

SENATE BILL No. 418

By Committee on Federal and State Affairs

1-27

1 AN ACT concerning elections; prohibiting the modification of election
2 laws by agreement except as approved by the ~~legislative coordinating~~
3 ~~council~~ **legislature**; amending K.S.A. 25-125 and repealing the existing
4 section.

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

7 Section 1. K.S.A. 25-125 is hereby amended to read as follows: 25-
8 125. (a) The governor shall not have any authority to modify election laws
9 or procedures by issuance of an executive order.

10 (b) Except as provided in subsection (c), neither the executive branch
11 nor the judicial branch of state government shall have any authority to
12 modify the state election laws.

13 (c) *Neither the governor; the secretary of state nor any other officer*
14 *in the executive branch shall not enter into any consent decree or other*
15 *agreement with any state or federal court or any agreement with any other*
16 *party regarding the enforcement of any election law or the alteration of*
17 *any election procedure without specific approval of such consent decree or*
18 *other agreement by the legislature or the legislative coordinating council*
19 *if the legislature is not in session at the time such agreement is*
20 *submitted for approval.*

21 (d) Nothing in this section shall be construed to limit or otherwise
22 restrict the judicial branch of state government in the exercise of any
23 powers granted by article 3 of the constitution of the state of Kansas.

24 (e) If any provision of this section or the application thereof to any
25 person or circumstance is held invalid, such invalidity shall not affect the
26 other provisions or applications of the section that can be given effect
27 without the invalid provision or application, and, to this end, the
28 provisions of this section are severable.

29 Sec. 2. K.S.A. 25-125 is hereby repealed.

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