SENATE BILL No. 43

By Committee on Ethics, Elections and Local Government

1-19

AN ACT concerning elections; dealing with vacancies in the office of
United States representative to congress; amending K.S.A. 25-3504, as
amended by section 2 of 2017 House Bill No. 2017 and 25-3507, as
amended by section 3 of 2017 House Bill No. 2017 and repealing the
existing sections.

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

Section 1. K.S.A. 25-3504, as amended by section 2 of 2017 House
Bill No. 2017, is hereby amended to read as follows: 25-3504. (a)
Whenever a vacancy has occurred to which this act applies, except in cases
where K.S.A. 25-3503(b) or (c), and amendments thereto, applies, a
congressional district convention of the district party of each political
party that has obtained official recognition shall be called by the state
chairperson of the party, or if there is no state chairperson, by the party's
candidate for governor at the next preceding general election. The
convention shall be called for a date not less than 15 days and not more
than 25 days after the proclamation of election is issued by the governor in
the cases to which K.S.A. 25-3503, and amendments thereto, does not
apply, and within 15 days in cases to which K.S.A. 25-3503(a) or (b), and
amendments thereto, apply. In accordance with the rules of the district
party and the provisions of this act, each convention shall nominate a
candidate to fill the vacancy which has occurred and shall file a certificate
of the nomination with the secretary of state immediately. Every certificate
shall be signed by the presiding officer and secretary of the convention
making the nomination. Independent candidates may be nominated by
petition of registered voters of the district equal in number to not less than
3,000 qualified voters electors of the congressional district. Such petitions
may not be circulated for signatures prior to the governor proclaiming the
date of the election. Any such petition shall be filed with the secretary of
state not later than 25 days after the proclamation of election is issued by
the governor. Except as is provided in K.S.A. 25-3503(b) or (c), and
amendments thereto, no candidate shall be nominated to fill such vacancy
by any means other than provided by this section.

(b) The amendments made by this act to this section shall be effective
on and after January 1, 2017.

Sec. 2. K.S.A. 25-3507, as amended by section 3 of 2017 House Bill
No. 2017, is hereby amended to read as follows: 25-3507. (a) In cases to which K.S.A. 25-3503(b) or (c), and amendments thereto, apply, The canvass of the election shall be conducted as for other elections of United States congressmen. In all other cases to which this act applies, intermediate canvass of the election shall be made by the county boards of canvassers at 10:00 a.m. on the third day following the election, unless such day is a Sunday or holiday, in which case the canvass shall be on the next following day which is not a Sunday or holiday provided in K.S.A. 25-3104, and amendments thereto. County election officers shall dispatch the abstract of the intermediate canvass to the secretary of state immediately upon completion of the canvass by the board of county canvassers. The state board of canvassers shall meet in the office of the secretary of state on the sixth third day following the intermediate canvass of the election held in all counties, unless such day is a Sunday or holiday, in which case the canvass shall be on the next following day which is not a Sunday or holiday. The state board of canvassers shall make the final canvass, and the certificate of election of the candidate receiving the highest number of votes shall be issued in the same manner as is provided for regular elections of national officers.

(b) The amendments made by this act to this section shall be effective on and after January 1, 2017.

Sec. 3. K.S.A. 25-3504, as amended by section 2 of 2017 House Bill No. 2017 and 25-3507, as amended by section 3 of 2017 House Bill No. 2017 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.