

As Amended by Senate Committee

Session of 2011

SENATE BILL No. 130

By Committee on Ethics and Elections

2-7

1 AN ACT concerning elections; amending K.S.A. 2010 Supp. 25-205
2 and repealing the existing section.
3

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

5 Section 1. K.S.A. 2010 Supp. 25-205 is hereby amended to read as
6 follows: 25-205. (a) Except as otherwise provided in this section, the
7 names of candidates for national, state, county and township offices
8 shall be printed upon the official primary ballot when each shall have
9 qualified to become a candidate by one of the following methods and
10 none other: (1) They shall have had filed in their behalf, not later than
11 ~~12:00/2~~ noon, June 10, prior to such primary election, or if such date
12 falls on Saturday, Sunday or a holiday, then before ~~12:00/2~~ noon of the
13 next following day that is not a Saturday, Sunday or a holiday,
14 nomination petitions, as provided for in this act, ~~except that in 1998,~~
15 ~~candidates for judge or district magistrate judge of the district court for~~
16 ~~positions created in 1998 in those judicial districts that have not~~
17 ~~approved the proposition of nonpartisan selection of judges of the~~
18 ~~district court shall have filed in their behalf, not later than 12:00 noon,~~
19 ~~July 1, 1998, nomination petitions, as provided for in this act;~~ or (2)
20 they shall have filed not later than the time for filing nomination
21 petitions, as above provided, with the proper officer a declaration of
22 intention to become a candidate, accompanied by the fee required by
23 law. Such declaration shall be prescribed by the secretary of state.

24 (b) Nomination petitions shall be in substantially the following
25 form:

26 I, the undersigned, an elector of the county of _____, and
27 state of Kansas, and a duly registered voter, and a member of
28 _____ party, hereby nominate _____, who
29 resides in the township of _____ (or at number _____ on
30 _____ street, city of _____), in the county of
31 _____ and state of Kansas, as a candidate for the office of
32 (here specify the office) _____, to be voted for at the
33 primary election to be held on the first Tuesday in August in

1 _____, as representing the principles of such party; and I
2 further declare that I intend to support the candidate herein named and
3 that I have not signed and will not sign any nomination petition for any
4 other person, for such office at such primary election.

5 (HEADING)

6 Name of	Street Number	Name of	Date of
7 Signers.	or Rural Route	City.	Signing.
	(as registered).		

8
9 All nomination petitions shall have substantially the foregoing form,
10 written or printed at the top thereof. No signature shall be counted
11 unless it is upon a sheet having such written or printed form at the top
12 thereof.

13 (c) Each signer of a nomination petition shall sign but one such
14 petition for the same office, and shall declare that such person intends
15 to support the candidate therein named, and shall add to such person's
16 signature and residence, if in a city, by street and number (if any); or,
17 otherwise by post-office address. No signature shall be counted unless
18 the place of residence of the signer is clearly indicated and the date of
19 signing given as herein required and if ditto marks are used to indicate
20 address they shall be continuous and clearly made. Such sheets shall
21 not be cut or pasted together.

22 (d) All signers of each separate nomination petition shall reside in
23 the same county and election district of the office sought. The affidavit
24 described in this paragraph of a petition circulator who is a resident of
25 the state of Kansas and has the qualifications of an elector in the state
26 of Kansas or of the candidate shall be appended to each petition and
27 shall contain, at the end of each set of documents carried by each
28 circulator, a verification, signed by the circulator or the candidate, to
29 the effect that such circulator or the candidate personally witnessed the
30 signing of the petition by each person whose name appears thereon.

31 (e) Except as otherwise provided in subsection (g), nomination
32 petitions shall be signed:

33 (1) If for a state officer elected on a statewide basis or for the
34 office of United States senator, by voters equal in number to not less
35 than 1% of the total of the current voter registration of the party
36 designated in the state as compiled by the office of the secretary of
37 state;

38 (2) if for a state or national officer elected on less than a statewide
39 basis, by voters equal in number to not less than 2% of the total of the

1 current voter registration of the party designated in such district as
2 compiled by the office of the secretary of state, except that for the
3 office of district magistrate judge, by not less than 2% of the total of the
4 current voter registration of the party designated in the county in which
5 such office is to be filled as certified to the secretary of state in
6 accordance with K.S.A. 25-3302, and amendments thereto;

7 (3) if for a county office, by voters equal in number to not less
8 than 3% of the total of the current voter registration of the party
9 designated in such district or county as compiled by the county election
10 officer and certified to the secretary of state in accordance with K.S.A.
11 25-3302, and amendments thereto; and

12 (4) if for a township office, by voters equal in number to not less
13 than 3% of the total of the current voter registration of the party
14 designated in such township as compiled by the county election officer
15 and certified to the secretary of state in accordance with K.S.A. 25-
16 3302, and amendments thereto.

17 (f) Subject to the requirements of K.S.A. 25-202, and amendments
18 thereto, any political organization filing nomination petitions for a
19 majority of the state or county offices, as provided in this act, shall
20 have a separate primary election ballot as a political party and, upon
21 receipt of such nomination petitions, the respective officers shall
22 prepare a separate state and county ballot for such new party in their
23 respective counties or districts thereof in the same manner as is
24 provided for existing parties.

25 (g) In any year in which districts are reapportioned for the offices
26 of representative in the United States congress, senator and
27 representative in the legislature of the state of Kansas or member of the
28 state board of education:

29 (1) If new boundary lines are defined and districts established in
30 the manner prescribed by law on or before May 10, nomination
31 petitions for nomination to such offices shall be signed by voters equal
32 in number to not less than 1% of the total of the current voter
33 registration of the party designated in the district as compiled by the
34 office of the secretary of state.

35 (2) If new boundary lines are defined and districts established in
36 the manner prescribed by law on or after May 11, nomination petitions
37 for nomination to the following offices shall be signed by registered
38 voters of the party designated in the district equal in number to not less
39 than the following:

- 1 (A) For the office of representative in the United States
2 congress.....1,000 registered voters;
- 3 (B) for the office of member of the state board of
4 education.....~~300~~~~100~~~~300~~ registered voters;
- 5 (C) for the office of state
6 senator.....75 registered voters; and
- 7 (D) for the office of state
8 representative.....25 registered voters.
- 9 (h) In any year in which districts are reapportioned for the offices
10 of representative in the United States congress, senator and
11 representative in the legislature of the state of Kansas or member of the
12 state board of education:
- 13 (1) If new boundary lines are defined and districts established in
14 the manner prescribed by law on or before ~~June~~~~May~~ 10, the deadline
15 for filing nomination petitions and declarations of intention to become
16 a candidate for such office, accompanied by the fee required by law,
17 shall be ~~12:00~~~~12~~ noon on ~~June 24~~~~10~~, or if such date falls on a Saturday,
18 Sunday or a holiday, then before ~~12:00~~~~12~~ noon of the next following
19 day that is not a Saturday, Sunday or holiday.
- 20 (2) If new boundary lines are defined and districts established in
21 the manner prescribed by law on or after ~~June~~~~May~~ 11, the deadline for
22 filing nomination petitions and declarations of intention to become a
23 candidate for such office, accompanied by the fee required by law, shall
24 be ~~12:00~~~~12~~ noon on ~~July 12~~~~June 18~~, or if such date falls on a Saturday,
25 Sunday or holiday, then before ~~12:00~~~~12~~ noon of the next day that is not
26 a Saturday, Sunday or holiday.
- 27 Sec. 2. K.S.A. 2010 Supp. 25-205 is hereby repealed.
- 28 Sec. 3. This act shall take effect and be in force from and after its
29 publication in the statute book.
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