

SENATE BILL No. 520

By Committee on Elections and Local Government

1-30

9 AN ACT concerning elections; pertaining to the order in which candi-
10 dates names appear on the ballot; amending K.S.A. 25-212 and 25-610
11 and repealing the existing sections.
12

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

14 Section 1. K.S.A. 25-212 is hereby amended to read as follows: 25-
15 212. In case there are nomination petitions or declarations of intention
16 to become a candidate on file for more than one candidate or for more
17 than one pair of candidates for governor and lieutenant governor, of the
18 same party for any national or state office, the secretary of state shall
19 divide the state or appropriate part thereof, into as many divisions as there
20 are names to go on such party ballot for that office. Such divisions shall
21 be as nearly equal in number of members of such party as is convenient
22 without dividing any one county. In making such division the secretary of
23 state shall take the ~~alphabetical~~ list of counties in regular order until the
24 secretary of state gets the required proportion of party members of such
25 party based upon the party affiliation lists as shown by the certificates of
26 the respective county election officers, and so on through the list of coun-
27 ties until the secretary of state gets the proper proportion of party mem-
28 bers in each division. The secretary of state shall also take the ~~alphabetical~~
29 list of candidates or pairs of candidates in regular order and in certifying
30 to the county election officer the list of names for whom nomination
31 petitions or declarations of intent to become a candidate have been filed,
32 shall place one name or pair of candidates at the head of the list in the
33 first division of counties, another in the second division, and so on with
34 all the candidates for any particular office, so that every candidate or pair
35 of candidates for any office shall be at the head of the list in one division
36 of the state and second in another division thereof, and so forth. When,
37 in the case of candidates for the office of congressman, district judge,
38 district magistrate judge, state senator, state representative or state board
39 of education member, the secretary of state finds that the secretary of
40 state cannot get a fair proportion of party members to give each candidate
41 for congressman, district judge, district magistrate judge, state senator,
42 state representative or state board of education member in any given
43 district an equitable or fair opportunity to have the candidate's name first

1 on the ballot in the respective counties of the district, the secretary of
2 state shall order the county election officers in the various counties of the
3 district to rotate the names of the candidates for such district offices
4 according to precinct. If voting machines are used the arrangement of
5 names of candidates or pair of candidates for all offices on the voting
6 machines shall be rotated, as near as may be, according to precinct.

7 The arrangement of the names certified by the secretary of state shall
8 govern the county election officer in arranging the primary election ballot,
9 and the county election officer in preparing the ballot for such officer's
10 county shall follow the same arrangement as provided in this section for
11 the secretary of state, for the candidates nominated for county offices,
12 using the township and precincts of the county in making the division.

13 Sec. 2. K.S.A. 25-610 is hereby amended to read as follows: 25-610.

14 The secretary of state shall furnish to each county election officer forms
15 for ballots in their respective counties. The secretary of state shall prepare
16 a rotation of the different candidates appearing on the official general
17 ballot for the national and state offices for each such office. Such rotation
18 shall be developed and arranged so that each candidate shall have an equal
19 opportunity as near as practicable for the respective offices to which they
20 are nominated. In case there is more than one candidate for any national
21 or state office, the secretary of state shall divide the state or part thereof,
22 into as many divisions as there are names to go on the ballot for each
23 particular office. In making such division the secretary of state shall di-
24 vide, in regular order, the ~~alphabetical~~ list of counties into the required
25 number of divisions, in such a manner that all divisions are as nearly equal
26 as convenient in the number of registered voters in such division as com-
27 piled by the office of the secretary of state. The secretary of state, in
28 certifying the list of names of candidates to the county election officers,
29 shall assign, in regular order from the ~~alphabetical~~ list of candidates for
30 each office, the ballot position for each candidate in such a manner that
31 every candidate for any office shall occupy a different ballot position in
32 each division. When, in the case of candidates for national or state offices
33 elected on less than a statewide basis, the secretary of state finds it im-
34 possible to make a division which allows each such candidate in any given
35 district an equitable or fair opportunity to have such candidate's name
36 first on the ballot in the respective counties of the district, the secretary
37 of state shall order the county election officers in the various counties of
38 the district to rotate the names of the candidates for such district offices
39 according to precinct to obtain an equitable division. The names of can-
40 didates for the same office but for different terms of service therein shall
41 be arranged in groups according to the length of their respective terms.

42 In the case of the governor and lieutenant governor running together,
43 when the word "candidate" is used in this section, it shall mean pair of

1 candidates.

2 Sec. 3. K.S.A. 25-212 and 25-610 are hereby repealed.

3 Sec. 4. This act shall take effect and be in force from and after its

4 publication in the statute book.