

## 2023 Kansas Statutes

**25-4502. Presidential preference primary election; eligibility to vote; voting procedure; candidates' filing requirements and deadline; declaration of intent and fee; petition.** (a) Every registered elector who has declared such elector's party affiliation with a political party eligible to participate in a state primary election shall have the opportunity to vote one vote at a presidential preference primary election for such elector's preference for one person to be the candidate for nomination by such candidate's party for president of the United States or for "none of the names shown." Any registered elector who has not declared such candidate's party affiliation prior to the election may make such a declaration at the polling place, and thereupon shall be permitted likewise the opportunity to vote one vote at the presidential preference primary. A vote for "none of the names shown" shall express the preference for an uncommitted delegation from Kansas to the national convention of that elector's party. Preference shall be indicated by marking with a cross or check mark inside a voting square or a darkened oval on the ballot at the left of the voter's choice, or by voting by using a voting machine.

(b) The name of any candidate for a political party nomination for president of the United States shall be printed on the ballots only if such candidate has filed the appropriate registration information with the federal election commission to become a candidate for president of the United States and one of the following is filed with the secretary of state not later than 12\* noon on the date that is 60 days prior to the date of the presidential preference primary or, if such date falls on Saturday, Sunday or a holiday, not later than 12\* noon the following day that is not a Saturday, Sunday or holiday:

(1) A declaration of intent to become a candidate filed by the candidate and accompanied by a fee of \$10,000; or

(2) a petition in the form prescribed by K.S.A. 25-205, and amendments thereto, signed by not less than 5,000 registered electors, who are affiliated with the political party of such candidate as shown by the party affiliation list. The secretary of state shall determine the sufficiency of each such petition, and such determination shall be final.

(c) All fees received by the secretary of state pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

**History:** L. 1978, ch. 141, § 2; L. 1979, ch. 113, § 1; L. 1993, ch. 287, § 13; L. 2011, ch. 112, § 2; L. 2023, ch. 67, § 5; July 1.

\* The number "12" should have been "12:00" instead.