

## SENATE BILL No. 43

By Committee on Ethics, Elections and Local Government

1-19

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1 AN ACT concerning elections; dealing with vacancies in the office of  
2 United States representative to congress; amending K.S.A. 25-3504, as  
3 amended by section 2 of 2017 House Bill No. 2017 and 25-3507, as  
4 amended by section 3 of 2017 House Bill No. 2017 and repealing the  
5 existing sections.  
6

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

8 Section 1. K.S.A. 25-3504, as amended by section 2 of 2017 House  
9 Bill No. 2017, is hereby amended to read as follows: 25-3504. (a)  
10 Whenever a vacancy has occurred to which this act applies, except in cases  
11 where K.S.A. 25-3503(b) or (c), and amendments thereto, applies, a  
12 congressional district convention of the district party of each political  
13 party that has obtained official recognition shall be called by the state  
14 chairperson of the party, or if there is no state chairperson, by the party's  
15 candidate for governor at the next preceding general election. The  
16 convention shall be called for a date not less than 15 days and not more  
17 than 25 days after the proclamation of election is issued by the governor in  
18 the cases to which K.S.A. 25-3503, and amendments thereto, does not  
19 apply, and within 15 days in cases to which K.S.A. 25-3503(a) or (b), and  
20 amendments thereto, apply. In accordance with the rules of the district  
21 party and the provisions of this act, each convention shall nominate a  
22 candidate to fill the vacancy which has occurred and shall file a certificate  
23 of the nomination with the secretary of state immediately. Every certificate  
24 shall be signed by the presiding officer and secretary of the convention  
25 making the nomination. Independent candidates may be nominated by  
26 petition of ~~registered voters of the district equal in number to~~ not less than  
27 3,000 qualified ~~voters~~ *electors* of the congressional district. Such petitions  
28 may not be circulated for signatures prior to the governor proclaiming the  
29 date of the election. Any such petition shall be filed with the secretary of  
30 state not later than 25 days after the proclamation of election is issued by  
31 the governor. Except as is provided in K.S.A. 25-3503(b) or (c), and  
32 amendments thereto, no candidate shall be nominated to fill such vacancy  
33 by any means other than provided by this section.

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

36 Sec. 2. K.S.A. 25-3507, as amended by section 3 of 2017 House Bill

1 No. 2017, is hereby amended to read as follows: 25-3507. (a) ~~In cases to~~  
2 ~~which K.S.A. 25-3503(b) or (c), and amendments thereto, apply; The~~  
3 ~~canvass of the election shall be conducted as for other elections of United~~  
4 ~~States congressmen. In all other cases to which this act applies,~~  
5 ~~intermediate canvass of the election shall be made by the county boards of~~  
6 ~~canvassers at 10:00 a.m. on the third day following the election, unless~~  
7 ~~such day is a Sunday or holiday, in which case the canvass shall be on the~~  
8 ~~next following day which is not a Sunday or holiday provided in K.S.A.~~  
9 ~~25-3104, and amendments thereto.~~ County election officers shall dispatch  
10 the abstract of the intermediate canvass to the secretary of state  
11 immediately upon completion of the canvass by the board of county  
12 canvassers. The state board of canvassers shall meet in the office of the  
13 secretary of state on the ~~sixth~~ *third* day following the *intermediate canvass*  
14 *of the election held in all counties*, unless such day is a Sunday or holiday,  
15 in which case the canvass shall be on the next following day which is not a  
16 Sunday or holiday. The state board of canvassers shall make the final  
17 canvass, and the certificate of election of the candidate receiving the  
18 highest number of votes shall be issued in the same manner as is provided  
19 for regular elections of national officers.

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

22 Sec. 3. K.S.A. 25-3504, as amended by section 2 of 2017 House Bill  
23 No. 2017 and 25-3507, as amended by section 3 of 2017 House Bill No.  
24 2017 are hereby repealed.

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