

HOUSE BILL No. 2020

By Committee on Judiciary

1-16

1 AN ACT concerning the court of appeals; relating to election of judges;
2 campaign finance act coverage; amending K.S.A. 25-2505 and K.S.A.
3 2012 Supp. 20-3002 and repealing the existing sections; also repealing
4 K.S.A. 20-3004, 20-3005, 20-3006, 20-3007, 20-3008, 20-3009 and 20-
5 3010.
6

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

8 Section 1. K.S.A. 2012 Supp. 20-3002 is hereby amended to read as
9 follows: 20-3002. (a) ~~Subject to appropriations therefor, on and after~~
10 ~~January 1, 2013,~~ The court of appeals shall consist of 14 judges whose
11 positions shall be numbered one to 14. Judges of the court of appeals shall
12 possess the qualifications prescribed by law for justices of the supreme
13 court.

14 ~~(b) Judges of the court of appeals shall be selected in the manner~~
15 ~~provided by K.S.A. 20-3003 through 20-3010, and amendments thereto.~~
16 *Any vacancy occurring in the office of any judge of the court of appeals*
17 *and any position to be open thereon as a result of enlargement of the*
18 *court, or the retirement, resignation or removal of a judge, shall be filled*
19 *by election at the next general election. Such election shall be partisan*
20 *and from the state as a whole. Except as otherwise provided in this*
21 *section, election laws applicable to other state officers elected from the*
22 *state as a whole shall apply to the nomination and election of judges of the*
23 *court of appeals. Each judge of the court of appeals elected as provided by*
24 *law shall hold office for a term of four years which term shall commence*
25 *on the second Monday in January following the general election. Judges*
26 *of the court of appeals may seek reelection.*

27 (c) *Each judge in office on July 1, 2013, shall hold office for the term*
28 *for which such judge was retained in office by election, or hold office for*
29 *the initial term for which such judge was appointed, and until a successor*
30 *is elected and qualified. The office which such judge holds shall be open*
31 *upon the expiration of such judge's term of office, or upon the retirement,*
32 *resignation or removal of such judge, whichever occurs first. Such judge*
33 *shall be eligible for election to such office in the manner prescribed in this*
34 *section, unless by law such judge is compelled to retire or such judge*
35 *retired, resigned or was removed from such office.*

36 (d) Each judge of the court of appeals shall receive an annual salary

1 in the amount prescribed by law. No judge of the court of appeals may
2 receive additional compensation for official services performed by the
3 judge. Each such judge shall be reimbursed for expenses incurred in the
4 performance of such judge's official duties in the same manner and to the
5 same extent justices of the supreme court are reimbursed for such
6 expenses.

7 (e) (e) The supreme court may assign a judge of the court of appeals
8 to serve temporarily on the supreme court.

9 (d) (f) Any additional court of appeals judge position created by this
10 section shall be considered a position created by the supreme court and not
11 a civil appointment to a state office pursuant to K.S.A. 46-234, and
12 amendments thereto.

13 Sec. 2. K.S.A. 25-2505 is hereby amended to read as follows: 25-
14 2505. (a) "National office" or "national officer" means the office or
15 members of the United States house of representatives, members of the
16 United States senate and members of the United States presidential
17 electoral college.

18 (b) "State office" or "state officer" means the state officers elected on
19 a statewide basis, members of the house of representatives and state
20 senators, members of the state board of education, ~~district judges~~ *judges of*
21 *the court of appeals, judges of the district court*, district magistrate judges
22 and district attorneys.

23 (c) "County office" or "county officer" means such county officers as
24 are provided by law to be elected.

25 (d) "City office" or "city officer" means such city officers as are
26 provided by law to be elected.

27 (e) "School office" or "school officer" means members of the
28 governing body of any school district or community college.

29 (f) "Township office" or "township officer" means the trustee,
30 treasurer and clerk of a township.

31 Sec. 3. K.S.A. 20-3004, 20-3005, 20-3006, 20-3007, 20-3008, 20-
32 3009, 20-3010 and 25-2505 and K.S.A. 2012 Supp. 20-3002 are hereby
33 repealed.

34 Sec. 4. This act shall take effect and be in force from and after its
35 publication in the statute book.