

As Amended by House Committee

Session of 2008

HOUSE BILL No. 2973

By Committee on Federal and State Affairs

3-18

10 AN ACT concerning elections; relating to certain primary elections;
11 amending K.S.A. 25-2021, 25-2108a and 71-1415 and repealing the
12 existing sections.
13

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

15 Section 1. K.S.A. 25-2021 is hereby amended to read as follows: 25-
16 2021. ~~(a) In school districts in which a member district method of election~~
17 ~~is in effect, if there are more than two (2) qualified candidates for one~~
18 ~~(1) member position in any member district, the county election officer~~
19 ~~shall call, and there shall be held, a primary election in each such member~~
20 ~~district and, if there are more than two (2) qualified candidates for the~~
21 ~~at large member position, the county election officer shall call, and there~~
22 ~~shall be held, a primary election in such school district. The names of the~~
23 ~~two (2) candidates receiving the greatest number of votes for any member~~
24 ~~position at the primary election shall appear on the ballots in the general~~
25 ~~election.~~

26 ~~—(b)— In school districts having the election at large method, if there~~
27 ~~are more than two (2) times the number of candidates as there are board~~
28 ~~members to be elected, the county election officer shall call, and there~~
29 ~~shall be held, a primary election. The names of twice the number of~~
30 ~~candidates as there are board members to be elected who received the~~
31 ~~greatest number of votes at the primary election shall appear on the bal-~~
32 ~~lots in the general election.~~

33 ~~—(c)— If a member is to be elected to fill an unexpired term the rules~~
34 ~~in this section shall be modified consistent with the provisions of this~~
35 ~~subsection. If there are more than two (2) candidates for such unexpired~~
36 ~~term, the county election officer shall call and there shall be held, a pri-~~
37 ~~mary election. The names of the two (2) candidates for such unexpired~~
38 ~~term receiving the greatest number of votes shall appear on the ballots~~
39 ~~in the general election.~~

40 ~~—(d)— No ballot in a primary school election shall have either names or~~
41 ~~write in blanks for any board member position unless more than two (2)~~
42 ~~candidates have filed for such position.~~

43 *(a) A primary election shall be held if needed to reduce the*

1 **number of candidates for each office in the general election to no**
 2 **more than three candidates.** *No primary election of school district*
 3 *board members shall be held unless by holding such primary two or more*
 4 *persons will be eliminated as candidates for office. In the event there are*
 5 *not more than three times the number of candidates as there are board*
 6 *members to be elected, the names of the candidates for such office shall*
 7 *not appear on the primary election ballots, and there shall be no primary*
 8 *election for such office, but the names of such candidates shall be placed*
 9 *on the general school board election ballot.*

10 ~~(c)~~ (b) On the ballots in general school elections, blank lines for the
 11 name of write-in candidates shall be printed at the end of the list of
 12 candidates for each different office equal to the number to be elected
 13 thereto. The purpose of such blank lines shall be to permit the voter to
 14 insert the name of any person not printed on the ballot for whom such
 15 voter desires to vote for such office. No lines for write-in candidates shall
 16 appear on primary school election ballots.

17 Sec. 2. K.S.A. 25-2108a is hereby amended to read as follows: 25-
 18 2108a. (a) There shall be a primary election of city officers on the Tuesday
 19 preceding by five weeks the first Tuesday in April of every year that such
 20 city has a city election, except as otherwise provided in subsection (b) of
 21 this section.

22 (b) **A primary election shall be held if needed to reduce the**
 23 **number of candidates for each office in the general election to no**
 24 **more than three candidates.** No primary election of city officers shall
 25 be held unless by holding such primary ~~one~~ (1) *two* or more persons will
 26 be eliminated as candidates for office. In the event there are not more
 27 than ~~two~~ (2) *three times the number of candidates for any one office as*
 28 *there are officers to be elected, the names of the candidates for such office*
 29 *shall not appear on the primary election ballots, and there shall be no*
 30 *primary election for such office, but the names of such candidates shall*
 31 *be placed on the general city election ballot.*

32 Sec. 3. K.S.A. 71-1415 is hereby amended to read as follows: 71-
 33 1415. ~~(a) In any college district having a district method and in which~~
 34 ~~there are more than two candidates for a member position, the election~~
 35 ~~officer shall call, and there shall be held, a primary election. The names~~
 36 ~~of the two candidates receiving the greatest number of votes for any~~
 37 ~~member position shall appear on the ballots in the general election.~~

38 ~~—(b)—~~ ~~In any college district having the election-at-large method and in~~
 39 ~~which there are more than two times the number of candidates as there~~
 40 ~~are trustees to be elected, the election officer shall call, and there shall~~
 41 ~~be held, a primary election. The names of twice the number of candidates~~
 42 ~~as there are trustees to be elected who receive the greatest number of~~
 43 ~~votes in the primary shall appear on the ballots in the general election.~~

1 (a) **A primary election shall be held if needed to reduce the**
2 **number of candidates for each office in the general election to no**
3 **more than three candidates.** *No primary election of trustees shall be*
4 *held unless by holding such primary two or more persons will be elimi-*
5 *nated as candidates for office. In the event there are not more than three*
6 *times the number of candidates as there are trustees to be elected, the*
7 *names of the candidates for such office shall not appear on the primary*
8 *election ballots, and there shall be no primary election for such office, but*
9 *the names of such candidates shall be placed on the general election ballot*
10 *for the board of trustees.*

11 ~~(a)~~ (b) In the general election, there shall appear on the ballots a line
12 appropriate for write-in candidates. No lines for write-in candidates shall
13 appear on the primary election ballots.

14 Sec. 4. K.S.A. 25-2021, 25-2108a and 71-1415 are hereby repealed.

15 Sec. 5. This act shall take effect and be in force from and after its
16 publication in the statute book.