

HOUSE BILL No. 2594

By Representative Edwards

2-10

1 AN ACT concerning elections; relating to residence requirements for
2 candidates; amending K.S.A. 14-205, 14-1208, 19-303, 25-305, 25-
3 311, 25-1436, 25-2009 and 71-1407 and K.S.A. 2013 Supp. 25-205,
4 25-208a, 25-304, 25-2020, 25-2110, 25-2110a and 71-1415 and
5 repealing the existing sections.

6
7 *Be it enacted by the Legislature of the State of Kansas:*

8 New Section 1. (a) Notwithstanding any law to the contrary, a person
9 seeking to run for the state legislature or municipal office shall live in the
10 legislative or municipal district or within the municipality if the municipal
11 office is elected at large for two years before being nominated for
12 candidacy or filing a declaration of intention for candidacy. Additionally, if
13 such person moves into such district or local unit of government between
14 election cycles, such person shall wait until the next election cycle to run
15 for office.

16 (b) Subsection (a) shall not apply to persons running for federal office
17 or persons running for a state office which is an office covering the whole
18 state of Kansas.

19 (c) As used in this section, "municipality" means city, county, unified
20 school district and community college.

21 Sec. 2. K.S.A. 14-205 is hereby amended to read as follows: 14-205.

22 All officers, elected or appointed, shall be qualified electors of ~~said city a~~
23 *city, having lived in such city for a minimum of two years in accordance*
24 *with section 1, and amendments thereto*, except that the city may appoint
25 nonresidents as city attorney, municipal judge and as law enforcement
26 officers when deemed necessary, including the appointment of
27 nonresidents who also serve as city attorney, municipal judge or law
28 enforcement officers of another municipality or public agency: ~~Provided,~~
29 *except* that nothing herein shall authorize the appointment of nonresidents
30 of this state. The city attorney shall be a qualified elector of the county in
31 which ~~said~~ *such* city is located or of an adjoining county. The removal
32 from such city of any officer required to be a qualified elector shall
33 occasion a vacancy in such office. The clerk shall enter every appointment
34 to office, and the date thereof, on the journal of proceedings. The council
35 may require all city officers, elected or appointed, to take and subscribe an
36 oath and give bonds and security for the faithful performances of their

1 duties.

2 Sec. 3. K.S.A. 14-1208 is hereby amended to read as follows: 14-
3 1208. It shall be the duty of the county election officer in preparing the
4 city primary election ballot to indicate clearly the names of all such
5 candidates for the nominations for commissioner of finance and revenue
6 and to indicate in like manner the names of all candidates for the
7 nomination for commissioner of streets and public utilities. *All such*
8 *candidates shall have resided in such city for a minimum of two years in*
9 *accordance with section 1, and amendments thereto.* All candidates for the
10 nomination for commissioner of finance and revenue shall be held to be
11 candidates against each other and not be running against the candidates for
12 nominations for commissioner of streets and public utilities. The
13 candidates for nomination for commissioner of streets and public utilities
14 shall be held to be candidates against each other and not to be candidates
15 for the nomination of commissioner of finance and revenue.

16 Sec. 4. K.S.A. 19-303 is hereby amended to read as follows: 19-303.
17 (a) If a vacancy in the office of county clerk should occur by death,
18 resignation, or otherwise, the vacancy shall be filled by appointment of a
19 qualified elector of the county in the manner herein provided. If the
20 vacancy occurs on or after May 1 of the second year of the term, the
21 person so appointed shall serve for the remainder of the unexpired term
22 and until a successor is elected and qualifies. If the vacancy occurs before
23 May 1 of the second year of the term, the person appointed to fill the
24 vacancy shall serve until a successor is elected and qualifies at the next
25 general election to serve the remainder of the unexpired term. Nomination
26 and election of such successor shall be in the same manner as nomination
27 and election of a county clerk for a regular term. Appointments hereunder
28 shall be made in the manner provided by law for filling vacancies in the
29 office of member of the house of representatives.

30 (b) *All persons appointed to fill a vacancy under subsection (a) shall*
31 *have resided in such county for a minimum of two years in accordance*
32 *with section 1, and amendments thereto.*

33 Sec. 5. K.S.A. 2013 Supp. 25-205 is hereby amended to read as
34 follows: 25-205. (a) Except as otherwise provided in this section, the
35 names of candidates for national, state, county and township offices shall
36 be printed upon the official primary ballot when each shall have qualified
37 to become a candidate by one of the following methods and none other: (1)
38 They shall have had filed in their behalf, not later than 12 noon, on June 1,
39 prior to such primary election, or if such date falls on Saturday, Sunday or
40 a holiday, then before 12 noon of the next following day that is not a
41 Saturday, Sunday or a holiday, nomination petitions, as provided for in this
42 act; or (2) they shall have filed not later than the time for filing nomination
43 petitions, as above provided, with the proper officer a declaration of

1 intention to become a candidate, accompanied by the fee required by law.
 2 Such declaration shall be prescribed by the secretary of state.

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

4 I, the undersigned, an elector of the county of _____, and
 5 state of Kansas, and a duly registered voter, and a member of
 6 _____ party, hereby nominate _____, who ~~resides~~
 7 *has resided* in the township of _____ (or at number _____
 8 on _____ street, city of _____) *for a minimum of*
 9 *two years*, in the county of _____ and state of Kansas, as a
 10 candidate for the office of (here specify the office) _____, to be
 11 voted for at the primary election to be held on the first Tuesday in August
 12 in _____, as representing the principles of such party; and I
 13 further declare that I intend to support the candidate herein named and that
 14 I have not signed and will not sign any nomination petition for any other
 15 person, for such office at such primary election.

16 (HEADING)

17 Name of	Street Number	Name of	Date of
18 Signers.	or Rural Route	City.	Signing.
19	(as registered).		

20
 21 All nomination petitions shall have substantially the foregoing form,
 22 written or printed at the top thereof. No signature shall be counted unless it
 23 is upon a sheet having such written or printed form at the top thereof.

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

33 (d) All signers of each separate nomination petition shall reside in the
 34 same county and election district of the office sought. The affidavit
 35 described in this paragraph of a petition circulator who is a resident of the
 36 state of Kansas and has the qualifications of an elector in the state of
 37 Kansas or of the candidate shall be appended to each petition and shall
 38 contain, at the end of each set of documents carried by each circulator, a
 39 verification, signed by the circulator or the candidate, to the effect that
 40 such circulator or the candidate personally witnessed the signing of the
 41 petition by each person whose name appears thereon.

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

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

5 (2) If for a state or national officer elected on less than a statewide
6 basis, by voters equal in number to not less than 2% of the total of the
7 current voter registration of the party designated in such district as
8 compiled by the office of the secretary of state, except that for the office of
9 district magistrate judge, by not less than 2% of the total of the current
10 voter registration of the party designated in the county in which such office
11 is to be filled as certified to the secretary of state in accordance with
12 K.S.A. 25-3302, and amendments thereto;

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

18 (4) If for a township office, by voters equal in number to not less than
19 3% of the total of the current voter registration of the party designated in
20 such township as compiled by the county election officer and certified to
21 the secretary of state in accordance with K.S.A. 25-3302, and amendments
22 thereto.

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

30 (g) In any year in which districts are reapportioned for the offices of
31 representative in the United States congress, senator and representative in
32 the legislature of the state of Kansas or member of the state board of
33 education:

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

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

1 (A) For the office of representative in the United States congress,
2 1,000 registered voters;

3 (B) for the office of member of the state board of education, 300
4 registered voters;

5 (C) for the office of state senator, 75 registered voters; and

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

7 (h) In any year in which districts are reapportioned for the offices of
8 representative in the United States congress, senator and representative in
9 the legislature of the state of Kansas or member of the state board of
10 education:

11 (1) If new boundary lines are defined and districts established in the
12 manner prescribed by law on or before May 10, the deadline for filing
13 nomination petitions and declarations of intention to become a candidate
14 for such office, accompanied by the fee required by law, shall be 12 noon
15 on June 1, or if such date falls on a Saturday, Sunday or a holiday, then
16 before 12 noon of the next following day that is not a Saturday, Sunday or
17 holiday.

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

24 Sec. 6. K.S.A. 2013 Supp. 25-208a is hereby amended to read as
25 follows: 25-208a. (a) Within 10 days, Saturdays, Sundays and holidays not
26 included, from the date of the filing of nomination petitions or a
27 declaration of intention to become a candidate for United States senator or
28 representative or for state office, the secretary of state shall determine the
29 validity of such petitions or declaration.

30 The secretary of state shall send a copy of all petitions to the county
31 election officer of the county of the district in which the nomination
32 petition was passed. The county election officer shall check the petitions
33 ~~only~~ *for length of residence pursuant to section 1, and amendments*
34 *thereto, if applicable, for valid signatures and certify the results of such*
35 *check to the secretary of state within 10 days, including Saturdays,*
36 *Sundays and holidays, of the date the petitions were filed with the*
37 *secretary. The secretary of state upon receipt of the validated petition from*
38 *the county election officer shall notify the candidate of the validity of the*
39 *petition.*

40 (b) Within three days from the date of the filing of nomination
41 petitions or a declaration of intention to become a candidate for county or
42 township office or for precinct committeeman or committeewoman, the
43 county election officer shall determine the validity of such petitions or

1 declaration.

2 (c) If any nomination petitions or declarations are found to be invalid,
3 the secretary of state or the county election officer, as the case may be,
4 shall notify the candidate on whose behalf the petitions or declaration was
5 filed that such nomination petitions or declaration have been found to be
6 invalid and the reason for the finding. Such candidate may make objection
7 to the finding of invalidity by the secretary of state or the county election
8 officer in accordance with K.S.A. 25-308, and amendments thereto.

9 Sec. 7. K.S.A. 2013 Supp. 25-304 is hereby amended to read as
10 follows: 25-304. All certificates of nomination shall be in writing, shall
11 contain the name of each person nominated, with such person's residence,
12 *length of time at such residence* and the office for which nominated. Party
13 certificates of nomination shall designate the political party which the
14 convention, primary election or caucus making the nominations
15 represented. When electors for president and vice-president of the United
16 States are nominated, the names of the candidates for president and vice-
17 president may also be shown on the certificates. Independent nomination
18 petitions for presidential electors shall contain the names of each elector
19 and the names of the candidates for president and vice-president of the
20 United States, together with the residence of each elector and candidate.
21 The provisions of this section shall not apply to city or school elections,
22 nor to the election of officers for which it is provided by law to be elected
23 at the time of city and school elections.

24 Sec. 8. K.S.A. 25-305 is hereby amended to read as follows: 25-305.
25 (a) Certificates of nomination by convention or caucus for the nomination
26 of candidates for national, state, county and township offices shall be filed
27 with the secretary of state, or the county election officer, not later than
28 ~~12:00~~ 12 noon, on the day fixed for the deadline for filing petitions for
29 nomination and declarations of intent to become candidates in accordance
30 with K.S.A. 25-205, and amendments thereto, preceding the national,
31 state, county and township general election, except when such date falls on
32 Saturday, Sunday or a holiday, and then not later than ~~12:00~~ 12 noon the
33 following day that is not a Saturday, Sunday or a holiday.

34 (b) Independent nomination petitions for the nomination of
35 candidates for national, state, county and township offices shall be filed
36 with the secretary of state or the county election officer no later than ~~12:00~~
37 12 noon on the Monday preceding the date fixed for the holding of
38 primary elections in accordance with K.S.A. 25-203, and amendments
39 thereto, preceding a national, state, county or township general election.

40 (c) An affidavit of write-in candidacy for the offices of governor and
41 lieutenant governor shall be filed with the secretary of state no later than
42 ~~12:00~~ 12 noon on the ~~2nd~~ *second* Monday preceding the general election
43 for those offices.

1 (d) An affidavit of write-in candidacy for the offices of president and
2 vice-president shall be filed with the secretary of state no later than ~~12:00~~
3 *12 noon on the ~~2nd~~ second Monday preceding the general election for those*
4 offices.

5 (e) An affidavit of write-in candidacy for state offices elected on a
6 statewide basis other than offices subject to subsection (c) shall be filed
7 with the secretary of state no later than ~~12:00~~ *12 noon on the second*
8 *Monday preceding the election at which the write-in candidate seeks*
9 *nomination or election.*

10 *(f) Certificates of nomination, declarations of intention and*
11 *independent nomination petitions shall meet the requirements of section 1,*
12 *and amendments thereto, if applicable.*

13 Sec. 9. K.S.A. 25-311 is hereby amended to read as follows: 25-311.
14 Not less than ~~twenty (20)~~ *20* days before an election to fill any national or
15 state office, the secretary of state shall certify to the county election officer
16 of each county within which any of the electors may by law vote for the
17 candidates for such office, the name and residence of each person
18 nominated for such office, as specified in the certificates of nomination or
19 nomination papers filed with the secretary of state. *In accordance with*
20 *section 1, and amendments thereto, the secretary of state shall verify that a*
21 *candidate for state office meets the length of residency and election cycle*
22 *requirements.*

23 Sec. 10. K.S.A. 25-1436 is hereby amended to read as follows: 25-
24 1436. Any contest of election to which K.S.A. 25-1435, and amendments
25 thereto, applies shall be brought on any one or more of the following
26 grounds:

27 (a) The person to whom a certificate of election was issued was
28 ineligible to hold such office at the time of the election;

29 (b) some voters were deprived of the right of voting for a candidate or
30 on a question submitted, when such voters had the right under the election
31 laws of this state to vote thereon, and such deprivation could change the result
32 of the election;

33 (c) illegal votes were received or legal votes were rejected which
34 could change the result of the election;

35 (d) error or fraud occurred in computing the results of the election
36 which could change the result of the election;

37 (e) the person to whom the certificate of election was issued offered
38 or gave, or caused to be offered or given, a bribe to any person charged by
39 law with any election duty, for the purpose of procuring such person's
40 election; or

41 (f) *the person to whom a certificate of election was issued did not*
42 *meet the requirements of section 1, and amendments thereto;*

43 (g) any other cause which shows that another was the person to

1 whom the certificate of election for such office should have been issued.

2 Sec. 11. K.S.A. 25-2009 is hereby amended to read as follows: 25-
3 2009. (a) School elections shall be nonpartisan and laws applicable only to
4 partisan elections shall not apply in such elections. All laws applicable to
5 elections, the violation of which is a crime, shall be applicable to school
6 elections.

7 (b) Except as is provided in (a) above *and in section 1, and*
8 *amendments thereto*, laws applicable to county and city elections shall
9 apply to school elections to the extent that the same are not in conflict with
10 the provisions of this act. The provisions of this subsection (b) shall not
11 apply to election notices.

12 Sec. 12. K.S.A. 2013 Supp. 25-2020 is hereby amended to read as
13 follows: 25-2020. (a) When a district method of election is in effect in any
14 school district, a person may become a candidate for election to board
15 member by any one of the following methods:

16 (1) Any person who is an elector in any member district may petition
17 to be a candidate for board member from the member district in which
18 such person ~~resides~~ *has resided for the past two years*. Any such person
19 shall file with the county election officer, a petition for such candidacy
20 signed by not less than 50 electors residing in such member district or by a
21 number of such electors equal to not less than 10% of the electors residing
22 in such member district, whichever is less.

23 (2) Any person who is an elector in any school district may petition to
24 be a candidate for board member at-large from the school district in which
25 such person ~~resides~~ *has resided for the past two years*. Any such person
26 shall file with the county election officer, a petition for such candidacy
27 signed by not less than 50 electors residing in such school district.

28 (3) Any person who is an elector in any member district may become
29 a candidate for board member from the member district in which such
30 person ~~resides~~ *has resided for the past two years* by filing with the county
31 election officer a declaration of intention to become such a candidate, and
32 payment therewith of a filing fee in the amount of \$5. Such declaration
33 shall be prescribed by the secretary of state.

34 (4) Any person who is an elector in any school district may become a
35 candidate for board member at-large from the school district in which such
36 person ~~resides~~ *has resided for the past two years* by filing with the county
37 election officer a declaration of intention to become such a candidate, and
38 payment therewith of a filing fee in the amount of \$5. Such declaration
39 shall be prescribed by the secretary of state.

40 (5) Any such petition or declaration shall specify the member position
41 for which the person is a candidate.

42 (b) When the election at large method is in effect in any school
43 district, a person may become a candidate for election to board member by

1 either one of the following methods:

2 (1) Any person who is an elector of the school district may petition to
3 be a candidate for board member *if such person has resided in that school*
4 *district for at least two years prior to filing.* Any such person shall file
5 with the county election officer a petition for such candidacy signed by not
6 less than 50 electors residing in the school district.

7 (2) Any person who is an elector in the unified school district *and*
8 *has lived in the unified school district for the past two years* may become a
9 candidate for board member by filing with the county election officer a
10 declaration of intention to become such a candidate, and payment
11 therewith of a filing fee in the amount of \$5. Such declaration shall be
12 prescribed by the secretary of state.

13 (3) Any such petition or declaration which is for an unexpired term of
14 a member shall so specify.

15 (c) Any such petition or declaration of intent must be filed before the
16 filing deadline. No candidate shall be permitted to withdraw from
17 candidacy after the filing deadline.

18 (d) Within three days from the date of the filing of a nomination
19 petition or a declaration of intention to become a candidate for board
20 member, the county election officer shall determine the validity of such
21 petition or declaration.

22 (e) If a nomination petition or declaration is found to be invalid, the
23 county election officer shall notify the candidate on whose behalf the
24 petition or declaration was filed that such nomination petition or
25 declaration has been found to be invalid and the reason for the finding.
26 Such candidate may make objection to the finding of invalidity by the
27 county election officer in accordance with K.S.A. 25-308, and
28 amendments thereto.

29 Sec. 13. K.S.A. 2013 Supp. 25-2110 is hereby amended to read as
30 follows: 25-2110. (a) In cities of the first and second class, any person
31 desiring to become a candidate for a city office elected at large shall file
32 with the city clerk before the filing deadline a statement of such candidacy
33 on a form furnished by the county election officer as specified by the
34 secretary of state. *Such form shall include a space to write down the*
35 *address and length of residence of such person as required under section*
36 *1, and amendments thereto.* The city clerk of any city upon receiving any
37 filing under this section shall record the same and transmit it, together with
38 the filing fee or petition herein provided, within three business days to the
39 county election officer. In cities of the third class, any person desiring to
40 become a candidate for city office elected at large shall file with the county
41 election officer of the county in which the city is located, or of the county
42 in which the greater population of the city is located if the city extends into
43 more than one county, or the city clerk, before the filing deadline a

1 statement of candidacy on a form furnished by the county election officer
2 as specified by the secretary of state. *Such form shall include a space to*
3 *write down the address and length of residence of such person as required*
4 *under section 1, and amendments thereto.*

5 (b) In cities having a population of less than 5,000, each such filing
6 shall be accompanied by a filing fee of \$5 or, in lieu of such filing fee, by a
7 petition signed by 25 qualified electors of the city or by a number of such
8 qualified electors of the city equal to not less than 10% of the ballots cast
9 at the last general city election, whichever is less.

10 (c) In cities having a population of not less than 5,000 nor more than
11 100,000, each such filing shall be accompanied by a filing fee of \$10 or, in
12 lieu of such filing fee, by a petition signed by 50 qualified electors of the
13 city or by a number of such qualified electors of the city equal to not less
14 than 1% of the ballots cast and counted at the last general city election,
15 whichever is less.

16 (d) In cities having a population of more than 100,000, each such
17 filing shall be accompanied by a filing fee of \$50; or, in lieu of such filing
18 fee, by a petition signed by 100 qualified electors of the city or by a
19 number of qualified electors of the city equal to 1% of the ballots cast at
20 the last general city election, whichever is less.

21 (e) Within three days from the date of the filing of a nomination
22 petition or a declaration of intention to become a candidate for a city office
23 elected at large, the county election officer shall determine the validity of
24 such petition or declaration.

25 (f) If a nomination petition or declaration is found to be invalid, the
26 county election officer shall notify the candidate on whose behalf the
27 petition or declaration was filed that such nomination petition or
28 declaration has been found to be invalid and the reason for the finding.
29 Such candidate may make objection to the finding of invalidity by the
30 county election officer in accordance with K.S.A. 25-308, and
31 amendments thereto.

32 (g) All city elections shall be conducted by the county election officer
33 of the county in which such city is located, or of the county in which the
34 greater population of the city is located if the city extends into more than
35 one county.

36 Sec. 14. K.S.A. 2013 Supp. 25-2110a is hereby amended to read as
37 follows: 25-2110a. (a) In cities of the first and second class, any person
38 desiring to become a candidate for a city office elected from a district,
39 shall file with the city clerk before the filing deadline a statement of such
40 candidacy on a form furnished by the county election officer as specified
41 by the secretary of state. *Such form shall include a space to write down the*
42 *address and length of residence of such person as required under section*
43 *1, and amendments thereto.* The city clerk of any city upon receiving any

1 filing under this section shall record the same and transmit it, together with
2 the filing fee or petition herein provided, within three business days to the
3 county election officer. In cities of the third class, any person desiring to
4 become a candidate for a city office elected from a district, shall file with
5 the county election officer of the county in which the city is located, or in
6 the county in which the greater population of the city is located if the city
7 extends into more than one county, or the city clerk, before the filing
8 deadline, a statement of candidacy on a form furnished by the county
9 election officer as specified by the secretary of state. *Such form shall*
10 *include a space to write down the address and length of residence of such*
11 *person as required under section 1, and amendments thereto.*

12 (b) In cities having a population of less than 5,000, each such filing
13 shall be accompanied by a filing fee of \$5 or, in lieu of such filing fee, by a
14 petition signed by 25 qualified electors of the council district or by a
15 number of such qualified electors of the district equal to not less than 10%
16 of the ballots cast in the district at the last general city election, whichever
17 is less.

18 (c) In cities having a population of not less than 5,000 nor more than
19 100,000, each such filing shall be accompanied by a filing fee of \$10 or, in
20 lieu of such filing fee, by a petition signed by 50 qualified electors of the
21 council district or by a number of such qualified electors of the district
22 equal to not less than 1% of the ballots cast in the district at the last
23 general city election, whichever is less.

24 (d) In cities having a population of more than 100,000, each such
25 filing shall be accompanied by a filing fee of \$50; or, in lieu of such filing
26 fee, by a petition signed by 100 qualified electors of the council district or
27 by a number of qualified electors of the district equal to 1% of the ballots
28 cast in the district at the last general city election, whichever is less.

29 (e) Within three days from the date of the filing of a nomination
30 petition or declaration of intention to become a candidate for a city office
31 elected from a district, the county election officer shall determine the
32 validity of such petition or declaration.

33 (f) If a nomination petition or declaration is found to be invalid, the
34 county election officer shall notify the candidate on whose behalf the
35 petition or declaration was filed that such nomination petition or
36 declaration has been found to be invalid and the reason for the finding.
37 Such candidate may make objection to the finding of invalidity by the
38 county election officer in accordance with K.S.A. 25-308, and
39 amendments thereto.

40 (g) All city elections shall be conducted by the county election officer
41 of the county in which such city is located, or of the county in which the
42 greater population of the city is located if the city extends into more than
43 one county.

1 Sec. 15. K.S.A. 71-1407 is hereby amended to read as follows: 71-
2 1407. (a) When a community college has a member district method of
3 election, the college district shall be divided into two member districts for
4 the two-district method, into three member districts for the three-district
5 method, and into six member districts for the six-district method. Each
6 member district shall be represented on the board by one or more persons
7 residing in the member district *for a minimum of two years*. In the six-
8 district method, one member shall reside in each member district. In the
9 three-district method two members shall reside in each member district. In
10 the two-district method three members shall reside in each member
11 district. In the two-district method the member district numbers assigned
12 shall be "one" and "two." In the three-district method the member district
13 numbers assigned shall be "one," "two," and "three." In the six-district
14 method the member district numbers assigned shall be "one," "two,"
15 "three," "four," "five" and "six."

16 In the six-district method the member position numbers shall
17 correspond to the member district numbers. In the two-district method the
18 member position numbers shall be "one," "two" and "three" for member
19 district one, and "four," "five" and "six" for member district two. In the
20 three-district method member position numbers shall be "one" and "four"
21 for member district one, and "two" and "five" for member district two, and
22 "three" and "six" for member district three.

23 (b) If a community college adopts and implements a seven member
24 board of trustees plan, the at-large member ~~may~~ *shall* be a resident of any
25 member district, *having lived for a minimum of two years in such member*
26 *district, in accordance with section 1, and amendments thereto*. The at-
27 large member position shall not be numbered.

28 Sec. 16. K.S.A. 2013 Supp. 71-1415 is hereby amended to read as
29 follows: 71-1415. (a) In college districts in which a district method of
30 election is in effect, if there are more than three qualified candidates for
31 any member position, the county election officer shall call, and there shall
32 be held, a primary election in each such member district. The names of the
33 two candidates receiving the greatest number of votes for any member
34 position at the primary election shall appear on the ballots in the general
35 election. If there are three or fewer qualified candidates for any member
36 position, there shall not be a primary election and the names of the
37 candidates shall be placed on the ballots in the general election.

38 (b) In college districts in which the election at large method of
39 election is in effect, if there are more than three times the number of
40 candidates as there are trustees to be elected, the county election officer
41 shall call, and there shall be held, a primary election. The names of twice
42 the number of candidates as there are trustees to be elected who receive the
43 greatest number of votes at the primary election shall appear on the ballots

1 in the general election. If there are not more than three times the number of
2 candidates as there are trustees to be elected, there shall not be a primary
3 election and the names of the candidates shall be placed on the ballots in
4 the general election.

5 (c) If a member is to be elected to fill an unexpired term, the office
6 shall be listed separately on the ballots. If there are more than three
7 candidates for such unexpired term, the county election officer shall call,
8 and there shall be held, a primary election. The names of the two
9 candidates for such unexpired term receiving the greatest number of votes
10 shall appear on the ballots in the general election. If there are three or
11 fewer qualified candidates for the unexpired term of any member position,
12 there shall not be a primary election and the names of the candidates shall
13 be placed on the ballots in the general election.

14 (d) On the ballots in general college district elections, blank lines for
15 the names of write-in candidates shall be printed at the end of the list of
16 candidates for each different office. The number of blank lines for each
17 elected office shall be equal to the number of candidates to be elected
18 thereto. The purpose of such blank lines shall be to permit the voter to
19 insert the name of any person not printed on the ballot for whom such
20 voter desires to vote for such office. No lines for write-in candidates shall
21 appear on primary college district election ballots.

22 (e) *Candidates for positions under subsections (a), (b), (c) and (d)*
23 *shall have resided in such college district for a minimum of two years, in*
24 *accordance with section 1, and amendments thereto.*

25 Sec. 17. K.S.A. 14-205, 14-1208, 19-303, 25-305, 25-311, 25-1436,
26 25-2009 and 71-1407 and K.S.A. 2013 Supp. 25-205, 25-208a, 25-304,
27 25-2020, 25-2110, 25-2110a and 71-1415 are hereby repealed.

28 Sec. 18. This act shall take effect and be in force from and after its
29 publication in the statute book.