HOUSE BILL No. 2113

By Committee on Elections

1-31

AN ACT concerning elections; relating to petitions; concerning 1 recognition of political parties; amending K.S.A. 2018 Supp. 25-302a 2 3 and 25-3602 and repealing the existing sections. 4 5 Be it enacted by the Legislature of the State of Kansas: 6 Section 1. K.S.A. 2018 Supp. 25-302a is hereby amended to read as 7 follows: 25-302a. Any political party seeking official recognition in this 8 state-after the effective date of this act shall file in its behalf with the 9 secretary of state, not later than 12 noon, June 1, prior to the primary 10 election held on the first Tuesday of August in even-numbered years, or if 11 such the date falls on a Saturday, Sunday or a holiday, then before 12 noon 12 of the next following day that is not a Saturday, Sunday or a holiday 13 petitions signed by qualified electors equal in number to at least 2% 1% of the total vote cast for all candidates for the office of governor in the state 14 in the last preceding general election.—Such The petitions shall declare 15 16 support for the official recognition of a political party, the name of which shall be stated in the declaration. No political party seeking official 17 18 recognition shall assume a name or designation which, in the opinion of 19 the secretary of state, is unreasonably lengthy or so similar to the name or 20 designation of an existing political party as to confuse or mislead the 21 voters at an election. 22 Petitions seeking official recognition of a political party shall be 23 substantially in the following form: 24 PETITION SEEKING THE OFFICIAL RECOGNITION OF THE 25 PARTY IN THE STATE OF KANSAS 26 I, the undersigned, hereby declare my support for the official 27 recognition of the Party. I have personally signed this petition; I am a registered elector of the 28 , and my residence 29 state of Kansas and the County of 30 address is correctly written after my name. 31 NAME OF SIGNER ADDRESS AS **CITY** DATE OF SIGNING 32 REGISTERED Appended to each petition page or set of pages shall be an affidavit by 33 the petition circulator as defined in K.S.A. 2018 Supp. 25-3608, and 34 35 amendments thereto, of the petition affirming that such the circulator 36 personally witnessed the signing of the petition by each person whose

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name appears thereon. The affidavit shall be executed before a person authorized to administer oaths and include the address of the circulator.

Each page of such petition shall bear the names of registered voters of a single county. All petitions shall be grouped according to the county in which each was circulated before being filed with the secretary of state. All such petitions shall be filed at one time. Any related petitions presented thereafter will be deemed to be separate and not a part of earlier filings. County election officers shall cooperate with the secretary of state in verifying the sufficiency of these petitions as required by law.

The secretary of state shall transmit—such the petitions to the county election officer of each county for which petitions were presented to be examined for sufficiency pursuant to the provisions of K.S.A. 25-3601 et seq., and amendments thereto, and applicable regulations. Not more than 20 days following receipt of such the petitions from the secretary of state, the county election officer shall return these documents to the secretary of state certifying the number of sufficient signatures thereon. The secretary of state shall gather all petitions and determine whether a sufficient number of signatures was submitted. The secretary of state shall forthwith notify the person who submitted the declaration of intent to circulate—such the petitions of the sufficiency or insufficiency of the number of signatures.

- Sec. 2. K.S.A. 2018 Supp. 25-3602 is hereby amended to read as follows: 25-3602. (a) Each petition shall consist of one or more documents pertaining to a single issue or proposition under one distinctive title. The documents shall be filed with the county election officer or other official, if another official is designated in the applicable statutes. The filing shall be made at one time all in one group. Later or successive filings of documents relating to the same issue or proposition shall be deemed to be separate petitions and not a part of any earlier or later filing.
- (b) Unless otherwise specifically required, each petition shall: (1) State the question which petitioners seek to bring to an election in the form of a question as it should appear upon the ballot in accordance with the requirements of K.S.A. 25-620 and K.S.A. 25-3601, and amendments thereto;
- (2) name the taxing subdivision or other political subdivision in which an election is sought to be held;
- (3) contain the following recital above the spaces provided for signatures: "I have personally signed this petition. I am a registered elector of the state of Kansas and of

(here insert name of political or taxing subdivision) and my residence address is correctly written after my name."

The recital shall be followed by blank spaces for the signature,

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residence address and date of signing for each person signing the petition.

When petitioners are required by law to possess qualifications in addition to being registered electors, the form of the petition shall be amended to contain a recital specifying the additional qualifications required and stating that the petitioners possess the qualifications; and

(4) contain a recital in substance as follows, at the end of each set of documents carried by each petition circulator as defined in K.S.A. 2018 Supp. 25-3608, and amendments thereto: "I am the circulator of this petition and I am qualified to circulate this petition and I personally witnessed the signing of the petition by each person whose name appears thereon

(Signature of circulator)

(Circulator's residence address)"

The recital of the circulator of each petition shall be verified upon oath or affirmation before a notarial officer in the manner prescribed by K.S.A. 53-501 et seg., and amendments thereto.

- (c) Any person who has signed a petition who desires to withdraw such person's name may do so by giving written notice to the county election officer or other designated official not later than the third day following the date upon which the petition is filed.
- (d) (1) Except as provided in paragraph (2), any petition shall be null and void unless submitted to the county election officer or other designated official within 180 days of the date of the first signature on the petition.
- (2) Any petition submitted for the purpose of a political party seeking official recognition pursuant to K.S.A. 25-302a, and amendments thereto, shall be null and void unless submitted to the secretary of state within one year of the date of the first signature on the petition.
- (e) Unless the governing body of the political or taxing subdivision in which the election is sought to be held authorizes a special election, all elections which are called as a result of the filing of a sufficient petition shall be held at the next succeeding primary or general election as defined by K.S.A. 25-2502, and amendments thereto, in which the political or taxing subdivision is participating.
- (f) When a petition requires signatures equal in number to a percentage of the total number of registered voters, such percentage shall be based on the most recent number of registered voters as certified to the office of the secretary of state pursuant to subsection (g) of K.S.A. 25-2311(g), and amendments thereto.
 - K.S.A. 2018 Supp. 25-302a and 25-3602 are hereby repealed. Sec. 3.
 - Sec. 4. This act shall take effect and be in force from and after its

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1 publication in the statute book.