

HOUSE BILL No. 2629

By Representative Swenson

1-28

AN ACT concerning the presidential primary; pertaining to the date thereof; amending K.S.A. 25-4502 and K.S.A. 2003 Supp. 25-4501 and repealing the existing sections.

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

Section 1. K.S.A. 2003 Supp. 25-4501 is hereby amended to read as follows: 25-4501. ~~(a) Subject to the provisions of this section,~~ There shall be held a presidential preference primary election *on the third Tuesday in January* in the year 2008, and every fourth year thereafter.

~~(b) On or before November 1, 2007, and on or before November 1 every fourth year thereafter, the secretary of state shall certify to the governor, to the chief clerk of the house of representatives and to the secretary of the senate a common date in the next succeeding year on which at least five other states will hold a presidential preference primary election, a delegate or mass convention or a caucus of qualified voters at which delegates to a national convention are selected. On or before each such date, if the secretary of state determines that there is no common date on which at least five states are conducting such a selection process in the next succeeding year, the secretary of state shall certify to the governor, the chief clerk of the house of representatives and the secretary of the senate on a date, which shall be on or before the first Tuesday in April of the next following year, on which the presidential preference primary election shall be held.~~

~~(c) The date certified by the secretary of state pursuant to subsection (b) shall be the date on which the presidential preference primary election authorized by subsection (a) shall be held in the state of Kansas.~~

Sec. 2. K.S.A. 25-4502 is hereby amended to read as follows: 25-4502. (a) Every registered elector who has declared such elector's party affiliation with a political party eligible to participate in a state primary election shall have the opportunity to vote one vote at a presidential preference primary election for such elector's preference for one person to be the candidate for nomination by such candidate's party for president of the United States or for "none of the names shown." Any registered elector who has not declared such candidate's party affiliation prior to the election may make such a declaration at the polling place, and thereupon

1 shall be permitted likewise the opportunity to vote one vote at the pres-
2 idential preference primary. A vote for “none of the names shown” shall
3 express the preference for an uncommitted delegation from Kansas to
4 the national convention of that elector’s party. Preference shall be indi-
5 cated by marking with a cross or check mark inside a voting square on
6 the ballot at the left of the voter’s choice, or by voting by using a voting
7 machine.

8 (b) The name of any candidate for a political party nomination for
9 president of the United States shall be printed on the ballots only if, not
10 later than twelve o’clock noon, ~~February~~ *November* 12 prior to the pres-
11 idential preference primary or, if such date falls on Saturday, Sunday or
12 a holiday, not later than twelve o’clock noon the following day that is not
13 a Saturday, Sunday or holiday:

14 (1) The candidate files with the secretary of state a declaration of
15 intent to become a candidate accompanied by a fee of \$100; or

16 (2) there is filed in the office of secretary of state a petition in the
17 form prescribed by K.S.A. 25-205, and amendments thereto, signed by
18 not less than 1,000 registered electors, who are affiliated with the political
19 party of such candidate as shown by the party affiliation list. The secretary
20 of state shall determine the sufficiency of each such petition, and such
21 determination shall be final.

22 Sec. 3. K.S.A. 25-4502 and K.S.A. 2003 Supp. 25-4501 are hereby
23 repealed.

24 Sec. 4. This act shall take effect and be in force from and after its
25 publication in the statute book.

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