

As Amended by Senate Committee

Session of 2009

SENATE BILL No. 79

By Committee on Ethics and Elections

1-22

10 AN ACT concerning elections; pertaining to filing deadlines for candi-
11 dates; amending K.S.A. 25-205 and 25-4004 and repealing the existing
12 sections.
13

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

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

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

35 I, the undersigned, an elector of the county of _____, and state of Kansas, and
36 a duly registered voter, and a member of _____ party, hereby nominate _____,
37 who resides in the township of _____ (or at number _____ on _____
38 street, city of _____), in the county of _____ and state of Kansas, as a
39 candidate for the office of (here specify the office) _____, to be voted for at the
40 primary election to be held on the first Tuesday in August in _____, as representing
41 the principles of such party; and I further declare that I intend to support the candidate
42 herein named and that I have not signed and will not sign any nomination petition for any
43 other person, for such office at such primary election.

1 (HEADING)

2	Name of	Street Number	Name of	Date of
3	Signers.	or Rural Route	City.	Signing.
4		(as registered).		

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

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

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

26 (e) Except as otherwise provided in subsection (g), nomination peti-
27 tions shall be signed:

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

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

40 (3) If for a county office, by voters equal in number to not less than
41 3% of the total of the current voter registration of the party designated
42 in such district or county as compiled by the county election officer and
43 certified to the secretary of state in accordance with K.S.A. 25-3302, and

1 amendments thereto; and

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

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

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

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

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

- 29 (A) For the office of representative in the United States
- 30 congress 1,000 registered voters;
- 31 (B) for the office of member of the state board of education 300 registered voters;
- 32 (C) for the office of state senator 75 registered voters; and
- 33 (D) for the office of state representative 25 registered voters.

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

38 (1) If new boundary lines are defined and districts established in the
39 manner prescribed by law on or before ~~June~~ ~~May 10 24~~, the deadline for
40 filing nomination petitions and declarations of intention to become a can-
41 didate for such office, accompanied by the fee required by law, shall be
42 12:00 noon on ~~June~~ ~~May 24~~ **June 7**, or if such date falls on a Saturday,
43 Sunday or a holiday, then before 12:00 noon of the next following day

1 that is not a Saturday, Sunday or holiday.

2 (2) If new boundary lines are defined and districts established in the
3 manner prescribed by law on or after ~~June~~ *May 11 25*, the deadline for
4 filing nomination petitions and declarations of intention to become a can-
5 didate for such office, accompanied by the fee required by law, shall be
6 12:00 noon on ~~July~~ *June 12 26*, or if such date falls on a Saturday, Sunday
7 or holiday, then before 12:00 noon of the next day that is not a Saturday,
8 Sunday or holiday.

9 Sec. 2. K.S.A. 25-4004 is hereby amended to read as follows: 25-
10 4004. The provisions of K.S.A. 25-205, and amendments thereto, shall
11 not apply to the offices of governor and lieutenant governor. The names
12 of candidates for governor and lieutenant governor shall be printed upon
13 the official primary ballot when each pair thereof shall have qualified to
14 become candidates in one or the other of the following methods and none
15 other: *First*, they shall have had filed in their behalf, not later than ~~twelve~~
16 ~~o'clock~~ 12:00 noon, ~~June~~ *May 10 24*, prior to such primary election, or if
17 such date falls on Saturday, Sunday or a legal holiday, then before twelve
18 o'clock noon the following business day, nomination papers, commonly
19 called nomination petitions, as provided for in K.S.A. 25-4005, and
20 amendments thereto; or, *second*, they shall have filed not later than the
21 time for filing nomination papers, as above provided, with the secretary
22 of state, as hereinafter prescribed, a declaration of intention to become
23 candidates, accompanied by a fee as provided in K.S.A. 25-4006, and
24 amendments thereto.

25 Sec. 3. K.S.A. 25-205 and 25-4004 are hereby repealed.

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