

SENATE BILL No. 125

By Committee on Ethics and Elections

2-7

1 AN ACT concerning elections; relating to candidate filing deadlines;
2 amending K.S.A. 25-4004 and K.S.A. 2010 Supp. 25-205 and
3 repealing the existing sections.
4

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

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

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

27 I, the undersigned, an elector of the county of _____, and
28 state of Kansas, and a duly registered voter, and a member of
29 _____ party, hereby nominate _____, who resides
30 in the township of _____ (or at number _____ on
31 _____ street, city of _____), in the county of
32 _____ and state of Kansas, as a candidate for the office of
33 (here specify the office) _____, to be voted for at the primary
34 election to be held on the first Tuesday in August in _____, as
35 representing the principles of such party; and I further declare that I
36 intend to support the candidate herein named and that I have not signed

1 and will not sign any nomination petition for any other person, for such
 2 office at such primary election.

3 (HEADING)

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

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

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

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

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

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

36 (2) If for a state or national officer elected on less than a statewide
 37 basis, by voters equal in number to not less than 2% of the total of the
 38 current voter registration of the party designated in such district as
 39 compiled by the office of the secretary of state, except that for the office
 40 of district magistrate judge, by not less than 2% of the total of the current
 41 voter registration of the party designated in the county in which such
 42 office is to be filled as certified to the secretary of state in accordance
 43 with K.S.A. 25-3302, and amendments thereto;

44 (3) If for a county office, by voters equal in number to not less than

1 3% of the total of the current voter registration of the party designated in
2 such district or county as compiled by the county election officer and
3 certified to the secretary of state in accordance with K.S.A. 25-3302, and
4 amendments thereto; and

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

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

17 (g) In any year in which districts are reapportioned for the offices of
18 representative in the United States congress, senator and representative in
19 the legislature of the state of Kansas or member of the state board of
20 education:

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

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

32 (A) For the office of representative in the United States congress, 1,000 registered
33 voters;

34 (B) for the office of member of the state board of education.....300 registered voters;

35 (C) for the office of state senator.....75 registered voters; and

36 (D) for the office of state representative.....25 registered voters.

37 (h) In any year in which districts are reapportioned for the offices of
38 representative in the United States congress, senator and representative in
39 the legislature of the state of Kansas or member of the state board of
40 education:

1 (1) If new boundary lines are defined and districts established in the
2 manner prescribed by law on or before June 10, the deadline for filing
3 nomination petitions and declarations of intention to become a candidate
4 for such office, accompanied by the fee required by law, shall be ~~12:00~~
5 12 noon on June 24, or if such date falls on a Saturday, Sunday or a
6 holiday, then before ~~12:00~~ 12 noon of the next following day that is not a
7 Saturday, Sunday or holiday.

8 (2) If new boundary lines are defined and districts established in the
9 manner prescribed by law on or after June 11, the deadline for filing
10 nomination petitions and declarations of intention to become a candidate
11 for such office, accompanied by the fee required by law, shall be ~~12:00~~
12 12 noon on July 12, or if such date falls on a Saturday, Sunday or holiday,
13 then before ~~12:00~~ 12 noon of the next day that is not a Saturday, Sunday
14 or holiday.

15 Sec. 2. K.S.A. 25-4004 is hereby amended to read as follows: 25-
16 4004. The provisions of K.S.A. 25-205, and amendments thereto, shall
17 not apply to the offices of governor and lieutenant governor. The names
18 of candidates for governor and lieutenant governor shall be printed upon
19 the official primary ballot when each pair thereof shall have qualified to
20 become candidates in one or the other of the following methods and none
21 other: *First*, they shall have had filed in their behalf, not later than ~~twelve~~
22 ~~o'clock~~ 12 noon, June ~~10~~ 1, prior to such primary election, or if such date
23 falls on Saturday, Sunday or a legal holiday, then before ~~twelve o'clock~~
24 12 noon the following business day, nomination papers, commonly called
25 nomination petitions, as provided for in K.S.A. 25-4005, and
26 amendments thereto; or, *second*, they shall have filed not later than the
27 time for filing nomination papers, as above provided, with the secretary
28 of state, as hereinafter prescribed, a declaration of intention to become
29 candidates, accompanied by a fee as provided in K.S.A. 25-4006, and
30 amendments thereto.

31 Sec. 3. K.S.A. 25-4004 and K.S.A. 2010 Supp. 25-205 are hereby
32 repealed.

33 Sec. 4. This act shall take effect and be in force from and after its
34 publication in the statute book.