

As Amended by Senate Committee

Session of 2010

SENATE BILL No. 542

By Committee on Ways and Means

2-10

10 AN ACT concerning elections; relating to changing the date of primary
11 elections from April to August; amending K.S.A. ~~12-1004, 12-1005a,~~
12 ~~12-1005b, 12-1005c, 12-1036d, 12-1037, 14-1204, 19-3507, 24-412, 25-~~
13 ~~1115, 25-2006, 25-2007, 25-2010, 25-2018, 25-2023, 25-2102, 25-2107,~~
14 ~~25-2109, 25-2120, 25-2311, 25-2502, 25-3503, 71-1413 and 71-1414~~
15 ~~and K.S.A. 2009 Supp. 14-201, 25-1122 and 25-2108a~~ **25-1115, 25-**
16 **2006, 25-2102 and 25-2502** and repealing the existing sections.
17

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

19 Section 1. ~~K.S.A. 12-1004 is hereby amended to read as follows: 12-~~
20 ~~1004. (a) (1) Except as provided in subsections (b) and (c), in all cities of~~
21 ~~the first class with a population of 18,000 or less now governed by the~~
22 ~~city manager act, where commissioners for such cities have heretofore~~
23 ~~been selected according to existing law, the city commissioners shall be~~
24 ~~selected hereafter at regular city elections as follows, to wit: Two com-~~
25 ~~missioners shall be elected to hold office until the next regular city elec-~~
26 ~~tion in 1925, one commissioner shall be elected to hold office until the~~
27 ~~regular election in 1927, all of which commissioners shall be elected at~~
28 ~~the next regular city election in 1923, the person receiving the largest~~
29 ~~number of votes at said election shall thereby be elected to the four-year~~
30 ~~term of office last above mentioned.~~

31 ~~—(2) Except as provided in subsections (b) and (c), all commissioners~~
32 ~~elected as provided herein shall hold office until the dates above desig-~~
33 ~~nated or until their successors shall have been elected and qualified. At~~
34 ~~the regular election in 1925 one commissioner shall be elected to a two-~~
35 ~~year term of office and one commissioner shall be elected for a four-year~~
36 ~~term of office, or until their successors shall have been elected and qual-~~
37 ~~ified, the person receiving the largest number of votes at such regular city~~
38 ~~election to be thereby elected to the four-year term of office. Thereafter,~~
39 ~~at each ensuing regular city election there shall be elected one city com-~~
40 ~~missioner for a two-year term of office and one city commissioner for a~~
41 ~~four-year term of office, or until their successors shall have been respec-~~
42 ~~tively elected and qualified. At each regular city election as last above~~
43 ~~provided the person receiving the largest number of votes shall thereby~~

1 be elected to the four-year term of office as city commissioner.

2 ~~—(b) (1) On and after July 1, 2010, in all cities of the first class with a~~
3 ~~population of 18,000 or less now governed by the city-manager act, where~~
4 ~~commissioners for such cities have heretofore been selected according to~~
5 ~~existing law, the city commissioners shall be selected hereafter at regular~~
6 ~~city elections as follows: Two commissioners shall be elected to hold office~~
7 ~~until the next regular city election in 2012; one commissioner shall be~~
8 ~~elected to hold office until the regular election in 2014; all of which com-~~
9 ~~missioners shall be elected at the next regular city election in 2016, the~~
10 ~~person receiving the largest number of votes at said election shall thereby~~
11 ~~be elected to the four-year term of office last above mentioned.~~

12 ~~—(2) All commissioners elected as provided herein shall hold office until~~
13 ~~the dates above designated or until their successors shall have been elected~~
14 ~~and qualified. At the regular election in 2010 one commissioner shall be~~
15 ~~elected to a two-year term of office and one commissioner shall be elected~~
16 ~~for a four-year term of office, or until their successors shall have been~~
17 ~~elected and qualified, the person receiving the largest number of votes at~~
18 ~~such regular city election to be thereby elected to the four-year term of~~
19 ~~office. Thereafter, at each ensuing regular city election there shall be~~
20 ~~elected one city commissioner for a two-year term of office and one city~~
21 ~~commissioner for a four-year term of office, or until their successors shall~~
22 ~~have been respectively elected and qualified. At each regular city election~~
23 ~~as last above provided the person receiving the largest number of votes~~
24 ~~shall thereby be elected to the four-year term of office as city~~
25 ~~commissioner.~~

26 ~~—(c) Commissioners elected in 2007 shall hold office until successors~~
27 ~~are elected and qualified in 2010. Commissioners elected in 2009 shall~~
28 ~~hold office until successors are elected and qualified in 2012.~~

29 ~~—Sec. 2. K.S.A. 12-1005a is hereby amended to read as follows: 12-~~
30 ~~1005a. (a) (1) Except as provided in subsections (b) and (c), in all cities~~
31 ~~of the second class having a population in excess of eight thousand 8,000~~
32 ~~now governed by the city-manager act, where commissioners for such~~
33 ~~cities have heretofore been selected according to existing law, the city~~
34 ~~commissioners shall be selected hereafter at regular city elections as fol-~~
35 ~~lows, to wit: Two commissioners shall be elected to hold office until the~~
36 ~~next regular city election in 1927, one commissioner shall be elected to~~
37 ~~hold office until the regular election in 1929, all of which commissioners~~
38 ~~shall be elected at the next regular city election in 1925, the person re-~~
39 ~~ceiving the largest number of votes at said election shall thereby be~~
40 ~~elected to the four-year term of office last above mentioned.~~

41 ~~—(2) Except as provided in subsections (b) and (c), all commissioners~~
42 ~~elected as provided herein shall hold office until the dates above desig-~~
43 ~~minated or until their successors shall have been elected and qualified. At~~

1 the regular election in 1927 one commissioner shall be elected for a two-
2 year term of office and one commissioner shall be elected for a four-year
3 term of office, or until their successors shall have been elected and qual-
4 ified, the person receiving the largest number of votes at such regular city
5 election to be thereby elected to the four-year term of office. Thereafter,
6 at each ensuing regular city election there shall be elected one city com-
7 missioner for a two-year term of office and one city commissioner for a
8 four-year term of office, or until their successors shall have been respec-
9 tively elected and qualified. At each regular city election as last above
10 provided the person receiving the largest number of votes shall thereby
11 be elected to the four-year term of office as city commissioner.

12 ~~—(b) (1) On and after July 1, 2010, in all cities of the second class~~
13 ~~having a population in excess of 8,000 now governed by the city manager~~
14 ~~act, where commissioners for such cities have heretofore been selected~~
15 ~~according to existing law, the city commissioners shall be selected here-~~
16 ~~after at regular city elections as follows: Two commissioners shall be~~
17 ~~elected to hold office until the next regular city election in 2012, one~~
18 ~~commissioner shall be elected to hold office until the regular election in~~
19 ~~2014, all of which commissioners shall be elected at the next regular city~~
20 ~~election in 2016, the person receiving the largest number of votes at said~~
21 ~~election shall thereby be elected to the four-year term of office last above~~
22 ~~mentioned.~~

23 ~~—(2) All commissioners elected as provided herein shall hold office until~~
24 ~~the dates above designated or until their successors shall have been elected~~
25 ~~and qualified. At the regular election in 2010 one commissioner shall be~~
26 ~~elected for a two-year term of office and one commissioner shall be elected~~
27 ~~for a four-year term of office, or until their successors shall have been~~
28 ~~elected and qualified, the person receiving the largest number of votes at~~
29 ~~such regular city election to be thereby elected to the four-year term of~~
30 ~~office. Thereafter, at each ensuing regular city election there shall be~~
31 ~~elected one city commissioner for a two-year term of office and one city~~
32 ~~commissioner for a four-year term of office, or until their successors shall~~
33 ~~have been respectively elected and qualified. At each regular city election~~
34 ~~as last above provided the person receiving the largest number of votes~~
35 ~~shall thereby be elected to the four-year term of office as city~~
36 ~~commissioner.~~

37 ~~—(c) Commissioners elected in 2007 shall hold office until successors~~
38 ~~are elected and qualified in 2010. Commissioners elected in 2009 shall~~
39 ~~hold office until successors are elected and qualified in 2012.~~

40 —Sec. 3. K.S.A. 12-1005b is hereby amended to read as follows: 12-
41 1005b. (a) Except as provided in subsections (b) and (c), cities of the
42 second class in excess of eight thousand 8,000 population, hereafter
43 adopting the city-manager plan of government, shall select commissioners

1 at the first regular city election after the adoption of said city manager
2 plan in the manner as provided for the selection of commissioners in the
3 year 1925, and for the further election of city commissioners at the second
4 regular city election after the adoption of said city manager plan in the
5 same manner as provided for year 1927, and also at the regular city elec-
6 tions thereafter, as provided in K.S.A. 12-1005a.

7 ~~—(b) On and after July 1, 2010, cities of the second class in excess of~~
8 ~~8,000 population, hereafter adopting the city manager plan of govern-~~
9 ~~ment, shall select commissioners at the first regular city election after the~~
10 ~~adoption of said city manager plan in the manner as provided for the~~
11 ~~selection of commissioners and for the further election of city commis-~~
12 ~~sioners at the second regular city election after the adoption of said city-~~
13 ~~manager plan and also at the regular city elections thereafter as provided~~
14 ~~in K.S.A. 12-1005a, and amendments thereto.~~

15 ~~—(c) Commissioners elected in 2007 shall hold office until successors~~
16 ~~are elected and qualified in 2010. Commissioners elected in 2009 shall~~
17 ~~hold office until successors are elected and qualified in 2012.~~

18 ~~—Sec. 4. K.S.A. 12-1005c is hereby amended to read as follows: 12-~~
19 ~~1005c. (a) Except as provided in subsections (b) and (c), in cities having~~
20 ~~a population of eight thousand (8,000) 8,000 or less at the time such cities~~
21 ~~adopt the city manager plan the terms of office of the commissioners first~~
22 ~~elected shall be two years. Commissioners elected in April, 1968, shall~~
23 ~~have terms expiring in 1971. Commissioners elected in April, 1967, shall~~
24 ~~have terms expiring in 1971.~~

25 ~~—(b) (1) On and after July 1, 2010, in all cities of the second class~~
26 ~~having a population in excess of 8,000 now governed by the city manager~~
27 ~~act, where commissioners for such cities have heretofore been selected~~
28 ~~according to existing law, the city commissioners shall be selected here-~~
29 ~~after at regular city elections as follows: Two commissioners shall be~~
30 ~~elected to hold office until the next regular city election in 2012, one~~
31 ~~commissioner shall be elected to hold office until the regular election in~~
32 ~~2014, all of which commissioners shall be elected at the next regular city~~
33 ~~election in 2016, the person receiving the largest number of votes at said~~
34 ~~election shall thereby be elected to the four-year term of office last above~~
35 ~~mentioned.~~

36 ~~—(2) All commissioners elected as provided herein shall hold office until~~
37 ~~the dates above designated or until their successors shall have been elected~~
38 ~~and qualified. At the regular election in 2010 one commissioner shall be~~
39 ~~elected for a two-year term of office and one commissioner shall be elected~~
40 ~~for a four-year term of office, or until their successors shall have been~~
41 ~~elected and qualified, the person receiving the largest number of votes at~~
42 ~~such regular city election to be thereby elected to the four-year term of~~
43 ~~office. Thereafter, at each ensuing regular city election there shall be~~

1 ~~elect one city commissioner for a two-year term of office and one city~~
2 ~~commissioner for a four-year term of office, or until their successors shall~~
3 ~~have been respectively elected and qualified. At each regular city election~~
4 ~~as last above provided the person receiving the largest number of votes~~
5 ~~shall thereby be elected to the four-year term of office as city~~
6 ~~commissioner.~~
7 ~~—(c) Commissioners elected in 2007 shall hold office until successors~~
8 ~~are elected and qualified in 2010. Commissioners elected in 2009 shall~~
9 ~~hold office until successors are elected and qualified in 2012.~~
10 ~~—Sec. 5. K.S.A. 12-1036d is hereby amended to read as follows: 12-~~
11 ~~1036d. (a) (1) Except as provided in subsections (b) and (c), at the first~~
12 ~~regular city election following the adoption of this act, the councilman~~
13 ~~elected by the city as a whole, receiving the greatest number of votes~~
14 ~~shall hold office for a term of four (4) years; the councilman elected by~~
15 ~~the city as a whole, receiving the second highest number of votes shall~~
16 ~~hold office for a term of two (2) years; the candidate receiving the highest~~
17 ~~number of votes for district councilman, in each district, shall be elected~~
18 ~~for a two-year term. The mayor shall hold office for a term of four (4)~~
19 ~~years. At all subsequent city elections the term for mayor and councilmen-~~
20 ~~at-large shall be for a period of four (4) years and until a successor has~~
21 ~~been duly elected and qualified.~~
22 ~~—(2) The terms of councilmen from districts shall be for a period of~~
23 ~~two (2) years and until their successors have been duly elected and qual-~~
24 ~~ified. When there is a vacancy in the office of mayor, the president of the~~
25 ~~council upon being qualified shall become mayor until the next regular~~
26 ~~city election and, as the case may be, until a mayor has been duly elected~~
27 ~~for the unexpired two-year term and has qualified or until a mayor has~~
28 ~~been duly elected for a full term and has qualified: *Provided*, That. When~~
29 ~~the president of council becomes mayor there shall be a vacancy in the~~
30 ~~city council. A vacancy in the office of councilman shall be filled by the~~
31 ~~council, as the case may be, until the next regular city election and a~~
32 ~~councilman has been duly elected for the unexpired two-year term and~~
33 ~~has qualified, or until the next regular city election and a councilman has~~
34 ~~been duly elected for a full term and has qualified.~~
35 ~~—(b) (1) On and after July 1, 2010, at the first regular city election~~
36 ~~following the adoption of this act, the councilman elected by the city as a~~
37 ~~whole, receiving the greatest number of votes shall hold office for a term~~
38 ~~of four years; the councilman elected by the city as a whole, receiving the~~
39 ~~second highest number of votes shall hold office for a term of two years;~~
40 ~~the candidate receiving the highest number of votes for district council-~~
41 ~~man, in each district, shall be elected for a two-year term. The mayor shall~~
42 ~~hold office for a term of four years. At all subsequent city elections the~~
43 ~~term for mayor and councilmen-at-large shall be for a period of four years~~

1 ~~and until a successor has been duly elected and qualified.~~
2 ~~—(2) The terms of councilmen from districts shall be for a period of two~~
3 ~~years and until their successors have been duly elected and qualified.~~
4 ~~When there is a vacancy in the office of mayor, the president of the council~~
5 ~~upon being qualified shall become mayor until the next regular city elec-~~
6 ~~tion and, as the case may be, until a mayor has been duly elected for the~~
7 ~~unexpired two-year term and has qualified or until a mayor has been duly~~
8 ~~elected for a full term and has qualified. When the president of the council~~
9 ~~becomes mayor there shall be a vacancy in the city council. A vacancy in~~
10 ~~the office of councilman shall be filled by the council, as the case may be,~~
11 ~~until the next regular city election and a councilman has been duly elected~~
12 ~~for the unexpired two-year term and has qualified, or until the next reg-~~
13 ~~ular city election and a councilman has been duly elected for a full term~~
14 ~~and has qualified.~~
15 ~~—(c) (1) Any mayor elected in 2007 shall hold office until such succes-~~
16 ~~sor is elected and qualified in 2010. Any mayor elected in 2009 shall hold~~
17 ~~office until such successor is elected and qualified in 2012.~~
18 ~~—(2) Any councilman elected in 2007 shall hold office until such suc-~~
19 ~~cessor is elected and qualified in 2010. Any councilman elected in 2009~~
20 ~~shall hold office until such successor is elected and qualified in 2012.~~
21 ~~—Sec. 6. K.S.A. 12-1037 is hereby amended to read as follows: 12-~~
22 ~~1037. (a) (1) Except as provided in subsections (b) and (c), cities of the~~
23 ~~second class in excess of thirteen thousand five hundred (13,500) 13,500~~
24 ~~population having the commission plan of government wherein the ques-~~
25 ~~tion of adopting the city-manager plan of government is to be submitted~~
26 ~~shall elect three (3) commissioners as now provided by law for cities of~~
27 ~~the second class in excess of eight thousand (8,000) 8,000 population,~~
28 ~~except that such city shall elect five (5) commissioners as hereinafter~~
29 ~~provided if the question of electing five (5) commissioners be submitted~~
30 ~~pursuant to K.S.A. 12-184, and amendments thereto, to the qualified elec-~~
31 ~~tors of the city at the same election.~~
32 ~~—The proposition of electing five (5) commissioners shall be stated sub-~~
33 ~~stantially as follows as a separate proposition on the ballot:~~
34 ~~“Shall the city of _____ elect five commissioners to constitute the governing body~~
35 ~~of the city in the event that the city shall adopt the city-manager plan?”~~
36 ~~Yes _____ No~~
37 ~~—(2) In the event a majority of electors voting on such proposition vote~~
38 ~~in favor thereof, five (5) commissioners shall be elected as hereinafter~~
39 ~~provided, but if a majority of such electors shall vote against such prop-~~
40 ~~osition, the city shall thereafter elect three (3) commissioners as provided~~
41 ~~by K.S.A. 12-1005b and amendments thereto. In the event such city shall~~
42 ~~adopt the city-manager plan of government and a majority of the qualified~~
43 ~~electors shall have voted in favor of the election of five (5) commissioners,~~

1 the five (5) commissioners shall be elected as follows: If the city manager
 2 plan is adopted in sufficient time prior to the regular city election, oth-
 3 erwise required to be held in an even-numbered year, the five (5) com-
 4 missioners shall be elected for terms of one year each and their terms
 5 shall expire when their successors shall have been elected and qualified
 6 following the regular city election held the succeeding odd year. There-
 7 after and in the event the city manager plan shall have been adopted
 8 sufficiently prior to the regular city election otherwise required to be held
 9 in any odd year, two (2) of the said commissioners shall be elected for
 10 terms of four (4) years and until their successors shall have been elected
 11 and qualified, and three (3) of the said commissioners shall be elected
 12 for terms of two (2) years and until their successors shall have been
 13 elected and qualified.

14 ~~—(3)—~~ At each regular city election held each odd year thereafter, three
 15 (3) commissioners shall be elected. The two (2) commissioners receiving
 16 the greatest number of votes respectively shall serve terms of four (4)
 17 years, and until their successors shall have been elected and qualified,
 18 and the one commissioner receiving the least number of votes of the three
 19 (3) elected shall serve for a term of two (2) years, and until a successor
 20 shall have been elected and qualified. In the event any city herein shall
 21 become a city of the first class after adopting the city manager plan of
 22 government and shall have elected five (5) commissioners, such city shall
 23 continue to elect five (5) commissioners in the manner hereinbefore pro-
 24 vided.

25 ~~—(b) (1)—~~ On and after July 1, 2010, cities of the second class in excess
 26 of 13,500 population having the commission plan of government wherein
 27 the question of adopting the city manager plan of government is to be
 28 submitted shall elect three commissioners as now provided by law for
 29 cities of the second class in excess of 8,000 population, except that such
 30 city shall elect five commissioners as hereinafter provided if the question
 31 of electing five commissioners be submitted pursuant to K.S.A. 12-184,
 32 and amendments thereto, to the qualified electors of the city at the same
 33 election.

34 ~~—The proposition of electing five commissioners shall be stated substan-~~
 35 ~~tially as follows as a separate proposition on the ballot:~~

36 ~~—“Shall the city of _____ elect five commissioners to constitute the governing body of~~
 37 ~~the city in the event that the city shall adopt the city manager plan?”²²~~

38 Yes _____ No

39 ~~—(2)—~~ In the event a majority of electors voting on such proposition vote
 40 in favor thereof, five commissioners shall be elected as hereinafter pro-
 41 vided, but if a majority of such electors shall vote against such proposition,
 42 the city shall thereafter elect three commissioners as provided by K.S.A.
 43 12-1005b, and amendments thereto. In the event such city shall adopt the

1 ~~city-manager plan of government and a majority of the qualified electors~~
2 ~~shall have voted in favor of the election of five commissioners, the five~~
3 ~~commissioners shall be elected as follows: Two of the said commissioners~~
4 ~~shall be elected for terms of four years and until their successors shall~~
5 ~~have been elected and qualified, and three of the said commissioners shall~~
6 ~~be elected for terms of two years and until their successors shall have been~~
7 ~~elected and qualified.~~
8 ~~—(3) At each regular city election held each even-numbered year there-~~
9 ~~after, three commissioners shall be elected. The two commissioners re-~~
10 ~~ceiving the greatest number of votes respectively shall serve terms of four~~
11 ~~years, and until their successors shall have been elected and qualified, and~~
12 ~~the one commissioner receiving the least number of votes of the three~~
13 ~~elected shall serve for a term of two years, and until a successor shall have~~
14 ~~been elected and qualified. In the event any city herein shall become a~~
15 ~~city of the first class after adopting the city-manager plan of government~~
16 ~~and shall have elected five commissioners, such city shall continue to elect~~
17 ~~five commissioners in the manner hereinbefore provided.~~
18 ~~—(c) Any commissioner elected in 2007 shall hold office until such suc-~~
19 ~~cessor is elected and qualified in 2010. Any commissioner elected in 2009~~
20 ~~shall hold office until such successor is elected and qualified in 2012.~~
21 ~~—Sec. 7. K.S.A. 2009 Supp. 14-201 is hereby amended to read as fol-~~
22 ~~lows: 14-201. (a) On and after July 1, 2010, except as provided in K.S.A.~~
23 ~~12-1028a, and amendments thereto, there shall be elected on the first~~
24 ~~Tuesday in April August of each odd-numbered even-numbered year a~~
25 ~~mayor, council members and city treasurer. Subject to the provisions of~~
26 ~~K.S.A. 2009 Supp. 12-16,128, and amendments thereto, the mayor shall~~
27 ~~appoint, by and with the consent of the council, a municipal judge of the~~
28 ~~municipal court, a city marshal-chief of police, city clerk, city attorney,~~
29 ~~and may appoint police officers and any other officers deemed necessary.~~
30 ~~Any officers appointed and confirmed shall hold an initial term of office~~
31 ~~of not to exceed one year and until their successors are appointed and~~
32 ~~qualified. Any officers who are reappointed shall hold their offices for a~~
33 ~~term of one year and until their successors are appointed and qualified.~~
34 ~~The council shall by ordinance specify the duties and compensation of~~
35 ~~the office holders, and by ordinance may abolish any office created by~~
36 ~~the council whenever deemed expedient.~~
37 ~~—(b) Except as provided in subsection (c), the mayor, council members~~
38 ~~and city treasurer shall hold their offices for a term of two years.~~
39 ~~—(c) Any mayor, council member or city treasurer elected in 2009 shall~~
40 ~~hold office until such successor is elected and qualified in 2010.~~
41 ~~—Sec. 8. K.S.A. 14-1204 is hereby amended to read as follows: 14-~~
42 ~~1204. (a) (1) Except as provided in subsection (b), at the election first~~
43 ~~held in cities of the second class, adopting the provisions of this act, the~~

1 mayor and commissioners shall be elected for four years, and at each
2 election thereafter such officers shall be elected for terms of four years,
3 and shall hold their offices until their successors are elected and qualified.
4 The mayor and two commissioners shall constitute the board of commis-
5 sioners of the city, and the mayor shall be the presiding officer of the
6 board.

7 ~~—(2) Mayors and commissioners elected in the year 1967 shall have~~
8 ~~terms expiring in 1971. Mayors and commissioners elected in the year~~
9 ~~1968 shall have terms expiring in 1973.~~

10 ~~—(b) Notwithstanding any provision of subsection (a) to the contrary,~~
11 ~~on and after July 1, 2010, any mayor or commissioner elected in 2007~~
12 ~~shall hold office until such successor is elected and qualified in 2010. Any~~
13 ~~mayor or commissioner elected in 2009 shall hold office until such suc-~~
14 ~~cessor is elected and qualified in 2012. Thereafter, each such officer shall~~
15 ~~be elected for a term of four years and shall hold such respective office~~
16 ~~until their successor is elected and qualified.~~

17 ~~—Sec. 9. K.S.A. 19-3507 is hereby amended to read as follows: 19-~~
18 ~~3507. (a) The water district election shall be held in each election pre-~~
19 ~~cinct, a part or all of which is located within such water district, except~~
20 ~~that if no other election is being held in a given election precinct on the~~
21 ~~same date as the water district election, the county election officer may~~
22 ~~provide one or more convenient voting places where the water district~~
23 ~~electors of such precinct may vote, which may be a voting place located~~
24 ~~in another precinct. The county election officer shall designate such vot-~~
25 ~~ing places and the persons entitled to vote thereat in the election notice.~~
26 ~~The county election officer shall make a report in writing to the board of~~
27 ~~county commissioners of such election precincts and voting places, which~~
28 ~~report shall be filed with the county clerk of the county or counties in~~
29 ~~which such precincts and voting places are located and an entry thereof~~
30 ~~made upon the journal of the board or boards of county commissioners~~
31 ~~of such county or counties and if any change shall be made in such voting~~
32 ~~precincts and voting places by the county election officer, the same shall~~
33 ~~in like manner be reported to the board or boards of county commis-~~
34 ~~sioners, filed and entered as aforesaid. The polls for any election held~~
35 ~~under this act shall be open between the hours of 7:00 a.m. and 7:00 p.m.~~

36 ~~—(b) Except as provided in subsection (g), all qualified persons desiring~~
37 ~~to be voted upon as a member of such board shall on or before 12:00~~
38 ~~o'clock 12 noon on the Tuesday which precedes by 10 weeks the first~~
39 ~~Tuesday in April of the year in which the election is being held, which~~
40 ~~date shall be stated in the publication notice of the election, file with the~~
41 ~~county election officer, a statement directing such officer to place such~~
42 ~~person's name on the ballot as a candidate for member of the board of~~
43 ~~the water district in such election, indicating the number of the position~~

1 for which such person is filing. No candidate shall be permitted to with-
2 draw as a candidate after the deadline for filing such statements of can-
3 didacy. There shall be no primary election for members of the water
4 district board. The county election officer shall publish names of all can-
5 didates in a newspaper of general circulation within the water district not
6 less than 10 days before such election. The county election officer shall
7 provide for use of voting machines or printed ballots in each election
8 precinct or voting place. Where printed ballots are prepared, the same
9 shall be done at the expense of the water district. The names of candidates
10 for each member position shall be rotated on the ballots in such a manner
11 that each candidate shall be given an equitable opportunity to have such
12 candidate's name appear first on the ballot. Where the only election being
13 conducted in an election precinct or voting place is the water district
14 election, the cost of providing judges and clerks in such precinct or voting
15 place shall be borne entirely by the water district, but where held in
16 conjunction with other elections, the cost shall be prorated in the manner
17 provided by article 22 of chapter 25 of the Kansas Statutes Annotated,
18 and amendments thereto.

19 ~~—(c)—~~ At least five days before any election, the county election officers
20 of the various counties within which a portion of such district is located,
21 in cooperation with the water district board, shall determine the voting
22 areas where no other elections will be held in conjunction with the water
23 district and the names of all qualified electors residing in the water district
24 and located in such precincts and shall determine the election precincts
25 which contain only a part of the water district and the names of all qual-
26 ified electors residing in the water district and in such election precincts.
27 A list of the qualified electors determined as hereinbefore provided shall
28 be furnished by the county election officer to the judges of the voting
29 precincts or voting places where such electors are entitled to vote.

30 ~~—(d)—~~ Qualified electors of any election precinct, the entirety of which
31 is within the water district, shall be entitled to vote in such precinct and
32 a separate list of their names need not be furnished.

33 ~~—(e)—~~ A voter shall not be eligible to vote in any election precinct other
34 than the one in which such person resides unless no election is being held
35 in such precinct, in which event, such voter shall be entitled to vote in
36 the voting place designated by the county election officer.

37 ~~—(f)—~~ Such list furnished by the county election officer to the judges of
38 each precinct shall be conclusive at all elections, except that one desirous
39 of voting, whose name does not appear on such list, may proceed to the
40 county election officer of the county and such officer may administer
41 oaths and affirm witnesses to determine the right of anyone to vote who
42 may claim erroneous omission from such list, and if such officer issues a
43 certificate entitling the voter to vote, such certificate shall be accepted

1 by the judges and clerks of the election. The list so furnished by the
 2 county election officer shall be conclusive at all elections held within the
 3 same year that the list is furnished.

4 ~~—(g) Notwithstanding any provision in subsection (b) to the contrary,~~
 5 ~~on and after July 1, 2010, all qualified persons desiring to be voted upon~~
 6 ~~as a member of such board shall on or before 12 noon on the Tuesday~~
 7 ~~which precedes by 10 weeks the first Tuesday in November of the year in~~
 8 ~~which the election is being held, which date shall be stated in the publi-~~
 9 ~~cation notice of the election, file with the county election officer, a state-~~
 10 ~~ment directing such officer to place such person's name on the ballot as~~
 11 ~~a candidate for member of the board of the water district in such election,~~
 12 ~~indicating the number of the position for which such person is filing.~~

13 ~~—Sec. 10. K.S.A. 24-412 is hereby amended to read as follows: 24-412.~~

14 ~~(a) Except as otherwise provided in this section, an election to choose~~
 15 ~~three directors in each district as their successors, shall be held on the~~
 16 ~~first Tuesday in April, 1983, and an election shall be held each four years~~
 17 ~~thereafter, on the first Tuesday in April, to choose directors. Directors~~
 18 ~~elected in any district in 1980 or 1981 shall hold their office until suc-~~
 19 ~~cessors are elected and qualified at the election in April, 1983.~~

20 ~~—(b) On and after July 1, 2010, an election to choose three directors in~~
 21 ~~each district as their successors, shall be held on the first Tuesday in~~
 22 ~~November, 2010, and an election shall be held each four years thereafter,~~
 23 ~~on the first Tuesday in November, to choose directors. Any director~~
 24 ~~elected in any district in 2007 shall hold such office until such successor~~
 25 ~~is elected and qualified. Any director elected in any district in 2009 shall~~
 26 ~~hold such office until such successor is elected and qualified.~~

27 ~~Sec. 11. Section 1.~~ K.S.A. 25-1115 is hereby amended to read as
 28 follows: 25-1115. (a) “General election” means the election held on the
 29 Tuesday succeeding the first Monday in November of even-numbered
 30 years, ~~the elections held for officers on the first Tuesday in April,~~ and in
 31 the case of special elections of any officers to fill vacancies, the election
 32 at which any such officer is finally elected.

33 (b) “Primary election” means the election held on the ~~first Tuesday~~
 34 ~~in August~~ **second Tuesday in September** of even-numbered years, ~~the~~
 35 ~~election held five weeks preceding the election on the first Tuesday in~~
 36 ~~April,~~ and any other preliminary election at which part of the candidates
 37 for special election to any national, state, county, city or school office are
 38 eliminated by the process of the election but at which no officer is finally
 39 elected.

40 ~~Sec. 12. K.S.A. 2009 Supp. 25-1122 is hereby amended to read as~~
 41 ~~follows: 25-1122. (a) Any registered voter may file with the county elec-~~
 42 ~~tion officer where such person is a resident, or where such person is~~
 43 ~~authorized by law to vote as a former precinct resident, an application for~~

1 an advance voting ballot. The signed application shall be transmitted only
2 to the county election officer by personal delivery, mail, facsimile or as
3 otherwise provided by law.

4 ~~—(b)— If the registered voter is applying for an advance voting ballot to~~
5 ~~be transmitted in person, and such voter is a first-time voter, such voter~~
6 ~~shall provide a form of valid identification such as a current and valid~~
7 ~~Kansas driver's license, nondriver's identification card, utility bill, bank~~
8 ~~statement, paycheck, government check or other government document~~
9 ~~containing the voter's current name and address as indicated on the reg-~~
10 ~~istration book. Such voter shall not be required to provide identification~~
11 ~~if such voter has previously provided current and valid identification in~~
12 ~~the county where registered.~~

13 ~~—(c)— If the registered voter is applying for an advance voting ballot to~~
14 ~~be transmitted by mail, and such voter is a first-time voter, such voter~~
15 ~~shall provide on the application for an advance voting ballot the voter's~~
16 ~~current and valid Kansas driver's license number, nondriver's identifica-~~
17 ~~tion card number or the last four digits of the voter's social security num-~~
18 ~~ber, or shall provide with the application a copy of the voter's current and~~
19 ~~valid Kansas driver's license, nondriver's identification card, utility bill,~~
20 ~~bank statement, paycheck, government check or other government docu-~~
21 ~~ment containing the voter's current name and address as indicated on~~
22 ~~the registration book. Such voter shall not be required to provide identi-~~
23 ~~fication if such voter has previously provided current and valid identi-~~
24 ~~fication in the county where registered.~~

25 ~~—(d)— If a first-time voter is unable or refuses to provide current and~~
26 ~~valid identification, or if the name and address do not match the voter's~~
27 ~~name and address on the registration book, the voter may vote a provi-~~
28 ~~sional ballot according to K.S.A. 25-409, and amendments thereto. The~~
29 ~~voter shall provide a valid form of identification as defined in subsection~~
30 ~~(c) of this section to the county election officer in person or provide a~~
31 ~~copy by mail or electronic means before the meeting of the county board~~
32 ~~of canvassers. At the meeting of the county board of canvassers the county~~
33 ~~election officer shall present copies of identification received from provi-~~
34 ~~sional voters and the corresponding provisional ballots. If the county~~
35 ~~board of canvassers determines that a voter's identification is valid and~~
36 ~~the provisional ballot was properly cast, the ballot shall be counted.~~

37 ~~—(e)— Applications for advance voting ballots to be transmitted to the~~
38 ~~voter by mail shall be filed only at the following times:~~

39 ~~—(1)— For the primary election occurring on the first Tuesday in August~~
40 ~~in even-numbered years, between April 1 of such year and the last busi-~~
41 ~~ness day of the week preceding such primary election.~~

42 ~~—(2)— For the general election occurring on the Tuesday succeeding the~~
43 ~~first Monday in November in even-numbered years, between 90 days~~

1 ~~prior to such election and the last business day of the week preceding~~
2 ~~such general election.~~

3 ~~—(3) For the primary election held five weeks preceding the first Tues-~~
4 ~~day in April, between January 1 of the year of such election and the last~~
5 ~~business day of the week preceding such primary election.~~

6 ~~—(4) For the general election occurring on the first Tuesday in April,~~
7 ~~between January 1 of the year of such election and the last business day~~
8 ~~of the week preceding such general election.~~

9 ~~—(5) For question submitted elections occurring on the date of a pri-~~
10 ~~mary or general election, the same as is provided for ballots for election~~
11 ~~of officers at such election.~~

12 ~~—(6) (4) For question submitted elections not occurring on the date of~~
13 ~~a primary or general election, between the time of the first published~~
14 ~~notice thereof and the last business day of the week preceding such ques-~~
15 ~~tion submitted election, except that if the question submitted election is~~
16 ~~held on a day other than a Tuesday, the county election officer shall~~
17 ~~determine the final date for mailing of advance voting ballots, but such~~
18 ~~date shall not be more than three business days before such election.~~

19 ~~—(7) (5) For any special election of officers, at such time as is specified~~
20 ~~by the secretary of state.~~

21 ~~—(8) (6) For the presidential preference primary, between January 1~~
22 ~~of the year in which such primary is held and the last business day of the~~
23 ~~week preceding such primary election.~~

24 ~~—The county election officer of any county may receive applications prior~~
25 ~~to the time specified in this subsection (c) and hold such applications~~
26 ~~until the beginning of the prescribed application period. Such applications~~
27 ~~shall be treated as filed on that date.~~

28 ~~—(f) Unless an earlier date is designated by the county election office,~~
29 ~~applications for advance voting ballots transmitted to the voter in person~~
30 ~~in the office of the county election officer shall be filed on the Tuesday~~
31 ~~next preceding the election and on each subsequent business day until~~
32 ~~no later than 12:00 12 noon on the day preceding such election. If the~~
33 ~~county election officer so provides, applications for advance voting ballots~~
34 ~~transmitted to the voter in person in the office of the county election~~
35 ~~officer also may be filed on the Saturday preceding the election. Upon~~
36 ~~receipt of any such properly executed application, the county election~~
37 ~~officer shall deliver to the voter such ballots and instructions as are pro-~~
38 ~~vided for in this act.~~

39 ~~—An application for an advance voting ballot filed by a voter who has a~~
40 ~~temporary illness or disability or who is not proficient in reading the~~
41 ~~English language or by a person rendering assistance to such voter may~~
42 ~~be filed during the regular advance ballot application periods until the~~
43 ~~close of the polls on election day.~~

1 —The county election officer may designate places other than the central
2 county election office as satellite advance voting sites. At any satellite
3 advance voting site, a registered voter may obtain an application for ad-
4 vance voting ballots. Such ballots and instructions shall be delivered to
5 the voter in the same manner and subject to the same limitations as
6 otherwise provided by this subsection.

7 —(g) Any person having a permanent disability or an illness which has
8 been diagnosed as a permanent illness is hereby authorized to make an
9 application for permanent advance voting status. Applications for per-
10 manent advance voting status shall be in the form and contain such in-
11 formation as is required for application for advance voting ballots and also
12 shall contain information which establishes the voter's right to permanent
13 advance voting status.

14 —(h) On receipt of any application filed under the provisions of this
15 section, the county election officer shall prepare and maintain in such
16 officer's office a list of the names of all persons who have filed such
17 applications, together with their correct post office address and the pre-
18 cinct, ward, township or voting area in which such persons claim to be
19 registered voters or to be authorized by law to vote as former precinct
20 residents and the present resident address of each applicant. Such names
21 and addresses shall remain so listed until the day of such election. The
22 county election officer shall maintain a separate listing of the names and
23 addresses of persons qualifying for permanent advance voting status. All
24 such lists shall be available for inspection upon request in compliance
25 with this subsection by any registered voter during regular business hours.
26 The county election officer upon receipt of such applications shall enter
27 upon a record kept by such officer the name and address of each appli-
28 cant, which record shall conform to the list above required. Before in-
29 spection of any advance voting ballot application list, the person desiring
30 to make such inspection shall provide to the county election officer iden-
31 tification in the form of driver's license or other reliable identification and
32 shall sign a log book or application form maintained by such officer stating
33 such person's name and address and showing the date and time of in-
34 spection. All records made by the county election officer shall be subject
35 to public inspection, except that the voter identification information re-
36 quired by subsections (b) and (c) and the identifying number on ballots
37 and ballot envelopes and records of such numbers shall not be made
38 public.

39 —(i) If a person on the permanent advance voting list fails to vote in
40 two consecutive general elections held on the Tuesday succeeding the
41 first Monday in November of each even-numbered year, the county elec-
42 tion officer may mail a notice to such voter. Such notice shall inform the
43 voter that the voter's name will be removed from the permanent advance

1 ~~voting list unless the voter renews the application for permanent advance~~
 2 ~~voting status within 30 days after the notice is mailed. If the voter fails to~~
 3 ~~renew such application, the county election officer shall remove the~~
 4 ~~voter's name from the permanent advance voting list. Failure to renew~~
 5 ~~the application for permanent advance voting status shall not result in~~
 6 ~~removal of the voter's name from the voter registration list.~~

7 ~~—(j) For the purposes of this section, “first-time voter” means a reg-~~
 8 ~~istered voter who has not previously voted in any election in the county~~
 9 ~~in which the voter desires to vote. First-time voter includes a person~~
 10 ~~whose name was removed from the county registration list in accordance~~
 11 ~~with K.S.A. 25-2316c, and amendments thereto, and who has re-regis-~~
 12 ~~tered.~~

13 ~~—(k) The secretary of state may adopt rules and regulations defining~~
 14 ~~valid forms of identification.~~

15 ~~Sec. 13. 2.~~ K.S.A. 25-2006 is hereby amended to read as follows: 25-
 16 2006. (a) “General election” means the election held for school officers
 17 on the first Tuesday ~~in April in any odd-numbered year~~ *succeeding the*
 18 *first Monday in November of even-numbered years*, and in the case of
 19 special elections of any school officers to fill vacancies, the election at
 20 which any such officer is finally elected.

21 (b) “Primary election” means the election held ~~five weeks preceding~~
 22 ~~the election on the first Tuesday in April~~ *on the first Tuesday in August*
 23 ***second Tuesday in September*** of even-numbered years, and any other
 24 preliminary election at which part of the candidates for special election
 25 to any school office are eliminated by the process of the election but at
 26 which no officer is finally elected.

27 ~~Sec. 14.~~ K.S.A. 25-2007 is hereby amended to read as follows: 25-
 28 2007. (a) “Question submitted election” means any election at which a
 29 special question is to be voted on by the electors of the state or a part of
 30 them.

31 ~~—(b) “County election officer” means:~~

32 ~~—(1) The election commissioner of the home county of the school dis-~~
 33 ~~trict if such county has an election commissioner;~~

34 ~~—(2) the county clerk of the home county of the school district if the~~
 35 ~~county does not have an election commissioner;~~

36 ~~—(3) the county clerk (or the election commissioner if there is one) of~~
 37 ~~the county in which all or the greater part of the population is located in~~
 38 ~~the case of a nonunified school district. In the event that doubt exists~~
 39 ~~concerning which public officer is the county election officer under this~~
 40 ~~subpart, the secretary of state shall specify such officer and such speci-~~
 41 ~~fication shall be conclusive.~~

42 ~~—(c) “Filing deadline” means the hour, date or time after which it is~~
 43 ~~provided by law no person may become a candidate for election to public~~

1 office; for school elections the filing deadline is 12:00 o'clock ~~12 noon on~~
2 the Tuesday which precedes by 10 weeks the first Tuesday in April of any
3 odd-numbered year ~~November of any even-numbered year.~~
4 ~~—Sec. 15.—K.S.A. 25-2010 is hereby amended to read as follows: 25-~~
5 ~~2010. Election of board members and question submitted elections shall~~
6 ~~be conducted by the county election officer of the home county of the~~
7 ~~school district. Board member general elections shall be held on the first~~
8 ~~Tuesday in April of each odd-numbered year *succeeding the first Monday*~~
9 ~~*in November of even-numbered years.* If a primary election is required~~
10 ~~to be held, such primary election shall be held on the Tuesday preceding~~
11 ~~by five weeks the first Tuesday in April of odd-numbered *first Tuesday*~~
12 ~~*in August of even-numbered years.*~~
13 ~~—Sec. 16.—K.S.A. 25-2018 is hereby amended to read as follows: 25-~~
14 ~~2018. (a) Notices of board member elections and question submitted~~
15 ~~elections of a school district shall be made as provided in this section.~~
16 ~~—(b)—On or before January 15, the county election officer shall publish~~
17 ~~a notice of election one time in a newspaper having general circulation~~
18 ~~in the school district. The notice for board member elections shall state~~
19 ~~(1) the name of the school district, (2) the date of the general election,~~
20 ~~(3) the date of the primary election if one is held, (4) the filing deadline~~
21 ~~and the place of filing, and (5) the offices or positions to be filled.~~
22 ~~—(c)—All notices provided for by this section shall be given in the form~~
23 ~~prescribed by the secretary of state to the extent that any notice or part~~
24 ~~thereof is prescribed by the secretary of state. The provisions of this sec-~~
25 ~~tion shall not be construed to require the secretary of state to prescribe~~
26 ~~any particular form.~~
27 ~~—(d)—Not less than six weeks prior to the first Tuesday in April *in August*~~
28 ~~*of any even-numbered year* a notice of primary elections shall be pub-~~
29 ~~lished by the county election officer in a newspaper having general cir-~~
30 ~~culation in the school district, if a primary election is required to be held.~~
31 ~~The publication shall be made one time and shall state (1) the name of~~
32 ~~the school district, (2) the date of the primary election, (3) the names of~~
33 ~~the candidates and the office or position for which each is a candidate,~~
34 ~~(4) the voting place or places and the area each voting place is to serve,~~
35 ~~(5) the times of opening and closing of the polls. Description of areas~~
36 ~~shall be in the terms determined by the county election officer.~~
37 ~~—(e)—Not less than three days prior to the first Tuesday in April *in*~~
38 ~~*August in any even-numbered year* notice of the general election shall be~~
39 ~~published by the county election officer one time in a newspaper having~~
40 ~~general circulation in the school district. The notice shall state (1) the~~
41 ~~name of the school district, (2) the date of the general election, (3) the~~
42 ~~names of the candidates and the office or position for which each is a~~
43 ~~candidate, (4) the voting place or places and the area each voting place~~

1 is to serve, (5) the time of opening and closing of polls. Description of
 2 areas shall be in such terms as may be determined by the county election
 3 officer.

4 —(f) ~~Notice of any question submitted election of any school district~~
 5 ~~shall be made in the manner provided by K.S.A. 10-120, and amendments~~
 6 ~~thereto. The notice shall state (1) the name of the school district, (2) the~~
 7 ~~date of the election, (3) the amount of bonds to be issued, if a bond~~
 8 ~~election, (4) the proposition to be voted upon, (5) the hours of opening~~
 9 ~~and closing of the polls, (6) the voting place or places and the area each~~
 10 ~~voting place is to serve, and (7) any other information specifically required~~
 11 ~~by law. Description of areas shall be in the terms determined by the~~
 12 ~~county election officer.~~

13 —Sec. 17. ~~K.S.A. 25-2023 is hereby amended to read as follows: 25-~~
 14 ~~2023. (a) Except as provided in subsection (b), each board member shall~~
 15 ~~qualify by filing an oath of office with the election officer not later than~~
 16 ~~ten (10) 10 days following the date of the election, or not later than five~~
 17 ~~(5) days after issuance of such member's certificate of election, whichever~~
 18 ~~is the later date. Each board member shall take office on the July 1~~
 19 ~~following the general school election. Each member elected to a board~~
 20 ~~of education shall hold office until a successor is elected or appointed and~~
 21 ~~qualified and shall serve for a term of four (4) years.~~

22 —(b) ~~Board members elected in 2007 shall hold office until successors~~
 23 ~~are elected and qualified in 2010. Board members elected in 2009 shall~~
 24 ~~hold office until successors are elected and qualified in 2012.~~

25 Sec. ~~18. 3.~~ K.S.A. 25-2102 is hereby amended to read as follows: 25-
 26 2102. (a) “General election” means the election held on the Tuesday
 27 succeeding the first Monday in November of even-numbered years, ~~the~~
 28 ~~elections held for officers on the first Tuesday in April,~~ and in the case
 29 of special elections of any officers to fill vacancies, the election at which
 30 any such officer is finally elected.

31 (b) “Primary election” means the election held on the ~~first Tuesday~~
 32 ~~in August~~ **second Tuesday in September** of even-numbered years, ~~the~~
 33 ~~election held five weeks preceding the election on the first Tuesday in~~
 34 ~~April,~~ and any other preliminary election at which part of the candidates
 35 for special election to any national, state, county, city or school office are
 36 eliminated by the process of the election but at which no officer is finally
 37 elected.

38 Sec. 19. ~~K.S.A. 25-2107 is hereby amended to read as follows: 25-~~
 39 ~~2107. On and after July 1, 2010, the general election of city officers shall~~
 40 ~~be held on the first Tuesday in April~~ *November of an even-numbered*
 41 *year.* Except as otherwise provided by law or as provided by charter or
 42 ordinance passed after April 30, 1968, pursuant to article 12, section 5, of
 43 the constitution of Kansas, *on and after July 1, 2010,* every city shall have

1 an election of city officers in odd-numbered ~~even-numbered~~ years only,
2 and the terms of city officers shall be two (2) years. *Provided, however,*
3 ~~That.~~ The provisions of this section shall not invalidate, repeal or other-
4 wise affect any charter ordinance of any city of the third class having a
5 population of not less than one thousand five hundred (1,500) ~~1,500~~ nor
6 more than two thousand (2,000) ~~2,000~~ located in a county having a pop-
7 ulation of not less than fifty thousand (50,000) ~~50,000~~ nor more than one
8 hundred thousand (100,000) ~~100,000~~, which ordinance had become ef-
9 fective prior to April 30, 1968.

10 —Sec. 20.—K.S.A. 2009 Supp. 25-2108a is hereby amended to read as
11 follows: 25-2108a. (a) ~~Except as provided in subsection (b),~~ there shall be
12 a primary election of city officers on the Tuesday preceding by five weeks
13 the first Tuesday in April ~~August~~ of every year that such city has a city
14 election, except as otherwise provided in subsection (b) of this section.

15 —(b)—A primary election shall be held if needed to reduce the number
16 of candidates for each office in the general election to no more than three
17 candidates. No primary election of city officers shall be held unless by
18 holding such primary two or more persons will be eliminated as candi-
19 dates for office. In the event there are not more than three times the
20 number of candidates as there are officers to be elected, the names of
21 the candidates for such office shall not appear on the primary election
22 ballots, and there shall be no primary election for such office, but the
23 names of such candidates shall be placed on the general city election
24 ballot.

25 —Sec. 21.—K.S.A. 25-2109 is hereby amended to read as follows: 25-
26 2109. The filing deadline for all city elections shall be 12:00 o'clock ~~12~~
27 noon of the Tuesday preceding by 10 weeks the first Tuesday in April
28 ~~November of an even-numbered year.~~

29 —Sec. 22.—K.S.A. 25-2120 is hereby amended to read as follows: 25-
30 2120. (a) The county election officer who conducts the city election shall
31 promptly certify to the city governing body the determination of election
32 results made by the county board of canvassers. ~~Except as provided in~~
33 ~~subsection (b),~~ the term of office shall commence with and include the
34 first regular meeting of the governing body following certification of the
35 election.

36 —Every person elected or appointed to city office, before entering upon
37 the duties of such office, shall take and subscribe an oath or affirmation
38 as specified in K.S.A. 54-106, and every such oath or affirmation shall be
39 filed with the city clerk.

40 —(b) (1)—~~Each city official the starting date of whose term of office is~~
41 ~~governed by this section and who is elected in 2009 shall hold office until~~
42 ~~the first regular meeting of the governing body following the certification~~
43 ~~of the election in 2010.~~

- 1 ~~—(2) The term of each city official the starting date of whose term of~~
2 ~~office is governed by this section and who is elected in 2010 shall com-~~
3 ~~mence with and include the first regular meeting of the governing body~~
4 ~~following the certification of the election.~~
- 5 ~~—Sec. 23. K.S.A. 25-2311 is hereby amended to read as follows: 25-~~
6 ~~2311. (a) County election officers shall provide for the registration of~~
7 ~~voters at one or more places on all days except the following:~~
- 8 ~~—(1) Days when the main offices of the county government are closed~~
9 ~~for business, except as is otherwise provided by any county election officer~~
10 ~~under the provisions of K.S.A. 25-2312 and amendments thereto;~~
- 11 ~~—(2) days when the main offices of the city government are closed for~~
12 ~~business, in the case of deputy county election officers who are city clerks~~
13 ~~except as is otherwise provided by any county election officer under the~~
14 ~~provisions of K.S.A. 25-2312 and amendments thereto;~~
- 15 ~~—(3) the 14 days preceding the day of primary and general state elec-~~
16 ~~tions;~~
- 17 ~~—(4) the 14 days preceding the day of primary city and school elections;~~
18 ~~if either has a primary;~~
- 19 ~~—(5) the 14 days preceding each first Tuesday in April of odd-num-~~
20 ~~bered years November of even-numbered years, being the day of city and~~
21 ~~school general elections;~~
- 22 ~~—(6) the 14 days preceding the day of any election other than one~~
23 ~~specified in paragraphs (3), (4) and (5) of this subsection; and~~
- 24 ~~—(7) the day of any primary or general election or any question sub-~~
25 ~~mitted election.~~
- 26 ~~—(b) For the purposes of this section in counting days that registration~~
27 ~~books are to be closed, all of the days including Sunday and legal holidays~~
28 ~~shall be counted.~~
- 29 ~~—(c) The secretary of state shall notify every county election officer of~~
30 ~~the dates when registration shall be closed preceding primary and general~~
31 ~~state, city and school elections. The days so specified by the secretary of~~
32 ~~state shall be conclusive. Such notice shall be given by the secretary of~~
33 ~~state by mail at least 60 days preceding every primary and general state,~~
34 ~~city and school election.~~
- 35 ~~—(d) The last days before closing of registration books as directed by~~
36 ~~the secretary of state under subsection (c) of this section, county election~~
37 ~~officers shall provide for registration of voters during regular business~~
38 ~~hours, during the noon hours and at other than regular business hours~~
39 ~~upon such days as the county election officers deem necessary. The last~~
40 ~~three business days before closing of registration books prior to state~~
41 ~~primary and general elections, county election officers may provide for~~
42 ~~registration of voters until 9:00 p.m. in cities of the first and second class.~~
- 43 ~~—(e) County election officers shall accept and process applications re-~~

1 received by voter registration agencies and the division of motor vehicles
 2 not later than the 15th day preceding the date of any election, mailed
 3 voter registration applications that are postmarked not later than the 15th
 4 day preceding the date of any election, or, if the postmark is illegible or
 5 missing, is received in the mail not later than the ninth day preceding the
 6 day of any election.

7 —(f)—The secretary of state may adopt rules and regulations interpreting
 8 the provisions of this section and specifying the days when registration
 9 shall be open, days when registration shall be closed, and days when it is
 10 optional with the county election officer for registration to be open or
 11 closed.

12 —(g)—Before each primary and general election held in even-numbered
 13 years, and at times and in a form prescribed by the secretary of state,
 14 each county election officer shall certify to the secretary of state the num-
 15 ber of registered voters in each precinct of the county as shown by the
 16 registration books in the office of such county election officer.

17 Sec. ~~24.4~~. K.S.A. 25-2502 is hereby amended to read as follows: 25-
 18 2502. (a) “General election” means the election held on the Tuesday
 19 succeeding the first Monday in November of even-numbered years, ~~the~~
 20 ~~elections held for officers on the first Tuesday in April,~~ and in the case
 21 of special elections of any officers to fill vacancies, the election at which
 22 any such officer is finally elected.

23 (b) “Primary election” means the election held on the ~~first Tuesday~~
 24 ~~in August~~ **second Tuesday in September** of even-numbered years, ~~the~~
 25 ~~election held five weeks preceding the election on the first Tuesday in~~
 26 ~~April,~~ and any other preliminary election at which part of the candidates
 27 for special election to any national, state, county, township, city or school
 28 office are eliminated by the process of the election but at which no officer
 29 is finally elected.

30 Sec. ~~25~~. K.S.A. 25-3503 is hereby amended to read as follows: 25-
 31 3503. (a) ~~In the event that any vacancy occurs to which this act applies,~~
 32 ~~and such occurrence is not more than ninety (90) 90 days and not less~~
 33 ~~than thirty (30) 30 days before any primary election of state officers, the~~
 34 ~~election provided for in this act shall be held on the same date as the~~
 35 ~~primary election of state officers.~~

36 —(b)—~~In the event that any vacancy occurs to which this act applies, and~~
 37 ~~such occurrence is not more than ninety (90) 90 days and not less than~~
 38 ~~thirty (30) 30 days before any regular primary or general election of city~~
 39 ~~and school officers occurring in an odd-numbered *even-numbered* year,~~
 40 ~~the election provided for in this act shall be held within such ninety (90)~~
 41 ~~90 days and on the same date as such primary or general election.~~

42 —(c)—~~In the event that any vacancy occurs to which this act applies, and~~
 43 ~~such occurrence is not more than thirty (30) 30 days before any primary~~

1 election of state officers and before the general election of state officers,
2 at such general election votes cast for the office of congressman in the
3 district in which such vacancy has occurred shall be deemed to be cast to
4 fill the vacancy for the unexpired term, as well as for the election for the
5 next regular term. The governor shall proclaim the date of the election
6 to be the same as the general election of state officers.

7 —(d)— In the event that any vacancy occurs to which this act applies, on
8 or after the date of any general election of state officers and before the
9 term of office in which the vacancy has occurred expires, votes cast for
10 the office of congressman in the district in which such vacancy occurs
11 shall be deemed to have been cast to fill such vacancy for the unexpired
12 term, as well as for election for the next regular term. The governor's
13 approval of this act shall be deemed to proclaim that every regular elec-
14 tion of a representative to the United States congress shall be an election
15 for the unexpired term if any should occur, as well as election for the next
16 regular term. In cases to which subsection (c) of this section or this sub-
17 section applies, the person elected for the next regular term shall be
18 deemed to have been elected for the balance of the unexpired term also.

19 —Sec. 26.— K.S.A. 71-1413 is hereby amended to read as follows: 71-
20 1413. (a) *Except as provided in subsection (b)*, elections of trustees of
21 community colleges shall be conducted by the county election officer of
22 the county in which the main campus of the college is located. In any
23 college district having territory in more than one county, the county elec-
24 tion officers of all such counties shall cooperate with the county election
25 officer of the county in which the main campus is located, and upon
26 establishing any new community college or adding territory to any of the
27 community college districts, the state board, in accordance with this sec-
28 tion, shall specify the county in which the main campus shall be located
29 for the purpose of this section. General community college elections shall
30 be held on the first Tuesday in April of each odd-numbered year. Any
31 primary community college election shall be held on the Tuesday pre-
32 ceding by five weeks the first Tuesday in April of odd-numbered years.

33 —(b)— *On and after July 1, 2010, general community college elections*
34 *shall be held on the first Tuesday in November of each even-numbered*
35 *year. Any primary community college election shall be held on the Tues-*
36 *day preceding by five weeks the first Tuesday in August of each even-*
37 *numbered year.*

38 —Sec. 27.— K.S.A. 71-1414 is hereby amended to read as follows: 71-
39 1414. (a) (1) In college districts where a district method of election is in
40 effect, a person may become a candidate for election to trustee of a com-
41 munity college by any one of the following methods:

42 —(A)— Any person who is an elector of any member district may petition
43 to be a candidate for member from the member district in which such

1 person resides. Any such person shall file with the election officer a pe-
 2 tition for such person's candidacy signed by not less than 50 electors
 3 residing in such person's member district.

4 —(B)— Any person who is an elector of any member district may become
 5 a candidate for member from the member district in which such person
 6 resides by filing with the election officer a declaration of intent to be such
 7 a candidate, and payment therewith of a filing fee in the amount of \$5.

8 —(C)— If a community college adopts and implements a seven member
 9 board of trustees plan, any person who is an elector of the college district
 10 may petition to be a candidate for the at-large member position. Any such
 11 person shall file with the county election officer a petition for such can-
 12 didacy signed by not less than 50 electors residing in such college district.

13 —(D)— If a community college adopts and implements a seven member
 14 board of trustees plan, any person who is an elector of the college district
 15 may become a candidate for the at-large member position by filing with
 16 the county election officer a declaration of intent to be such a candidate,
 17 and payment therewith of a filing fee in the amount of \$5.

18 —(2)— Every petition or declaration of intent filed under this subsection
 19 must specify the member position for which the person is a candidate.

20 —(b)— In college districts where the election-at-large method of election
 21 is in effect, a person may become a candidate for election to trustee of a
 22 community college by either one of the following methods:

23 —(1)— Any person who is an elector of the college district may petition
 24 to be a candidate for trustee. Any such person shall file with the election
 25 officer a petition for such person's candidacy signed by not less than 50
 26 electors residing in the college district.

27 —(2)— Any person who is an elector of the college district may become
 28 a candidate for trustee by filing with the election officer a declaration of
 29 intent to be such a candidate, and payment therewith of a filing fee in
 30 the amount of \$5.

31 —(c)— *Except as provided in subsection (d), every petition or declaration*
 32 *of intent filed under this section must be filed on or before 12 o'clock 12*
 33 *noon on the Tuesday which precedes by 10 weeks the first Tuesday in*
 34 *April of any odd-numbered year. No such petition or declaration shall be*
 35 *filed sooner than the second Tuesday of the December which next pre-*
 36 *cedes the community college election.*

37 —(d)— *On and after July 1, 2010, every petition or declaration of intent*
 38 *filed under this section must be filed on or before 12 noon on the Tuesday*
 39 *which precedes by 10 weeks the first Tuesday in August of any even-*
 40 *numbered year. No such petition or declaration shall be filed sooner than*
 41 *the second Tuesday of the December which next precedes the community*
 42 *college election.*

43 Sec. 28. 5. K.S.A. 12-1004, 12-1005a, 12-1005b, 12-1005c, 12-1036d,

1 ~~12-1037, 14-1204, 19-3507, 24-412, 25-1115, 25-2006, 25-2007, 25-2010,~~
2 ~~25-2018, 25-2023, 25-2102, 25-2107, 25-2109, 25-2120, 25-2311, 25-~~
3 ~~2502, 25-3503, 71-1413 and 71-1414 and K.S.A. 2009 Supp. 14-201, 25-~~
4 ~~1122 and 25-2108a~~ **25-1115, 25-2006, 25-2102 and 25-2502** are
5 hereby repealed.

6 Sec. ~~20~~ **6**. This act shall take effect and be in force from and after
7 its publication in the statute book.