

HOUSE BILL No. 2853

By Committee on Elections and Governmental Organization

2-13

9 AN ACT concerning gambling; authorizing an election on electronic
10 gaming machines in Sedgwick county.

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

13 Section 1. (a) The board of county commissioners of Sedgwick
14 county may submit by resolution, and shall submit upon presentation of
15 a petition filed in accordance with subsection (b), to the qualified voters
16 of the county a proposition to permit the operation of electronic gaming
17 machines at an existing parimutuel racetrack within that county. The
18 proposition shall be submitted to the voters at the next general election,
19 as shall be specified by the board of county commissioners or in the
20 petition, as the case may be.

21 (b) A petition to submit a proposition to the qualified voters of a
22 county pursuant to this section shall be filed with the county election
23 officer. The petition shall be signed by qualified voters of the county equal
24 in number to not less than 5% of the voters of the county who voted for
25 the office of secretary of state at the last preceding general election at
26 which such office was elected. The following shall appear on the petition:
27 “We request an election to determine whether the operation of electronic
28 gaming machines or lottery facility games at parimutuel racetrack facilities
29 by the Kansas lottery shall be permitted in Sedgwick county.”

30 (c) Upon the adoption of a resolution or the submission of a valid
31 petition calling for an election pursuant to this section, the county election
32 officer shall cause the following proposition to be placed on the ballot at
33 the election called for that purpose: “Shall the operation of electronic
34 gaming machines at parimutuel racetrack facilities by the Kansas lottery
35 be permitted in Sedgwick county?”

36 (d) If a majority of the votes cast and counted at such election is in
37 favor of permitting the operation of such machines, the executive director
38 may enter into a contract with the parimutuel racetrack facility licensee
39 in Sedgwick county to operate such machines at its existing location in
40 the county. If a majority of the votes cast and counted at an election under
41 this section is against permitting the operation of electronic gaming ma-
42 chines in the county, the Kansas lottery shall not operate such machines
43 in the county. The county election officer shall transmit a copy of the

1 certification of the results of the election to the executive director and to
2 the Kansas racing and gaming commission.

3 (e) The election provided for by this section shall be conducted, and
4 the votes counted and canvassed, in the manner provided by law for
5 question submitted elections of the county.

6 (f) If in any election provided for by this section a majority of the
7 votes cast and counted is against the proposition permitting the operation
8 of electronic gaming machines in the county, another election submitting
9 the same proposition shall not be held after the date of such election.

10 Sec. 2. This act shall be a part of and supplemental to the Kansas
11 expanded lottery act.

12 Sec. 3. This act shall take effect and be in force from and after its
13 publication in the Kansas register.