

HOUSE BILL No. 2213

By Committee on Ethics and Elections

1-30

AN ACT concerning elections; relating to election procedures; amending K.S.A. 25-205, 25-302a, 25-303, 25-1122, 25-2309, 25-3602, 25-4306, 25-4310 and 25-4320 and repealing the existing sections.

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

Section 1. K.S.A. 25-205 is hereby amended to read as follows: 25-205. (a) Except as otherwise provided in this section, the names of candidates for national, state, county and township offices shall be printed upon the official primary ballot when each shall have qualified to become a candidate by one of the following methods and none other: (1) They shall have had filed in their behalf, not later than 12:00 noon, June 10, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12:00 noon of the next following day that is not a Saturday, Sunday or a holiday, nomination petitions, as provided for in this act, ~~except that in 1998, candidates for judge or district magistrate judge of the district court for positions created in 1998 in those judicial districts that have not approved the proposition of nonpartisan selection of judges of the district court shall have filed in their behalf, not later than 12:00 noon, July 1, 1998, nomination petitions, as provided for in this act;~~ or (2) they shall have filed not later than the time for filing nomination petitions, as above provided, with the proper officer a declaration of intention to become a candidate, accompanied by the fee required by law. Such declaration shall be prescribed by the secretary of state.

(b) Nomination petitions shall be in substantially the following form:

I, the undersigned, an elector of the county of _____, and state of Kansas, and a duly registered voter, and a member of _____ party, hereby nominate _____, who resides in the township of _____ (or at number _____ on _____ street, city of _____), in the county of _____ and state of Kansas, as a candidate for the office of (here specify the office) _____, to be voted for at the primary election to be held on the first Tuesday in August in _____, as representing the principles of such party; and I further declare that I intend to support the candidate herein named and that I have not signed and will not sign any nomination petition for any other person, for such office at such primary election.

(HEADING)

1	Name of	Street Number	Name of	Date of
2	Signers.	or Rural Route	City.	Signing.
3		(as registered).		

4 All nomination petitions shall have substantially the foregoing form,
5 written or printed at the top thereof. No signature shall be counted unless
6 it is upon a sheet having such written or printed form at the top thereof.

7 (c) Each signer of a nomination petition shall sign but one such pe-
8 tition for the same office, and shall declare that such person intends to
9 support the candidate therein named, and shall add to such person's sig-
10 nature and residence, if in a city, by street and number (if any); or, oth-
11 erwise by post-office address. No signature shall be counted unless the
12 place of residence of the signer is clearly indicated and the date of signing
13 given as herein required and if ditto marks are used to indicate address
14 they shall be continuous and clearly made. Such sheets shall not be cut
15 or pasted together.

16 (d) All signers of each separate nomination petition shall reside in the
17 same county and election district of the office sought. The affidavit de-
18 scribed in this paragraph of a ~~qualified elector who resides in such county~~
19 ~~and election district~~ *petition circulator who is a resident of the state of*
20 *Kansas* or of the candidate shall be appended to each petition and shall
21 contain, at the end of each set of documents carried by each circulator,
22 a verification, signed by the circulator or the candidate, to the effect that
23 such circulator or the candidate personally witnessed the signing of the
24 petition by each person whose name appears thereon. ~~The person making~~
25 ~~such affidavit shall be duly registered to vote.~~

26 (e) Except as otherwise provided in subsection (g), nomination peti-
27 tions shall be signed:

28 (1) If for a state officer elected on a statewide basis or for the office
29 of United States senator, by voters equal in number to not less than 1%
30 of the total of the current voter registration of the party designated in the
31 state as compiled by the office of the secretary of state;

32 (2) If for a state or national officer elected on less than a statewide
33 basis, by voters equal in number to not less than 2% of the total of the
34 current voter registration of the party designated in such district as com-
35 piled by the office of the secretary of state, except that for the office of
36 district magistrate judge, by not less than 2% of the total of the current
37 voter registration of the party designated in the county in which such
38 office is to be filled as certified to the secretary of state in accordance
39 with K.S.A. 25-3302, and amendments thereto;

40 (3) If for a county office, by voters equal in number to not less than
41 3% of the total of the current voter registration of the party designated
42 in such district or county as compiled by the county election officer and
43 certified to the secretary of state in accordance with K.S.A. 25-3302, and

1 amendments thereto; and

2 (4) If for a township office, by voters equal in number to not less than
3 3% of the total of the current voter registration of the party designated
4 in such township as compiled by the county election officer and certified
5 to the secretary of state in accordance with K.S.A. 25-3302, and amend-
6 ments thereto.

7 (f) Subject to the requirements of K.S.A. 25-202, and amendments
8 thereto, any political organization filing nomination petitions for a major-
9 ity of the state or county offices, as provided in this act, shall have a
10 separate primary election ballot as a political party and, upon receipt of
11 such nomination petitions, the respective officers shall prepare a separate
12 state and county ballot for such new party in their respective counties or
13 districts thereof in the same manner as is provided for existing parties.

14 ~~(g) (1) In the year 1992, if new boundary lines are defined and dis-~~
15 ~~tricts established in the manner prescribed by law on or after the effective~~
16 ~~date of this act and on or before May 10, 1992, for the offices of repre-~~
17 ~~sentative in the United States congress, senator and representative in the~~
18 ~~legislature of the state of Kansas, and member of the state board of ed-~~
19 ~~ucation, nomination petitions for nomination to such offices shall be~~
20 ~~signed by voters equal in number to not less than 1% of the total of the~~
21 ~~current voter registration of the party designated in the district as com-~~
22 ~~plied by the office of the secretary of state.~~

23 ~~—(2) In the year 1992, if new boundary lines are defined and districts~~
24 ~~established in the manner prescribed by law on or after May 11, 1992,~~
25 ~~nomination petitions for nomination to the following offices shall be~~
26 ~~signed by registered voters of the party designated in the district equal~~
27 ~~in number to not less than the following:~~

- 28 ~~—(A) For the office of representative in the United States~~
29 ~~congress 1,000 registered voters;~~
- 30 ~~—(B) for the office of member of the state board of~~
31 ~~education 300 registered voters;~~
- 32 ~~—(C) for the office of state senator 75 registered voters; and~~
- 33 ~~—(D) for the office of state representative 25 registered voters.~~

34 ~~(h) (1) In the year 1992, if new boundary lines are defined and dis-~~
35 ~~tricts established in the manner prescribed by law for the offices of rep-~~
36 ~~resentative in the United States congress, senator and representative in~~
37 ~~the legislature of the state of Kansas, and member of the state board of~~
38 ~~education, on or before June 12, 1992, the deadline for filing nomination~~
39 ~~petitions and declarations of intention to become a candidate for such~~
40 ~~office, accompanied by the fee required by law, shall be June 24, 1992.~~

41 ~~—(2) In the year 1992, if new boundary lines are defined and districts~~
42 ~~established in the manner prescribed by law for the offices of represen-~~
43 ~~tative in the United States congress, senator and representative in the~~

1 legislature of the state of Kansas, and member of the state board of ed-
 2 ucation, on or after June 13, 1992, the deadline for filing nomination
 3 petitions and declarations of intention to become a candidate for such
 4 office, accompanied by the fee required by law, shall be July 14, 1992.

5 Sec. 2. K.S.A. 25-302a is hereby amended to read as follows: 25-
 6 302a. Any political party seeking official recognition in this state ~~after the~~
 7 ~~effective date of this act~~ shall file in its behalf, not later than 12:00 noon,
 8 June 1, prior to the primary election held on the first Tuesday of August
 9 in even-numbered years, or if such date falls on a Saturday, Sunday or a
 10 holiday, then before 12:00 noon of the next following day that is not a
 11 Saturday, Sunday or a holiday petitions signed by qualified electors equal
 12 in number to at least 2% of the total vote cast for all candidates for the
 13 office of governor in the state in the last preceding general election. Such
 14 petitions shall declare support for the official recognition of a political
 15 party, the name of which shall be stated in the declaration. No political
 16 party seeking official recognition shall assume a name or designation
 17 which is similar, in the opinion of the secretary of state, to that of an
 18 existing party as to confuse or mislead the voters at an election.

19 Petitions seeking official recognition of a political party shall be sub-
 20 stantially in the following form:

21 PETITION SEEKING THE OFFICIAL RECOGNITION OF
 22 THE _____ PARTY IN THE STATE OF KANSAS

23 I, the undersigned, hereby declare my support for the official recognition of the
 24 _____ Party.

25 I have personally signed this petition; I am a registered elector of the state of Kansas and
 26 the County of _____, and my residence address is correctly written after my name.

27 NAME OF SIGNER ADDRESS AS REGISTERED CITY DATE OF SIGNING

28 Appended to each petition page or set of pages shall be an affidavit by
 29 the circulator of the petition affirming that such circulator is a ~~duly reg-~~
 30 ~~istered voter of the county in which the petition was circulated~~ *resident*
 31 *of the state of Kansas* and that the circulator personally witnessed the
 32 signing of the petition by each person whose name appears thereon. The
 33 affidavit shall be executed before a person authorized to administer oaths
 34 and include the address of the circulator.

35 Each page of such petition shall bear the names of registered voters of
 36 a single county. All petitions shall be grouped according to the county in
 37 which each was circulated before being filed with the secretary of state.
 38 All such petitions shall be filed at one time. Any related petitions pre-
 39 sented thereafter ~~will~~ *shall* be deemed to be separate and not a part of
 40 earlier filings. County election officers shall cooperate with the secretary
 41 of state in verifying the sufficiency of these petitions as required by law.

42 The secretary of state shall transmit such petitions to the county elec-
 43 tion officer of each county for which petitions were presented to be ex-

1 amined for sufficiency pursuant to the provisions of K.S.A. 25-3601 *et*
2 *seq.*, and amendments thereto, and applicable regulations. Not more than
3 20 days following receipt of such petitions from the secretary of state, the
4 county election officer shall return these documents to the secretary of
5 state certifying the number of sufficient signatures thereon. The secretary
6 of state shall gather all petitions and determine whether a sufficient num-
7 ber of signatures was submitted. The secretary of state *immediately* shall
8 ~~forthwith~~ notify the person who submitted the declaration of intent to
9 circulate such petitions of the sufficiency or insufficiency of the number
10 of signatures.

11 Sec. 3. K.S.A. 25-303 is hereby amended to read as follows: 25-303.
12 (a) This section shall not apply to city and school elections, nor to election
13 of other officers provided by law to be elected in April.

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

18 Independent nominations of candidates for any office to be filled by
19 the voters of the state at large may be made by nomination petitions
20 signed by not less than 5,000 qualified voters for each candidate and in
21 the case of governor and lieutenant governor for each pair of such can-
22 didates.

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

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

38 (e) The signatures to such nomination petitions need not all be ap-
39 pended to one paper, but each registered voter signing an independent
40 certificate of nomination shall add to the signature such petitioner's place
41 of residence and post office address. All signers of each separate nomi-
42 nation petition shall reside in the same county and election district of the
43 office sought. The affidavit of ~~a qualified elector who resides in such~~

1 ~~county and election district or of~~ the candidate *or a petition circulator*
2 *who is a resident of the state of Kansas* shall be appended to each petition
3 and shall contain, at the end of each set of documents carried by each
4 circulator, a verification, signed by the circulator, to the effect that such
5 circulator personally witnessed the signing of the petition by each person
6 whose name appears thereon. ~~The person making such affidavit shall be~~
7 ~~duly registered to vote.~~

8 (f) No such nomination paper shall contain the name of a candidate
9 for governor without in the same such paper containing the name of a
10 candidate for lieutenant governor, and if it does it shall be void.

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

14 Sec. 4. K.S.A. 25-1122 is hereby amended to read as follows: 25-
15 1122. (a) Any registered voter may file with the county election officer
16 where such person is a resident, or where such person is authorized by
17 law to vote as a former precinct resident, an application for an advance
18 voting ballot. The signed application shall be transmitted only to the
19 county election officer by personal delivery, mail, facsimile or as otherwise
20 provided by law.

21 (b) Applications for advance voting ballots to be transmitted to the
22 voter by mail shall be filed only at the following times:

23 (1) For the primary election occurring on the first Tuesday in August
24 in even-numbered years, between April 1 of such year and the last busi-
25 ness day of the week preceding such primary election.

26 (2) For the general election occurring on the Tuesday succeeding the
27 first Monday in November in even-numbered years, between 90 days
28 prior to such election and the last business day of the week preceding
29 such general election.

30 (3) For the primary election held five weeks preceding the first Tues-
31 day in April, between January 1 of the year of such election and the last
32 business day of the week preceding such primary election.

33 (4) For the general election occurring on the first Tuesday in April,
34 between January 1 of the year of such election and the last business day
35 of the week preceding such general election.

36 (5) For question submitted elections occurring on the date of a pri-
37 mary or general election, the same as is provided for ballots for election
38 of officers at such election.

39 (6) For question submitted elections not occurring on the date of a
40 primary or general election, between the time of the first published notice
41 thereof and the last business day of the week preceding such question
42 submitted election, except that if the question submitted election is held
43 on a day other than a Tuesday, the county election officer shall determine

1 the final date for mailing of advance voting ballots, but such date shall
2 not be more than three business days before such election.

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

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

8 The county election officer of any county may receive applications prior
9 to the time specified in this subsection (b) and hold such applications
10 until the beginning of the prescribed application period. Such applications
11 shall be treated as filed on that date.

12 (c) Unless an earlier date is designated by the county election office,
13 applications for advance voting ballots transmitted to the voter in person
14 in the office of the county election officer shall be filed on the Tuesday
15 next preceding the election and on each subsequent business day until
16 no later than 12:00 noon on the day preceding such election. If the county
17 election officer so provides, applications for advance voting ballots trans-
18 mitted to the voter in person in the office of the county election officer
19 also may be filed on the Saturday preceding the election. Upon receipt
20 of any such properly executed application, the county election officer shall
21 deliver to the voter such ballots and instructions as are provided for in
22 this act.

23 In any county having a population exceeding 250,000, the county elec-
24 tion officer may designate places other than the central county election
25 office as satellite advance voting sites. At any satellite advance voting site,
26 a registered voter may obtain an application for advance voting ballots,
27 such ballots and instructions shall be delivered to the voter in the same
28 manner and subject to the same limitations as otherwise provided by this
29 subsection.

30 (d) Any person having a permanent physical disability or an illness
31 which has been diagnosed as a permanent illness is hereby authorized to
32 make an application for permanent advance voting status. Applications
33 for permanent advance voting status shall be in the form and contain such
34 information as is required for application for advance voting ballots and
35 also shall contain information which establishes the voter's right to per-
36 manent advance voting status.

37 (e) On receipt of any application filed under the provisions of this
38 section, the county election officer shall prepare and maintain in such
39 officer's office a list of the names of all persons who have filed such
40 applications, together with their correct post office address and the pre-
41 cinct, ward, township or voting area in which such persons claim to be
42 registered voters or to be authorized by law to vote as former precinct
43 residents and the present resident address of each applicant. Such names

1 and addresses shall remain so listed until the day of such election. The
2 county election officer shall maintain a separate listing of the names and
3 addresses of persons qualifying for permanent advance voting status. All
4 such lists shall be available for inspection upon request in compliance
5 with this subsection by any registered voter during regular business hours.
6 The county election officer upon receipt of such applications shall enter
7 upon a record kept by such officer the name and address of each appli-
8 cant, which record shall conform to the list above required. Before in-
9 spection of any advance voting ballot application list, the person desiring
10 to make such inspection shall provide to the county election officer iden-
11 tification in the form of driver's license or other reliable identification and
12 shall sign a log book or application form maintained by such officer stating
13 such person's name and address and showing the date and time of in-
14 spection. All records made by the county election officer shall be subject
15 to public inspection, except that the identifying number on ballots and
16 ballot envelopes and records of such number shall not be made public.

17 *(f) If a person on the permanent advance voting list fails to vote in*
18 *two consecutive general elections held on the Tuesday succeeding the first*
19 *Monday in November of each even-numbered year, the county election*
20 *officer may mail a notice to such voter informing the voter that the voter's*
21 *name shall be removed from the permanent advance voting list unless the*
22 *voter renews the application for permanent advance voting status within*
23 *30 days after the notice is mailed. If the voter fails to renew such appli-*
24 *cation, the county election officer shall remove the voter's name from the*
25 *permanent advance voting list. Failure to renew the application for per-*
26 *manent advance voting status shall not result in removal of the voter's*
27 *name from the voter registration list.*

28 Sec. 5. K.S.A. 25-2309 is hereby amended to read as follows: 25-
29 2309. (a) Any person may apply in person, by mail, through a voter reg-
30 istration agency, or by other delivery to a county election officer to be
31 32 registered. Such application shall be made on: (1) A form approved by
32 33 the secretary of state, which shall be provided by a county election officer
33 34 or chief state election official upon request in person, by telephone or in
34 35 writing; or (2) the mail voter registration application prescribed by the
35 36 federal election commission. Such application shall be signed by the ap-
36 37 plicant under penalty of perjury and shall contain the original signature
37 38 of the applicant or the computerized, electronic or digitized transmitted
38 39 signature of the applicant.

39 (b) Applications made under this section shall give voter eligibility
40 41 requirements and such information as is necessary to identify the appli-
41 42 cant and to determine the qualifications of the applicant as an elector and
42 43 the facts authorizing such person to be registered, including, but not
43 limited to, the following data:

- 1 (1) Name;
- 2 (2) place of residence, including specific address or location, and
- 3 mailing address if the residence address is not a permissible postal ad-
- 4 dress;
- 5 (3) date of birth;
- 6 (4) sex;
- 7 (5) telephone number, if available;
- 8 (6) naturalization data (, if applicable);
- 9 (7) if applicant ~~has~~ previously *has* registered or voted elsewhere, res-
- 10 idence at time of last registration or voting;
- 11 (8) when present residence established;
- 12 (9) name under which applicant last registered or voted, if different
- 13 from present name;
- 14 (10) an attestation that the applicant meets each eligibility require-
- 15 ment;
- 16 (11) a statement that the penalty for submission of a false voter reg-
- 17 istration application is a maximum presumptive sentence of 17 months in
- 18 prison;
- 19 (12) a statement that, if an applicant declines to register to vote, the
- 20 fact that the applicant has declined to register will remain confidential
- 21 and will be used only for voter registration purposes;
- 22 (13) a statement that if an applicant does register to vote, the office
- 23 to which a voter registration application is submitted will remain confi-
- 24 dential and will be used only for voter registration purposes; and
- 25 (14) political party affiliation declaration, if any. ~~An applicant's failure~~
- 26 ~~to make a declaration will result in the applicant being registered as an~~
- 27 ~~unaffiliated voter.~~
- 28 *If an applicant fails to make a declaration of political party affiliation,*
- 29 *the applicant shall be registered as an unaffiliated voter.*
- 30 If the application discloses any previous registration in any other county
- 31 or state, as indicated by paragraph (7) or (9), or otherwise, the county
- 32 election officer ~~shall~~, upon the registration of the applicant, *shall* give
- 33 notice to the election official of the place of former registration, notifying
- 34 such official of applicant's present residence and registration, and au-
- 35 thORIZING cancellation of such former registration.
- 36 (c) Any person who applies for registration through a voter registra-
- 37 tion agency shall be provided with, in addition to the application under
- 38 subsection (b), a form which includes:
- 39 (1) The question "If you are not registered to vote where you live
- 40 now, would you like to apply to register to vote here today?";
- 41 (2) a statement that if the applicant declines to register to vote, this
- 42 decision will remain confidential and be used only for voter registration
- 43 purposes;

1 (3) a statement that if the applicant does register to vote, information
2 regarding the office to which the application was submitted will remain
3 confidential and be used only for voter registration purposes; and

4 (4) if the agency provides public assistance, (i) the statement “Apply-
5 ing to register or declining to register to vote will not affect the amount
6 of assistance that you will be provided by this agency.”;

7 (ii) boxes for the applicant to check to indicate whether the applicant
8 would like to register or declines to register to vote, together with the
9 statement “IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE
10 CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO
11 VOTE AT THIS TIME.”;

12 (iii) the statement “If you would like help in filling out the voter
13 registration application form, we will help you. The decision whether to
14 seek or accept help is yours. You may fill out the application form in
15 private.”; and

16 (iv) the statement “If you believe that someone has interfered with
17 your right to register or to decline to register to vote, your right to privacy
18 in deciding whether to register or in applying to register to vote, or your
19 right to choose your own political party or other political preference, you
20 may file a complaint with the Kansas Secretary of State.”

21 (d) If any person, in writing, declines to register to vote, the voter
22 registration agency shall maintain the form prescribed by subsection (c).

23 (e) A voter registration agency shall transmit the completed registra-
24 tion application to the county election officer not later than five days after
25 the date of acceptance. Upon receipt of an application for registration,
26 the county election officer shall send, by nonforwardable mail, a notice
27 of disposition of the application to the applicant at the postal delivery
28 address shown on the application. If a notice of disposition is returned as
29 undeliverable, a confirmation mailing prescribed by K.S.A. 25-2316c, and
30 amendments thereto, shall occur.

31 (f) If an application is received while registration is closed, such ap-
32 plication shall be considered to have been received on the next following
33 day during which registration is open.

34 (g) A person who completes an application for voter registration shall
35 be considered a registered voter when the county election officer adds
36 the applicant’s name to the county voter registration list.

37 (h) Any registered voter whose residence address is not a permissible
38 postal delivery address shall designate a postal address for registration
39 records. When a county election officer has reason to believe that a voter’s
40 registration residence is not a permissible postal delivery address, the
41 county election officer shall attempt to determine a proper mailing ad-
42 dress for the voter.

43 (i) *Any registered voter may request that such person’s residence ad-*

1 *dress be concealed from public inspection on the voter registration list*
 2 *and on the original voter registration application form. Such request shall*
 3 *be made in writing to the county election officer, and shall specify that*
 4 *disclosure of the address is clearly an unwarranted invasion of personal*
 5 *privacy or a threat to the voter's safety. Upon receipt of such a request,*
 6 *the county election officer shall take appropriate steps to ensure that such*
 7 *person's residence address is not publicly disclosed.*

8 (j) *The provisions of subsection (i) shall expire on July 1, 2006, unless*
 9 *the legislature acts to reenact such provision. The provisions of subsection*
 10 *(i) shall be reviewed by the legislature prior to July 1, 2006.*

11 Sec. 6. K.S.A. 25-3602 is hereby amended to read as follows: 25-
 12 3602. (a) Each petition shall consist of one or more documents pertaining
 13 to a single issue or proposition under one distinctive title. The documents
 14 shall be filed with the county election officer or other official, if another
 15 official is designated in the applicable statutes. The filing shall be made
 16 at one time all in one group. Later or successive filings of documents
 17 relating to the same issue or proposition shall be deemed to be separate
 18 petitions and not a part of any earlier or later filing.

19 (b) Each petition shall, unless otherwise specifically required: (1)
 20 State the question which petitioners seek to bring to an election in the
 21 form of a question as it should appear upon the ballot in accordance with
 22 the requirements of K.S.A. 25-620, and amendments thereto;

23 (2) name the taxing subdivision or other political subdivision in which
 24 an election is sought to be held;

25 (3) contain the following recital above the spaces provided for sig-
 26 natures: "I have personally signed this petition. I am a registered elector
 27 of the state of Kansas and of

28
 29 here insert name of political or taxing subdivision)
 30 and my residence address is correctly written after my name."

31 The recital shall be followed by blank spaces for the signature, resi-
 32 dence address and date of signing for each person signing the petition.

33 When petitioners are required by law to possess qualifications in ad-
 34 dition to being registered electors, the form of the petition shall be
 35 amended to contain a recital specifying the additional qualifications re-
 36 quired and stating that the petitioners possess the qualifications; and

37 (4) contain the following recital, at the end of each set of documents
 38 carried by each circulator: "I am the circulator of this petition *and a*
 39 *resident of the state of Kansas.* I have personally witnessed the signing of
 40 the petition by each person whose name appears thereon." ~~I am a resident~~
 41 ~~and a registered elector of the state of Kansas and of~~

42
 43 (here insert name of political or taxing subdivision)

1 ~~the political or taxing subdivision in which the election is sought to be~~
 2 ~~held.~~

3 _____
 4 (Signature of circulator)

5 _____
 6 (Circulator's residence address)

7 The recital of the circulator of each petition shall be verified upon oath
 8 or affirmation before a notarial officer in the manner prescribed by K.S.A.
 9 53-501, *et. seq.* and amendments thereto.

10 (c) Any person who has signed a petition who desires to withdraw
 11 such person's name may do so by giving written notice to the county
 12 election officer or other designated official not later than the third day
 13 following the date upon which the petition is filed.

14 (d) Any petition shall be null and void unless submitted to the county
 15 election officer or other designated official within 180 days of the date of
 16 the first signature on the petition.

17 (e) Unless the governing body of the political or taxing subdivision in
 18 which the election is sought to be held authorizes a special election, all
 19 elections which are called as a result of the filing of a sufficient petition
 20 shall be held at the next succeeding primary or general election as defined
 21 by K.S.A. 25-2502, and amendments thereto, in which the political or
 22 taxing subdivision is participating.

23 (f) When a petition requires signatures equal in number to a per-
 24 centage of the total number of registered voters, such percentage shall
 25 be based on the most recent number of registered voters as certified to
 26 the office of the secretary of state pursuant to subsection (f) of K.S.A. 25-
 27 2311, and amendments thereto.

28 Sec. 7. K.S.A. 25-4306 is hereby amended to read as follows: 25-
 29 4306. The application under K.S.A. 25-4305 shall include (a) the name
 30 and office of the person sought to be recalled, (b) the grounds for recall
 31 described in particular in not more than ~~two hundred (200)~~ 200 words,
 32 (c) a statement that the sponsors are ~~registered electors~~ *residents of the*
 33 *state of Kansas* who signed the application with the statement of grounds
 34 for recall attached, (d) the designation of a recall committee of three
 35 sponsors who shall represent all sponsors and subscribers in matters re-
 36 lating to the recall, (e) the designation of at least ~~one hundred (100)~~
 37 ~~registered electors~~ *100 residents of the state of Kansas* who subscribe to
 38 the application as sponsors for purposes of circulation, and (f) the sig-
 39 natures and addresses of registered electors in the state or election district
 40 of the state officer sought to be recalled equal in number to not less than
 41 ~~ten percent (10%)~~ *10%* of the votes cast for the office of the officer sought
 42 to be recalled in the last general election at which a person was elected
 43 to such office.

1 Sec. 8. K.S.A. 25-4310 is hereby amended to read as follows: 25-
 2 4310. The petitions may be circulated only by a sponsor who is a ~~regis-~~
 3 ~~tered elector in the county in which the sponsor circulates the petition~~
 4 *resident of the state of Kansas* and only in person throughout the state or
 5 election district of the state officer sought to be recalled. No copy of a
 6 petition shall be circulated in more than one county, and the county elec-
 7 tion officer of the county in which each petition is circulated shall certify
 8 to the secretary of state the sufficiency of the signatures on the petition.
 9 Any registered elector of such election district or of the state, as the case
 10 may be, may subscribe to the petition by signing the elector's name and
 11 address as the same appears on the voter registration books. A person
 12 who has signed the petition may withdraw such person's name only by
 13 giving written notice to the secretary of state before the date the petition
 14 is filed. The necessary signatures on a petition shall be secured within 90
 15 days from the date that the petitions prepared by the secretary of state
 16 pursuant to K.S.A. 25-4309, and amendments thereto, are delivered to
 17 the recall committee. The petition shall be signed only in ink. Illegible
 18 signatures unless accompanied by a legible printed name may be rejected
 19 by the secretary of state or by any county election officer assisting the
 20 secretary of state.

21 Sec. 9. K.S.A. 25-4320 is hereby amended to read as follows: 25-
 22 4320. (a) Each petition for recall of a local officer shall include: (1) The
 23 name and office of the local officer sought to be recalled; (2) the grounds
 24 for recall described in particular in not more than 200 words; (3) a state-
 25 ment that the ~~petitioners~~ *petition signers* are registered electors of the
 26 election district of the local officer sought to be recalled; (4) the names
 27 and addresses of three registered electors of the election district of the
 28 officer sought to be recalled who shall comprise the recall committee; (5)
 29 the statement of warning required in K.S.A. 25-4321, and amendments
 30 thereto; and (6) a statement that a list of all sponsors authorized to cir-
 31 culate recall petitions for such recall may be examined in the office of the
 32 county election officer where the petition is required to be filed. Each
 33 sponsor shall be a ~~registered elector of the election district of the local~~
 34 ~~officer sought to be recalled and of the county in which such sponsor~~
 35 ~~circulates the petition~~ *resident of the state of Kansas*.

36 (b) Each page of a petition for recall of a local officer shall be in
 37 substantially the following form:

38 I, the undersigned, hereby seek the recall of _____
 39 from the office of _____, on the ground(s)
 40 that _____,

41 (state specific grounds)

42 and declare that I am a registered elector of _____County, Kansas, and of the
 43 election district of the officer named above.

1 2 3	Street Number or RR (as Registered)	Name of City	Date of Signing
4 5	_____	_____	_____

- 6 NOTE:
- 7 1. It is a class B misdemeanor to sign a name other than your own name to this petition,
8 to knowingly sign more than once for the recall of the same officer at the same election
9 or to sign this petition knowing you are not a registered elector.
- 10 2. The following comprise the recall committee:
11 (names and resident addresses)
- 12 3. A list of all sponsors authorized to circulate petitions for this recall may be examined
13 in the office of the _____ County election officer.
- 14 (c) A county election officer shall provide a sample of the form pre-
15 scribed by subsection (b) upon request by any person.
- 16 (d) The affidavit required by K.S.A. 25-4325, and amendments
17 thereto, shall be appended to each petition for recall of a local officer.
- 18 Sec. 10. K.S.A. 25-205, 25-302a, 25-303, 25-1122, 25-2309, 25-3602,
19 25-4306, 25-4310 and 25-4320 are hereby repealed.
- 20 Sec. 11. This act shall take effect and be in force from and after its
21 publication in the statute book.

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