

**Senate Substitute for
Senate Substitute for HOUSE BILL No. 2141**

By Committee on Ethics and Elections

3-17

1 AN ACT concerning elections; relating to certain municipalities; amending
2 K.S.A. 2-623, 12-344, 13-1220, 13-1221, 24-504, 25-209, 25-1115, 25-
3 2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-2018, 25-2022, 25-
4 2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2120, 25-2502, 25-
5 3901, 72-8003 and 72-8008 and K.S.A. 2013 Supp. 2-624, 12-363, 24-
6 412, 24-414, 24-459, 24-506, 25-213, 25-611, 25-1122, 25-2020, 25-
7 2102, 25-2108a, 25-2110, 25-2311, 25-3902 and 42-706 and repealing
8 the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003,
9 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-
10 1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l,
11 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-
12 1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-
13 1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-
14 1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-
15 1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e,
16 12-1036f, 12-1036g, 12-1036h, 12-1037 and 12-1038.

17

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

18

19 New Section 1. (a) On and after January 1, 2015, all primary
20 elections for members of the governing body and other elected officials of
21 any municipality shall be held on the first Tuesday in August of 2015 and
22 on such date thereafter of odd-numbered years and all general elections for
23 members of the governing body and other elected officials of any
24 municipality shall be held on the Tuesday succeeding the first Monday in
25 November of 2015 of odd-numbered years and on such date thereafter.

26

(b) The terms of members of governing bodies and other elected
27 officials that would expire at any time in 2015 shall expire on the second
28 Monday in January 2016, when newly elected members of the governing
29 body and other newly elected officials shall take office.

30

(c) The county election officers, with the assistance of the secretary
31 of state, shall conduct municipal primary and general elections in odd-
32 numbered years only.

33

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

1 (e) "Municipality" means any city, consolidated city-county created
2 under K.S.A. 12-340 et seq., and amendments thereto, and K.S.A. 2013
3 Supp. 12-360 et seq., and amendments thereto, board of public utilities
4 created under K.S.A. 13-1220 et seq., and amendments thereto, school
5 district, drainage district, extension district, irrigation district and library
6 district created under K.S.A. 12-1236 et seq., and amendments thereto.
7 The term does not include any municipality where the election of members
8 of the governing body is conducted at a meeting of the municipality.

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

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

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

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

- 25 (1) The powers and duties of the governing body, including the mayor
26 and other elected officials;
- 27 (2) the term of office of members of the governing body, including
28 the mayor and other elected officials of either two or four years;
- 29 (3) the election by ward or district of members of the governing body,
30 if applicable;
- 31 (4) the powers and duties of the city manager, if applicable;
- 32 (5) the administrative departments of the city; and
- 33 (6) other matters deemed appropriate by the governing body.

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

38 Sec. 4. K.S.A. 2-623 is hereby amended to read as follows: 2-623. (a)
39 Prior to July 1 of any year, any two or more county extension councils may
40 establish an extension district composed of all of the counties of such
41 councils by entering into an agreement in accordance with this section to
42 combine the extension programs for each county involved into one
43 extension program serving the extension district. No such agreement shall

1 be effective unless such agreement has received the prior approval of: (1)
2 The board of county commissioners of each county included in the
3 proposed extension district, subject to the provisions of subsection (i); (2)
4 the executive board of the extension council of each county included in the
5 proposed extension district and the director of extension of Kansas state
6 university of agriculture and applied science, or the director's authorized
7 representative, acting together as a body; and (3) the attorney general in
8 accordance with subsection (h).

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

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

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

40 (e) Upon the establishment of an extension district under subsection
41 (a), the board of county commissioners of each county joining in the
42 establishing of an extension district shall appoint four qualified electors to
43 membership on the governing body of the district. The terms of all

1 members so appointed shall commence on July 1 following their
2 appointment. Of the members so appointed, two members shall serve for
3 terms ending upon the election and qualification of their successors at an
4 election held on the ~~first Tuesday in April of the first odd-numbered year~~
5 ~~following their appointment and two members shall serve for terms ending~~
6 ~~upon the election and qualification of their successors at an election held~~
7 ~~on the first Tuesday in April of the second odd-numbered year following~~
8 ~~their appointment following the first Monday in November of the first odd-~~
9 ~~numbered year following their appointment and two members shall serve~~
10 ~~for terms ending upon the election and qualification of their successors at~~
11 ~~an election held on the Tuesday succeeding the first Monday in November~~
12 ~~of the second odd-numbered year following their appointment.~~

13 (f) *A primary election shall be held on the first Tuesday in August in*
14 *odd-numbered years.*

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

37 (‡) (h) In addition to other required provisions, each agreement
38 entered into under this section shall specify the permissible method or
39 methods to be employed in disposing of the assets and liabilities of the
40 extension district in the event that one or more counties withdraw from the
41 extension district under K.S.A. 2-628, and amendments thereto.

42 (†) (i) Each agreement entered into under this section or under K.S.A.
43 2-628, and amendments thereto, prior to and as a condition precedent to its

1 entry into force, shall be submitted to the attorney general who shall
2 determine whether the agreement is in proper form and compatible with
3 this act and the other laws of Kansas. The attorney general shall approve
4 any agreement submitted for approval under this section or K.S.A. 2-628,
5 and amendments thereto, unless the attorney general finds that the
6 submitted agreement does not meet the requirements of this act. In such
7 case, the attorney general shall specify in writing to the proposed parties to
8 the agreement and to each other entity required to approve the agreement,
9 the specific respects in which the proposed agreement fails to meet the
10 requirements of law. Failure by the attorney general to disapprove an
11 agreement submitted pursuant to this subsection within 90 days of its
12 submission shall constitute approval of the agreement by the attorney
13 general.

14 (†) (j) Prior to approving an agreement under this section, the board of
15 county commissioners of each county to be included in a proposed
16 extension district under subsection (a) or to be added to an existing
17 extension district under subsection (b), as the case may be, shall adopt a
18 resolution stating the intention of the board of county commissioners to
19 approve such agreement and specifying the counties that are to be included
20 in the extension district. Such resolution shall be published once each
21 week for two consecutive weeks in the official county newspaper. If,
22 within 60 days following the last publication of the resolution, a petition in
23 opposition to the approval of the agreement and the inclusion of the county
24 in the extension district is signed by not less than 5% of the qualified
25 electors of the county and is filed with the county election officer, such
26 board of county commissioners shall not approve such agreement and the
27 county shall not be included in the extension district unless and until the
28 same is approved by a majority of the qualified electors of the county
29 voting thereon at a primary election or general election or at a special
30 election called and held for such purpose. Any such special election shall
31 be called, noticed and held in accordance with the provisions of K.S.A. 10-
32 120, and amendments thereto.

33 Sec. 5. K.S.A. 2013 Supp. 2-624 is hereby amended to read as
34 follows: 2-624. (a) The governing body of each extension district shall be
35 composed of four representatives from each county included in the
36 extension district. At the conclusion of the terms of the members first
37 appointed to membership on the governing body of the district, the four
38 members representing each county in an extension district shall be elected
39 in a county-wide election by the qualified electors of the county.

40 (b) At the conclusion of the terms of the members first appointed to
41 membership on the governing body of the district, each member of the
42 governing body shall hold office for a term of four years and until such
43 member's successor is elected and qualified. Each such term of office shall

1 commence on the date of receipt of certification of election by the member
2 elected and shall continue until the member's successor is elected and
3 qualified.

4 ~~(c) (1)—Except as otherwise provided in this act, an election to elect~~
5 ~~successors to members of the governing body whose terms are expiring~~
6 ~~shall be held on the first Tuesday in April in each odd-numbered year. A~~
7 ~~primary shall be held on the first Tuesday in August in odd-numbered~~
8 ~~years.~~

9 (2) Elections to choose members of the governing body of an
10 extension district shall be conducted, the returns made and the results
11 ascertained in the manner provided by law for general county elections
12 except as otherwise provided by this act. ~~Not later than 12 noon of the~~
13 ~~Tuesday, 10 weeks preceding the first Tuesday in April in election years,~~
14 ~~each person desiring to be a candidate for membership on the governing~~
15 ~~body, in any election, shall file a declaration of candidaey, accompanied by~~
16 ~~a filing fee of \$5, with the county election officer of the county represented~~
17 ~~by the member of the governing body whose successor is to be elected, as~~
18 ~~a candidate in such election. The county election officer shall remit such~~
19 ~~filing fees to the county treasurer for deposit in the county general fund.~~
20 ~~The county election officer in making up the ballots and in placing the~~
21 ~~names thereon shall place the names on the ballots in alphabetical order~~
22 ~~Any person desiring to be a candidate for election to the governing body~~
23 ~~shall file a candidate's declaration of intention with the county election~~
24 ~~officer of the county represented by the member of the governing body~~
25 ~~whose successor is to be elected. Such candidate's filing shall be made as~~
26 ~~provided in K.S.A. 25-205, and amendments thereto.~~

27 (3) The county election officer of each county within the extension
28 district shall appoint election boards as provided by law for other elections
29 and shall designate places for holding the election. The county election
30 officer shall cause to be ascertained the names of all persons within the
31 district who are qualified electors, and shall furnish lists thereof to the
32 judges of the election. Notice of the time and place of holding each
33 ~~general and primary election, signed by the county election officer, shall~~
34 ~~be given in a newspaper published in the county and posted in a~~
35 ~~conspicuous place in the office of the governing body at least five days~~
36 ~~before the holding thereof shall be published by the county election officer~~
37 ~~in a newspaper published in the county in accordance with K.S.A. 25-209,~~
38 ~~and amendments thereto, and K.S.A. 25-105, and amendments thereto.~~

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

42 (d) Any vacancy in the membership of the governing body of an
43 extension district shall be filled by appointment by the governing body for

1 the unexpired term of office. Each member so appointed shall be a resident
2 of the county which was represented by the member creating the vacancy.

3 (e) The governing body of each extension district shall organize
4 annually in July by electing from among its members a chairperson, vice-
5 chairperson, secretary and treasurer.

6 Sec. 6. K.S.A. 12-344 is hereby amended to read as follows: 12-344.

7 (a) Any plan submitted by the commission shall provide for the exercise of
8 powers of local legislation and administration not inconsistent with the
9 constitution or other laws of this state.

10 (b) If the commission submits a plan providing for the consolidation
11 of certain city and county offices, functions, services and operations, the
12 plan shall:

13 (1) Include a description of the form, structure, functions, powers and
14 officers and the duties of such officers recommended in the plan.

15 (2) Provide for the method of amendment of the plan.

16 (3) Authorize the appointment of, or elimination of elective officials
17 and offices.

18 (4) Specify the effective date of the consolidation.

19 (5) Include other provisions determined necessary by the
20 commission.

21 (c) If the plan provides for the consolidation of the city and county, in
22 addition to the requirements of subsection (b) the plan shall:

23 (1) Fix the boundaries of the governing body's election districts,
24 provide a method for changing the boundaries from time-to-time, any at-
25 large positions on the governing body, fix the number, term and initial
26 compensation of the governing body of the consolidated city-county and
27 the method of election.

28 (2) Determine whether elections of the governing body of the
29 consolidated city-county shall be partisan or nonpartisan elections and the
30 time at which such elections shall be held.

31 (3) Determine the distribution of legislative and administrative duties
32 of the consolidated city-county officials, provide for consolidation or
33 expansion of services as necessary, authorize the appointment of a
34 consolidated city-county administrator or a city-county manager, if
35 deemed advisable, and prescribe the general structure of the consolidated
36 city-county government.

37 (4) Provide for the official name of the consolidated city-county.

38 (5) Provide for the transfer or other disposition of property and other
39 rights, claims and assets of the county and city.

40 (d) *Elections for the governing body and other elected officers of the*
41 *consolidated city-county shall be held as provided in section 1, and*
42 *amendments thereto.*

43 (e) *Vacancies in the governing body shall be filled as provided in*

1 *section 40, and amendments thereto.*

2 Sec. 7. K.S.A. 2013 Supp. 12-363 is hereby amended to read as
3 follows: 12-363. (a) Any plan submitted by the commission shall provide
4 for the exercise of powers of local legislation and administration not
5 inconsistent with the constitution or other laws of this state.

6 (b) If the commission submits a plan providing for the unification of
7 certain city and county offices, functions, services and operations, the plan
8 shall:

9 (1) Include a description of the form, structure, functions, powers and
10 officers and the duties of such officers recommended in the plan.

11 (2) Provide for the method of amendment of the plan.

12 (3) Specify the effective date of the unification.

13 (4) Include other provisions determined necessary by the
14 commission.

15 (c) If the plan provides for the unification of the city and county, in
16 addition to the requirements of subsection (b) the plan shall:

17 (1) Provide that the members of the governing body be elected from
18 districts or on an at-large basis and fix the number, term and initial
19 compensation of the governing body of the unified city-county and the
20 method of election.

21 (2) Determine whether elections of the governing body of the unified
22 city-county shall be partisan or nonpartisan elections and the time at which
23 such elections shall be held.

24 (3) Determine the distribution of legislative and administrative duties
25 of the unified city-county officials, provide for unification or expansion of
26 services as necessary, authorize the appointment of a city-county
27 administrator or manager, if deemed advisable, and prescribe the general
28 structure of the unified city-county government.

29 (4) Provide for the official name of the unified city-county.

30 (5) Provide for the transfer or other disposition of property and other
31 rights, claims and assets of the county and city.

32 (6) Fix the rate of the retailers' sales tax, if any.

33 (d) *Elections for the governing body and other elected officials shall*
34 *be held as provided in section 1, and amendments thereto.*

35 (e) *Vacancies in the governing body shall be filled as provided in*
36 *section 40, and amendments thereto.*

37 Sec. 8. K.S.A. 13-1220 is hereby amended to read as follows: 13-
38 1220. ~~In each city of the first class that now has or hereafter acquires a~~
39 ~~population of more than one hundred thousand inhabitants, which now or~~
40 ~~hereafter owns and operates a municipal waterworks plant and a municipal~~
41 ~~electric light plant, there shall be~~ *Any city may establish* an administrative
42 agency known as the board of public utilities of such city, to be elected in
43 the manner hereinafter provided. The board shall manage, operate,

1 maintain and control the daily operation of the water plant and electric-
2 light plant of such city, and shall make all such rules and regulations as are
3 necessary for the safe, economical and efficient operation and management
4 of such water plants and electric-light plants. The board may also improve,
5 extend or enlarge the water plants and electric-light plants as hereinafter
6 provided, and furnish a supply of water, light, heat and power for
7 domestic, industrial and municipal purposes.

8 Sec. 9. K.S.A. 13-1221 is hereby amended to read as follows: 13-
9 1221. (a) The board of public utilities shall consist of six members, three
10 of which shall be nominated and elected by the city at large and three of
11 which shall be elected by the qualified electors of the city within each of
12 the districts established pursuant to subsection (b). Members elected to the
13 board of public utilities after the effective date of this act shall hold their
14 offices for terms of four years, and until their successors are elected and
15 qualified. Each of the members elected from districts shall be qualified
16 voters of the districts from which elected. Elections of members of the
17 board shall be held at the time of the general city election. The provisions
18 of article 17 of chapter 13 of the Kansas Statutes Annotated, *and*
19 *amendments thereto*, pertaining to the election and removal of officers,
20 shall govern so far as applicable.

21 The board shall elect from its own number a president and vice-
22 president and shall appoint a secretary. Notwithstanding the provisions of
23 K.S.A. 13-1222, *and amendments thereto*, relating to a quorum for the
24 transaction of business and a vote for action by the board, any vacancy
25 occurring in the board shall be filled ~~by a majority vote of the members~~
26 ~~remaining on the board~~ *as provided in section 40*. Where a vacancy has
27 occurred in the membership of any board of public utilities, a member
28 selected to fill such vacancy shall serve until the next city election, at
29 which time a successor shall be elected to serve the remainder of the
30 unexpired term, if any.

31 (b) The districts numbered 1, 2 and 3 established in 1979 shall be
32 subject to alteration at the first meeting of the board in each fourth year
33 thereafter, but such alteration shall only be for the purpose of establishing
34 and maintaining the equality of population among the districts.

35 Sec. 10. K.S.A. 2013 Supp. 24-412 is hereby amended to read as
36 follows: 24-412. (a) ~~Subject to the provisions of subsection (b), except as~~
37 ~~otherwise provided in this section, an election to choose three directors in~~
38 ~~each district as their successors, shall be held on the first Tuesday in April,~~
39 ~~1983, and an election shall be held each four years thereafter, on the first~~
40 ~~Tuesday in April, to choose directors~~ *An election to choose three directors*
41 *in each district shall be held on the Tuesday following the first Monday in*
42 *November 2015, and an election shall be held each four years thereafter,*
43 *on the Tuesday following the first Monday in November, to choose*

1 *directors. Any director elected in any district in 2011 shall hold such office*
2 *until such successor is elected and qualified.*

3 (b) On and after January 1, 2012, the board of directors of drainage
4 district No. 2 of Finney county, Kansas, shall be elected as provided in
5 K.S.A. 2013 Supp. 24-139a, and amendments thereto.

6 Sec. 11. K.S.A. 2013 Supp. 24-414 is hereby amended to read as
7 follows: 24-414. (a) Elections to choose directors shall be conducted, the
8 returns made and the results ascertained in the manner provided by law for
9 general county elections except as otherwise provided by law, and ~~all~~
10 ~~persons desiring to be voted upon as director, in any election, shall, not~~
11 ~~later than 12 noon of the Tuesday, 10 weeks preceding the first Tuesday in~~
12 ~~April in election years, file a declaration of candidacy; any qualified~~
13 ~~person desiring to be a candidate for director shall file a candidate's~~
14 ~~declaration of intention as provided in K.S.A. 25-205, and amendments~~
15 ~~thereto, accompanied by a filing fee of \$5, with the county election officer~~
16 ~~of the county wherein the district is located, as a candidate in such~~
17 ~~election, and the election officer in making up the ballots and in placing~~
18 ~~the names thereon shall place the names on the ballots in alphabetical~~
19 ~~order, but the returns of all special or bond elections shall be made to the~~
20 ~~secretary and canvassed by the board of directors. The county election~~
21 ~~officer shall remit such filing fees to the county treasurer for deposit in the~~
22 ~~county general fund. The county election officer of the county wherein the~~
23 ~~drainage district is situated shall appoint election boards as provided by~~
24 ~~law for other elections and shall designate places for holding the election.~~
25 ~~The county clerk election officer shall cause to be ascertained the names of~~
26 ~~all persons within the district who are also qualified electors, and shall~~
27 ~~furnish lists thereof to the judges of the election.~~

28 (b) Notice of the time and place of holding each *primary and general*
29 ~~election, signed by the county election officer, shall be given~~ *published*
30 *in a newspaper published in the county in accordance with K.S.A. 25-105*
31 *and 25-209, and amendments thereto, and posted in a conspicuous place in*
32 *the office of the board of directors at least five days before the holding*
33 *thereof. At all elections and meetings held under the provisions of this act,*
34 *only persons who are qualified electors shall be entitled to vote. In*
35 *counties having a population of more than 150,000, at all elections and*
36 *meetings held under the provisions of this act, only persons who are*
37 *taxpayers and residents of the district who are qualified electors shall be*
38 *entitled to vote. All election expenses shall be paid for out of the general*
39 *fund of the drainage district. Election officials shall receive the same*
40 *compensation as provided under the general election laws.*

41 (c) As used in this section, "taxpayer" means any person who owns
42 any real property or tangible property within the district who pays taxes
43 assessed on such property.

1 Sec. 12. K.S.A. 2013 Supp. 24-459 is hereby amended to read as
2 follows: 24-459. (a) The board of directors of any drainage district
3 incorporated pursuant to K.S.A. 24-458, *and amendments thereto*, shall
4 consist of three qualified persons as defined in paragraph (3) of subsection
5 (e) of this section.

6 (b) The directors for the first term after the incorporation of the
7 drainage district shall be selected and designated in the petition for the
8 incorporation of the district and shall be declared directors by the county
9 commissioners to which the petition is presented.

10 (c) The directors shall hold office until the ~~first Tuesday in April next~~
11 *Tuesday following the first Monday in November of the next odd-*
12 *numbered year* after the incorporation of the district, at which time and
13 every four years thereafter directors shall be elected and shall hold their
14 office for the term of four years and until their successors are elected and
15 qualified. *Such elections shall be conducted by the county election officer*
16 *at the time and in the manner in which other drainage district elections*
17 *and county elections are conducted.*

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

20 (e) For the purposes of this section:

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

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

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

33 (f) The county ~~clerk~~ *election officer* shall determine the qualified
34 persons entitled to vote at any election in the district. Any entity desiring
35 to vote at an election shall register the name of its designated
36 representative with the county election officer no later than ~~14~~ *21* days in
37 advance of any such election.

38 Sec. 13. K.S.A. 24-504 is hereby amended to read as follows: 24-504.
39 Whenever a majority of the counties to be included within the proposed
40 drainage district have reported in favor of the organization of ~~said~~ *the*
41 drainage district, under the provisions of this act, the secretary of state
42 shall report ~~such~~ *the* fact to the governor of Kansas, who shall ~~forthwith~~
43 declare, by suitable proclamation, the territory described in ~~said~~ *the*

1 petition and set forth in the reports of ~~said~~ the commissioners to constitute
2 a public corporation, and the freeholders owning lands within ~~such~~ the
3 bounds, and resident within the state of Kansas, to be incorporated as a
4 drainage district under the name designated in ~~said~~ the petition, and
5 ~~therefor~~ the ~~said~~ territory and the freeholders thereof, who are residents
6 of the state of Kansas, and their successors, shall constitute a body politic
7 and corporate under ~~said~~ the corporate name and shall give perpetual
8 succession.

9 In ~~said~~ the proclamation, the governor shall designate the ~~last Tuesday~~
10 ~~of the next succeeding calendar month~~ *Tuesday following the first Monday*
11 *in November of the odd-numbered year* following the issuing of ~~said~~ the
12 proclamation on which an election shall be held in each of the counties to
13 be included within the proposed drainage district for the purpose of
14 electing directors of ~~said~~ the corporation, in number and in the manner
15 hereinafter provided. The secretary of state shall make and keep full and
16 complete records of the organization of all drainage districts organized
17 under the provisions of this act, showing the findings and decisions of the
18 boards of county commissioners and all of the acts of the governor in
19 connection with the organization thereof, a true and correct copy of which
20 he shall forward to the ~~said~~ boards of county commissioners within five
21 days after the issuing of the governor's proclamation provided for in this
22 section, and they shall spread the same upon their records.

23 Sec. 14. K.S.A. 2013 Supp. 24-506 is hereby amended to read as
24 follows: 24-506. (a) The board of directors of any drainage district
25 incorporated pursuant to K.S.A. 24-501 et seq., and amendments thereto,
26 shall consist of one person from each county in the district if the number
27 of counties is odd, but if the number of counties is even, then there shall be
28 an additional director at large. If the drainage district is located wholly
29 within one county, the number of directors shall be three. Except as
30 provided in subsection (b), the directors shall be freeholders who shall be
31 residents of Kansas, whose lands in whole or in part are located within the
32 district. The directors shall hold their offices for a term of four years and
33 until their successors are elected and qualified. Elections to choose
34 directors, except the first, shall be held on the ~~first Tuesday in April~~
35 *Tuesday following the first Monday of November of the next odd-*
36 *numbered year* and every four years thereafter.

37 (b) *Such elections shall be conducted by the county election officer at*
38 *the time and in the manner in which other drainage district elections and*
39 *county elections are conducted.*

40 (c) If there are no residents in the drainage district, any owner of land
41 within the district shall be a qualified voter and shall be qualified to hold
42 the office of director.

43 Sec. 15. K.S.A. 25-209 is hereby amended to read as follows: 25-209.

1 As soon as possible after the filing deadline, the secretary of state shall
2 certify to each county election officer the name and post-office address of
3 each person who has filed valid nomination petitions or a declaration of
4 intent to become a candidate for United States senator or representative or
5 for state office, together with the designation of the office for which each
6 is a candidate and the party or principle which the candidate represents.

7 The county election officer shall ~~forthwith~~, upon receipt thereof,
8 publish for three ~~(3)~~ consecutive weeks in the official paper, a notice
9 which shall set forth under the proper party designation, the title of each
10 national, state, county ~~and~~, township office *and each municipal office in*
11 *odd-numbered years* any part of the district of which is in the county, the
12 names and addresses of all persons certified by the secretary of state as
13 candidates for any national or state office any part of the district of which
14 is in the county and, in addition thereto, the names and addresses of all
15 persons from whom valid nomination papers or declarations have been
16 filed in the county election officer's office, giving the name and address of
17 each, the day of the primary election, the hours during which the polls will
18 be open and stating that the primary election will be held at the regular
19 voting places. Where such voting places are not well established and
20 customarily known the published notice herein provided for shall give the
21 location of such voting places.

22 Sec. 16. K.S.A. 2013 Supp. 25-213 is hereby amended to read as
23 follows: 25-213. (a) At all national and state primary elections, the
24 national and state offices as specified for each in this section shall be
25 printed upon the official primary election ballot for national and state
26 offices and the county and township offices as specified for each in this
27 section shall be printed upon the official primary election ballot for county
28 and township offices. The official primary election ballots shall have the
29 following heading:

30 OFFICIAL PRIMARY ELECTION BALLOT

31 _____ Party

32 To vote for a person whose name is printed on the ballot make a cross
33 or check mark in the square at the left of the person's name. To vote for a
34 person whose name is not printed on the ballot, write the person's name in
35 the blank space, if any is provided, and make a cross or check mark in the
36 square to the left.

37 The words national and state or the words county ~~and~~, township *and*
38 *municipal* shall appear on the line preceding the part of the form shown
39 above.

40 The form shown shall be followed by the names of the persons for
41 whom nomination petitions or declarations have been filed according to
42 law for political parties having primary elections, and for the national and
43 state offices in the following order: United States senator, United States

1 representative from _____ district, governor and lieutenant governor,
2 secretary of state, attorney general, state treasurer, commissioner of
3 insurance, senator _____ district, representative _____ district, district
4 judge _____ district, district magistrate judge _____ district, district
5 attorney _____ judicial district, and member state board of education
6 _____ district. For county ~~and~~, township *and municipal* offices the form
7 shall be followed by the names of persons for whom nomination petitions
8 or declarations have been filed according to law for political parties having
9 primary elections in the following order: Commissioner _____ district,
10 county clerk, treasurer, register of deeds, county attorney, sheriff, township
11 trustee, township treasurer, township clerk. When any office is not to be
12 elected, it shall be omitted from the ballot. Other offices to be elected but
13 not listed, shall be inserted in the proper places. For each office there shall
14 be a statement of the number to vote for.

15 To the left of each name there shall be printed a square. Official
16 primary election ballots may be printed in one or more columns. The
17 names certified by the secretary of state or county election officer shall be
18 printed on official primary election ballots and no others. In case there are
19 no nomination petitions or declarations on file for any particular office, the
20 title to the office shall be printed on the ballot followed by a blank line
21 with a square, and such title, followed by a blank line, may be printed in
22 the list of candidates published in the official paper. No blank line shall be
23 printed following any office where there are nomination petitions or
24 declarations on file for the office except following the offices of precinct
25 committeeman and precinct committeewoman. Except as otherwise
26 provided in this section, no person's name shall be printed more than once
27 on either the official primary election ballot for national and state offices
28 or the official primary election ballot for county and township offices. No
29 name that is printed on the official primary election ballot as a candidate of
30 a political party shall be printed or written in as a candidate for any office
31 on the official primary election ballot of any other political party. If a
32 person is a candidate for the unexpired term for an office, the person's
33 name may be printed on the same ballot as a candidate for the next regular
34 term for such office. The name of any candidate on the ballot may be
35 printed on the same ballot as such candidate and also as a candidate for
36 precinct committeeman or committeewoman. No name that is printed on
37 the official primary election ballot for national and state offices shall be
38 printed or written in elsewhere on such ballot or on the official primary
39 election ballot for county and township offices except for precinct
40 committeeman or committeewoman. No name that is printed on the
41 official primary election ballot for county and township offices shall be
42 printed or written in on the official primary election ballot for national and
43 state offices or elsewhere on such county and township ballot except for

1 precinct committeeman or committeewoman.

2 No person shall be elected to the office of precinct committeeman or
3 precinct committeewoman where no nomination petitions or declarations
4 have been filed, unless the person receives at least five write-in votes. As a
5 result of a primary election, no person shall receive the nomination and no
6 person's name shall be printed on the official general election ballot when
7 no nomination petitions or declarations were filed, unless the person
8 receives votes equal in number to not less than 5% of the total of the
9 current voter registration designated in the state, county, *municipality* or
10 district in which the office is sought, as compiled by the office of the
11 secretary of state, except that a candidate for township *or municipal* office
12 may receive the nomination and have such person's name printed on the
13 ballot where no nomination petitions or declarations have been filed if
14 such candidate receives three or more write-in votes. No such person shall
15 be required to obtain more than 5,000 votes.

16 Sec. 17. K.S.A. 2013 Supp. 25-611 is hereby amended to read as
17 follows: 25-611. (a) The arrangement of offices on the official general
18 ballot for national and state offices for those offices to be elected shall be
19 in the following order: Names of candidates for the offices of president
20 and vice-president, United States senator, United States representative
21 _____ district, governor and lieutenant governor running together,
22 secretary of state, attorney general, (and any other officers elected from the
23 state as a whole), state senator _____ district, state representative _____
24 district, district judge _____ district, district magistrate judge _____
25 district, district attorney _____ judicial district, and state board of
26 education member _____ district.

27 (b) The arrangement of offices on the official general ballot for
28 county and township offices for those offices to be elected shall be in the
29 following order: Names of candidates for county commissioner _____
30 district, county clerk, county treasurer, register of deeds, county attorney,
31 sheriff, township trustee, township treasurer; *and* township clerk.

32 (c) *The arrangement of offices on the general ballot for municipal*
33 *officers shall be established by the secretary of state upon consultation*
34 *with county election officers.*

35 (d) *The secretary of state may adopt rules and regulations to ensure*
36 *orderly general elections in both even-numbered years and odd-numbered*
37 *years.*

38 Sec. 18. K.S.A. 25-1115 is hereby amended to read as follows: 25-
39 1115. (a) "General election" means the election held on the Tuesday
40 succeeding the first Monday in November of even-numbered years, the
41 elections held for *municipal* officers on the ~~first Tuesday in April~~
42 *succeeding the first Monday in November in odd-numbered years for other*
43 *officers on the first Tuesday in April*, and in the case of special elections of

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

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

11 Sec. 19. K.S.A. 2013 Supp. 25-1122 is hereby amended to read as
12 follows: 25-1122. (a) Any registered voter may file with the county
13 election officer where ~~such the~~ person is a resident, or where ~~such the~~
14 person is authorized by law to vote as a former precinct resident, an
15 application for an advance voting ballot. The signed application shall be
16 transmitted only to the county election officer by personal delivery, mail,
17 facsimile or as otherwise provided by law.

18 (b) If the registered voter is applying for an advance voting ballot to
19 be transmitted in person, ~~such the~~ voter shall provide identification
20 pursuant to K.S.A. 25-2908, and amendments thereto.

21 (c) If the registered voter is applying for an advance voting ballot to
22 be transmitted by mail, ~~such the~~ voter shall provide with the application
23 for an advance voting ballot the voter's current and valid Kansas driver's
24 license number, nondriver's identification card number or a photocopy of
25 any other identification provided by K.S.A. 25-2908, and amendments
26 thereto.

27 (d) A voter may vote a provisional ballot according to K.S.A. 25-409,
28 and amendments thereto, if:

29 (1) The voter is unable or refuses to provide current and valid
30 identification; or

31 (2) the name and address of the voter provided on the application for
32 an advance voting ballot do not match the voter's name and address on the
33 registration book. The voter shall provide a valid form of identification as
34 defined in K.S.A. 25-2908, and amendments thereto, to the county election
35 officer in person or provide a copy by mail or electronic means before the
36 meeting of the county board of canvassers. At the meeting of the county
37 board of canvassers the county election officer shall present copies of
38 identification received from provisional voters and the corresponding
39 provisional ballots. If the county board of canvassers determines that a
40 voter's identification is valid and the provisional ballot was properly cast,
41 the ballot shall be counted.

42 (e) No county election officer shall provide an advance voting ballot
43 to a person who is requesting an advance voting ballot to be transmitted by

1 mail unless:

2 (1) The county election official verifies that the signature of the
3 person matches that on file in the county voter registration records.
4 Signature verification may occur by electronic device or by human
5 inspection. In the event that the signature of a person who is requesting an
6 advance voting ballot does not match that on file, the county election
7 officer shall attempt to contact the person and shall offer the person
8 another opportunity to provide ~~such~~ the person's signature for the purposes
9 of verifying the person's identity. If the county election officer is unable to
10 reach the person, the county election officer may transmit a provisional
11 ballot, however, such provisional ballot may not be counted unless a
12 signature is included therewith that can be verified; and

13 (2) the person provides such person's full Kansas driver's license
14 number, Kansas nondriver's identification card number issued by the
15 division of vehicles, or submits such person's application for an advance
16 voting ballot and a copy of identification provided by K.S.A. 25-2908, and
17 amendments thereto, to the county election officer for verification. If a
18 person applies for an advance voting ballot to be transmitted by mail but
19 fails to provide identification pursuant to this subsection or the
20 identification of ~~such~~ the person cannot be verified by the county election
21 officer, the county election officer shall provide information to ~~such~~ the
22 person regarding the voter rights provisions of subsection (d) and shall
23 provide ~~such~~ the person an opportunity to provide identification pursuant
24 to this subsection. For the purposes of this act, Kansas state offices and
25 offices of any subdivision of the state will allow any person seeking to
26 vote by an advance voting ballot the use of a photocopying device to make
27 one photocopy of an identification document at no cost.

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

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

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

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

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

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

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

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

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

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

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

19 (g) Unless an earlier date is designated by the county election office,
20 applications for advance voting ballots transmitted to the voter in person in
21 the office of the county election officer shall be filed on the Tuesday next
22 preceding the election and on each subsequent business day until no later
23 than 12:00 noon on the day preceding such election. If the county election
24 officer so provides, applications for advance voting ballots transmitted to
25 the voter in person in the office of the county election officer also may be
26 filed on the Saturday preceding the election. Upon receipt of any such
27 properly executed application, the county election officer shall deliver to
28 the voter such ballots and instructions as are 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 be
32 filed during the regular advance ballot application periods until the close
33 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 (h) 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 (i) 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~~ the persons claim to
9 be 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 with
15 this subsection by any registered voter during regular business hours. The
16 county election officer upon receipt of ~~such~~ the applications shall enter
17 upon a record kept by such officer the name and address of each applicant,
18 which record shall conform to the list above required. Before inspection of
19 any advance voting ballot application list, the person desiring to make
20 ~~such~~ the inspection shall provide to the county election officer
21 identification in the form of driver's license or other reliable identification
22 and shall sign a log book or application form maintained by ~~such~~ the
23 officer stating ~~such~~ the 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 number
27 on ballots and ballot envelopes and records of such numbers shall not be
28 made public.

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

40 (k) The secretary of state may adopt rules and regulations in order to
41 implement the provisions of this section and to define valid forms of
42 identification.

43 Sec. 20. K.S.A. 25-2006 is hereby amended to read as follows: 25-

1 2006. (a) "General election" means the election held for school officers on
2 ~~the first Tuesday in April in any odd-numbered year~~ *Tuesday following the*
3 *first Monday in November of odd-numbered years*, and in the case of
4 special elections of any school officers to fill vacancies, the election at
5 which any such officer is finally elected.

6 (b) "Primary election" means the election held ~~five weeks preceding~~
7 ~~the election~~ on the first Tuesday in ~~April~~ *August of each odd-numbered*
8 *year*; and any other preliminary election at which part of the candidates for
9 special election to any school office are eliminated by the process of the
10 election but at which no officer is finally elected.

11 Sec. 21. K.S.A. 25-2007 is hereby amended to read as follows: 25-
12 2007. (a) "Question submitted election" means any election at which a
13 special question is to be voted on by the electors of the state or a part of
14 them.

15 (b) "County election officer" means:

16 (1) The election commissioner of the home county of the school
17 district if such county has an election commissioner;;

18 (2) the county clerk of the home county of the school district if the
19 county does not have an election commissioner; *or*

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

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

32 Sec. 22. K.S.A. 25-2010 is hereby amended to read as follows: 25-
33 2010. Election of board members and question submitted elections shall be
34 conducted by the county election officer of the home county of the school
35 district. Board member general elections shall be held on the ~~first Tuesday~~
36 ~~in April of each odd-numbered year. If a primary election is required to be~~
37 ~~held, such~~ *Tuesday following the first Monday in November of odd-*
38 *numbered years. A primary election shall be held on the first Tuesday*
39 ~~preceding by five weeks the first Tuesday in April of odd-numbered years~~
40 *in August of odd-numbered years.*

41 Sec. 23. K.S.A. 25-2014 is hereby amended to read as follows: 25-
42 2014. Names of candidates appearing on the ballots in primary and general
43 school elections shall be listed in ~~the various possible orders in rotation~~

1 *alphabetical order according to the candidates' surnames.*

2 Sec. 24. K.S.A. 25-2017 is hereby amended to read as follows: 25-
3 2017. Consistent with this act the county election officer shall prescribe
4 the form ~~and time~~ of every publication notice applicable to any primary or
5 general school election.

6 Sec. 25. K.S.A. 25-2018 is hereby amended to read as follows: 25-
7 2018. (a) Notices of board member elections and question submitted
8 elections of a school district shall be made as provided in this section.

9 (b) ~~On or before January 15~~ *At the time and in the manner prescribed*
10 *in K.S.A. 25-204, and amendments thereto*, the county election officer shall
11 publish a notice of election one time in a newspaper having general
12 circulation in the school district. The notice for board member elections
13 shall state: (1) The name of the school district;; (2) the date of the general
14 election;; (3) the date of the primary election if one is held;; (4) the filing
15 deadline and the place of filing;; and (5) the offices or positions to be
16 filled.

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

22 (d) ~~Not less than six weeks prior to the first Tuesday in April~~ *At the*
23 *time and in the manner prescribed in K.S.A. 25-209, and amendments*
24 *thereto*, a notice of primary elections shall be published by the county
25 election officer in a newspaper having general circulation in the school
26 district, if a primary election is required to be held. The publication shall
27 be made one time and shall state: (1) The name of the school district;; (2)
28 the date of the primary election;; (3) the names of the candidates and the
29 office or position for which each is a candidate;; (4) the voting place or
30 places and the area each voting place is to serve;; *and* (5) the times of
31 opening and closing of the polls. Description of areas shall be in the terms
32 determined by the county election officer.

33 (e) ~~Not less than three days prior to the first Tuesday in April~~ *At the*
34 *time and in the manner prescribed in K.S.A. 25-105, and amendments*
35 *thereto*, a notice of the general election shall be published by the county
36 election officer one time in a newspaper having general circulation in the
37 school district. The notice shall state: (1) The name of the school district;;
38 (2) the date of the general election;; (3) the names of the candidates and
39 the office or position for which each is a candidate;; (4) the voting place or
40 places and the area each voting place is to serve;; *and* (5) the time of
41 opening and closing of polls. Description of areas shall be in such terms as
42 may be determined by the county election officer.

43 (f) Notice of any question submitted election of any school district

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

9 Sec. 26. K.S.A. 2013 Supp. 25-2020 is hereby amended to read as
10 follows: 25-2020. (a) When a district method of election is in effect in any
11 school district, a person may become a candidate for election to board
12 member by any one of the following methods:

13 (1) Any person who is an elector in any member district may petition
14 to be a candidate for board member from the member district in which
15 such person resides. Any such person shall file with the county election
16 officer, a petition for such candidacy signed by not less than 50 electors
17 residing in such member district or by a number of such electors equal to
18 not less than 10% of the electors residing in such member district,
19 whichever is less.

20 (2) Any person who is an elector in any school district may petition to
21 be a candidate for board member at-large from the school district in which
22 such person resides. Any such person shall file with the county election
23 officer, a petition for such candidacy signed by not less than 50 electors
24 residing in such school district.

25 (3) Any person who is an elector in any member district may become
26 a candidate for board member from the member district in which such
27 person resides by filing with the county election officer a declaration of
28 intention to become such a candidate, and payment therewith of a filing
29 fee in the amount of \$5. Such declaration shall be prescribed by the
30 secretary of state.

31 (4) Any person who is an elector in any school district may become a
32 candidate for board member at-large from the school district in which such
33 person resides by filing with the county election officer a declaration of
34 intention to become such a candidate, and payment therewith of a filing
35 fee in the amount of \$5. Such declaration shall be prescribed by the
36 secretary of state.

37 (5) Any such petition or declaration shall specify the member position
38 for which the person is a candidate.

39 (b) When the election at large method is in effect in any school
40 district, a person may become a candidate for election to board member by
41 either one of the following methods:

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

1 county election officer a petition for such candidacy signed by not less
2 than 50 electors residing in the school district.

3 (2) Any person who is an elector in the unified school district may
4 become a candidate for board member by filing with the county election
5 officer a declaration of intention to become such a candidate, and payment
6 therewith of a filing fee in the amount of \$5. Such declaration shall be
7 prescribed by the secretary of state.

8 (3) Any such petition or declaration which is for an unexpired term of
9 a member shall so specify.

10 (c) Any such petition or declaration of intent must be filed before the
11 filing deadline *as prescribed in K.S.A. 25-205, and amendments thereto*.
12 No candidate shall be permitted to withdraw from candidacy after the
13 filing deadline.

14 (d) Within three days from the date of the filing of a nomination
15 petition or a declaration of intention to become a candidate for board
16 member, the county election officer shall determine the validity of such
17 petition or declaration.

18 (e) If a nomination petition or declaration is found to be invalid, the
19 county election officer shall notify the candidate on whose behalf the
20 petition or declaration was filed that such nomination petition or
21 declaration has been found to be invalid and the reason for the finding.
22 Such candidate may make objection to the finding of invalidity by the
23 county election officer in accordance with K.S.A. 25-308, and
24 amendments thereto.

25 Sec. 27. K.S.A. 25-2022 is hereby amended to read as follows: 25-
26 2022. ~~Any board shall have power to fill by appointment any vacancy~~
27 ~~which occurs thereon, and such appointee shall serve for the unexpired~~
28 ~~term. When a vacancy occurs, the board shall publish a notice one time in~~
29 ~~a newspaper having general circulation in the school district stating that~~
30 ~~the vacancy has occurred and that it will be filled by appointment by the~~
31 ~~board not sooner than fifteen (15) days after such publication~~ *Vacancies in*
32 *boards of education shall be filled as provided in section 40, and*
33 *amendments thereto.* If such vacancy occurs before ~~January 1 of an odd-~~
34 ~~numbered year~~ *May 1 of the second year of the term* leaving an unexpired
35 term of more than two years, such appointee shall serve until the ~~July 1~~
36 ~~second Monday in January~~ after the following general school election as
37 provided in K.S.A. 25-2023, ~~or any and~~ amendments thereto.

38 In the latter event, the unexpired term of two years commencing ~~July~~
39 ~~1 on the second Monday in January~~ after the following general school
40 election shall be filled at such election and the ballots or ballot labels and
41 returns of election with respect to such office shall be designated as
42 follows: "To fill the unexpired term."

43 Sec. 28. K.S.A. 25-2023 is hereby amended to read as follows: 25-

1 2023. Each board member shall qualify by filing an oath of office with the
2 election officer not later than ten (10) days. *The term of office of each*
3 *board member shall commence on the second Monday in January*
4 *following the date of the election, or not later than five (5) days after*
5 *issuance of such member's certificate of election, whichever is the later*
6 *date. Each board member shall take office on the July 1 following the*
7 *general school election. Each member elected shall qualify by filing an*
8 *oath of office with the county election office.* Each member elected to a
9 board of education shall hold office until a successor is elected or
10 appointed and qualified and shall serve for a term of four (4) years.

11 Sec. 29. K.S.A. 2013 Supp. 25-2102 is hereby amended to read as
12 follows: 25-2102. (a) "General election" means the election held on the
13 Tuesday succeeding the first Monday in November of ~~even-numbered~~
14 ~~odd-numbered~~ years, ~~the elections held for officers on the first Tuesday in~~
15 ~~April~~, and in the case of special elections of any officers to fill vacancies,
16 the election at which any such officer is finally elected.

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

24 (c) "District method" means the election of city officers where the
25 city is divided into member districts or wards.

26 (d) "Election at large method" means the election of city officers
27 without member districts or wards.

28 Sec. 30. K.S.A. 25-2107 is hereby amended to read as follows: 25-
29 2107. The general election of city officers shall be held on the ~~first~~
30 ~~Tuesday in April. Except as otherwise provided by law or as provided by~~
31 ~~charter ordinance passed after April 30, 1968, pursuant to article 12,~~
32 ~~section 5, of the constitution of Kansas, every city shall have an election of~~
33 ~~city officers in odd-numbered years only, and the terms of city officers~~
34 ~~shall be two (2) years: Provided, however, That the provisions of this~~
35 ~~section shall not invalidate, repeal or otherwise affect any charter~~
36 ~~ordinance of any city of the third class having a population of not less than~~
37 ~~one thousand five hundred (1,500) nor more than two thousand (2,000)~~
38 ~~located in a county having a population of not less than fifty thousand~~
39 ~~(50,000) nor more than one hundred thousand (100,000), which ordinance~~
40 ~~had become effective prior to April 30, 1968~~ *Tuesday following the first*
41 *Monday of November of odd-numbered years.*

42 (b) *A primary shall be held on the first Tuesday in August of each*
43 *odd-numbered year.*

1 Sec. 31. K.S.A. 2013 Supp. 25-2108a is hereby amended to read as
2 follows: 25-2108a. (a) There shall be a primary election of city officers on
3 the *first* Tuesday ~~preceding by five weeks the first Tuesday in April of~~
4 ~~every year that such city has a city election, except as otherwise provided~~
5 ~~in subsection (b) or subsection (c) of this section in August of each even-~~
6 ~~numbered year.~~

7 (b) In cities in which a district method of election is in effect, if there
8 are more than three qualified candidates for any member district, the
9 county election officer shall call, and there shall be held, a primary
10 election in each such member district. The names of the two candidates
11 receiving the greatest number of votes for any such member district at the
12 primary election shall appear on the ballots in the general election. If there
13 are three or fewer qualified candidates for any member district there shall
14 not be a primary election and the names of the candidates shall be placed
15 on the ballots in the general election.

16 (c) In cities in which the election at large method of election is in
17 effect, if there are more than three times the number of candidates as there
18 are members to be elected, the county election officer shall call, and there
19 shall be held, a primary election. The names of twice the number of
20 candidates as there are members to be elected who received the greatest
21 number of votes at the primary election shall appear on the ballots in the
22 general election. If there are not more than three times the number of
23 candidates as there are members to be elected there shall not be a primary
24 election and the names of the candidates shall be placed on the ballots in
25 the general election.

26 (d) On the ballots in general city elections, blank lines for the names
27 of write-in candidates shall be printed at the end of the list of candidates
28 for each different office. The number of blank lines for each elected office
29 shall be equal to the number of candidates to be elected thereto. The
30 purpose of such blank lines shall be to permit the voter to insert the name
31 of any person not printed on the ballot for whom such voter desires to vote
32 for such office. No lines for write-in candidates shall appear on primary
33 city election ballots.

34 Sec. 32. K.S.A. 25-2109 is hereby amended to read as follows: 25-
35 2109. The filing deadline for all city elections shall be ~~12:00 o'clock noon~~
36 ~~of the Tuesday preceding by 10 weeks the first Tuesday in April at 12~~
37 ~~noon on June 1 as provided in K.S.A. 25-205, and amendments thereto.~~

38 Sec. 33. K.S.A. 2013 Supp. 25-2110 is hereby amended to read as
39 follows: 25-2110. (a) ~~In cities of the first and second class, any person~~
40 ~~desiring to become a candidate for a city office elected at large shall file~~
41 ~~with the city clerk before the filing deadline a statement of such candidacy~~
42 ~~on a form furnished by the county election officer as specified by the~~
43 ~~secretary of state. The city clerk of any city upon receiving any filing~~

1 under this section shall record the same and transmit it, together with the
2 filing fee or petition herein provided, within three business days to the
3 county election officer. In cities of the third class, Any person desiring to
4 become a candidate for city office elected at large shall file with the county
5 election officer of the county in which the city is located, or of the county
6 in which the greater population of the city is located if the city extends into
7 more than one county, or the city clerk, before the filing deadline a
8 statement of candidacy on a form furnished by the county election officer
9 as specified by the secretary of state.

10 (b) In cities having a population of less than 5,000, each such filing
11 shall be accompanied by a filing fee of \$5 or, in lieu of such filing fee, by a
12 petition signed by 25 qualified electors of the city or by a number of such
13 qualified electors of the city equal to not less than 10% of the ballots cast
14 at the last general city election, whichever is less.

15 (c) In cities having a population of not less than 5,000 nor more than
16 100,000, each such filing shall be accompanied by a filing fee of \$10 or, in
17 lieu of such filing fee, by a petition signed by 50 qualified electors of the
18 city or by a number of such qualified electors of the city equal to not less
19 than 1% of the ballots cast and counted at the last general city election,
20 whichever is less.

21 (d) In cities having a population of more than 100,000, each such
22 filing shall be accompanied by a filing fee of \$50; or, in lieu of such filing
23 fee, by a petition signed by 100 qualified electors of the city or by a
24 number of qualified electors of the city equal to 1% of the ballots cast at
25 the last general city election, whichever is less. *Filing fees or, in lieu of such*
26 *filing fees, the number of qualified electors of the city which must sign a*
27 *nomination petition shall be established by the city governing body by*
28 *passage of an ordinance.*

29 (e) (c) Within three days from the date of the filing of a nomination
30 petition or a declaration of intention to become a candidate for a city office
31 elected at large, the county election officer shall determine the validity of
32 such petition or declaration.

33 (f) (d) If a nomination petition or declaration is found to be invalid,
34 the county election officer shall notify the candidate on whose behalf the
35 petition or declaration was filed that such nomination petition or
36 declaration has been found to be invalid and the reason for the finding.
37 Such candidate may make objection to the finding of invalidity by the
38 county election officer in accordance with K.S.A. 25-308, and
39 amendments thereto.

40 (g) (e) All city elections shall be conducted by the county election
41 officer of the county in which such city is located, or of the county in
42 which the greater population of the city is located if the city extends into
43 more than one county.

1 Sec. 34. K.S.A. 25-2113 is hereby amended to read as follows: 25-
2 2113. ~~(a) Except as provided in subsection (b) of this section,~~ City elections
3 shall be nonpartisan. Laws applicable to elections occurring at the same
4 time as city elections shall apply to city elections to the extent that the
5 same are not in conflict with the provisions of this act.

6 ~~(b) The provisions of this subsection (b) shall apply to cities of the~~
7 ~~first class in counties which have been declared urban areas as authorized~~
8 ~~by article 2, section 17, of the constitution of Kansas. Election laws of a~~
9 ~~general nature which are applicable to partisan elections and which are not~~
10 ~~in conflict with this subsection (b) or any specific law applicable to~~
11 ~~election of city officers in any city to which this subsection (b) applies,~~
12 ~~shall apply to elections held under the provisions of this subsection (b).~~
13 ~~The county election officer shall prescribe the forms, ballots and ballot~~
14 ~~labels for every election conducted under this subsection (b), and shall~~
15 ~~make such rules and regulations not inconsistent with this subsection (b) as~~
16 ~~may be necessary for the conduct of such elections.~~

17 Sec. 35. K.S.A. 25-2115 is hereby amended to read as follows: 25-
18 2115. Names of candidates appearing on the ballots in primary and general
19 city elections ~~in cities of the first and second class shall be listed in the~~
20 ~~various possible orders in rotation~~ *alphabetical order according to the*
21 *candidates' surnames.*

22 Sec. 36. K.S.A. 25-2120 is hereby amended to read as follows: 25-
23 2120. The county election officer who conducts the city election shall
24 promptly certify to the city governing body the determination of election
25 results made by the county board of canvassers. The term of office shall
26 ~~commence with and include the first regular meeting of the governing~~
27 ~~body on the second Monday in January~~ following certification of the
28 election.

29 Every person elected or appointed to city office, before entering upon
30 the duties of such office, shall take and subscribe an oath or affirmation as
31 specified in K.S.A. 54-106, *and amendments thereto*, and every such oath
32 or affirmation shall be filed with the city clerk.

33 Sec. 37. K.S.A. 2013 Supp. 25-2311 is hereby amended to read as
34 follows: 25-2311. (a) County election officers shall provide for the
35 registration of voters at one or more places on all days except the
36 following:

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

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

1 (3) the 20 days preceding the day of primary and general state
2 elections;

3 (4) the 20 days preceding the day of primary city and school
4 elections, if either has a primary;

5 (5) the 20 days preceding each first Tuesday in April of odd-
6 numbered years, being the day of city and school general elections;

7 (6) the 20 days preceding the day of any election other than one
8 specified in paragraphs (3), (4) and (5) of this subsection; and

9 (7) the day of any primary or general election or any question
10 submitted election.

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

14 (c) The secretary of state shall notify every county election officer of
15 the dates when registration shall be closed preceding primary and general
16 state, city and school elections. The days so specified by the secretary of
17 state shall be conclusive. Such notice shall be given by the secretary of
18 state by mail at least 60 days preceding every primary and general state,
19 city and school election.

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

28 (e) County election officers shall accept and process applications
29 received by voter registration agencies and the division of motor vehicles
30 not later than the 21st day preceding the date of any election; mailed voter
31 registration applications that are postmarked not later than the 21st day
32 preceding the date of any election; or, if the postmark is illegible or
33 missing, is received in the mail not later than the ninth day preceding the
34 day of any election.

35 (f) The secretary of state may adopt rules and regulations interpreting
36 the provisions of this section and specifying the days when registration
37 shall be open, days when registration shall be closed, and days when it is
38 optional with the county election officer for registration to be open or
39 closed.

40 (g) Before each primary and general election held in even-numbered
41 *and odd-numbered* years, and at times and in a form prescribed by the
42 secretary of state, each county election officer shall certify to the secretary
43 of state the number of registered voters in each precinct of the county as

1 shown by the registration books in the office of such county election
2 officer.

3 Sec. 38. K.S.A. 25-2502 is hereby amended to read as follows: 25-
4 2502. (a) "General election" means the election held on the Tuesday
5 ~~succeeding~~ *following* the first Monday in November of even-numbered
6 *and odd-numbered* years, the elections held for officers on the first
7 Tuesday in April, and in the case of special elections of any officers to fill
8 vacancies, the election at which any such officer is finally elected.

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

15 Sec. 39. K.S.A. 25-3901 is hereby amended to read as follows: 25-
16 3901. As used in this act, unless the context otherwise requires, the words
17 and terms defined in article 25 of chapter 25 of *the Kansas Statutes*
18 *Annotated, and amendments thereto*, shall have the meaning therein
19 ascribed thereto, to the extent that the same are not in conflict with the
20 following:

21 (a) "District office" means the office of district judge, district
22 magistrate judge, county commissioner, state representative, state senator,
23 district attorney ~~or~~, county attorney *or municipality office*.

24 (b) "Party" means a political party having a state and national
25 organization and of which the officer or candidate whose position has
26 become vacant was a member.

27 (c) "Party candidacy" means a candidate of a political party for a
28 party nomination at a primary election or the party candidate at a general
29 election.

30 (d) "General election" means the election held on the Tuesday
31 succeeding the first Monday in November in even-numbered years.

32 (e) "Primary election" means the election held on the first Tuesday in
33 August in even-numbered years.

34 (f) "County chairman" or "county chairperson" means the chairperson
35 of the county central committee, provided to be elected under K.S.A. 25-
36 3802, and amendments thereto, of the political party of which the officer
37 or candidate whose position has become vacant was a member.

38 (g) "*Municipality office*" means an elected office of a municipality as
39 such term is defined in section 1, and amendments thereto.

40 Sec. 40. K.S.A. 2013 Supp. 25-3902 is hereby amended to read as
41 follows: 25-3902. (a) Except as provided in K.S.A. 25-312a *and section*
42 *40*, and amendments thereto, when a district convention is provided by law
43 to be held to elect a person to be appointed to fill a vacancy in a district

1 office, the county chairperson designated in subsection (b) or (c), within
2 21 days of receipt of notice that a vacancy has occurred or will occur, shall
3 call and convene a convention of all committeemen and committeewomen
4 of the party of the precincts in such district for the purpose of electing a
5 person to be appointed by the governor to fill the vacancy. If such county
6 chairperson is absent or for any reason is unable to call, or refuses to call
7 such convention, then the county vice-chairperson shall call the
8 convention and perform the other duties under this section required of such
9 chairperson.

10 (b) If the district lies within a single county, the county chairperson of
11 such county shall call the convention by mailing a notice, at least seven
12 days before the date of the convention, to each precinct committeeman and
13 committeewoman who is entitled to vote at the convention pursuant to
14 subsection (e).

15 (c) If all or part of more than one county lies within the district, the
16 county chairperson of the county in which the greatest number of qualified
17 voters of the district reside shall call the convention by mailing a notice of
18 the convention to each county chairperson of the party in each such county
19 at least 10 days before the date of the convention. Such convention shall
20 be held at a location within the district selected by the chairperson calling
21 the convention. Such county chairperson, within three days after receipt of
22 such notice, shall mail notice of the convention to the committeemen and
23 committeewomen in their counties who are entitled to vote at the
24 convention pursuant to subsection (e).

25 (d) The notice of such convention shall state:

26 (1) The place where the convention is to be held;

27 (2) the time when the convention will convene; and

28 (3) the purpose for which the convention is to be held.

29 (e) At the time and place fixed for holding the convention, the county
30 chairperson who called the convention shall act as temporary chairperson
31 and shall call the convention to order. One-third of the eligible members of
32 the convention shall constitute a quorum for such election. In the event a
33 quorum is not present at the time and place that such convention is called,
34 the members present shall adjourn the convention to a day and time
35 certain, which shall be not later than 14 days after such adjournment of
36 such convention, and provide for notification of the time and place of such
37 adjourned convention to be given to the eligible members not present. The
38 convention shall organize by electing a permanent chairperson and such
39 other officers as necessary. After the convention is organized, it shall elect
40 a person to be appointed by the governor to fill the vacancy. Such election
41 shall be by secret ballot and the person elected shall be the one who
42 receives the majority of all the votes cast. If no person receives a majority
43 of all votes cast on any ballot, the balloting shall continue until some

1 person receives a majority of all the votes cast. Each committeeman and
2 committeewoman of the party of the precincts in such district shall be
3 entitled to vote. Except as provided in subsection (f), no precinct
4 committeeman or committeewoman shall be represented or shall vote by
5 proxy. The convention may adopt such rules necessary to govern its
6 procedure in making nominations, voting, counting, and canvassing votes
7 and for the conduct of any business which may properly be brought before
8 the convention, but such rules shall not be in conflict with the provisions
9 of this section.

10 (f) (1) A precinct committeeman or committeewoman may vote by
11 proxy at a convention called pursuant to this section whenever such
12 precinct committeeman or committeewoman is unable to attend the
13 convention and cast such precinct committeeman's or committeewoman's
14 ballot.

15 (2) A precinct committeeman or committeewoman may designate
16 another precinct committeeman or committeewoman to cast such precinct
17 committeeman's or precinct committeewoman's ballot at such convention
18 by proxy. Any proxy authorized by this subsection shall:

19 (A) Designate the precinct committeeman or committeewoman who
20 shall cast the precinct committeeman's or precinct committeewoman's vote
21 by proxy;

22 (B) be signed by the precinct committeeman or precinct
23 committeewoman authorizing the proxy; and

24 (C) contain an acknowledgment of such precinct committeeman's or
25 precinct committeewoman's signature which complies with K.S.A. 53-509,
26 and amendments thereto.

27 (g) *Except as provided in subsection (h)*, after a person has been
28 elected to be appointed to fill a vacancy in a district office, the chairperson
29 or vice-chairperson of the convention shall execute a certificate, under
30 oath, stating that such person has been duly elected to be appointed to fill
31 such vacancy and shall transmit such certificate either by hand delivery by
32 a person designated by such chairperson or vice-chairperson or by
33 registered mail, return receipt requested, to the governor and a copy
34 thereof to the secretary of state. If transmitted by registered mail, such
35 certificate and the copy thereof shall be mailed within 24 hours of such
36 election, unless the day following such election is a Sunday or legal
37 holiday, in which case it shall be mailed by the next regular business day.
38 Thereupon, and not later than seven days after such certificate is received
39 in the office of the governor, the governor, or in the governor's absence the
40 lieutenant governor, shall fill such vacancy by appointing to such district
41 office the person so elected. In the event the governor or lieutenant
42 governor fails to appoint any person as required by this subsection after
43 receiving a lawfully executed certificate hereunder, such person shall be

1 deemed to have been so appointed notwithstanding such failure. The
2 person so appointed may qualify and enter upon the duties of the district
3 office immediately after appointment.

4 *(h) After a person has been elected to be appointed to fill a vacancy*
5 *of a municipal office, the chairperson or vice chairperson of the*
6 *convention shall execute a certificate, under oath, stating such person has*
7 *been duly elected to fill the vacancy and shall transmit the certificate by*
8 *hand delivery or registered mail to the governing body of the municipality.*
9 *The governing body of the municipality shall appoint such person to fill*
10 *the vacancy.*

11 New Sec. 41. (a) Vacancies in an office of a municipality as defined
12 in section 1, and amendments thereto, shall be filled by a district
13 convention as provided in this section and in K.S.A. 25-3902, and
14 amendments thereto. A vacancy in an office of a municipality shall be
15 filled by a person who has been selected as provided in subsection (b).

16 (b) The clerk or other official designated by the governing body of
17 the municipality shall notify the county chairpersons of a vacancy existing
18 in the elected office of the municipality. The county chairpersons of the
19 democratic and republican parties shall be notified and a joint district
20 convention of both political parties shall be held to select the person to fill
21 the vacancy.

22 Sec. 42. K.S.A. 2013 Supp. 42-706 is hereby amended to read as
23 follows: 42-706. (a) The officers of such district shall be a board of
24 directors consisting of three members who shall be persons entitled to vote
25 as provided in subsection ~~(h)~~ (g) and residents of a county in which the
26 district or a portion thereof is located, or county adjoining a county in
27 which such irrigation district or a portion thereof is located. Such members
28 shall hold office for a period of three years, and each shall serve until a
29 successor has been elected and qualified. The members of the board of
30 directors first elected after the creation of an irrigation district shall hold
31 their respective offices until the next regular election for the election of
32 directors as provided in subsection (e) or (f) of this section except that the
33 terms of the three directors shall be as provided in subsection (e) of this
34 section.

35 (b) The chief engineer of the division of water resources, after the
36 incorporation of such irrigation district, shall establish and designate the
37 polling place or places therein where the first election will be conducted
38 and fix the time for such election within 60 days after the date of
39 incorporation. In any irrigation district of more than 35,000 acres, the chief
40 engineer of the division of water resources shall, prior to designating
41 polling places, establish three voting areas within such district as equal as
42 possible in acreage and shall designate the same as the first, second or
43 third voting area. Such polling place or places may thereafter be changed

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

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

26 (d) (1) Except as provided in paragraph (2), all elections shall be
27 conducted in accordance with the general election laws of the state except
28 as otherwise provided in this act. Advance voting as provided in article 11
29 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto,
30 shall be provided for by the county election officers and boards of
31 directors for those persons entitled to vote under subsection-~~(h)~~ (g). The
32 forms for the ballot envelope declaration as provided in K.S.A. 25-1120,
33 and amendments thereto, and the applications for advance ballots as
34 provided in K.S.A. 25-1122d, and amendments thereto, shall be modified
35 to establish that such person is a qualified owner of irrigable land within
36 the district. After polls are closed the election boards shall proceed to
37 canvass the votes cast thereat, shall certify to the county election officer of
38 the county in which all or the greater part of the population of the
39 irrigation district is located and the chief engineer the result of such
40 election. The clerks shall then securely wrap the ballots cast at such
41 elections and shall express or mail the same by registered mail to the
42 county election officer of the county in which all or the greater part of the
43 population of the irrigation district is located. The county election officer

1 shall canvass the ballots, verify the results and declare the person receiving
2 the highest number of votes duly elected as director except that at the first
3 election after creation of a district the county election officer of the county
4 in which all or the greater part of the population of the irrigation district is
5 located shall declare the three persons receiving the highest number of
6 votes duly elected as directors except that in districts divided into three
7 voting areas, the person receiving the highest number of votes in each
8 voting area shall be duly elected as director. Such county election officer
9 shall immediately mail, to each person elected to the office of director a
10 certificate of election signed by such officer. The directors shall thereupon
11 qualify and enter upon the duties of their office. Directors shall qualify by
12 taking and subscribing to an oath of office of substantially the same tenor
13 as oath of office prescribed for county officials. Each member of the board
14 of directors shall execute an official bond in the sum of \$1,000 which oath
15 and bond shall be filed with the county election officer of the county in
16 which all or the greater part of the population of the irrigation district is
17 located. The treasurer of each irrigation district shall execute to the district
18 a corporate surety bond in an amount at least equal to 125% of the amount,
19 as near as can be ascertained, that shall be in such person's hands as
20 treasurer at any one time. The amount and sufficiency of the bond of the
21 treasurer shall be determined by the county election officer. Upon approval
22 of the bond, the county election officer shall endorse such approval
23 thereon and file the same in the office of the county election officer and
24 shall immediately notify the county treasurer of the county in which the
25 registered office of the irrigation district is located of such approval and
26 filing. In the event of the breach of any condition of the treasurer's bond,
27 the president and secretary of the board shall cause a suit to be commenced
28 thereon in the name of the irrigation district. It shall not be necessary to
29 include the treasurer as a party to the action and the money collected shall
30 be applied to the use of the district, as the same should have been applied
31 by the treasurer. Should the president and secretary neglect or refuse to
32 prosecute such a suit, then any person entitled to vote as provided in
33 subsection ~~(h)~~ (g) may cause such suit to be instituted. Premiums on surety
34 bonds for such directors and treasurers of irrigation districts shall be paid
35 by the district out of its general funds. In case the office of any director
36 shall become vacant the remaining members of the board shall fill the
37 vacancy by appointment. A director appointed to fill a vacancy shall serve
38 the unexpired term of the director whose term such person was appointed
39 to fill.

40 (2) For any election except the election required in subsection (b), the
41 board of directors may adopt a procedure providing for the election of
42 members by mail ballot. Such procedure shall require the board to mail
43 ballots to all persons entitled to vote, to receive and tabulate the ballots, to

1 canvass the election and to certify the results to the county election officer.
2 The irrigation district shall be responsible for the direct expenses of
3 conducting the election. The ballot envelope used for mailing ballots shall
4 contain a declaration establishing that the person who signs the declaration
5 is a qualified owner of irrigable land within the district.

6 (e) All regular elections of directors of irrigation districts shall be
7 held ~~the first Tuesday in March except as provided by subsection (g)~~
8 *Tuesday following the first Monday in November in odd-numbered years.*
9 Any districts organized after the regular ~~March~~ election shall hold its
10 election at the next regular ~~March~~ election following incorporation of the
11 district and, at this election three directors shall be elected and the person
12 receiving the highest number of votes shall serve for a term of three years,
13 the person receiving the second highest number of votes shall serve for a
14 term of two years, and the person receiving the third highest number of
15 votes shall serve for a term of one year. In case the first election after
16 creation of a district is held between June 1 of any year and the day
17 preceding the ~~first Tuesday in March~~ *following the first Monday in*
18 *November* of the next succeeding *odd-numbered* year, the next regular
19 ~~March~~ election shall be held in the second succeeding *odd-numbered* year.
20 At each subsequent regular election, only one director shall be elected
21 each year for a term of ~~three~~ *four* years. ~~All persons desiring to be voted~~
22 ~~upon as directors shall at least 30 days before the day of holding of the~~
23 ~~elections, file such person's name with the county election officer of the~~
24 ~~county in which all or the greater part of the population of the irrigation~~
25 ~~district is located, affixed to a statement that such person desires such~~
26 ~~person's name to be placed on the ticket as a candidate for member of~~
27 ~~board of directors of the district in such election~~ *Any person desiring to be*
28 *a candidate for election to the board of directors shall file a candidate's*
29 *declaration of intention with the county election officer of the county in*
30 *which all or the greater part of the population of the district is located.*
31 *Such candidate's filing shall be made as provided in K.S.A. 25-205, and*
32 *amendments thereto.* The county election officer shall ~~make up the ticket,~~
33 ~~at expense of the irrigation district~~ *prepare the ballot*, and place the names
34 thereon in alphabetical order and shall supply election officials with
35 necessary ballots and polling books at the irrigation district's expense. ~~At~~
36 ~~least five days before any election held subsequent to first election of~~
37 ~~directors, the boards of directors shall name and appoint three persons for~~
38 ~~each voting place, who shall be qualified electors in the district.~~ At least
39 five days before any election, the county clerks of the various counties
40 within which a portion of the district is located, shall cause to be
41 ascertained the names of all persons entitled to vote as provided in
42 subsection ~~(h)~~ (g) and shall furnish lists thereof to each election board
43 within such county and to the secretary of the board of directors of the

1 district. Notice of the time and places of holding of the election, signed by
2 the president and attested by the secretary of the district shall be given in
3 some newspaper or newspapers *general election, shall be published by the*
4 *county election officer in a newspaper* of general circulation in the district
5 ~~for one issue at least five days prior to date of the election in accordance~~
6 ~~with K.S.A. 25-209, and amendments thereto, and K.S.A. 25-105, and~~
7 ~~amendments thereto.~~ The ~~return~~ results of all special or bond elections
8 shall be made *available* to the secretary of the district, ~~and canvassed by~~
9 ~~the board of directors.~~ All expenses of election, not otherwise provided for
10 herein, shall be paid for out of the general funds of the irrigation district.
11 Election officials shall receive the same compensation as provided under
12 general election laws.

13 (f) In lieu of the election procedures provided in this section
14 pertaining to regular elections of directors in accordance with the general
15 election laws of the state, the board of directors of any irrigation district of
16 less than 35,000 acres in size may call an annual meeting of all persons
17 entitled to vote as provided in subsection ~~(h)~~ (g) for the purpose of electing
18 directors. Such annual meeting shall be held on the first Tuesday in March,
19 ~~except as provided by subsection (g).~~ Notice of the time and place of
20 holding said annual meeting shall be given in some newspaper or
21 newspapers of general circulation in the district for one issue at least 30
22 days prior to date of such meeting. Elections at the annual meeting shall be
23 by ballot, with absentee voting as provided under subsection (d) of this
24 section. All persons desiring to be voted upon as director shall at least 30
25 days before the day of holding the annual meeting file such person's name
26 with the secretary of the board of directors of the district, affixed to a
27 statement that such person desires such person's name to be placed on the
28 ballot as a candidate for member of board of directors of the district. The
29 board of directors shall appoint three owners of irrigable land in the
30 district to serve as an election board at the annual meeting. After the votes
31 are cast at the annual meeting the election board shall proceed to canvass
32 the votes and shall certify to the county election officer of the county in
33 which all or the greater part of the population of the irrigation district is
34 located and the chief engineer the result of such election. All provisions of
35 this section not inconsistent with the provisions of subsection (f) shall
36 apply to the election of directors at the annual meeting.

37 ~~(g) In any case where the time for any regular election of directors as~~
38 ~~described in subsection (c), or the election as described in subsection (f), is~~
39 ~~the same for any two districts having the same district manager, such~~
40 ~~election shall be held on the first Wednesday following the first Tuesday in~~
41 ~~March by the district organized latest in time.~~

42 ~~(h)~~ (g) Until such time as assessments are made in the district
43 pursuant to K.S.A. 42-715, and amendments thereto, those persons entitled

1 to vote shall be "qualified owners of land" within the irrigation district, as
2 such term is defined in K.S.A. 42-701, and amendments thereto, and who
3 are otherwise qualified electors.

4 After lands have been assessed in the district pursuant to K.S.A. 42-
5 715, and amendments thereto, those persons entitled to vote shall be
6 "qualified owners of land" within the irrigation district as such term is
7 defined in K.S.A. 42-701, and amendments thereto, which has been
8 assessed pursuant to K.S.A. 42-715, and amendments thereto, and who are
9 otherwise qualified electors. For voting purposes, any person entitled to
10 vote under this subsection who owns land in more than one voting area
11 shall vote in the voting area which includes the greatest portion of such
12 person's land. As used in this section, the term "qualified electors" shall
13 include a person who is the legal qualified owner of irrigable land or a
14 person, who is authorized, in writing, to vote for a trust, corporation,
15 association or partnership which is the legal qualified owner of irrigable
16 land. Such person is not required to be a resident of the district. Such trust,
17 corporation, association or partnership shall be allowed only one vote. The
18 person authorized by such entity to vote shall be someone who is not
19 otherwise entitled to a vote under this section.

20 Sec. 43. K.S.A. 72-8003 is hereby amended to read as follows: 72-
21 8003. Subject to the limitations provided in this act, any of the ~~three~~ *two*
22 voting plans described in this section may be used in the election of board
23 members. The ~~three~~ *two* voting plans are:

24 (a) Voting plan-A: All electors, who are otherwise qualified according
25 to law, and who reside in the school district may vote in both the primary
26 and general election for all member positions.

27 (b) Voting plan-B: All electors, who are otherwise qualified according
28 to law, and who reside in the member district may vote in the primary
29 election for the member positions of such member district and for the at-
30 large member position. All electors, who are otherwise qualified
31 according to law, and who reside in the school district may vote in the
32 general election for all member positions, including the at-large member
33 position, to be filled.

34 ~~(c) Voting plan-C: All electors, who are otherwise qualified according~~
35 ~~to law, and who reside in a particular member district may vote in both the~~
36 ~~primary and general election for the member positions of such member~~
37 ~~district and for the at-large member position.~~

38 Sec. 44. K.S.A. 72-8008 is hereby amended to read as follows: 72-
39 8008. Change of method of election or voting plan or both in any school
40 district may be made in the manner provided in this act at any time during
41 the period beginning on the first Wednesday in ~~April~~ *November* of each
42 odd-numbered year and ending on the first Tuesday in ~~December~~ *June* of
43 each even-numbered year, if such change is also approved in a manner

1 authorized in this act before the end of such period. The new method of
2 election and voting plan in such school district shall be followed in the
3 election of members next following such change and shall continue in
4 force until again changed in the manner provided in this act. Change of
5 method of election or voting plan shall not shorten the term of any member
6 serving on the board at the time the change is made, and the county
7 election officer shall not submit to election any plan of change which
8 violates this prohibition.

9 Sec. 45. K.S.A. 2-623, 12-344, 12-1001, 12-1002, 12-1003, 12-1004,
10 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f,
11 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007,
12 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-
13 1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023,
14 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-
15 1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b,
16 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037,
17 12-1038, 13-1220, 13-1221, 24-504, 25-209, 25-1115, 25-2006, 25-2007,
18 25-2010, 25-2014, 25-2017, 25-2018, 25-2022, 25-2023, 25-2107, 25-
19 2109, 25-2113, 25-2115, 25-2120, 25-2502, 25-3901, 72-8003 and 72-
20 8008 and K.S.A. 2013 Supp. 2-624, 12-363, 24-412, 24-414, 24-459, 24-
21 506, 25-213, 25-611, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-
22 2311, 25-3902 and 42-706 are hereby repealed.

23 Sec. 46. This act shall take effect and be in force from and after its
24 publication in the statute book.