A PROPOSITION to amend article 9 of the constitution of the state of
Kansas by adding a new section thereto, concerning home rule for
counties.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the
members elected (or appointed) and qualified to the House of
Representatives and two-thirds of the members elected (or appointed)
and qualified to the Senate concurring therein:
Section 1. The following proposition to amend the constitution of
the state of Kansas shall be submitted to the qualified electors of the state
for their approval or rejection: Article 9 of the constitution of the state of
Kansas is amended by adding a new section to read as follows:

"§ 6. Counties' power of home rule. (a) Counties are
hereby empowered to determine their local affairs and
government including the levying of taxes, excises, fees,
charges and other exactions, except when and as the levying of
any tax, excise, fee, charge or other exaction is limited or
prohibited by enactment of the legislature applicable uniformly
to all counties of the same class. The legislature may establish
not to exceed four classes of counties for the purpose of
imposing all such limitations or prohibitions. Counties shall
exercise such determination by resolution passed by the
governing body with referendums only in such cases as
prescribed by the legislature, subject only to enactments of the
legislature of statewide concern applicable uniformly to all
counties, to other enactments of the legislature applicable
uniformly to all counties, to enactments of the legislature
applicable uniformly to all counties of the same class limiting or
prohibiting the levying of any tax, excise, fee, charge or other
exaction and to enactments of the legislature prescribing limits
of indebtedness. All enactments relating to counties now in
effect or hereafter enacted and as later amended and until
repealed shall govern counties, except as counties shall exempt
themselves by charter resolutions as herein provided for in
subsection (b).
(b) (1) Any county may by charter resolution elect in the
manner prescribed in this section that the whole or any part of
y any enactment of the legislature applying to such county, other
than enactments of statewide concern applicable uniformly to
all counties, other enactments applicable uniformly to all
counties, and enactments prescribing limits of indebtedness,
shall not apply to such county.

(2) A charter resolution is a resolution which exempts a
county from the whole or any part of any enactment of the
legislature as referred to in this section and which may provide
substitute and additional provisions on the same subject. Such
charter resolution shall be so titled, shall designate specifically
the enactment of the legislature or part thereof made
inapplicable to such county by the adoption of such resolution
and contain the substitute and additional provisions, if any, and
shall require a two-thirds vote of the members-elect of the
governing body of such county. Every charter resolution shall
be published once each week for two consecutive weeks in the
official county newspaper or, if there is none, in a newspaper of
general circulation in the county.

(3) No charter resolution shall take effect until 60 days
after its final publication. If, within 60 days of its final
publication, a petition signed by a number of electors of the
county equal to not less than 10% of the number of electors who
voted at the last preceding regular county election shall be filed
in the office of the clerk of such county demanding that such
resolution be submitted to a vote of the electors, it shall not take
effect until submitted to a referendum and approved by a
majority of the electors voting thereon. An election, if called,
shall be called within 30 days and held within 90 days after the
filing of the petition. The governing body shall pass a resolution
calling the election and fixing the date, which resolution shall
be published once each week for three consecutive weeks in the
official county newspaper or, if there be none, in a newspaper of
general circulation in the county, and the election shall be
conducted as elections for officers and by the officers handling
such elections. The proposition shall be: "Shall charter
resolution No. __________, entitled (title of resolution) take
effect?" The governing body may submit any charter resolution
to a referendum without petition by the same publication of the
charter resolution, and the same publication of the resolution
calling the election as for resolutions upon petition and such
charter resolution shall then become effective when approved
by a majority of the electors voting thereon. Each charter
resolution becoming effective shall be recorded by the county
clerk in a book maintained for that purpose with a statement of
the manner of adoption, and a certified copy shall be filed with
the secretary of state, who shall keep an index of the same.
(4) Each charter resolution enacted shall control and
prevail over any prior or subsequent act of the governing body
of the county, and may be repealed or amended only by charter
resolution or by enactments of the legislature applicable to all
counties.
(c) Powers and authority granted to counties pursuant to
this section shall be liberally construed for the purpose of giving
to counties the largest measure of self-government.
(d) This amendment shall be effective on and after July 1,
2021."
Sec. 2. The following statement shall be printed on the ballot with
the amendment as a whole:
"Explanatory statement. This amendment would provide a
constitutional basis for county home rule. A county could
enact a charter resolution to exempt itself from non-uniform
state laws that apply to the county and provide substitute or
additional provisions to that law. The legislature could
preempt counties from exercising home rule powers by the
passage of uniform state laws that apply to all counties in the
exact same manner. Counties could pass home rule
resolutions to legislate locally on matters not covered by
state law.
"A vote for this proposition would empower counties to
determine their local affairs and government with a
constitutional grant of power that could only be preempted
by enactments of the legislature that apply uniformly to all
counties in the exact same way.
"A vote against this proposition would retain the present law
granting counties home rule power and other both uniform
and non-uniform laws pertaining to counties that can be
readily amended by the legislature to restrict home rule
powers by statute."
Sec. 3. This resolution, if approved by two-thirds of the members
elected (or appointed) and qualified to the House of Representatives, and
two-thirds of the members elected (or appointed) and qualified to the
Senate shall be entered on the journals, together with the yeas and nays.
The secretary of state shall cause this resolution to be published as
provided by law and shall cause the proposed amendment to be submitted
to the electors of the state at the general election in November in the year
2020, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.