14 noon of the next day that is not a Saturday, Sunday or holiday.

15 ~~(c) For municipalities where a primary election is not authorized or~~  
16 ~~otherwise required by law, the declaration of intent to become a candidate~~  
17 ~~shall be filed with the county election officer not later than 12 noon,~~  
18 ~~September 1, prior to the general election the day before the primary~~  
19 ~~election date in odd-numbered or even-numbered years, or if such date~~  
20 ~~falls on a Saturday, Sunday or holiday, then before 12 noon of the next day~~  
21 ~~that is not a Saturday, Sunday or holiday.~~

22 ~~(d)~~The secretary of state shall establish primary election procedures  
23 for primary elections for municipalities.

24 ~~(e)~~(d) The secretary of state shall establish general election  
25 procedures for general elections for municipalities.

26 ~~(f)~~(e) County election officers shall conduct municipal elections in  
27 odd-numbered years and elections in even-numbered years if needed.

28 ~~(g)~~(f) The secretary of state shall adopt rules and regulations to  
29 implement this section on or before July 1, 2016.

30 Sec. 2. K.S.A. 80-202 is hereby amended to read as follows: 80-202.  
31 Every person elected to the office of trustee, clerk or treasurer of any  
32 township, or road overseer of any road district, shall be an elector of ~~said~~

1 *the* township or road district at the time of ~~his or her~~ *such* election **or**  
2 **appointment**, and shall ~~within twenty (20) days after he shall be notified~~  
3 ~~of his or her election~~ take and subscribe the oath of office prescribed by  
4 law, ~~and shall forthwith cause such~~ *on ~~for before~~ the second Monday in*  
5 *January when the term of office begins*. The oath ~~to~~ shall be filed in the  
6 office of the county clerk ~~of his or her county~~, and. In ~~case the event~~ any of  
7 such ~~officers~~ *officer* shall become ~~nonresidents~~ *a nonresident* of ~~their~~  
8 ~~respective townships~~ *the township* or road ~~districts~~, ~~their offices~~ *district*,  
9 *the office* shall ~~at once~~ become vacant.

10 Sec. 3. K.S.A. 80-202 and K.S.A. 2018 Supp. 25-21a03 are hereby  
11 repealed.

12 Sec. 4. This act shall take effect and be in force from and after its  
13 publication in the ~~statute book~~ **Kansas register**.