

## HOUSE BILL No. 2126

By Representatives Huebert, Arpke, Billinger, Boman, Brown, Brunk, Crum, DeGraaf, Donohoe, Fund, Garber, Goico, Gonzalez, Gregory, Hedke, Hermanson, Hildabrand, M. Holmes, Howell, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Landwehr, Mast, McLeland, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Prescott, Rhoades, Rubin, Ryckman, Scapa, Seiwert, Siegfried, Swanson, and Vickrey

1-28

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

16

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

18

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

25

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

30

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

33

(d) The filing deadline for all candidates for any municipality unless

1 otherwise provided by law shall be as provided in K.S.A. 25-205, and  
2 amendments thereto.

3 (e) "Municipality" means any city, school district, community  
4 college, drainage district, extension district, irrigation district, library  
5 district created under K.S.A. 12-1236 et seq., and amendments thereto,  
6 and water districts created under K.S.A. 19-3501 et seq., and amendments  
7 thereto. The term does not include any municipality where the election of  
8 members of the governing body is conducted at a meeting of the  
9 municipality.

10 New Sec. 2. (a) Any city may adopt by ordinance one of the  
11 following forms of government:

- 12 1. Commission;
- 13 2. mayor-council;
- 14 3. commission-manager;
- 15 4. mayor-council-manager;
- 16 5. council-manager; or
- 17 6. any other form of government authorized by law or by ordinance  
18 or charter ordinance of the city.

19 (b) Any city which has operated for four or more years under a form  
20 of government may abandon such form and adopt a different form of  
21 government. The provisions of K.S.A. 12-184, and amendments thereto,  
22 shall govern the procedure for the adoption or abandonment of such form  
23 of government.

24 (c) The governing body of the city may establish by ordinance any  
25 of the following:

26 (1) The powers and duties of the governing body including the  
27 mayor and other elected officials;

28 (2) the term of office of members of the governing body including  
29 the mayor and other elected officials;

30 (3) the election by ward or district of members of the governing  
31 body, if applicable;

32 (4) the powers and duties of the city manager, if applicable;

33 (5) the administrative departments of the city; and

34 (6) other matters deemed appropriate by the governing body.

35 New Sec. 3. All existing ordinances and charter ordinances relating  
36 to a city's form of government, except those provisions relating to the  
37 timing of city primary and general elections, shall remain in effect until  
38 amended or repealed by such city.

39 Sec. 4. K.S.A. 2-623 is hereby amended to read as follows: 2-623.

40 (a) Prior to July 1 of any year, any two or more county extension councils  
41 may establish an extension district composed of all of the counties of  
42 such councils by entering into an agreement in accordance with this  
43 section to combine the extension programs for each county involved into

1 one extension program serving the extension district. No such agreement  
2 shall be effective unless such agreement has received the prior approval  
3 of: (1) The board of county commissioners of each county included in the  
4 proposed extension district, subject to the provisions of subsection (i); (2)  
5 the executive board of the extension council of each county included in  
6 the proposed extension district and the director of extension of Kansas  
7 state university of agriculture and applied science, or the director's  
8 authorized representative, acting together as a body; and (3) the attorney  
9 general in accordance with subsection (h).

10 (b) Prior to July 1 of any year, one or more county extension  
11 councils and the governing body of any existing extension district may  
12 establish a new extension district by entering into an agreement in  
13 accordance with this section to combine the extension programs for each  
14 such county and such district into one extension program serving a new  
15 extension district composed of all counties represented by such county  
16 extension councils and the area served by the existing extension district.  
17 No such agreement shall be effective unless such agreement has received  
18 the prior approval of: (1) The board of county commissioners of each  
19 county being added to the existing extension district, subject to the  
20 provisions of subsection (i); (2) the executive board of the county  
21 extension council of each county being added to the existing extension  
22 district, the governing body of the existing extension district and the  
23 director of extension of Kansas state university of agriculture and applied  
24 science, or the director's authorized representative, acting together as a  
25 body; and (3) the attorney general in accordance with subsection (h).

26 (c) On July 1 after the approval under subsection (a) or (b) of an  
27 agreement to establish an extension district, such extension district is  
28 hereby established and shall constitute a body corporate and politic  
29 possessing the usual powers of a corporation for public purposes under  
30 the name of "extension district no. \_\_\_\_\_ (the number designated by  
31 the director of extension), \_\_\_\_\_ counties (naming the counties  
32 included within the district), state of Kansas." Each extension district is a  
33 taxing subdivision and has the power to contract, sue and be sued and to  
34 acquire, hold and convey real and personal property in accordance with  
35 law.

36 (d) Upon the establishment of an extension district under subsection  
37 (a) or (b), all of the personnel and property of each of the extension  
38 programs which are combined into the new district extension programs  
39 shall be transferred to the new extension district and shall be subject to  
40 the authority of the governing body of the extension district in accordance  
41 with the agreement to establish the extension district.

42 (e) Upon the establishment of an extension district under subsection  
43 (a), the board of county commissioners of each county joining in the

1 establishing of an extension district shall appoint four qualified electors to  
2 membership on the governing body of the district. The terms of all  
3 members so appointed shall commence on July 1 following their  
4 appointment. Of the members so appointed two members shall serve for  
5 terms ending upon the election and qualification of their successors at an  
6 election held on the ~~first Tuesday in April of the first odd-numbered~~  
7 ~~year~~ *following the first Monday in November of the first even-numbered*  
8 *year* following their appointment and two members shall serve for terms  
9 ending upon the election and qualification of their successors at an  
10 election held on the ~~first Tuesday in April of the second odd-numbered~~  
11 ~~years~~ *succeeding the first Monday in November of the second even-*  
12 *numbered year* following their appointment.

13 (f) In the case of one or more counties being included in an existing  
14 extension district under subsection (b), the board of county  
15 commissioners of each county being included in an existing extension  
16 district shall appoint four qualified electors of the county to membership  
17 on the governing body of the expanded district. The terms of all  
18 members so appointed shall commence on July 1 following their  
19 appointment. Of the members so appointed two members shall serve for  
20 terms ending upon the election and qualification of their successors at an  
21 election held on the ~~first Tuesday in April of the first odd-numbered~~  
22 ~~year~~ *following the first Monday in November of the first even-numbered*  
23 *year* following their appointment and two members shall serve for terms  
24 ending upon the election and qualification of their successors at an  
25 election held on the ~~first Tuesday in April of the second odd-numbered~~  
26 ~~year~~ *following the first Monday in November of the second even-*  
27 *numbered year* following their appointment. The offices of the members  
28 of the governing body of the existing extension district shall continue in  
29 existence and the persons in such offices shall be members of the  
30 governing body of the expanded extension district which is established on  
31 July 1 for the remainder of their existing terms of office.

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

37 (h) Each agreement entered into under this section or under K.S.A.  
38 2-628, and amendments thereto, prior to and as a condition precedent to  
39 its entry into force, shall be submitted to the attorney general who shall  
40 determine whether the agreement is in proper form and compatible with  
41 this act and the other laws of Kansas. The attorney general shall approve  
42 any agreement submitted for approval under this section or K.S.A. 2-628,  
43 and amendments thereto, unless the attorney general finds that the

1 submitted agreement does not meet the requirements of this act. In such  
2 case, the attorney general shall specify in writing to the proposed parties  
3 to the agreement and to each other entity required to approve the  
4 agreement, the specific respects in which the proposed agreement fails to  
5 meet the requirements of law. Failure by the attorney general to  
6 disapprove an agreement submitted pursuant to this subsection within 90  
7 days of its submission shall constitute approval of the agreement by the  
8 attorney general.

9 (i) Prior to approving an agreement under this section, the board of  
10 county commissioners of each county to be included in a proposed  
11 extension district under subsection (a) or to be added to an existing  
12 extension district under subsection (b), as the case may be, shall adopt a  
13 resolution stating the intention of the board of county commissioners to  
14 approve such agreement and specifying the counties that are to be  
15 included in the extension district. Such resolution shall be published once  
16 each week for two consecutive weeks in the official county newspaper. If,  
17 within 60 days following the last publication of the resolution, a petition  
18 in opposition to the approval of the agreement and the inclusion of the  
19 county in the extension district is signed by not less than 5% of the  
20 qualified electors of the county and is filed with the county election  
21 officer, such board of county commissioners shall not approve such  
22 agreement and the county shall not be included in the extension district  
23 unless and until the same is approved by a majority of the qualified  
24 electors of the county voting thereon at a primary election or general  
25 election or at a special election called and held for such purpose. Any  
26 such special election shall be called, noticed and held in accordance with  
27 the provisions of K.S.A. 10-120, and amendments thereto.

28 Sec. 5. K.S.A. 2-624 is hereby amended to read as follows: 2-624.

29 (a) The governing body of each extension district shall be composed of  
30 four representatives from each county included in the extension district.  
31 At the conclusion of the terms of the members first appointed to  
32 membership on the governing body of the district, the four members  
33 representing each county in an extension district shall be elected in a  
34 *countywide* election by the qualified electors of the county.

35 (b) At the conclusion of the terms of the members first appointed to  
36 membership on the governing body of the district, each member of the  
37 governing body shall hold office for a term of four years and until such  
38 member's successor is elected and qualified. Each such term of office  
39 shall commence on the date of receipt of certification of election by the  
40 member elected and shall continue until the member's successor is elected  
41 and qualified.

42 (c) (1) Except as otherwise provided in this act, an election to elect  
43 successors to members of the governing body whose terms are expiring

1 shall be held on the ~~first~~ Tuesday *following the first Monday* in ~~April~~  
2 *November* in each ~~odd-numbered~~ *even-numbered* year.

3 (2) Elections to choose members of the governing body of an  
4 extension district shall be conducted, the returns made and the results  
5 ascertained in the manner provided by law for general county elections.  
6 ~~except as otherwise provided by this act. Not later than 12:00 noon of the~~  
7 ~~Wednesday next following the Tuesday, five weeks preceding the first~~  
8 ~~Tuesday in April in odd-numbered years;~~ Each person desiring to be a  
9 candidate for membership on the governing body, in any election, shall  
10 file a declaration of candidacy *as provided in K.S.A. 25-205 and*  
11 *amendments thereto*, with the county election officer of the county  
12 represented by the member of the governing body whose successor is to  
13 be elected, as a candidate in such election. The county election officer in  
14 making up the ballots and in placing the names thereon shall place the  
15 names on the ballots in alphabetical order.

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

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

29 ~~(e)~~(d) Any vacancy in the membership of the governing body of an  
30 extension district shall be filled by appointment by the governing body  
31 for the unexpired term of office. Each member so appointed shall be a  
32 resident of the county which was represented by the member creating the  
33 vacancy.

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

37 Sec. 6. K.S.A. 19-3505 is hereby amended to read as follows: 19-  
38 3505. (a) Except as otherwise provided by this section, the governing  
39 body of any water district to which this section applies shall be a five-  
40 member board holding positions numbered one to five, inclusive. Each  
41 member shall be elected and shall hold office from ~~May~~ *December* 1  
42 following such member's election until ~~April 30~~ *November 30*, four years  
43 thereafter and until a successor is elected and has qualified.

1       ~~The first election of members of the governing body of any water~~  
2 ~~district created after the effective date of this act shall be held on the first~~  
3 ~~Tuesday in August of any even-numbered year, at which time members~~  
4 ~~shall be elected for terms beginning on September 1 of the same year, and~~  
5 ~~ending on April 30 of the third year following the beginning of such term,~~  
6 ~~to positions numbered three, four and five. At such first election,~~  
7 ~~members shall be elected for terms ending on April 30 of the first year~~  
8 ~~following the beginning of such terms, to positions numbered one and~~  
9 ~~two. Members first elected to positions one and two shall have terms of~~  
10 ~~approximately eight months. Elections shall be thereafter held on the first~~  
11 ~~Tuesday following the first Monday in November in April of each odd-~~  
12 ~~numbered year of each even-numbered year for the member positions~~  
13 ~~whose terms expire in that year.~~

14       (b) From and after April 30, 1991, the governing body of the water  
15 district shall be composed of seven members. At the election held in  
16 1991, positions numbered 1, 2, 6 and 7 shall be elected to four-year  
17 terms. At the election in 1993, positions numbered 3, 4 and 5 shall be  
18 elected to four-year terms.

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

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

1 county commissioners of such county.

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

5 Sec. 7. K.S.A. 19-3507 is hereby amended to read as follows: 19-  
6 3507. (a) The water district election shall be held in each election  
7 precinct, a part or all of which is located within such water district, ~~except~~  
8 ~~that if no other election is being held in a given election precinct on the~~  
9 ~~same date as the water district election, the county election officer may~~  
10 ~~provide one or more convenient voting places where the water district~~  
11 ~~electors of such precinct may vote, which may be a voting place located~~  
12 in another precinct. The county election officer shall designate such  
13 voting places and the persons entitled to vote thereat in the election  
14 notice. The county election officer shall make a report in writing to the  
15 board of county commissioners of such election precincts and voting  
16 places, which report shall be filed with the county clerk of the county or  
17 counties in which such precincts and voting places are located and an  
18 entry thereof made upon the journal of the board or boards of county  
19 commissioners of such county or counties and if any change shall be  
20 made in such voting precincts and voting places by the county election  
21 officer, the same shall in like manner be reported to the board or boards  
22 of county commissioners, filed and entered as aforesaid. The polls for  
23 any election held under this act shall be open between the hours of ~~7:00~~ 7  
24 a.m. and ~~7:00~~ 7 p.m.

25 (b) All qualified persons desiring to be ~~voted upon~~ a candidate for a  
26 position as a member of such board shall *file a declaration of candidacy*  
27 *as provided in K.S.A 25-205 and amendments thereto, on or before 12:00*  
28 ~~o'clock 12 noon on the Tuesday which precedes by 10 weeks the first~~  
29 ~~Tuesday in April of the year in which the election is being held, which~~  
30 ~~date shall be stated in the publication notice of the election, file~~ with the  
31 county election officer, *with* a statement directing ~~such~~the officer to place  
32 ~~such~~the person's name on the ballot as a candidate for member of the  
33 board of the water district in ~~such~~the election, indicating the number of  
34 the position for which ~~such~~the person is filing. No candidate shall be  
35 permitted to withdraw as a candidate after the deadline for filing such  
36 statements of candidacy. There shall be no primary election for members  
37 of the water district board. The county election officer shall publish  
38 names of all candidates in a newspaper of general circulation within the  
39 water district not less than 10 days before such election. The county  
40 election officer shall provide for use of voting machines or printed ballots  
41 in each election precinct or voting place. Where printed ballots are  
42 prepared, the same shall be done at the expense of the water district. The  
43 names of candidates for each member position shall be rotated on the

1 ballots in such a manner that each candidate shall be given an equitable  
2 opportunity to have such candidate's name appear first on the ballot.  
3 Where the only election being conducted in an election precinct or voting  
4 place is the water district election, the cost of providing judges and clerks  
5 in such precinct or voting place shall be borne entirely by the water  
6 district, but where held in conjunction with other elections, the cost shall  
7 be prorated in the manner provided by article 22 of chapter 25 of the  
8 Kansas Statutes Annotated, and amendments thereto.

9 (c) At least five days before any election, the county election  
10 officers of the various counties within which a portion of such district is  
11 located, in cooperation with the water district board, shall determine the  
12 voting areas where no other elections will be held in conjunction with the  
13 water district and the names of all qualified electors residing in the water  
14 district and located in such precincts and shall determine the election  
15 precincts which contain only a part of the water district and the names of  
16 all qualified electors residing in the water district and in such election  
17 precincts. A list of the qualified electors determined as hereinbefore  
18 provided shall be furnished by the county election officer to the judges of  
19 the voting precincts or voting places where such electors are entitled to  
20 vote.

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

24 (e) A voter shall not be eligible to vote in any election precinct other  
25 than the one in which such person resides unless no election is being held  
26 in such precinct, in which event, such voter shall be entitled to vote in the  
27 voting place designated by the county election officer.

28 (f) Such list furnished by the county election officer to the judges of  
29 each precinct shall be conclusive at all elections, except that one desirous  
30 of voting, whose name does not appear on such list, may proceed to the  
31 county election officer of the county and such officer may administer  
32 oaths and affirm witnesses to determine the right of anyone to vote who  
33 may claim erroneous omission from such list, and if such officer issues a  
34 certificate entitling the voter to vote, such certificate shall be accepted by  
35 the judges and clerks of the election. The list so furnished by the county  
36 election officer shall be conclusive at all elections held within the same  
37 year that the list is furnished.

38 Sec. 8. K.S.A. 24-412 is hereby amended to read as follows: 24-412.

39 ~~(a) Except as otherwise provided in this section, an election to choose~~  
40 ~~three directors in each district as their successors, shall be held on the~~  
41 ~~first Tuesday in April, 1983, and~~ An election shall be held ~~each~~ every four  
42 years thereafter, on the first Tuesday following the first Monday in  
43 November in April, to choose directors. Directors elected in any district in

1 1980 or 1981 shall hold their office until successors are elected and  
2 qualified at the election in April, 1983.

3 *(b) An election to choose three directors in each district as their*  
4 *successors shall be held on the Tuesday following the first Monday in*  
5 *November, 2012, and an election shall be held each four years thereafter,*  
6 *on the Tuesday following the first Monday in November, to choose*  
7 *directors. Any director elected in any district in 2009 shall hold such*  
8 *office until such successor is elected and qualified.*

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

14 (b) The directors for the first term after the incorporation of the  
15 drainage district shall be selected and designated in the petition for the  
16 incorporation of the district and shall be declared directors by the county  
17 commissioners to which the petition is presented.

18 (c) The directors shall hold office until ~~the first Tuesday in~~  
19 ~~April~~ *December 1 of an even-numbered year* next after the incorporation  
20 of the district, at which time and every four years thereafter directors  
21 shall be elected and shall hold their office for the term of four years and  
22 until their successors are elected and qualified.

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

25 (e) For the purposes of this section:

26 (1) "Owner" or "person who owns land" means any person or entity  
27 who is the record owner of the fee in any real estate in the district or the  
28 fee in the surface rights of any real estate in the district, but the owners of  
29 an oil and gas lease, mineral rights or interest, easements or mortgages as  
30 such shall not be considered owners, and school districts, cemetery  
31 associations, and municipal corporations shall not be considered owners.

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

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

38 (f) The county clerk shall determine the qualified persons entitled to  
39 vote at any election in the district. Any entity desiring to vote at an  
40 election shall register the name of its designated representative with the  
41 county election officer no later than 14 days in advance of any such  
42 election.

43 Sec. 10. K.S.A. 2010 Supp. 24-506 is hereby amended to read as

1 follows: 24-506. (a) The board of directors of any drainage district  
2 incorporated pursuant to K.S.A. 24-501 et seq., and amendments thereto,  
3 shall consist of one person from each county in the district if the number  
4 of counties is odd, but if the number of counties is even, then there shall  
5 be an additional director at large. If the drainage district is located wholly  
6 within one county, the number of directors shall be three. Except as  
7 provided in subsection (b), the directors shall be freeholders who shall be  
8 residents of Kansas, whose lands in whole or in part are located within  
9 the district. The directors shall hold their offices for a term of four years  
10 and until their successors are elected and qualified. Elections to choose  
11 directors, except the first, shall be held on the ~~first~~ Tuesday *following the*  
12 *first Monday in April* ~~November~~ *of an even-numbered year* and every four  
13 years thereafter.

14 (b) If there are no residents in the drainage district, any owner of  
15 land within the district shall be a qualified voter and shall be qualified to  
16 hold the office of director.

17 Sec. 11. K.S.A. 25-1115 is hereby amended to read as follows: 25-  
18 1115. (a) "General election" means the election held on the Tuesday  
19 succeeding the first Monday in November of even-numbered years, ~~the~~  
20 ~~elections held for officers on the first Tuesday in April~~, and in the case of  
21 special elections of any officers to fill vacancies, the election at which  
22 any such officer is finally elected.

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

29 Sec. 12. K.S.A. 2010 Supp. 25-1122 is hereby amended to read as  
30 follows: 25-1122. (a) Any registered voter may file with the county  
31 election officer where such person is a resident, or where such person is  
32 authorized by law to vote as a former precinct resident, an application for  
33 an advance voting ballot. The signed application shall be transmitted only  
34 to the county election officer by personal delivery, mail, facsimile or as  
35 otherwise provided by law.

36 (b) If the registered voter is applying for an advance voting ballot to  
37 be transmitted in person, and such voter is a first-time voter, such voter  
38 shall provide a form of valid identification such as a current and valid  
39 Kansas driver's license, nondriver's identification card, utility bill, bank  
40 statement, paycheck, government check or other government document  
41 containing the voter's current name and address as indicated on the  
42 registration book. Such voter shall not be required to provide  
43 identification if such voter has previously provided current and valid

1 identification in the county where registered.

2 (c) If the registered voter is applying for an advance voting ballot to  
3 be transmitted by mail, and such voter is a first-time voter, such voter  
4 shall provide on the application for an advance voting ballot the voter's  
5 current and valid Kansas driver's license number, nondriver's  
6 identification card number or the last four digits of the voter's social  
7 security number, or shall provide with the application a copy of the  
8 voter's current and valid Kansas driver's license, nondriver's identification  
9 card, utility bill, bank statement, paycheck, government check or other  
10 government document containing the voter's current name and address as  
11 indicated on the registration book. Such voter shall not be required to  
12 provide identification if such voter has previously provided current and  
13 valid identification in the county where registered.

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

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

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

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

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

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

42 (5) For question submitted elections occurring on the date of a  
43 primary or general election, the same as is provided for ballots for

1 election of officers at such election.

2 ~~(6)~~(4) For question submitted elections not occurring on the date of  
3 a primary or general election, between the time of the first published  
4 notice thereof and the last business day of the week preceding such  
5 question submitted election, except that if the question submitted election  
6 is held on a day other than a Tuesday, the county election officer shall  
7 determine the final date for mailing of advance voting ballots, but such  
8 date shall not be more than three business days before such election.

9 ~~(7)~~(5) For any special election of officers, at such time as is  
10 specified by the secretary of state.

11 ~~(8)~~(6) For the presidential preference primary, between January 1 of  
12 the year in which such primary is held and the last business day of the  
13 week preceding such primary election.

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

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

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

34 The county election officer may designate places other than the central  
35 county election office as satellite advance voting sites. At any satellite  
36 advance voting site, a registered voter may obtain an application for  
37 advance voting ballots. Such ballots and instructions shall be delivered to  
38 the voter in the same manner and subject to the same limitations as  
39 otherwise provided by this subsection.

40 (g) Any person having a permanent disability or an illness which has  
41 been diagnosed as a permanent illness is hereby authorized to make an  
42 application for permanent advance voting status. Applications for  
43 permanent advance voting status shall be in the form and contain such

1 information as is required for application for advance voting ballots and  
2 also shall contain information which establishes the voter's right to  
3 permanent advance voting status.

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

29 (i) If a person on the permanent advance voting list fails to vote in  
30 two consecutive general elections held on the Tuesday succeeding the  
31 first Monday in November of each even-numbered year, the county  
32 election officer may mail a notice to such voter. Such notice shall inform  
33 the voter that the voter's name will be removed from the permanent  
34 advance voting list unless the voter renews the application for permanent  
35 advance voting status within 30 days after the notice is mailed. If the  
36 voter fails to renew such application, the county election officer shall  
37 remove the voter's name from the permanent advance voting list. Failure  
38 to renew the application for permanent advance voting status shall not  
39 result in removal of the voter's name from the voter registration list.

40 (j) For the purposes of this section, "first-time voter" means a  
41 registered voter who has not previously voted in any election in the  
42 county in which the voter desires to vote. First-time voter includes a  
43 person whose name was removed from the county registration list in

1 accordance with K.S.A. 25-2316c, and amendments thereto, and who has  
2 re-registered.

3 (k) The secretary of state may adopt rules and regulations defining  
4 valid forms of identification.

5 Sec. 13. K.S.A. 25-2006 is hereby amended to read as follows: 25-  
6 2006. (a) "General election" means the election held for school officers  
7 on the first Tuesday ~~in April in any odd-numbered year~~ *succeeding the*  
8 *first Monday in November of even-numbered years*, and in the case of  
9 special elections of any school officers to fill vacancies, the election at  
10 which any such officer is finally elected.

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

16 Sec. 14. K.S.A. 25-2007 is hereby amended to read as follows: 25-  
17 2007. (a) "Question submitted election" means any election at which a  
18 special question is to be voted on by the electors of the state or a part of  
19 them.

20 (b) "County election officer" means:

21 (1) The election commissioner of the home county of the school  
22 district if such county has an election commissioner,

23 (2) the county clerk of the home county of the school district if the  
24 county does not have an election commissioner,

25 (3) the county clerk (or the election commissioner if there is one) of  
26 the county in which all or the greater part of the population is located in  
27 the case of a nonunified school district. In the event that doubt exists  
28 concerning which public officer is the county election officer under this  
29 subpart, the secretary of state shall specify such officer and such  
30 specification shall be conclusive.

31 (c) "Filing deadline" means the *deadline established in K.S.A. 25-*  
32 *205, and amendments thereto* ~~hour, date or time after which it is provided~~  
33 ~~by law no person may become a candidate for election to public office;~~  
34 ~~for school elections the filing deadline is 12:00 o'clock~~ *12 noon on the*  
35 *Tuesday which precedes by 10 weeks the first Tuesday in April of any*  
36 *odd-numbered year.*

37 Sec. 15. K.S.A. 25-2010 is hereby amended to read as follows: 25-  
38 2010. Election of board members and question submitted elections shall  
39 be conducted by the county election officer of the home county of the  
40 school district. Board member general elections shall be held on the first  
41 Tuesday ~~in April of each odd-numbered year~~ *succeeding the first Monday*  
42 *in November of even-numbered years*. If a primary election is required to  
43 be held, such primary election shall be held on the ~~Tuesday preceding by~~

1 ~~five weeks the first Tuesday in April of odd-numbered~~*first Tuesday in*  
2 *August of even-numbered years.*

3 Sec. 16. K.S.A. 25-2018 is hereby amended to read as follows: 25-  
4 2018. (a) Notices of board member elections and question submitted  
5 elections of a school district shall be made as provided in this section.

6 (b) On or before ~~January~~*June* 15, the county election officer shall  
7 publish a notice of election one time in a newspaper having general  
8 circulation in the school district. The notice for board member elections  
9 shall state (1) the name of the school district, (2) the date of the general  
10 election, (3) the date of the primary election if one is held, (4) the filing  
11 deadline and the place of filing, and (5) the offices or positions to be  
12 filled.

13 (c) All notices provided for by this section shall be given in the form  
14 prescribed by the secretary of state to the extent that any notice or part  
15 thereof is prescribed by the secretary of state. The provisions of this  
16 section shall not be construed to require the secretary of state to prescribe  
17 any particular form.

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

28 (e) Not less than three days prior to the first Tuesday ~~in April in~~  
29 *August in any even-numbered year* a notice of the general election shall  
30 be published by the county election officer one time in a newspaper  
31 having general circulation in the school district. The notice shall state (1)  
32 the name of the school district, (2) the date of the general election, (3) the  
33 names of the candidates and the office or position for which each is a  
34 candidate, (4) the voting place or places and the area each voting place is  
35 to serve, (5) the time of opening and closing of polls. Description of areas  
36 shall be in such terms as may be determined by the county election  
37 officer.

38 (f) Notice of any question submitted election of any school district  
39 shall be made in the manner provided by K.S.A. 10-120, and amendments  
40 thereto. The notice shall state (1) the name of the school district, (2) the  
41 date of the election, (3) the amount of bonds to be issued, if a bond  
42 election, (4) the proposition to be voted upon, (5) the hours of opening  
43 and closing of the polls, (6) the voting place or places and the area each

1 voting place is to serve, and (7) any other information specifically  
2 required by law. Description of areas shall be in the terms determined by  
3 the county election officer.

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

13 (b) *Board members elected in 2009 shall hold office until successors*  
14 *are elected and qualified in 2012. Board members elected in 2011 shall*  
15 *hold office until successors are elected and qualified in 2014.*

16 Sec. 18. K.S.A. 25-2102 is hereby amended to read as follows: 25-  
17 2102. (a) "General election" means the election held on the Tuesday  
18 succeeding the first Monday in November of even-numbered years, ~~the~~  
19 ~~elections held for officers on the first Tuesday in April~~, and in the case of  
20 special elections of any officers to fill vacancies, the election at which  
21 any such officer is finally elected.

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

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

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

43 Sec. 20. K.S.A. 25-2109 is hereby amended to read as follows: 25-

1 2109. The filing deadline for all city elections shall be *as provided in*  
2 *K.S.A. 25-205 and amendments thereto* ~~12:00 o'clock~~ ~~12 noon of the~~  
3 ~~Tuesday preceding by 10 weeks the first Tuesday in April.~~

4 Sec. 21. K.S.A. 25-2118 is hereby amended to read as follows: 25-  
5 2118. The city clerk shall certify to the county election officer a list of all  
6 city offices to be voted upon at each city election not later than ~~January 1~~  
7 *May 15* of every year that such city has a city election.

8 Sec. 22. K.S.A. 25-2120 is hereby amended to read as follows: 25-  
9 2120. (a) The county election officer who conducts the city election shall  
10 promptly certify to the city governing body the determination of election  
11 results made by the county board of canvassers. *Except as provided in*  
12 *subsection (b)*, the term of office shall commence with and include the  
13 first regular meeting of the governing body following certification of the  
14 election.

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

19 (b) (1) *Each member of the governing body and city official the*  
20 *starting date of whose term of office is governed by this section and who*  
21 *is elected in 2011 shall hold office until the first regular meeting of the*  
22 *governing body following the certification of the election in 2012.*

23 (2) *The term of each city official the starting date of whose term of*  
24 *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: 25-  
28 2311. (a) County election officers shall provide for the registration of  
29 voters at one or more places on all days except the following:

30 (1) Days when the main offices of the county government are closed  
31 for business, except as is otherwise provided by any county election  
32 officer under the provisions of K.S.A. 25-2312, and amendments thereto;

33 (2) days when the main offices of the city government are closed for  
34 business, in the case of deputy county election officers who are city  
35 clerks except as is otherwise provided by any county election officer  
36 under the provisions of K.S.A. 25-2312, and amendments thereto;

37 (3) the 14 days preceding the day of primary and general state  
38 elections;

39 (4) the 14 days preceding the day of primary city and school  
40 elections, if either has a primary;

41 (5) the 14 days preceding each first Tuesday *following the first*  
42 *Monday in April of odd-numbered years* ~~November of even-numbered~~  
43 ~~years~~, being the day of city and school general elections;

1 (6) the 14 days preceding the day of any election other than one  
2 specified in paragraphs (3), (4) and (5) of this subsection; and

3 (7) the day of any primary or general election or any question  
4 submitted election.

5 (b) For the purposes of this section in counting days that registration  
6 books are to be closed, all of the days including Sunday and legal  
7 holidays shall be counted.

8 (c) The secretary of state shall notify every county election officer of  
9 the dates when registration shall be closed preceding primary and general  
10 state, city and school elections. The days so specified by the secretary of  
11 state shall be conclusive. Such notice shall be given by the secretary of  
12 state by mail at least 60 days preceding every primary and general state,  
13 city and school election.

14 (d) The last days before closing of registration books as directed by  
15 the secretary of state under subsection (c) of this section, county election  
16 officers shall provide for registration of voters during regular business  
17 hours, during the noon hours and at other than regular business hours  
18 upon such days as the county election officers deem necessary. The last  
19 three business days before closing of registration books prior to state  
20 primary and general elections, county election officers may provide for  
21 registration of voters until ~~9:00~~ 9 p.m. in cities of the first and second  
22 class.

23 (e) County election officers shall accept and process applications  
24 received by voter registration agencies and the division of motor vehicles  
25 not later than the 15th day preceding the date of any election; mailed  
26 voter registration applications that are postmarked not later than the 15th  
27 day preceding the date of any election; or, if the postmark is illegible or  
28 missing, is received in the mail not later than the ninth day preceding the  
29 day of any election.

30 (f) The secretary of state may adopt rules and regulations  
31 interpreting the provisions of this section and specifying the days when  
32 registration shall be open, days when registration shall be closed, and  
33 days when it is optional with the county election officer for registration to  
34 be open or closed.

35 (g) Before each primary and general election held in even-numbered  
36 years, and at times and in a form prescribed by the secretary of state, each  
37 county election officer shall certify to the secretary of state the number of  
38 registered voters in each precinct of the county as shown by the  
39 registration books in the office of such county election officer.

40 Sec. 24. K.S.A. 25-2502 is hereby amended to read as follows: 25-  
41 2502. (a) "General election" means the election held on the Tuesday  
42 succeeding the first Monday in November of even-numbered years, ~~the~~  
43 ~~elections held for officers on the first Tuesday in April,~~ and in the case of

1 special elections of any officers to fill vacancies, the election at which  
2 any such officer is finally elected.

3 (b) "Primary election" means the election held on the first Tuesday  
4 in August of even-numbered years, ~~the election held five weeks preceding~~  
5 ~~the election on the first Tuesday in April,~~ and any other preliminary  
6 election at which part of the candidates for special election to any  
7 national, state, county, township, city or school office are eliminated by  
8 the process of the election but at which no officer is finally elected.

9 Sec. 25. K.S.A. 25-3503 is hereby amended to read as follows: 25-  
10 3503. (a) In the event that any vacancy occurs to which this act applies,  
11 and such occurrence is not more than ~~ninety (90)~~90 days and not less than  
12 ~~thirty (30)~~30 days before any primary election of state officers, the  
13 election provided for in this act shall be held on the same date as the  
14 primary election of state officers.

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

21 ~~(e)~~ (b) In the event that any vacancy occurs to which this act applies,  
22 and such occurrence is not more than ~~thirty (30)~~30 days before any  
23 primary election of state officers and before the general election of state  
24 officers, at such general election votes cast for the office of congressman  
25 in the district in which such vacancy has occurred shall be deemed to be  
26 cast to fill the vacancy for the unexpired term, as well as for the election  
27 for the next regular term. The governor shall proclaim the date of the  
28 election to be the same as the general election of state officers.

29 ~~(d)~~ (c) In the event that any vacancy occurs to which this act applies,  
30 on or after the date of any general election of state officers and before the  
31 term of office in which the vacancy has occurred expires, votes cast for  
32 the office of congressman in the district in which such vacancy occurs  
33 shall be deemed to have been cast to fill such vacancy for the unexpired  
34 term, as well as for election for the next regular term. The governor's  
35 approval of this act shall be deemed to proclaim that every regular  
36 election of a representative to the United States congress shall be an  
37 election for the unexpired term if any should occur, as well as election for  
38 the next regular term. In cases to which subsection ~~(e) of this section~~(b)  
39 or this subsection applies, the person elected for the next regular term  
40 shall be deemed to have been elected for the balance of the unexpired  
41 term also.

42 Sec. 26. K.S.A. 2010 Supp. 42-706 is hereby amended to read as  
43 follows: 42-706. (a) The officers of such district shall be a board of

1 directors consisting of three members who shall be persons entitled to  
2 vote as provided in subsection (h) and residents of a county in which the  
3 district or a portion thereof is located, or county adjoining a county in  
4 which such irrigation district or a portion thereof is located. Such  
5 members shall hold office for a period of three years, and each shall serve  
6 until a successor has been elected and qualified. The members of the  
7 board of directors first elected after the creation of an irrigation district  
8 shall hold their respective offices until the next regular election for the  
9 election of directors as provided in subsection (e) or (f) of this section  
10 except that the terms of the three directors shall be as provided in  
11 subsection (e) of this section.

12 (b) The chief engineer of the division of water resources, after the  
13 incorporation of such irrigation district, shall establish and designate the  
14 polling place or places therein where the first election will be conducted  
15 and fix the time for such election within 60 days after the date of  
16 incorporation. In any irrigation district of more than 35,000 acres, the  
17 chief engineer of the division of water resources shall, prior to  
18 designating polling places, establish three voting areas within such  
19 district as equal as possible in acreage and shall designate the same as the  
20 first, second or third voting area. Such polling place or places may  
21 thereafter be changed by the board of directors, and the board may  
22 arrange for polling places outside the corporate boundaries of the district  
23 if such places are more convenient than locations within the district. Prior  
24 to the holding of the first election in newly created districts, the chief  
25 engineer of the division of water resources shall appoint from the  
26 qualified electors of the district three persons for such election for each  
27 voting place who shall constitute boards of election for such district for  
28 such election. If the members appointed do not attend at the opening of  
29 the polls on the day of election, at the opening hour, the electors present  
30 at that hour shall elect from the electors present members of the election  
31 board necessary to fill the place of any absent member.

32 (c) The board of directors of every district of more than 35,000 acres  
33 which was incorporated prior to the effective date of this act shall  
34 establish three voting areas within the district as equal as possible in  
35 acreage and designate the same as the first, second or third voting area.  
36 The board shall also establish and designate the polling place or places  
37 within each voting area. At the first election held after the effective date  
38 of this act, a director shall be elected from each voting area and the  
39 person receiving the highest number of votes shall serve for a term of  
40 three years, the person receiving the second highest number of votes shall  
41 serve for a term of two years, and the person receiving the third highest  
42 number of votes shall serve for a term of one year. At each subsequent  
43 election, only one director shall be elected each year for a term of three

1 years. Any director elected under this provision must be a person entitled  
2 to vote as provided in subsection (h).

3 (d) (1) Except as provided in paragraph (2), all elections shall be  
4 conducted in accordance with the general election laws of the state except  
5 as otherwise provided in this act. Advance voting as provided in article 11  
6 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto,  
7 shall be provided for by the county election officers and boards of  
8 directors for those persons entitled to vote under subsection (h). The  
9 forms for the ballot envelope declaration as provided in K.S.A. 25-1120,  
10 and amendments thereto, and the applications for advance ballots as  
11 provided in K.S.A. 25-1122d, and amendments thereto, shall be modified  
12 to establish that such person is a qualified owner of irrigable land within  
13 the district. After polls are closed the election boards shall proceed to  
14 canvass the votes cast thereat, shall certify to the county election officer  
15 of the county in which all or the greater part of the population of the  
16 irrigation district is located and the chief engineer the result of such  
17 election. The clerks shall then securely wrap the ballots cast at such  
18 elections and shall express or mail the same by registered mail to the  
19 county election officer of the county in which all or the greater part of the  
20 population of the irrigation district is located. The county election officer  
21 shall canvass the ballots, verify the results and declare the person  
22 receiving the highest number of votes duly elected as director except that  
23 at the first election after creation of a district the county election officer  
24 of the county in which all or the greater part of the population of the  
25 irrigation district is located shall declare the three persons receiving the  
26 highest number of votes duly elected as directors except that in districts  
27 divided into three voting areas, the person receiving the highest number  
28 of votes in each voting area shall be duly elected as director. Such county  
29 election officer shall immediately mail, to each person elected to the  
30 office of director, a certificate of election signed by such officer. The  
31 directors shall thereupon qualify and enter upon the duties of their office.  
32 Directors shall qualify by taking and subscribing to an oath of office of  
33 substantially the same tenor as oath of office prescribed for county  
34 officials. Each member of the board of directors shall execute an official  
35 bond in the sum of \$1,000 which oath and bond shall be filed with the  
36 county election officer of the county in which all or the greater part of the  
37 population of the irrigation district is located. The treasurer of each  
38 irrigation district shall execute to the district a corporate surety bond in an  
39 amount at least equal to 125% of the amount, as near as can be  
40 ascertained, that shall be in such person's hands as treasurer at any one  
41 time. The amount and sufficiency of the bond of the treasurer shall be  
42 determined by the county election officer. Upon approval of the bond, the  
43 county election officer shall endorse such approval thereon and file the

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

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

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

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

28 (f) In lieu of the election procedures provided in this section  
29 pertaining to regular elections of directors in accordance with the general  
30 election laws of the state, the board of directors of any irrigation district  
31 of less than 35,000 acres in size may call an annual meeting of all persons  
32 entitled to vote as provided in subsection (h) for the purpose of electing  
33 directors. Such annual meeting shall be held on the first Tuesday in  
34 ~~March~~ August, except as provided by subsection (g). Notice of the time  
35 and place of holding said annual meeting shall be given in some  
36 newspaper or newspapers of general circulation in the district for one  
37 issue at least 30 days prior to date of such meeting. Elections at the  
38 annual meeting shall be by ballot, with absentee voting as provided under  
39 subsection (d) ~~of this section~~. All persons desiring to be voted upon as  
40 director shall at least 30 days before the day of holding the annual  
41 meeting file such person's name with the secretary of the board of  
42 directors of the district, affixed to a statement that such person desires  
43 such person's name to be placed on the ballot as a candidate for member

1 of board of directors of the district. The board of directors shall appoint  
2 three owners of irrigable land in the district to serve as an election board  
3 at the annual meeting. After the votes are cast at the annual meeting, the  
4 election board shall proceed to canvass the votes and shall certify to the  
5 county election officer of the county in which all or the greater part of the  
6 population of the irrigation district is located and the chief engineer the  
7 result of such election. All provisions of this section not inconsistent with  
8 the provisions of subsection (f) shall apply to the election of directors at  
9 the annual meeting.

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

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

20 After lands have been assessed in the district pursuant to K.S.A. 42-  
21 715, and amendments thereto, those persons entitled to vote shall be  
22 "qualified owners of land" within the irrigation district as such term is  
23 defined in K.S.A. 42-701, and amendments thereto, which has been  
24 assessed pursuant to K.S.A. 42-715, and amendments thereto, and who  
25 are otherwise qualified electors. For voting purposes, any person entitled  
26 to vote under this subsection who owns land in more than one voting area  
27 shall vote in the voting area which includes the greatest portion of such  
28 person's land. As used in this section, the term "qualified electors" shall  
29 include a person who is the legal qualified owner of irrigable land or a  
30 person, who is authorized, in writing, to vote for a trust, corporation,  
31 association or partnership which is the legal qualified owner of irrigable  
32 land. Such person is not required to be a resident of the district. Such  
33 trust, corporation, association or partnership shall be allowed only one  
34 vote. The person authorized by such entity to vote shall be someone who  
35 is not otherwise entitled to a vote under this section.

36 Sec. 27. K.S.A. 71-1413 is hereby amended to read as follows: 71-  
37 1413. (a) *Except as provided in subsection (b)*, elections of trustees of  
38 community colleges shall be conducted by the county election officer of  
39 the county in which the main campus of the college is located. In any  
40 college district having territory in more than one county, the county  
41 election officers of all such counties shall cooperate with the county  
42 election officer of the county in which the main campus is located, and  
43 upon establishing any new community college or adding territory to any

1 of the community college districts, the state board, in accordance with  
2 this section, shall specify the county in which the main campus shall be  
3 located for the purpose of this section. ~~General community college~~  
4 ~~elections shall be held on the first Tuesday in April of each odd-numbered~~  
5 ~~year. Any primary community college election shall be held on the~~  
6 ~~Tuesday preceding by five weeks the first Tuesday in April of odd-~~  
7 ~~numbered years.~~

8 *(b) On and after July 1, 2012, general community college elections*  
9 *shall be held on the Tuesday following the first Monday in November of*  
10 *each even-numbered year. Any primary community college election shall*  
11 *be held on the first Tuesday in August of each even-numbered year.*

12 Sec. 28. K.S.A. 71-1414 is hereby amended to read as follows: 71-  
13 1414. (a) (1) In college districts where a district method of election is in  
14 effect, a person may become a candidate for election to trustee of a  
15 community college by any one of the following methods:

16 (A) Any person who is an elector of any member district may  
17 petition to be a candidate for member from the member district in which  
18 such person resides. Any such person shall file with the election officer a  
19 petition for such person's candidacy signed by not less than 50 electors  
20 residing in such person's member district.

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

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

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

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

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

42 (1) Any person who is an elector of the college district may petition  
43 to be a candidate for trustee. Any such person shall file with the election

1 officer a petition for such person's candidacy signed by not less than 50  
2 electors residing in the college district.

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

7 (c) Every petition or declaration of intent filed *as provided in K.S.A.*  
8 *25-205, and amendments thereto.* ~~under this section must be filed on or~~  
9 ~~before 12 o'clock noon on the Tuesday which precedes by 10 weeks the~~  
10 ~~first Tuesday in April of any odd-numbered year. No such petition or~~  
11 ~~declaration shall be filed sooner than the second Tuesday of the~~  
12 ~~December which next precedes the community college election.~~

13 Sec. 29. KK.S.A. 2-623, 2-624, 12-1001, 12-1002, 12-1003, 12-  
14 1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-  
15 1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-  
16 1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014,  
17 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-  
18 1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030,  
19 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-  
20 1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h,  
21 12-1037, 12-1038, 19-3505, 19-3507, 24-412, 25-1115, 25-2006, 25-  
22 2007, 25-2010, 25-2018, 25-2023, 25-2102, 25-2107, 25-2109, 25-2118,  
23 25-2120, 25-2311, 25-2502, 25-3503, 71-1413 and 71-1414 and K.S.A.  
24 2010 Supp. 14-201, 24-459, 24-506, 25-1122, 25-2108a and 42-706 are  
25 hereby repealed.

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

28  
29