

HOUSE BILL No. 2357

By Committee on Elections and Governmental Organization

2-2

9 AN ACT concerning counties; relating to the office of election commis-
10 sioner; amending K.S.A. 19-3419 and repealing the existing section.

11

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

13 Section 1. K.S.A. 19-3419 is hereby amended to read as follows: 19-
14 3419. (a) In counties of this state having a population exceeding 130,000,
15 there shall be an office of commissioner of elections, which shall be ad-
16 ministered by an election commissioner. The election commissioner shall
17 be appointed by the secretary of state and shall hold office for a term of
18 four years and until a successor is appointed and qualified. The secretary
19 of state may remove the election commissioner for official misconduct.
20 Upon occurrence of a vacancy in the office of county election commis-
21 sioner, the secretary of state shall appoint a successor. If the vacancy
22 occurs before the expiration of a term of office, the appointment shall be
23 for the unexpired term. Such election commissioner shall have been a
24 qualified elector and a resident of the county at least two years prior to
25 appointment. Within 10 days after receiving official notice of the appoint-
26 ment and before entering upon the duties of the office, the election com-
27 missioner shall take, subscribe and cause to be filed in the office of the
28 secretary of state an oath of office for the faithful discharge of official
29 duties.

30 (b) *The board of county commissioners of any county not covered by*
31 *subsection (a) may create the office of commissioner of elections by pas-*
32 *sage of a resolution in the same manner as the passage of a charter res-*
33 *olution under provisions of K.S.A. 19-101b, and amendments thereto.*

34 *The board may appoint an election commissioner after the 60-day wait-*
35 *ing period for the resolution to become effective has expired or upon*
36 *approval of the majority of the electorate voting on the issue if a protest*
37 *petition requiring an election is filed or if the board decides to submit the*
38 *resolution to a referendum on its own motion.*

39 *An election commissioner appointed by the board shall serve a four-*
40 *year term and may be removed only for cause.*

41 *Within 10 days after appointment and before entering upon the duties*
42 *of the office, the election commissioner shall take, subscribe and cause to*
43 *be filed in the office of the secretary of state an oath of office for the*

1 *faithful discharge of official duties.*

2 Sec. 2. K.S.A. 19-3419 is hereby repealed.

3 Sec. 3. This act shall take effect and be in force from and after its

4 publication in the statute book.