

(Corrected)

[As Amended by House Committee of the Whole]

As Amended by House Committee

Session of 2011

HOUSE BILL No. 2080

By Committee on Elections

1-24

1 AN ACT concerning elections; ~~relating to extension districts; amending~~
2 ~~K.S.A. 2-624 and repealing the existing section~~ [relating to certain
3 municipalities; amending K.S.A. 2-623, 2-624, 19-3505, 19-3507,
4 24-412, 25-1115, 25-2006, 25-2007, 25-2010, 25-2018, 25-2023, 25-
5 2102, 25-2109, 25-2118, 25-2120, 25-2311, 25-2502, 25-3503, 71-
6 1413 and 71-1414 and K.S.A. 2010 Supp. 24-459, 24-506,] [25-
7 205,] [25-1122, 25-2108a and 42-706 and repealing the existing
8 sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-
9 1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-
10 1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-
11 1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-
12 1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-
13 1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-
14 1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-
15 1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d,
16 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038 and
17 25-2107 and K.S.A. 2010 Supp. 14-201].

18

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

20 [New Section 1. (a) All primary elections for members of the
21 governing body and other elected officials of any municipality shall
22 be held on the first Tuesday in August of even-numbered years and
23 all general elections for members of the governing body and other
24 elected officials of any municipality shall be held on the Tuesday
25 succeeding the first Monday in November of even-numbered
26 years.]

27 [(b) The term of members of governing bodies and other
28 elected officials that would expire at any time in 2013 shall expire
29 on the second Monday in January, 2013, when newly elected
30 members of the governing body and other newly elected officials

1 shall take office.]

2 [(c) Primary elections for any municipality shall be held if
3 there are three or more candidates for an elected position. The
4 names of the two candidates receiving the greatest number of votes
5 for any position at the primary election shall appear on the ballot
6 at the general election.]

7 [(d) The filing deadline for all candidates for any municipality
8 unless otherwise provided by law shall be as provided in K.S.A. 25-
9 205, and amendments thereto.]

10 [(e) "Municipality" means any city, school district, community
11 college, drainage district, extension district, irrigation district,
12 library district created under K.S.A. 12-1236 et seq., and
13 amendments thereto, and water districts created under K.S.A. 19-
14 3501 et seq., and amendments thereto. The term does not include
15 any municipality where the election of members of the governing
16 body is conducted at a meeting of the municipality.]

17 [New Sec. 2. (a) Any city may adopt by ordinance one of the
18 following forms of government:]

19 [1. Commission;]

20 [2. mayor-council;]

21 [3. commission-manager;]

22 [4. mayor-council-manager;]

23 [5. council-manager; or]

24 [6. any other form of government authorized by law or by
25 ordinance or charter ordinance of the city.]

26 [(b) Any city which has operated for four or more years under
27 a form of government may abandon such form and adopt a
28 different form of government. The provisions of K.S.A. 12-184, and
29 amendments thereto, shall govern the procedure for the adoption
30 or abandonment of such form of government.]

31 [(c) The governing body of the city may establish by ordinance
32 any of the following:]

33 [(1) The powers and duties of the governing body including the
34 mayor and other elected officials;]

35 [(2) the term of office of members of the governing body
36 including the mayor and other elected officials;]

37 [(3) the election by ward or district of members of the
38 governing body, if applicable;]

39 [(4) the powers and duties of the city manager, if applicable;]

1 **[(5) the administrative departments of the city; and]**
2 **[(6) other matters deemed appropriate by the governing body.]**
3 **[New Sec. 3. All existing ordinances and charter ordinances**
4 **relating to a city's form of government, except those provisions**
5 **relating to the timing of city primary and general elections, shall**
6 **remain in effect until amended or repealed by such city.]**
7 **[Sec. 4. K.S.A. 2-623 is hereby amended to read as follows: 2-**
8 **623. (a) Prior to July 1 of any year, any two or more county**
9 **extension councils may establish an extension district composed of**
10 **all of the counties of such councils by entering into an agreement in**
11 **accordance with this section to combine the extension programs for**
12 **each county involved into one extension program serving the**
13 **extension district. No such agreement shall be effective unless such**
14 **agreement has received the prior approval of: (1) the board of**
15 **county commissioners of each county included in the proposed**
16 **extension district, subject to the provisions of subsection (i); (2) the**
17 **executive board of the extension council of each county included in**
18 **the proposed extension district and the director of extension of**
19 **Kansas state university of agriculture and applied science, or the**
20 **director's authorized representative, acting together as a body; and**
21 **(3) the attorney general in accordance with subsection (h).**
22 **(b) Prior to July 1 of any year, one or more county extension**
23 **councils and the governing body of any existing extension district**
24 **may establish a new extension district by entering into an**
25 **agreement in accordance with this section to combine the extension**
26 **programs for each such county and such district into one extension**
27 **program serving a new extension district composed of all counties**
28 **represented by such county extension councils and the area served**
29 **by the existing extension district. No such agreement shall be**
30 **effective unless such agreement has received the prior approval of:**
31 **(1) the board of county commissioners of each county being added**
32 **to the existing extension district, subject to the provisions of**
33 **subsection (i); (2) the executive board of the county extension**
34 **council of each county being added to the existing extension**
35 **district, the governing body of the existing extension district and**
36 **the director of extension of Kansas state university of agriculture**
37 **and applied science, or the director's authorized representative,**
38 **acting together as a body; and (3) the attorney general in**
39 **accordance with subsection (h).**

1 **(c) On July 1 after the approval under subsection (a) or (b) of**
2 **an agreement to establish an extension district, such extension**
3 **district is hereby established and shall constitute a body corporate**
4 **and politic possessing the usual powers of a corporation for public**
5 **purposes under the name of "extension district no. _____ (the**
6 **number designated by the director of extension), _____ counties**
7 **(naming the counties included within the district), state of Kansas."**
8 **Each extension district is a taxing subdivision and has the power to**
9 **contract, sue and be sued and to acquire, hold and convey real and**
10 **personal property in accordance with law.**

11 **(d) Upon the establishment of an extension district under**
12 **subsection (a) or (b), all of the personnel and property of each of**
13 **the extension programs which are combined into the new district**
14 **extension programs shall be transferred to the new extension**
15 **district and shall be subject to the authority of the governing body**
16 **of the extension district in accordance with the agreement to**
17 **establish the extension district.**

18 **(e) Upon the establishment of an extension district under**
19 **subsection (a), the board of county commissioners of each county**
20 **joining in the establishing of an extension district shall appoint four**
21 **qualified electors to membership on the governing body of the**
22 **district. The terms of all members so appointed shall commence on**
23 **July 1 following their appointment. Of the members so appointed**
24 **two members shall serve for terms ending upon the election and**
25 **qualification of their successors at an election held on the first**
26 *Tuesday in April of the first odd-numbered year following the first*
27 *Monday in November of the first even-numbered year following their*
28 *appointment and two members shall serve for terms ending upon the*
29 *election and qualification of their successors at an election held on the*
30 *first Tuesday in April of the second odd-numbered year succeeding the*
31 *first Monday in November of the second even-numbered year following*
32 *their appointment.*

33 **(f) In the case of one or more counties being included in an**
34 **existing extension district under subsection (b), the board of county**
35 **commissioners of each county being included in an existing**
36 **extension district shall appoint four qualified electors of the county**
37 **to membership on the governing body of the expanded district.**
38 **The terms of all members so appointed shall commence on July 1**
39 **following their appointment. Of the members so appointed two**

1 **members shall serve for terms ending upon the election and**
2 **qualification of their successors at an election held on the first**
3 ~~Tuesday in April of the first odd-numbered year following the first~~
4 ~~Monday in November of the first even-numbered year following their~~
5 ~~appointment and two members shall serve for terms ending upon the~~
6 ~~election and qualification of their successors at an election held on the~~
7 ~~first Tuesday in April of the second odd-numbered year following the~~
8 ~~first Monday in November of the second even-numbered year following~~
9 ~~their appointment. The offices of the members of the governing body of~~
10 ~~the existing extension district shall continue in existence and the~~
11 ~~persons in such offices shall be members of the governing body of the~~
12 ~~expanded extension district which is established on July 1 for the~~
13 ~~remainder of their existing terms of office.~~

14 **(g) In addition to other required provisions, each agreement**
15 **entered into under this section shall specify the permissible method**
16 **or methods to be employed in disposing of the assets and liabilities**
17 **of the extension district in the event that one or more counties**
18 **withdraw from the extension district under K.S.A. 2-628, and**
19 **amendments thereto.**

20 **(h) Each agreement entered into under this section or under**
21 **K.S.A. 2-628, and amendments thereto, prior to and as a condition**
22 **precedent to its entry into force, shall be submitted to the attorney**
23 **general who shall determine whether the agreement is in proper**
24 **form and compatible with this act and the other laws of Kansas.**
25 **The attorney general shall approve any agreement submitted for**
26 **approval under this section or K.S.A. 2-628, and amendments**
27 **thereto unless the attorney general finds that the submitted**
28 **agreement does not meet the requirements of this act. In such case,**
29 **the attorney general shall specify in writing to the proposed parties**
30 **to the agreement and to each other entity required to approve the**
31 **agreement, the specific respects in which the proposed agreement**
32 **fails to meet the requirements of law. Failure by the attorney**
33 **general to disapprove an agreement submitted pursuant to this**
34 **subsection within 90 days of its submission shall constitute**
35 **approval of the agreement by the attorney general.**

36 **(i) Prior to approving an agreement under this section, the**
37 **board of county commissioners of each county to be included in a**
38 **proposed extension district under subsection (a) or to be added to**
39 **an existing extension district under subsection (b), as the case may**

1 **be, shall adopt a resolution stating the intention of the board of**
2 **county commissioners to approve such agreement and specifying**
3 **the counties that are to be included in the extension district. Such**
4 **resolution shall be published once each week for two consecutive**
5 **weeks in the official county newspaper. If, within 60 days following**
6 **the last publication of the resolution, a petition in opposition to the**
7 **approval of the agreement and the inclusion of the county in the**
8 **extension district is signed by not less than 5% of the qualified**
9 **electors of the county and is filed with the county election officer,**
10 **such board of county commissioners shall not approve such**
11 **agreement and the county shall not be included in the extension**
12 **district unless and until the same is approved by a majority of the**
13 **qualified electors of the county voting thereon at a primary election**
14 **or general election or at a special election called and held for such**
15 **purpose. Any such special election shall be called, noticed and held**
16 **in accordance with the provisions of K.S.A. 10-120, and**
17 **amendments thereto.]**

18 ~~Section 4.~~[**Sec. 5.**] K.S.A. 2-624 is hereby amended to read as
19 follows: 2-624. (a) The governing body of each extension district shall
20 be composed of four representatives from each county included in the
21 extension district. At the conclusion of the terms of the members first
22 appointed to membership on the governing body of the district, the four
23 members representing each county in an extension district shall be
24 elected in a county wide election by the qualified electors of the county.

25 (b) At the conclusion of the terms of the members first appointed
26 to membership on the governing body of the district, each member of
27 the governing body shall hold office for a term of four years and until
28 such member's successor is elected and qualified. Each such term of
29 office shall commence on the date of receipt of certification of election
30 by the member elected and shall continue until the member's successor
31 is elected and qualified.

32 (c) (1) Except as otherwise provided in this act, an election to elect
33 successors to members of the governing body whose terms are expiring
34 shall be held on the first Tuesday in April in each odd-numbered year.

35 (2) Elections to choose members of the governing body of an
36 extension district shall be conducted, the returns made and the results
37 ascertained in the manner provided by law for general county elections
38 except as otherwise provided by this act. Not later than ~~12:00 noon of~~
39 ~~the Wednesday next following~~ the Tuesday, ~~five~~10 weeks preceding the

1 first Tuesday in April in odd-numbered years, each person desiring to
2 be a candidate for membership on the governing body, in any election,
3 shall file a declaration of candidacy with the county election officer of
4 the county represented by the member of the governing body whose
5 successor is to be elected, as a candidate in such election. The county
6 election officer in making up the ballots and in placing the names
7 thereon shall place the names on the ballots in alphabetical order.

8 (3) The county election officer of each county within the extension
9 district shall appoint election boards as provided by law for other
10 elections and shall designate places for holding the election. The county
11 election officer shall cause to be ascertained the names of all persons
12 within the district who are qualified electors, and shall furnish lists
13 thereof to the judges of the election. Notice of the time and place of
14 holding each election, signed by the county election officer, shall be
15 given in a newspaper published in the county and posted in a
16 conspicuous place in the office of the governing body at least five days
17 before the holding thereof.

18 (4) All election expenses shall be paid by the extension district.
19 Election officials shall receive the same compensation as provided
20 under the general election laws.

21 ~~(e)~~(d) Any vacancy in the membership of the governing body of
22 an extension district shall be filled by appointment by the governing
23 body for the unexpired term of office. Each member so appointed shall
24 be a resident of the county which was represented by the member
25 creating the vacancy.

26 ~~(f)~~(e) The governing body of each extension district shall organize
27 annually in July by electing from among its members a chairperson,
28 vice-chairperson, secretary and treasurer.

29 **[Sec. 6. K.S.A. 19-3505 is hereby amended to read as follows:**
30 **19-3505. (a) Except as otherwise provided by this section, the**
31 **governing body of any water district to which this section applies**
32 **shall be a five-member board holding positions numbered one to**
33 **five, inclusive. Each member shall be elected and shall hold office**
34 **from ~~May~~ December 1 following such member's election until ~~April~~**
35 **~~30~~ November 30, four years thereafter and until a successor is**
36 **elected and has qualified.**

37 ~~The first election of members of the governing body of any water~~
38 ~~district created after the effective date of this act shall be held on the~~
39 ~~first Tuesday in August of any even-numbered year, at which time~~

1 ~~members shall be elected for terms beginning on September 1 of the~~
2 ~~same year, and ending on April 30 of the third year following the~~
3 ~~beginning of such term, to positions numbered three, four and five. At~~
4 ~~such first election, members shall be elected for terms ending on April~~
5 ~~30 of the first year following the beginning of such terms, to positions~~
6 ~~numbered one and two. Members first elected to positions one and two~~
7 ~~shall have terms of approximately eight months. Elections shall be~~
8 ~~thereafter held on the first Tuesday following the first Monday in~~
9 ~~November in April of each odd-numbered year of each even-numbered~~
10 ~~year for the member positions whose terms expire in that year.~~

11 **(b) From and after April 30, 1991, the governing body of the**
12 **water district shall be composed of seven members. At the election**
13 **held in 1991, positions numbered 1, 2, 6 and 7 shall be elected to**
14 **four-year terms. At the election in 1993, positions numbered 3, 4**
15 **and 5 shall be elected to four-year terms.**

16 **(c) Elections shall be held on the first Tuesday following the first**
17 **Monday in November in April of each odd-numbered year of each**
18 **even-numbered year for the positions which terms expire in that**
19 **year. Members shall hold office from May December 1, following**
20 **such member's election until April 30 November 30, four years**
21 **thereafter and until a successor is elected and qualified. All**
22 **elections shall be nonpartisan and shall be called and conducted by**
23 **the county election officer. Laws applying to other local elections**
24 **occurring at the same time and in the same locality shall apply to**
25 **elections under this act to the extent that the same can be made to**
26 **apply.**

27 **(d) Following each election the board shall organize and not**
28 **later than the second regular meeting following each election shall**
29 **select from among its members a chairperson and a vice-**
30 **chairperson. The vice-chairperson shall preside over any meetings**
31 **at which the chairperson is not present. Vacancies occurring during**
32 **a term shall be filled for the unexpired term by appointment by the**
33 **remaining members. All members shall take an oath of office as**
34 **prescribed for other public officials. The members of the board**
35 **shall be qualified electors in the water district. Prior to accepting**
36 **office, the water district shall obtain for each member-elect a**
37 **corporate surety bond to the state of Kansas in the amount of**
38 **\$10,000, conditioned upon the faithful performance of the**
39 **member's duties and for the true and faithful accounting of all**

1 money that may come into the member's hands by virtue of the
2 office. Such bonds shall be filed in the office of the county clerk for
3 the county in which the major portion of such water district is
4 located after approval by the board of county commissioners of
5 such county.

6 (e) Each member of the board shall receive a monthly salary in
7 an amount determined by the board and shall be reimbursed for all
8 necessary and reasonable expenses incurred in performing official
9 assigned duties.]

10 [Sec. 7. K.S.A. 19-3507 is hereby amended to read as follows:
11 19-3507. (a) The water district election shall be held in each election
12 precinct, a part or all of which is located within such water district,
13 except that if no other election is being held in a given election precinct
14 on the same date as the water district election, the county election
15 officer may provide one or more convenient voting places where the
16 water district electors of such precinct may vote, which may be a
17 voting place located in another precinct. The county election
18 officer shall designate such voting places and the persons entitled to
19 vote thereat in the election notice. The county election officer shall
20 make a report in writing to the board of county commissioners of
21 such election precincts and voting places, which report shall be
22 filed with the county clerk of the county or counties in which such
23 precincts and voting places are located and an entry thereof made
24 upon the journal of the board or boards of county commissioners
25 of such county or counties and if any change shall be made in such
26 voting precincts and voting places by the county election officer, the
27 same shall in like manner be reported to the board or boards of
28 county commissioners, filed and entered as aforesaid. The polls for
29 any election held under this act shall be open between the hours of
30 ~~7:00~~ 7 a.m. and ~~7:00~~ 7 p.m.

31 (b) All qualified persons desiring to be ~~voted upon~~ a candidate
32 for a position as a member of such board shall file a declaration of
33 candidacy as provided in K.S.A 25-205 and amendments thereto, ~~on or~~
34 before ~~12:00 o'clock~~ 12 noon on the Tuesday which precedes by 10
35 weeks the first Tuesday in April of the year in which the election is
36 being held, which date shall be stated in the publication notice of the
37 election, file with the county election officer, with a statement
38 directing such the officer to place such the person's name on the
39 ballot as a candidate for member of the board of the water district

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

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

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

38 (e) A voter shall not be eligible to vote in any election precinct
39 other than the one in which such person resides unless no election is

1 being held in such precinct, in which event, such voter shall be
 2 entitled to vote in the voting place designated by the county election
 3 officer.

4 (f) Such list furnished by the county election officer to the
 5 judges of each precinct shall be conclusive at all elections, except
 6 that one desirous of voting, whose name does not appear on such
 7 list, may proceed to the county election officer of the county and
 8 such officer may administer oaths and affirm witnesses to
 9 determine the right of anyone to vote who may claim erroneous
 10 omission from such list, and if such officer issues a certificate
 11 entitling the voter to vote, such certificate shall be accepted by the
 12 judges and clerks of the election. The list so furnished by the
 13 county election officer shall be conclusive at all elections held
 14 within the same year that the list is furnished.]

15 [Sec. 8. K.S.A. 24-412 is hereby amended to read as follows:
 16 **24-412.** (a) ~~Except as otherwise provided in this section, an election to~~
 17 ~~choose three directors in each district as their successors, shall be held~~
 18 ~~on the first Tuesday in April, 1983, and~~ **An election shall be held each**
 19 **every four years thereafter, on the first Tuesday following the first**
 20 **Monday in November in April, to choose directors. Directors elected**
 21 **in any district in 1980 or 1981 shall hold their office until**
 22 **successors are elected and qualified at the election in April, 1983.**

23 (b) *An election to choose three directors in each district as their*
 24 *successors shall be held on the Tuesday following the first Monday in*
 25 *November, 2012, and an election shall be held each four years*
 26 *thereafter, on the Tuesday following the first Monday in November, to*
 27 *choose directors. Any director elected in any district in 2009 shall hold*
 28 *such office until such successor is elected and qualified.]*

29 [Sec. 9. K.S.A. 2010 Supp. 24-459 is hereby amended to read as
 30 follows: **24-459.** (a) **The board of directors of any drainage district**
 31 **incorporated pursuant to K.S.A. 24-458, and amendments thereto,**
 32 **shall consist of three qualified persons as defined in paragraph (3)**
 33 **of subsection (e) of this section.**

34 (b) **The directors for the first term after the incorporation of**
 35 **the drainage district shall be selected and designated in the petition**
 36 **for the incorporation of the district and shall be declared directors**
 37 **by the county commissioners to which the petition is presented.**

38 (c) **The directors shall hold office until the first Tuesday in April**
 39 **December 1 of an even-numbered year next after the incorporation of**

1 the district, at which time and every four years thereafter directors
2 shall be elected and shall hold their office for the term of four years
3 and until their successors are elected and qualified.

4 (d) Every qualified person of the district shall be entitled to
5 vote at the election or at any election which may be held in the
6 district.

7 (e) For the purposes of this section:

8 (1) "Owner" or "person who owns land" means any person or
9 entity who is the record owner of the fee in any real estate in the
10 district or the fee in the surface rights of any real estate in the
11 district, but the owners of an oil and gas lease, mineral rights or
12 interest, easements or mortgages as such shall not be considered
13 owners, and school districts, cemetery associations, and municipal
14 corporations shall not be considered owners.

15 (2) "Taxpayer" means any owner who has paid all taxes
16 currently due on such real estate.

17 (3) "Qualified person" means any taxpayer 18 years of age or
18 older, whether a resident of the district or not. A taxpayer who is a
19 qualified person and who is not an individual may designate an
20 individual to cast its vote or to serve as a director of the district.

21 (f) The county clerk shall determine the qualified persons
22 entitled to vote at any election in the district. Any entity desiring to
23 vote at an election shall register the name of its designated
24 representative with the county election officer no later than 14 days
25 in advance of any such election.]

26 [Sec. 10. K.S.A. 2010 Supp. 24-506 is hereby amended to read
27 as follows: 24-506. (a) The board of directors of any drainage
28 district incorporated pursuant to K.S.A. 24-501 et seq., and
29 amendments thereto, shall consist of one person from each county
30 in the district if the number of counties is odd, but if the number of
31 counties is even, then there shall be an additional director at large.
32 If the drainage district is located wholly within one county, the
33 number of directors shall be three. Except as provided in
34 subsection (b), the directors shall be freeholders who shall be
35 residents of Kansas, whose lands in whole or in part are located
36 within the district. The directors shall hold their offices for a term
37 of four years and until their successors are elected and qualified.
38 Elections to choose directors, except the first, shall be held on the
39 first Tuesday following the first Monday in April November of an even-

1 *numbered year* and every four years thereafter.

2 **(b) If there are no residents in the drainage district, any owner**
3 **of land within the district shall be a qualified voter and shall be**
4 **qualified to hold the office of director.]**

5 **[Sec. 11. K.S.A. 25-1115 is hereby amended to read as follows:**
6 **25-1115. (a) "General election" means the election held on the**
7 **Tuesday succeeding the first Monday in November of even-**
8 **numbered years, ~~the elections held for officers on the first Tuesday in~~**
9 **~~April,~~ and in the case of special elections of any officers to fill**
10 **vacancies, the election at which any such officer is finally elected.**

11 **(b) "Primary election" means the election held on the first**
12 **Tuesday in August of even-numbered years, ~~the election held five~~**
13 **~~weeks preceding the election on the first Tuesday in April,~~ and any**
14 **other preliminary election at which part of the candidates for**
15 **special election to any national, state, county, city or school office**
16 **are eliminated by the process of the election but at which no officer**
17 **is finally elected.]**

18 **[Sec. 12. K.S.A. 2010 Supp. 25-1122 is hereby amended to read**
19 **as follows: 25-1122. (a) Any registered voter may file with the**
20 **county election officer where such person is a resident, or where**
21 **such person is authorized by law to vote as a former precinct**
22 **resident, an application for an advance voting ballot. The signed**
23 **application shall be transmitted only to the county election officer**
24 **by personal delivery, mail, facsimile or as otherwise provided by**
25 **law.**

26 **(b) If the registered voter is applying for an advance voting**
27 **ballot to be transmitted in person, and such voter is a first-time**
28 **voter, such voter shall provide a form of valid identification such as**
29 **a current and valid Kansas driver's license, nondriver's**
30 **identification card, utility bill, bank statement, paycheck,**
31 **government check or other government document containing the**
32 **voter's current name and address as indicated on the registration**
33 **book. Such voter shall not be required to provide identification if**
34 **such voter has previously provided current and valid identification**
35 **in the county where registered.**

36 **(c) If the registered voter is applying for an advance voting**
37 **ballot to be transmitted by mail, and such voter is a first-time voter,**
38 **such voter shall provide on the application for an advance voting**
39 **ballot the voter's current and valid Kansas driver's license number,**

1 nondriver's identification card number or the last four digits of the
2 voter's social security number, or shall provide with the application
3 a copy of the voter's current and valid Kansas driver's license,
4 nondriver's identification card, utility bill, bank statement,
5 paycheck, government check or other government document
6 containing the voter's current name and address as indicated on
7 the registration book. Such voter shall not be required to provide
8 identification if such voter has previously provided current and
9 valid identification in the county where registered.

10 (d) If a first-time voter is unable or refuses to provide current
11 and valid identification, or if the name and address do not match
12 the voter's name and address on the registration book, the voter
13 may vote a provisional ballot according to K.S.A. 25-409, and
14 amendments thereto. The voter shall provide a valid form of
15 identification as defined in subsection (c) of this section to the
16 county election officer in person or provide a copy by mail or
17 electronic means before the meeting of the county board of
18 canvassers. At the meeting of the county board of canvassers the
19 county election officer shall present copies of identification received
20 from provisional voters and the corresponding provisional ballots.
21 If the county board of canvassers determines that a voter's
22 identification is valid and the provisional ballot was properly cast,
23 the ballot shall be counted.

24 (e) Applications for advance voting ballots to be transmitted to
25 the voter by mail shall be filed only at the following times:

26 (1) For the primary election occurring on the first Tuesday in
27 August in even-numbered years, between April 1 of such year and
28 the last business day of the week preceding such primary election.

29 (2) For the general election occurring on the Tuesday
30 succeeding the first Monday in November in even-numbered years,
31 between 90 days prior to such election and the last business day of
32 the week preceding such general election.

33 ~~(3) For the primary election held five weeks preceding the first~~
34 ~~Tuesday in April, between January 1 of the year of such election and~~
35 ~~the last business day of the week preceding such primary election.~~

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

39 ~~(5) For question submitted elections occurring on the date of a~~

1 primary or general election, the same as is provided for ballots for
2 election of officers at such election.

3 ~~(6)~~(4) For question submitted elections not occurring on the
4 date of a primary or general election, between the time of the first
5 published notice thereof and the last business day of the week
6 preceding such question submitted election, except that if the
7 question submitted election is held on a day other than a Tuesday,
8 the county election officer shall determine the final date for mailing
9 of advance voting ballots, but such date shall not be more than
10 three business days before such election.

11 ~~(7)~~(5) For any special election of officers, at such time as is
12 specified by the secretary of state.

13 ~~(8)~~(6) For the presidential preference primary, between
14 January 1 of the year in which such primary is held and the last
15 business day of the week preceding such primary election.

16 The county election officer of any county may receive
17 applications prior to the time specified in this subsection (e) and
18 hold such applications until the beginning of the prescribed
19 application period. Such applications shall be treated as filed on
20 that date.

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

33 An application for an advance voting ballot filed by a voter who
34 has a temporary illness or disability or who is not proficient in
35 reading the English language or by a person rendering assistance to
36 such voter may be filed during the regular advance ballot
37 application periods until the close of the polls on election day.

38 The county election officer may designate places other than the
39 central county election office as satellite advance voting sites. At

1 any satellite advance voting site, a registered voter may obtain an
2 application for advance voting ballots. Such ballots and
3 instructions shall be delivered to the voter in the same manner and
4 subject to the same limitations as otherwise provided by this
5 subsection.

6 (g) Any person having a permanent disability or an illness
7 which has been diagnosed as a permanent illness is hereby
8 authorized to make an application for permanent advance voting
9 status. Applications for permanent advance voting status shall be in
10 the form and contain such information as is required for
11 application for advance voting ballots and also shall contain
12 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
15 this section, the county election officer shall prepare and maintain
16 in such officer's office a list of the names of all persons who have
17 filed such applications, together with their correct post office
18 address and the precinct, ward, township or voting area in which
19 such persons claim to be registered voters or to be authorized by
20 law to vote as former precinct residents and the present resident
21 address of each applicant. Such names and addresses shall remain
22 so listed until the day of such election. The county election officer
23 shall maintain a separate listing of the names and addresses of
24 persons qualifying for permanent advance voting status. All such
25 lists shall be available for inspection upon request in compliance
26 with this subsection by any registered voter during regular business
27 hours. The county election officer upon receipt of such applications
28 shall enter upon a record kept by such officer the name and
29 address of each applicant, which record shall conform to the list
30 above required. Before inspection of any advance voting ballot
31 application list, the person desiring to make such inspection shall
32 provide to the county election officer identification in the form of
33 driver's license or other reliable identification and shall sign a log
34 book or application form maintained by such officer stating such
35 person's name and address and showing the date and time of
36 inspection. All records made by the county election officer shall be
37 subject to public inspection, except that the voter identification
38 information required by subsections (b) and (c) and the identifying
39 number on ballots and ballot envelopes and records of such

1 numbers shall not be made public.

2 (i) If a person on the permanent advance voting list fails to
3 vote in two consecutive general elections held on the Tuesday
4 succeeding the first Monday in November of each even-numbered
5 year, the county election officer may mail a notice to such voter.
6 Such notice shall inform the voter that the voter's name will be
7 removed from the permanent advance voting list unless the voter
8 renews the application for permanent advance voting status within
9 30 days after the notice is mailed. If the voter fails to renew such
10 application, the county election officer shall remove the voter's
11 name from the permanent advance voting list. Failure to renew the
12 application for permanent advance voting status shall not result in
13 removal of the voter's name from the voter registration list.

14 (j) For the purposes of this section, "first-time voter" means a
15 registered voter who has not previously voted in any election in the
16 county in which the voter desires to vote. First-time voter includes
17 a person whose name was removed from the county registration list
18 in accordance with K.S.A. 25-2316c, and amendments thereto, and
19 who has re-registered.

20 (k) The secretary of state may adopt rules and regulations
21 defining valid forms of identification.]

22 [Sec. 13. K.S.A. 25-2006 is hereby amended to read as follows:
23 25-2006. (a) "General election" means the election held for school
24 officers on the first Tuesday in ~~April in any odd-numbered year~~
25 *succeeding the first Monday in November of even-numbered years, and*
26 *in the case of special elections of any school officers to fill*
27 *vacancies, the election at which any such officer is finally elected.*

28 (b) "Primary election" means the election held ~~five weeks~~
29 ~~preceding the election on the first Tuesday in April~~ *on the first Tuesday*
30 *in August of even-numbered years, and any other preliminary*
31 *election at which part of the candidates for special election to any*
32 *school office are eliminated by the process of the election but at*
33 *which no officer is finally elected.]*

34 [Sec. 14. K.S.A. 25-2007 is hereby amended to read as follows:
35 25-2007. (a) "Question submitted election" means any election at
36 which a special question is to be voted on by the electors of the state
37 or a part of them.

38 (b) "County election officer" means:

39 (1) The election commissioner of the home county of the school

1 district if such county has an election commissioner,
2 (2) the county clerk of the home county of the school district if
3 the county does not have an election commissioner,
4 (3) the county clerk (or the election commissioner if there is
5 one) of the county in which all or the greater part of the population
6 is located in the case of a nonunified school district. In the event
7 that doubt exists concerning which public officer is the county
8 election officer under this subpart, the secretary of state shall
9 specify such officer and such specification shall be conclusive.
10 (c) "Filing deadline" means the *deadline established in K.S.A.*
11 *25-205, and amendments thereto* hour, date or time after which it is
12 provided by law no person may become a candidate for election to
13 public office; for school elections the filing deadline is 12:00 o'clock
14 noon on the Tuesday which precedes by 10 weeks the first Tuesday in
15 April of any odd-numbered year.]
16 [Sec. 15. K.S.A. 25-2010 is hereby amended to read as follows:
17 25-2010. Election of board members and question submitted
18 elections shall be conducted by the county election officer of the
19 home county of the school district. Board member general elections
20 shall be held on the first Tuesday in April of each odd-numbered year
21 succeeding the first Monday in November of even-numbered years. If a
22 primary election is required to be held, such primary election shall
23 be held on the Tuesday preceding by five weeks the first Tuesday in
24 April of odd-numbered first Tuesday in August of even-numbered
25 years.]
26 [Sec. 16. K.S.A. 25-2018 is hereby amended to read as follows:
27 25-2018. (a) Notices of board member elections and question
28 submitted elections of a school district shall be made as provided in
29 this section.
30 (b) On or before ~~January~~ June 15, the county election officer
31 shall publish a notice of election one time in a newspaper having
32 general circulation in the school district. The notice for board
33 member elections shall state (1) the name of the school district, (2)
34 the date of the general election, (3) the date of the primary election
35 if one is held, (4) the filing deadline and the place of filing, and (5)
36 the offices or positions to be filled.
37 (c) All notices provided for by this section shall be given in the
38 form prescribed by the secretary of state to the extent that any
39 notice or part thereof is prescribed by the secretary of state. The

1 provisions of this section shall not be construed to require the
2 secretary of state to prescribe any particular form.

3 (d) Not less than six weeks prior to the first Tuesday ~~in April in~~
4 *August of any even-numbered year* a notice of primary elections shall
5 be published by the county election officer in a newspaper having
6 general circulation in the school district, if a primary election is
7 required to be held. The publication shall be made one time and
8 shall state (1) the name of the school district, (2) the date of the
9 primary election, (3) the names of the candidates and the office or
10 position for which each is a candidate, (4) the voting place or places
11 and the area each voting place is to serve, (5) the times of opening
12 and closing of the polls. Description of areas shall be in the terms
13 determined by the county election officer.

14 (e) Not less than three days prior to the first Tuesday ~~in April~~
15 *in August in any even-numbered year* a notice of the general election
16 shall be published by the county election officer one time in a
17 newspaper having general circulation in the school district. The
18 notice shall state (1) the name of the school district, (2) the date of
19 the general election, (3) the names of the candidates and the office
20 or position for which each is a candidate, (4) the voting place or
21 places and the area each voting place is to serve, (5) the time of
22 opening and closing of polls. Description of areas shall be in such
23 terms as may be determined by the county election officer.

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

33 [Sec. 17. K.S.A. 25-2023 is hereby amended to read as follows:
34 25-2023. (a) Except as provided in subsection (b), each board
35 member shall qualify by filing an oath of office with the election
36 officer not later than ~~ten (10)~~ 10 days following the date of the
37 election, or not later than five (5) days after issuance of such
38 member's certificate of election, whichever is the later date. Each
39 board member shall take office on the July 1 following the general

1 school election. Each member elected to a board of education shall
2 hold office until a successor is elected or appointed and qualified
3 and shall serve for a term of four (4) years.

4 (b) Board members elected in 2009 shall hold office until
5 successors are elected and qualified in 2012. Board members elected in
6 2011 shall hold office until successors are elected and qualified in
7 2014.]

8 [Sec. 18. K.S.A. 25-2102 is hereby amended to read as follows:
9 25-2102. (a) "General election" means the election held on the
10 Tuesday succeeding the first Monday in November of even-
11 numbered years, ~~the elections held for officers on the first Tuesday in~~
12 ~~April~~, and in the case of special elections of any officers to fill
13 vacancies, the election at which any such officer is finally elected.

14 (b) "Primary election" means the election held on the first
15 Tuesday in August of even-numbered years, ~~the election held five~~
16 ~~weeks preceding the election on the first Tuesday in April~~, and any
17 other preliminary election at which part of the candidates for
18 special election to any national, state, county, city or school office
19 are eliminated by the process of the election but at which no officer
20 is finally elected.]

21 [Sec. 19. K.S.A. 2010 Supp. 25-2108a is hereby amended to
22 read as follows: 25-2108a. (a) *Except as provided in subsection (b),*
23 *there shall be a primary election of city officers on the Tuesday*
24 *preceding by five weeks the first Tuesday in April August of every*
25 *year that such city has a city election, except as otherwise provided*
26 *in subsection (b) of this section.*

27 (b) A primary election shall be held if needed to reduce the
28 number of candidates for each office in the general election to no
29 more than three candidates. No primary election of city officers
30 shall be held unless by holding such primary two or more persons
31 will be eliminated as candidates for office. In the event there are
32 not more than three times the number of candidates as there are
33 officers to be elected, the names of the candidates for such office
34 shall not appear on the primary election ballots, and there shall be
35 no primary election for such office, but the names of such
36 candidates shall be placed on the general city election ballot.]

37 [Sec. 20. K.S.A. 25-2109 is hereby amended to read as follows:
38 25-2109. The filing deadline for all city elections shall be *as*
39 *provided in K.S.A. 25-205 and amendments thereto 12:00 o'clock 12:*

1 noon of the Tuesday preceding by 10 weeks the first Tuesday in April.]
2 [Sec. 21. K.S.A. 25-2118 is hereby amended to read as follows:
3 25-2118. The city clerk shall certify to the county election officer a
4 list of all city offices to be voted upon at each city election not later
5 than ~~January 1~~ May 15 of every year that such city has a city
6 election.]
7 [Sec. 22. K.S.A. 25-2120 is hereby amended to read as follows:
8 25-2120. (a) The county election officer who conducts the city
9 election shall promptly certify to the city governing body the
10 determination of election results made by the county board of
11 canvassers. *Except as provided in subsection (b), the term of office*
12 *shall commence with and include the first regular meeting of the*
13 *governing body following certification of the election.*
14 Every person elected or appointed to city office, before entering
15 upon the duties of such office, shall take and subscribe an oath or
16 affirmation as specified in K.S.A. 54-106, and every such oath or
17 affirmation shall be filed with the city clerk.
18 (b) (1) *Each member of the governing body and city official, the*
19 *starting date of whose term of office is governed by this section and*
20 *who is elected in 2011, shall hold office until the first regular meeting*
21 *of the governing body following the certification of the election in*
22 *2012.*
23 (2) *The term of each city official, the starting date of whose term*
24 *of office is governed by this section and who is elected in 2012, shall*
25 *commence with and include the first regular meeting of the governing*
26 *body following the certification of the election.]*
27 [Sec. 23. K.S.A. 25-2311 is hereby amended to read as follows:
28 25-2311. (a) County election officers shall provide for the
29 registration of voters at one or more places on all days except the
30 following:
31 (1) Days when the main offices of the county government are
32 closed for business, except as is otherwise provided by any county
33 election officer under the provisions of K.S.A. 25-2312, and
34 amendments thereto;
35 (2) days when the main offices of the city government are
36 closed for business, in the case of deputy county election officers
37 who are city clerks except as is otherwise provided by any county
38 election officer under the provisions of K.S.A. 25-2312, and
39 amendments thereto;

- 1 **(3) the 14 days preceding the day of primary and general state**
2 **elections;**
- 3 **(4) the 14 days preceding the day of primary city and school**
4 **elections, if either has a primary;**
- 5 **(5) the 14 days preceding each first Tuesday following the first**
6 **Monday in ~~April of odd-numbered years~~ November of even-numbered**
7 **years, being the day of city and school general elections;**
- 8 **(6) the 14 days preceding the day of any election other than**
9 **one specified in paragraphs (3), (4) and (5) of this subsection; and**
- 10 **(7) the day of any primary or general election or any question**
11 **submitted election.**
- 12 **(b) For the purposes of this section in counting days that**
13 **registration books are to be closed, all of the days including Sunday**
14 **and legal holidays shall be counted.**
- 15 **(c) The secretary of state shall notify every county election**
16 **officer of the dates when registration shall be closed preceding**
17 **primary and general state, city and school elections. The days so**
18 **specified by the secretary of state shall be conclusive. Such notice**
19 **shall be given by the secretary of state by mail at least 60 days**
20 **preceding every primary and general state, city and school election.**
- 21 **(d) The last days before closing of registration books as**
22 **directed by the secretary of state under subsection (c) of this**
23 **section, county election officers shall provide for registration of**
24 **voters during regular business hours, during the noon hours and at**
25 **other than regular business hours upon such days as the county**
26 **election officers deem necessary. The last three business days**
27 **before closing of registration books prior to state primary and**
28 **general elections, county election officers may provide for**
29 **registration of voters until ~~9:00~~ 9 p.m. in cities of the first and**
30 **second class.**
- 31 **(e) County election officers shall accept and process**
32 **applications received by voter registration agencies and the division**
33 **of motor vehicles not later than the 15th day preceding the date of**
34 **any election; mailed voter registration applications that are**
35 **postmarked not later than the 15th day preceding the date of any**
36 **election; or, if the postmark is illegible or missing, is received in the**
37 **mail not later than the ninth day preceding the day of any election.**
- 38 **(f) The secretary of state may adopt rules and regulations**
39 **interpreting the provisions of this section and specifying the days**

1 when registration shall be open, days when registration shall be
2 closed, and days when it is optional with the county election officer
3 for registration to be open or closed.

4 (g) Before each primary and general election held in even-
5 numbered years, and at times and in a form prescribed by the
6 secretary of state, each county election officer shall certify to the
7 secretary of state the number of registered voters in each precinct
8 of the county as shown by the registration books in the office of
9 such county election officer.]

10 [Sec. 24. K.S.A. 25-2502 is hereby amended to read as follows:
11 25-2502. (a) "General election" means the election held on the
12 Tuesday succeeding the first Monday in November of even-
13 numbered years, ~~the elections held for officers on the first Tuesday in~~
14 ~~April,~~ and in the case of special elections of any officers to fill
15 vacancies, the election at which any such officer is finally elected.

16 (b) "Primary election" means the election held on the first
17 Tuesday in August of even-numbered years, ~~the election held five~~
18 ~~weeks preceding the election on the first Tuesday in April,~~ and any
19 other preliminary election at which part of the candidates for
20 special election to any national, state, county, township, city or
21 school office are eliminated by the process of the election but at
22 which no officer is finally elected.]

23 [Sec. 25. K.S.A. 25-3503 is hereby amended to read as follows:
24 25-3503. (a) In the event that any vacancy occurs to which this act
25 applies, and such occurrence is not more than ~~ninety (90)~~90 days
26 and not less than ~~thirty (30)~~30 days before any primary election of
27 state officers, the election provided for in this act shall be held on
28 the same date as the primary election of state officers.

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

35 (e) (b) In the event that any vacancy occurs to which this act
36 applies, and such occurrence is not more than ~~thirty (30)~~30 days
37 before any primary election of state officers and before the general
38 election of state officers, at such general election votes cast for the
39 office of congressman in the district in which such vacancy has

1 occurred shall be deemed to be cast to fill the vacancy for the
2 unexpired term, as well as for the election for the next regular
3 term. The governor shall proclaim the date of the election to be the
4 same as the general election of state officers.

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

19 [Sec. 26. K.S.A. 2010 Supp. 42-706 is hereby amended to read
20 as follows: 42-706. (a) The officers of such district shall be a board
21 of directors consisting of three members who shall be persons
22 entitled to vote as provided in subsection (h) and residents of a
23 county in which the district or a portion thereof is located, or
24 county adjoining a county in which such irrigation district or a
25 portion thereof is located. Such members shall hold office for a
26 period of three years, and each shall serve until a successor has
27 been elected and qualified. The members of the board of directors
28 first elected after the creation of an irrigation district shall hold
29 their respective offices until the next regular election for the
30 election of directors as provided in subsection (e) or (f) of this
31 section except that the terms of the three directors shall be as
32 provided in subsection (e) of this section.

33 (b) The chief engineer of the division of water resources, after
34 the incorporation of such irrigation district, shall establish and
35 designate the polling place or places therein where the first election
36 will be conducted and fix the time for such election within 60 days
37 after the date of incorporation. In any irrigation district of more
38 than 35,000 acres, the chief engineer of the division of water
39 resources shall, prior to designating polling places, establish three

1 voting areas within such district as equal as possible in acreage and
2 shall designate the same as the first, second or third voting area.
3 Such polling place or places may thereafter be changed by the
4 board of directors, and the board may arrange for polling places
5 outside the corporate boundaries of the district if such places are
6 more convenient than locations within the district. Prior to the
7 holding of the first election in newly created districts, the chief
8 engineer of the division of water resources shall appoint from the
9 qualified electors of the district three persons for such election for
10 each voting place who shall constitute boards of election for such
11 district for such election. If the members appointed do not attend
12 at the opening of the polls on the day of election, at the opening
13 hour, the electors present at that hour shall elect from the electors
14 present members of the election board necessary to fill the place of
15 any absent member.

16 (c) The board of directors of every district of more than 35,000
17 acres which was incorporated prior to the effective date of this act
18 shall establish three voting areas within the district as equal as
19 possible in acreage and designate the same as the first, second or
20 third voting area. The board shall also establish and designate the
21 polling place or places within each voting area. At the first election
22 held after the effective date of this act, a director shall be elected
23 from each voting area and the person receiving the highest number
24 of votes shall serve for a term of three years, the person receiving
25 the second highest number of votes shall serve for a term of two
26 years, and the person receiving the third highest number of votes
27 shall serve for a term of one year. At each subsequent election, only
28 one director shall be elected each year for a term of three years.
29 Any director elected under this provision must be a person entitled
30 to vote as provided in subsection (h).

31 (d) (1) Except as provided in paragraph (2), all elections shall
32 be conducted in accordance with the general election laws of the
33 state except as otherwise provided in this act. Advance voting as
34 provided in article 11 of chapter 25 of the Kansas Statutes
35 Annotated, and amendments thereto, shall be provided for by the
36 county election officers and boards of directors for those persons
37 entitled to vote under subsection (h). The forms for the ballot
38 envelope declaration as provided in K.S.A. 25-1120, and
39 amendments thereto, and the applications for advance ballots as

1 provided in K.S.A. 25-1122d, and amendments thereto, shall be
2 modified to establish that such person is a qualified owner of
3 irrigable land within the district. After polls are closed the election
4 boards shall proceed to canvass the votes cast thereat, shall certify
5 to the county election officer of the county in which all or the
6 greater part of the population of the irrigation district is located
7 and the chief engineer the result of such election. The clerks shall
8 then securely wrap the ballots cast at such elections and shall
9 express or mail the same by registered mail to the county election
10 officer of the county in which all or the greater part of the
11 population of the irrigation district is located. The county election
12 officer shall canvass the ballots, verify the results and declare the
13 person receiving the highest number of votes duly elected as
14 director except that at the first election after creation of a district
15 the county election officer of the county in which all or the greater
16 part of the population of the irrigation district is located shall
17 declare the three persons receiving the highest number of votes
18 duly elected as directors except that in districts divided into three
19 voting areas, the person receiving the highest number of votes in
20 each voting area shall be duly elected as director. Such county
21 election officer shall immediately mail, to each person elected to the
22 office of director, a certificate of election signed by such officer. The
23 directors shall thereupon qualify and enter upon the duties of their
24 office. Directors shall qualify by taking and subscribing to an oath
25 of office of substantially the same tenor as oath of office prescribed
26 for county officials. Each member of the board of directors shall
27 execute an official bond in the sum of \$1,000 which oath and bond
28 shall be filed with the county election officer of the county in which
29 all or the greater part of the population of the irrigation district is
30 located. The treasurer of each irrigation district shall execute to the
31 district a corporate surety bond in an amount at least equal to
32 125% of the amount, as near as can be ascertained, that shall be in
33 such person's hands as treasurer at any one time. The amount and
34 sufficiency of the bond of the treasurer shall be determined by the
35 county election officer. Upon approval of the bond, the county
36 election officer shall endorse such approval thereon and file the
37 same in the office of the county election officer and shall
38 immediately notify the county treasurer of the county in which the
39 registered office of the irrigation district is located of such approval

1 and filing. In the event of the breach of any condition of the
2 treasurer's bond, the president and secretary of the board shall
3 cause a suit to be commenced thereon in the name of the irrigation
4 district. It shall not be necessary to include the treasurer as a party
5 to the action and the money collected shall be applied to the use of
6 the district, as the same should have been applied by the treasurer.
7 Should the president and secretary neglect or refuse to prosecute
8 such a suit, then any person entitled to vote as provided in
9 subsection (h) may cause such suit to be instituted. Premiums on
10 surety bonds for such directors and treasurers of irrigation
11 districts shall be paid by the district out of its general funds. In case
12 the office of any director shall become vacant the remaining
13 members of the board shall fill the vacancy by appointment. A
14 director appointed to fill a vacancy shall serve the unexpired term
15 of the director whose term such person was appointed to fill.

16 (2) For any election except the election required in subsection
17 (b), the board of directors may adopt a procedure providing for the
18 election of members by mail ballot. Such procedure shall require
19 the board to mail ballots to all persons entitled to vote, to receive
20 and tabulate the ballots, to canvass the election and to certify the
21 results to the county election officer. The irrigation district shall be
22 responsible for the direct expenses of conducting the election. The
23 ballot envelope used for mailing ballots shall contain a declaration
24 establishing that the person who signs the declaration is a qualified
25 owner of irrigable land within the district.

26 (e) All regular elections of directors of irrigation districts shall
27 be held the first Tuesday ~~in March~~ in August if a primary is needed,
28 otherwise the elections shall be held on the Tuesday following the first
29 Monday in November of even-numbered years, except as provided by
30 subsection (g). Any districts organized after the regular ~~March~~
31 ~~November~~ election shall hold ~~its~~ their election at the next regular
32 ~~March~~ November election following incorporation of the district
33 and, at this election three directors shall be elected and the person
34 receiving the highest number of votes shall serve for a term of three
35 years, the person receiving the second highest number of votes shall
36 serve for a term of two years, and the person receiving the third
37 highest number of votes shall serve for a term of one year. In case
38 the first election after creation of a district is held between June 1
39 of any year and the day preceding the ~~first~~ Tuesday following the

1 *first Monday in November* ~~in March~~ **of the next succeeding even-**
2 **numbered year, the next regular** ~~March~~ *November* **election shall be**
3 **held in the second succeeding** *even-numbered* **year. At each**
4 **subsequent regular election, only one director shall be elected each**
5 **year for a term of** ~~three~~ *four* **years. All persons desiring to be voted**
6 **upon as directors shall at least 30 days before the day of holding of**
7 **the elections, file such person's name with the county election**
8 **officer of the county in which all or the greater part of the**
9 **population of the irrigation district is located, affixed to a**
10 **statement that such person desires such person's name to be placed**
11 **on the ticket as a candidate for member of board of directors of the**
12 **district in such election. The county election officer shall make up**
13 **the ticket, at expense of the irrigation district, and place the names**
14 **thereon in alphabetical order and shall supply election officials**
15 **with necessary ballots and polling books at the irrigation district's**
16 **expense. At least five days before any election held subsequent to**
17 **first election of directors, the boards of directors shall name and**
18 **appoint three persons for each voting place, who shall be qualified**
19 **electors in the district. At least five days before any election, the**
20 **county clerks of the various counties within which a portion of the**
21 **district is located, shall cause to be ascertained the names of all**
22 **persons entitled to vote as provided in subsection (h) and shall**
23 **furnish lists thereof to each election board within such county and**
24 **to the secretary of the board of directors of the district. Notice of**
25 **the time and places of holding of the election, signed by the**
26 **president and attested by the secretary of the district, shall be given**
27 **in some newspaper or newspapers of general circulation in the**
28 **district for one issue at least five days prior to date of the election.**
29 **The return of all special or bond elections shall be made to the**
30 **secretary of the district, and canvassed by the board of directors.**
31 **All expenses of election, not otherwise provided for herein, shall be**
32 **paid for out of the general funds of the irrigation district. Election**
33 **officials shall receive the same compensation as provided under**
34 **general election laws.**

35 (f) In lieu of the election procedures provided in this section
36 pertaining to regular elections of directors in accordance with the
37 general election laws of the state, the board of directors of any
38 irrigation district of less than 35,000 acres in size may call an
39 annual meeting of all persons entitled to vote as provided in

1 subsection (h) for the purpose of electing directors. Such annual
2 meeting shall be held on the first Tuesday in ~~March~~ *August*, except
3 as provided by subsection (g). Notice of the time and place of
4 holding said annual meeting shall be given in some newspaper or
5 newspapers of general circulation in the district for one issue at
6 least 30 days prior to date of such meeting. Elections at the annual
7 meeting shall be by ballot, with absentee voting as provided under
8 subsection (d) ~~of this section~~. All persons desiring to be voted upon
9 as director shall at least 30 days before the day of holding the
10 annual meeting file such person's name with the secretary of the
11 board of directors of the district, affixed to a statement that such
12 person desires such person's name to be placed on the ballot as a
13 candidate for member of board of directors of the district. The
14 board of directors shall appoint three owners of irrigable land in
15 the district to serve as an election board at the annual meeting.
16 After the votes are cast at the annual meeting, the election board
17 shall proceed to canvass the votes and shall certify to the county
18 election officer of the county in which all or the greater part of the
19 population of the irrigation district is located and the chief
20 engineer the result of such election. All provisions of this section not
21 inconsistent with the provisions of subsection (f) shall apply to the
22 election of directors at the annual meeting.

23 (g) In any case where the time for any regular election of
24 directors as described in subsection (e), or the election as described
25 in subsection (f), is the same for any two districts having the same
26 district manager, such election shall be held on the ~~first Wednesday~~
27 ~~following the first Tuesday in March~~ *August* by the district organized
28 latest in time.

29 (h) Until such time as assessments are made in the district
30 pursuant to K.S.A. 42-715, and amendments thereto, those persons
31 entitled to vote shall be "qualified owners of land" within the
32 irrigation district, as such term is defined in K.S.A. 42-701, and
33 amendments thereto, and who are otherwise qualified electors.

34 After lands have been assessed in the district pursuant to K.S.A.
35 42-715, and amendments thereto, those persons entitled to vote
36 shall be "qualified owners of land" within the irrigation district as
37 such term is defined in K.S.A. 42-701, and amendments thereto,
38 which has been assessed pursuant to K.S.A. 42-715, and
39 amendments thereto, and who are otherwise qualified electors. For

1 voting purposes, any person entitled to vote under this subsection
2 who owns land in more than one voting area shall vote in the voting
3 area which includes the greatest portion of such person's land. As
4 used in this section, the term "qualified electors" shall include a
5 person who is the legal qualified owner of irrigable land or a
6 person, who is authorized, in writing, to vote for a trust,
7 corporation, association or partnership which is the legal qualified
8 owner of irrigable land. Such person is not required to be a
9 resident of the district. Such trust, corporation, association or
10 partnership shall be allowed only one vote. The person authorized
11 by such entity to vote shall be someone who is not otherwise
12 entitled to a vote under this section.]

13 [Sec. 27. K.S.A. 71-1413 is hereby amended to read as follows:
14 71-1413. (a) *Except as provided in subsection (b), elections of trustees*
15 *of community colleges shall be conducted by the county election*
16 *officer of the county in which the main campus of the college is*
17 *located. In any college district having territory in more than one*
18 *county, the county election officers of all such counties shall*
19 *cooperate with the county election officer of the county in which*
20 *the main campus is located, and upon establishing any new*
21 *community college or adding territory to any of the community*
22 *college districts, the state board, in accordance with this section,*
23 *shall specify the county in which the main campus shall be located*
24 *for the purpose of this section. General community college elections*
25 *shall be held on the first Tuesday in April of each odd-numbered year.*
26 *Any primary community college election shall be held on the Tuesday*
27 *preceding by five weeks the first Tuesday in April of odd-numbered*
28 *years.*

29 (b) *On and after July 1, 2012, general community college*
30 *elections shall be held on the Tuesday following the first Monday in*
31 *November of each even-numbered year. Any primary community*
32 *college election shall be held on the first Tuesday in August of each*
33 *even-numbered year.]*

34 [Sec. 28. K.S.A. 71-1414 is hereby amended to read as follows:
35 71-1414. (a) (1) In college districts where a district method of
36 election is in effect, a person may become a candidate for election
37 to trustee of a community college by any one of the following
38 methods:

39 (A) Any person who is an elector of any member district may

1 petition to be a candidate for member from the member district in
2 which such person resides. Any such person shall file with the
3 election officer a petition for such person's candidacy signed by not
4 less than 50 electors residing in such person's member district.

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

10 (C) If a community college adopts and implements a seven
11 member board of trustees plan, any person who is an elector of the
12 college district may petition to be a candidate for the at-large
13 member position. Any such person shall file with the county
14 election officer a petition for such candidacy signed by not less than
15 50 electors residing in such college district.

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

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

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

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

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

37 (c) Every petition or declaration of intent filed *as provided in*
38 *K.S.A. 25-205, and amendments thereto.* ~~under this section must be~~
39 ~~filed on or before 12 o'clock noon on the Tuesday which precedes by~~

1 ~~10 weeks the first Tuesday in April of any odd-numbered year. No such~~
2 ~~petition or declaration shall be filed sooner than the second Tuesday of~~
3 ~~the December which next precedes the community college election.]~~

4 **[Sec. 2. 29. K.S.A. 2010 Supp. 25-205 is hereby amended to**
5 **read as follows: 25-205. (a) Except as otherwise provided in this**
6 **section, the names of candidates for national, state, county and**
7 **township offices shall be printed upon the official primary ballot**
8 **when each shall have qualified to become a candidate by one of the**
9 **following methods and none other: (1) They shall have had filed in**
10 **their behalf, not later than 12:00 /2 noon, June 10, prior to such**
11 **primary election, or if such date falls on Saturday, Sunday or a**
12 **holiday, then before 12:00 /2 noon of the next following day that is**
13 **not a Saturday, Sunday or a holiday, nomination petitions, as**
14 **provided for in this act, except that in 1998, candidates for judge or**
15 **district magistrate judge of the district court for positions created in**
16 **1998 in those judicial districts that have not approved the proposition of**
17 **nonpartisan selection of judges of the district court shall have filed in**
18 **their behalf, not later than 12:00 noon, July 1, 1998, nomination**
19 **petitions, as provided for in this act; or (2) they shall have filed not**
20 **later than the time for filing nomination petitions, as above**
21 **provided, with the proper officer a declaration of intention to**
22 **become a candidate, accompanied by the fee required by law. Such**
23 **declaration shall be prescribed by the secretary of state.**

24 **(b) Nomination petitions shall be in substantially the following**
25 **form:**

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

39 **(HEADING)**

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

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

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

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

27 **(e) Except as otherwise provided in subsection (g), nomination**
28 **petitions shall be signed:**

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

34 **(2) If for a state or national officer elected on less than a**
35 **statewide basis, by voters equal in number to not less than 2% of**
36 **the total of the current voter registration of the party designated in**
37 **such district as compiled by the office of the secretary of state,**
38 **except that for the office of district magistrate judge, by not less**
39 **than 2% of the total of the current voter registration of the party**

1 designated in the county in which such office is to be filled as
2 certified to the secretary of state in accordance with K.S.A. 25-
3 3302, and amendments thereto;

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

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

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

22 (g) In any year in which districts are reapportioned for the
23 offices of representative in the United States congress, senator and
24 representative in the legislature of the state of Kansas or member
25 of the state board of education:

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

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

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

39 (B) for the office of member of the state board of

- 1 **education.....300 registered voters;**
- 2 **(C) for the office of state**
- 3 **senator.....75 registered voters; and**
- 4 **(D) for the office of state**
- 5 **representative.....25 registered voters.**

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

10 (1) If new boundary lines are defined and districts established in
11 the manner prescribed by law on or before ~~June~~ *May* 10, the deadline
12 for filing nomination petitions and declarations of intention to become
13 a candidate for such office, accompanied by the fee required by law,
14 shall be ~~12:00~~ *12 noon* on ~~June 24~~ *10*, or if such date falls on a
15 Saturday, Sunday or a holiday, then before ~~12:00~~ *12 noon* of the next
16 following day that is not a Saturday, Sunday or holiday.

17 (2) If new boundary lines are defined and districts established in
18 the manner prescribed by law on or after ~~June~~ *May* 11, the deadline for
19 filing nomination petitions and declarations of intention to become a
20 candidate for such office, accompanied by the fee required by law, shall
21 be ~~12:00~~ *12 noon* on ~~July 12~~ *June 18*, or if such date falls on a
22 Saturday, Sunday or holiday, then before ~~12:00~~ *12 noon* of the next day
23 that is not a Saturday, Sunday or holiday.]

24 [**Sec. 30. K.S.A. 2-623, 2-624, 12-1001, 12-1002, 12-1003, 12-**
25 **1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e,**
26 **12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-**
27 **1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-**
28 **1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-**
29 **1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-**
30 **1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-**
31 **1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e,**
32 **12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 19-3505, 19-3507,**
33 **24-412, 25-1115, 25-2006, 25-2007, 25-2010, 25-2018, 25-2023, 25-**
34 **2102, 25-2107, 25-2109, 25-2118, 25-2120, 25-2311, 25-2502, 25-**
35 **3503, 71-1413 and 71-1414 and K.S.A. 2010 Supp. 14-201, 24-459,**
36 **24-506, 25-205, 25-1122, 25-2108a and 42-706 are hereby repealed.]**

37 Sec. 3. [31.]This act shall take effect and be in force from and after
38 its publication in the statute book.