

HOUSE BILL No. 2558

By Committee on Local Government

1-27

1 AN ACT concerning ~~local governments; relating to regulation of election~~
2 ~~campaign workers~~ elections; amending K.S.A. 2015 Supp. 25-21a01
3 and 80-2508 and repealing the existing sections.
4

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

6 *New Section 1. No city or county shall regulate or prohibit*
7 *canvassing, polling, soliciting or otherwise approaching private residences*
8 *for the purpose of distributing campaign literature or campaigning for a*
9 *candidate for an elected office.*

10 *Sec. 2. K.S.A. 2015 Supp. 25-21a01 is hereby amended to read as*
11 *follows: 25-21a01. (a) On and after January 1, 2017, all primary*
12 *elections for members of the governing body and other elected officials*
13 *of any municipality shall be held on the first Tuesday in August of 2017*
14 *and on such date thereafter of odd-numbered years, and all general*
15 *elections for members of the governing body and other elected officials*
16 *of any municipality shall be held on the Tuesday succeeding the first*
17 *Monday in November of 2017 of odd-numbered years and on such date*
18 *thereafter.*

19 *(b) The term of members of governing bodies and other elected*
20 *officials of any municipality that would expire at any time in 2017 shall*
21 *expire on the second Monday in January of 2018, when newly elected*
22 *members of the governing body and other newly elected officials shall*
23 *take office.*

24 *(c) The governing body of the municipality shall establish by*
25 *ordinance or resolution terms of office of elected officials to comply with*
26 *this act.*

27 *(d) Primary elections for any municipality shall be conducted as*
28 *provided in K.S.A. 25-202, and amendments thereto. A primary election*
29 *shall only be required as provided in K.S.A. 25-2021 and 25-2108a, and*
30 *amendments thereto, or as otherwise required by law.*

31 *(e) The filing deadline for all candidates for any municipality,*
32 *unless otherwise provided by law, shall be as provided in K.S.A. 25-205,*
33 *and amendments thereto.*

34 *(f) Any person who meets the qualifications for the office sought*
35 *may become a candidate for municipal office by filing a declaration of*
36 *intent to become a candidate with the county election officer*

1 *accompanied by a filing fee of \$20.*

2 *(g) "Municipality" means: (1) Any city, consolidated city-county*
3 *created under K.S.A. 12-340 et seq., and amendments thereto, and*
4 *K.S.A. 2015 Supp. 12-360 et seq., and amendments thereto, school*
5 *district, any board of public utilities created under K.S.A. 13-1220 et*
6 *seq., and amendments thereto, community college, drainage district,*
7 *extension district created under K.S.A. 2-623 et seq., and amendments*
8 *thereto, irrigation district, improvement district created under K.S.A. 19-*
9 *2753 et seq., and amendments thereto, water district created under*
10 *K.S.A. 19-3501 et seq., and amendments thereto, and hospital district*
11 *created under K.S.A. 80-2501 et seq., and amendments thereto.*

12 *(2) The term does not include any special district where the election*
13 *of members of the governing body is conducted at a meeting of the*
14 *special district.*

15 *(h) Cities and hospital districts may provide for elections of elected*
16 *officials in even-numbered years in order to provide for staggered terms*
17 *of office or for three-year terms of office for elected officials.*

18 *Sec. 3. K.S.A. 2015 Supp. 80-2508 is hereby amended to read as*
19 *follows: 80-2508. (a) Subject to the limitations provided in this act, any*
20 *of the four methods described in this section may be used in the selection*
21 *of members of boards. The four methods are:*

22 *(1) Elections of board members shall be held at the annual meeting*
23 *of the qualified electors of the hospital district for the positions on the*
24 *board which are to expire in such year.*

25 *(2) Board members shall be appointed by the governing bodies of*
26 *the political subdivisions joining in the operation and maintenance of*
27 *the hospital.*

28 *(3) (A) Elections of board members for four-year terms shall be*
29 *held on the Tuesday following the first Monday in November of odd-*
30 *numbered years for the positions on the board which are to expire in*
31 *such year. All positions shall be at-large. Each board member shall take*
32 *office on the second Monday in January following the date of election.*

33 *(B) Any person desiring to become a candidate for board member*
34 *shall file with the county election officer of the county in which the*
35 *political subdivisions joining in the operation and maintenance of the*
36 *hospital, or the greater portion of the area thereof, are located, before*
37 *the filing deadline specified in K.S.A. 25-2109, and amendments thereto,*
38 *either a petition signed by not less than 50 electors eligible to vote for a*
39 *candidate or a declaration of intent to become a candidate together with*
40 *a filing fee in the amount of \$20.*

41 *(C) The county election officer of the county specified in paragraph*
42 *(B) shall prepare the ballots for such election including ballots for that*
43 *portion of the district located in any other county. The county election*

1 *officers of each county shall conduct the election in their respective*
2 *counties, and the board of county canvassers of each such county shall*
3 *certify the results of the votes cast in its county to the board of county*
4 *canvassers in the county in which the ballots for the election were*
5 *prepared.*

6 *(D) Ballots shall be prepared in such manner that each voter is*
7 *instructed to vote for the same number of candidates as the number of*
8 *positions to be filled. Such instruction shall specify that the voter may*
9 *vote for fewer than the total number of candidates for which the voter is*
10 *qualified to vote.*

11 *(4) (A) Elections of board members for three-year or four-year*
12 *terms shall be held on the Tuesday succeeding the first Monday in*
13 *November of each ~~odd-numbered~~ year for the positions on the board*
14 *which are to expire in such year. All positions shall be at-large. Each*
15 *board member shall take office on the second Monday in January.*

16 *(B) Any person desiring to become a candidate for board member*
17 *shall file with the county election officer of the county in which the*
18 *political subdivisions joining in the operation and maintenance of the*
19 *hospital, or the greater portion of the area thereof, are located, before*
20 *the filing deadline specified in K.S.A. 25-2109, and amendments thereto,*
21 *either a petition signed by not less than 50 electors eligible to vote for a*
22 *candidate or a declaration of intent to become a candidate together with*
23 *a filing fee in the amount of \$20.*

24 *(C) The county election officer of the county specified in paragraph*
25 *(B) shall prepare the ballots for such election including ballots for that*
26 *portion of the district located in any other county. The county election*
27 *officers of each county shall conduct the election in their respective*
28 *counties, and the board of county canvassers of each such county shall*
29 *certify the results of the votes cast in its county to the board of county*
30 *canvassers in the county in which the ballots for the election were*
31 *prepared.*

32 *(D) Ballots shall be prepared in such manner that each voter is*
33 *instructed to vote for the same number of candidates as the number of*
34 *positions to be filled. Such instruction shall specify that the voter may*
35 *vote for fewer than the total number of candidates for which the voter is*
36 *qualified to vote.*

37 *(b) If the method of selection of members of the board of any*
38 *hospital is the method provided for in subsection (a)(1) or (2), such*
39 *method of selection may be changed to the method provided for in*
40 *subsection (a)(3) or (4) by majority vote of the qualified electors voting*
41 *at an annual meeting thereof. Whenever the method of selection of*
42 *members of a board is changed to the method provided for in subsection*
43 *(a)(3) or (4), the term of each member serving on the board at the time*

1 *of the change of method of selection shall expire on May 1 of the year in*
2 *which the term of such member is to expire, except that for the purpose*
3 *of electing members to the board at a time to coincide with elections for*
4 *other purposes, the board may extend the term of any member for not to*
5 *exceed one year from the date such member's term would otherwise*
6 *expire and the board of Sublette hospital district may change prior to the*
7 *election the length of term for one member to be elected at the 1997*
8 *election from four years to two years. If the members of the board are*
9 *currently selected pursuant to subsection (a)(3), the method of selection*
10 *may be changed to the method provided for in subsection (a)(4) by a*
11 *majority vote of the board members.*

12 *Sec. 4. K.S.A. 2015 Supp. 25-21a01 and 80-2508 are hereby*
13 *repealed.*

14 *Sec. ~~2~~ 5.* This act shall take effect and be in force from and after its
15 publication in the statute book.