AN ACT concerning elections; dealing with write in candidates; amending K.S.A. 2016 Supp. 25-213 and repealing the existing section.

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

Section 1. K.S.A. 2016 Supp. 25-213 is hereby amended to read as follows: 25-213. (a) At all national and state primary elections, the national and state offices as specified for each in this section shall be printed upon the official primary election ballot for national and state offices and the county and township offices as specified for each in this section shall be printed upon the official primary election ballot for county and township offices.

(b) The official primary election ballots shall have the following heading:

OFFICIAL PRIMARY ELECTION BALLOT

____________________ Party

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

The words national and state or the words county and township shall appear on the line preceding the part of the form shown above.

The form shown shall be followed by the names of the persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections, and for the national and state offices in the following order: United States senator, United States representative from _____ district, governor and lieutenant governor, secretary of state, attorney general, state treasurer, commissioner of insurance, senator _____ district, representative _____ district, district judge _____ district, district magistrate judge _____ district, district attorney _____ judicial district, and member state board of education _____ district. For county and township offices the form shall be followed by the names of persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections in the following order: Commissioner _____ district, county clerk,
treasurer, register of deeds, county attorney, sheriff, township trustee,  
township treasurer, township clerk. When any office is not to be elected, it  
shall be omitted from the ballot. Other offices to be elected but not listed,  
shall be inserted in the proper places. For each office there shall be a  
statement of the number to vote for.  

To the left of each name there shall be printed a square. Official  
primary election ballots may be printed in one or more columns. The  
names certified by the secretary of state or county election officer shall be  
printed on official primary election ballots and no others. In case there are  
no nomination petitions or declarations on file for any particular office, the  
title to the office shall be printed on the ballot followed by a blank line  
with a square, and such title, followed by a blank line, may be printed in  
the list of candidates published in the official paper. No blank line shall be  
printed following any office where there are nomination petitions or  
declarations on file for the office except following the offices of precinct  
committeeman and precinct committeewoman.  

(c) Except as otherwise provided in this section, no person's name  
shall be printed more than once on either the official primary election  
ballot for national and state offices or the official primary election ballot  
for county and township offices. No name that is printed on the official  
primary election ballot as a candidate of a political party shall be printed or  
written in as a candidate for any office on the official primary election  
ballet of any other political party. If a person is a candidate for the  
unexpired term for an office, the person's name may be printed on the  
same ballot as a candidate for the next regular term for such office. The  
name of any candidate on the ballot may be printed on the same ballot as  
such candidate and also as a candidate for precinct committee man or  
committeewoman. No name that is printed on the official primary election  
ballot for national and state offices shall be printed or written in elsewhere  
on such the ballot or on the official primary election ballot for county and  
township offices except for precinct committeeman or committeewoman.  
No name that is printed on the official primary election ballot for county  
and township offices shall be printed or written in on the official primary  
election ballot for national and state offices or elsewhere on such the  
county and township ballot except for precinct committeeman or  
committeewoman.  

(d) No person shall be elected to the office of precinct committeeman  
or precinct committeewoman where no nomination petitions or  
declarations have been filed, unless the person receives at least five write-  
in votes. As a result of a primary election, no person shall receive the  
nomination and no person's name shall be printed on the official general  
election ballot when no nomination petitions or declarations were filed,  
unless the person receives votes equal in number to not less than 5% of the
total of the current voter registration designated in the state, county or
district in which the office is sought, as compiled by the office of the
secretary of state, except that a candidate for township office may receive
the nomination and have such person's name printed on the ballot where
no nomination petitions or declarations have been filed if such candidate
receives three or more write-in votes. No such person shall be required to
obtain more than 5,000 votes.
(e) The secretary of state by rules and regulations shall develop the
official ballot for municipal elections in odd-numbered year elections.
(f) No person's name shall be printed on the official general election
ballot for national, state, county, township or municipal office if the
person won the primary election as a result of the person's name being
written in on the primary ballot unless such person notifies in writing the
county election officer within 10 days after such election that the person
agrees to have the person's name appear on the general election ballot.
Sec. 2. K.S.A. 2016 Supp. 25-213 is hereby repealed.
Sec. 3. This act shall take effect and be in force from and after its
publication in the statute book.