

HOUSE BILL No. 2633

By Representative Parker

2-6

1 AN ACT concerning the secretary of state; requiring nonpartisan elections;
2 prohibiting certain political activities; amending K.S.A. 2017 Supp. 25-
3 101 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2017 Supp. 25-101 is hereby amended to read as
7 follows: 25-101. (a) On the Tuesday succeeding the first Monday in
8 November of each even-numbered year, there shall be held a general
9 election to elect officers as follows:

10 (1) At each alternate election, prior to the year in which the term of
11 office of the president and vice-president of the United States will expire,
12 there shall be elected the electors of president and vice-president of the
13 United States to which the state may be entitled at the time of such
14 election;

15 (2) at each such election, when the term of a United States senator for
16 this state shall expire during the next year, there shall be elected a United
17 States senator;

18 (3) at each such election there shall be elected the representatives in
19 congress to which the state may be entitled at the time of such election;

20 (4) at each alternate election, prior to the year in which their regular
21 terms of office will expire, there shall be elected a governor, lieutenant
22 governor, secretary of state, attorney general, state treasurer and state
23 commissioner of insurance;

24 (5) at each such election there shall be elected such members of the
25 state board of education as provided by law;

26 (6) at each such election, when, in a judicial district in which judges
27 of the district court are elected, the term of any district judge expires
28 during the next year, or a vacancy in a district judgeship has been filled by
29 appointment more than 30 days prior to the election, there shall be elected
30 a district judge of such judicial district;

31 (7) at each such election, when, in a judicial district in which judges
32 of the district court are elected, the term of any district magistrate judge
33 expires during the next year, or a vacancy in a district magistrate judgeship
34 has been filled by appointment more than 30 days prior to the election,
35 there shall be elected a district magistrate judge of such judicial district;

36 (8) at each alternate election, prior to the year in which the regular

1 term of office of state senators shall expire, there shall be elected a state
2 senator in each state senatorial district;

3 (9) at each election there shall be elected a representative from each
4 state representative district;

5 (10) at each alternate election there shall be elected, in each county, a
6 county clerk, county treasurer, register of deeds, county or district attorney,
7 sheriff and such other officers as provided by law; and

8 (11) at each election, when the term of county commissioner in any
9 district in any county shall expire during the next year, there shall be
10 elected from such district a county commissioner.

11 (b) This section shall apply to the filling of vacancies only so far as is
12 consistent with the provisions of law relating thereto.

13 (c) *On and after January 1, 2022, the secretary of state shall be*
14 *elected on a nonpartisan basis.*

15 New Sec. 2. The legislative coordinating council shall apppoint a
16 special committee to make recommendations regarding statutory changes
17 needed to implement the nonpartisan election of the office of secretary of
18 state. The committee shall make recommendations to the 2019 legislature,
19 including, but not limited to, the nomination process and the ballot format.

20 New Sec. 3. (a) No political committee, a major purpose of which is
21 to expressly advocate the nomination, election or defeat of a clearly
22 identified candidate for the legislature or statewide office, or to make
23 contributions or expenditures for the nomination, election or defeat of a
24 clearly identified candidate for the legislature or a statewide office, shall
25 be established by the secretary of state. Any such political committee
26 currently in existence is hereby abolished.

27 (b) At the time of the termination of any political committee
28 established by the secretary of state, all residual funds not otherwise
29 obligated for the payment of expenses incurred shall be:

30 (1) Contributed to a charitable organization, as defined by the laws of
31 the state;

32 (2) contributed to a party committee;

33 (3) returned as a refund in whole or in part to any contributor or
34 contributors from whom such funds were received; or

35 (4) paid into the general fund of the state.

36 New Sec. 4. Any person who holds the office of secretary of state as a
37 nonpartisan office must resign such office before becoming a candidate for
38 a partisan office.

39 Sec. 5. K.S.A. 2017 Supp. 25-101 is hereby repealed.

40 Sec. 6. This act shall take effect and be in force from and after
41 January 1, 2019, and its publication in the statute book.