

SENATE BILL No. 191

By Committee on Transparency and Ethics

2-9

1 AN ACT concerning elections; relating to election commissioners;
2 providing for appointment by the board of county commissioners;
3 amending K.S.A. 19-3419 and 19-3422 and repealing the existing
4 sections.
5

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

7 Section 1. K.S.A. 19-3419 is hereby amended to read as follows: 19-
8 3419. In counties of this state having a population exceeding 130,000,
9 there shall be an office of commissioner of elections, ~~which and such~~
10 ~~office~~ shall be administered by an election commissioner. The election
11 commissioner shall be appointed by the ~~secretary of state board of county~~
12 ~~commissioners~~ and shall hold office for a term of four years and until a
13 successor is appointed and qualified. The ~~secretary of state board of~~
14 ~~county commissioners~~ may remove the election commissioner for official
15 misconduct. Upon occurrence of a vacancy in the office of county election
16 commissioner, the ~~secretary of state board of county commissioners~~ shall
17 appoint a successor. If the vacancy occurs before the expiration of a term
18 of office, the appointment shall be for the unexpired term. Such election
19 commissioner shall have been a qualified elector and a resident of the
20 county at least two years prior to appointment. Within 10 days after
21 receiving official notice of the appointment and before entering upon the
22 duties of the office, the election commissioner shall take, subscribe and
23 cause to be filed in the office of the secretary of state an oath of office for
24 the faithful discharge of official duties.

25 Sec. 2. K.S.A. 19-3422 is hereby amended to read as follows: 19-
26 3422. All the jurisdiction, powers and duties now or hereafter conferred by
27 law upon the county clerks and city, school and township officers relating
28 to the conduct, supervision and control of elections, are hereby withdrawn
29 from ~~said~~ the county clerks and city, school and township officers; in all
30 counties having a population of more than ~~one hundred thousand~~
31 ~~(100,000)~~ 130,000, and the same are conferred upon the election
32 commissioner appointed as provided in K.S.A. 19-3419; *and amendments*
33 *thereto*, and all laws of the state relating to the registration, qualification,
34 challenging and voting of electors at any election in any such county are
35 conferred upon and made applicable to the county election commissioner.

36 Sec. 3. K.S.A. 19-3419 and 19-3422 are hereby repealed.

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