

**73-201a. Same; preference not applicable to certain positions.** (a) The provisions of K.S.A. 73-201, and amendments thereto, shall not apply to the following:

(1) An office filled by election;

(2) positions which are filled by officers elected by popular vote or persons appointed to fill vacancies in such offices and the personal secretary of each such officer, members of boards and commissions, persons employed on a temporary basis, heads of departments, positions that require licensure as a physician, licensure as an osteopathic physician, licensure as a chiropractic physician and positions that require that the employee be admitted to practice law in Kansas;

(3) a key employee as defined in subsection (b);

(4) a job held by a patient, inmate or student in or enrolled at a state institution; and

(5) temporary or casual employment positions.

(b) As used in this section, "key employee" means an individual specifically hired for a city or county at will position or for a non-classified position or a department or agency head, or an individual serving as the immediate subordinate, secretary or administrative assistant of a person holding such position, such as a position as a private secretary or deputy of an official, department or agency who holds a confidential relationship to the appointing or employing officer, and positions in the unclassified service of the state of Kansas as enumerated in K.S.A. 75-2935, and amendments thereto or other Kansas statutes.

**History:** L. 2008, ch. 99, § 2; July 1.