

SENATE BILL No. 3

By Senator Thompson

6-18

1 AN ACT concerning elections; relating to nominations for elected office;
2 clarifying procedures for accepting a nomination for an elected office;
3 imposing restrictions on using multiple nomination procedures;
4 amending K.S.A. 25-302, 25-304 and 25-306 and repealing the existing
5 sections.
6

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

8 Section 1. K.S.A. 25-302 is hereby amended to read as follows: 25-
9 302. (a) Any recognized political party, except those authorized to
10 participate in a primary election pursuant to K.S.A. 25-202, and
11 amendments thereto, may by means of a delegate or mass convention or
12 caucus of qualified voters belonging to such party for the state or
13 municipality, or any lawfully organized portion of either, for which such
14 convention or caucus is held, nominate one person for each office that is to
15 be filled ~~therein~~ at the next ensuing election, ~~and~~. Subject to the
16 provisions of this act, *such political party shall* file a certificate of such
17 nominations so made. A convention or caucus for nominating persons for
18 national, state, district, or county offices shall be called by the state
19 chairperson of the party, or if there be no state chairperson by the party's
20 candidate for governor at the preceding general election.

21 ~~Every such~~(b) *Each certificate of nomination shall be signed by the*
22 *presiding officer and a secretary of the convention or caucus making such*
23 *nominations. In each case* The persons signing the certificates shall ~~add to~~
24 ~~their signatures their places~~ *include such person's place of residence with*
25 *such person's signature*, and shall make and subscribe an oath that, to the
26 best of ~~their~~ *such person's* knowledge and belief, such certificates and the
27 statements therein made are true; ~~and~~. A certificate that such oath has been
28 taken and administered shall be made and signed on such certificate of
29 nomination by the officer before whom ~~the same~~ *such oath* was taken.

30 (c) *A person listed on a certificate of nomination shall submit a*
31 *signed declaration stating that such person accepts the nomination of the*
32 *party submitting such certificate of nomination for the designated office.*
33 *Such declaration shall be acknowledged by an individual authorized to*
34 *perform notarial acts in this state pursuant to K.S.A. 53-5a010, and*
35 *amendments thereto. No person shall be a party's nominee pursuant to this*
36 *section until such declaration is submitted in accordance with this act.*

1 Sec. 2. K.S.A. 25-304 is hereby amended to read as follows: 25-304.

2 (a) All certificates of nomination shall be in writing; *and* shall contain the
3 name of each person nominated, ~~with~~ such person's residence and the
4 office for which *such person is* nominated.

5 (b) Party certificates of nomination *issued by a party convention or*
6 *caucus pursuant to K.S.A. 25-302, and amendments thereto, by the*
7 *secretary of state pursuant to K.S.A. 25-3205, and amendments thereto, or*
8 *by a county election officer pursuant to K.S.A. 25-3110, and amendments*
9 *thereto, shall designate the political party—~~which~~ that the convention,*
10 *primary election or caucus making the nominations represented.*

11 (c) When electors for president and ~~vice-president~~ *vice president* of
12 the United States are nominated, the names of the candidates for president
13 and ~~vice-president~~ *vice president* may also be shown on the certificates.
14 Independent nomination petitions for presidential electors shall contain the
15 names of each elector and the names of the candidates for president and
16 ~~vice-president~~ *vice president* of the United States, together with the
17 residence of each elector and candidate.

18 (d) The provisions of this section shall not apply to city or school
19 elections, nor to the election of officers for which it is provided by law to
20 be elected at the time of city and school elections.

21 Sec. 3. K.S.A. 25-306 is hereby amended to read as follows: 25-306.
22 ~~Unless a person declines a nomination pursuant to K.S.A. 25-306e, and~~
23 ~~amendments thereto, withdraws from candidacy pursuant to K.S.A. 25-~~
24 ~~306a, and amendments thereto, or withdraws from a nomination pursuant~~
25 ~~to K.S.A. 25-306b, and amendments thereto:~~

26 (a) ~~No person shall be eligible to~~ *may* accept more than one
27 nomination for the same office.

28 (b) ~~No person shall be eligible for nomination to an office pursuant to~~
29 ~~K.S.A. 25-303 or 25-304, and amendments thereto, if such person has filed~~
30 ~~either a declaration of intention to become a candidate for the same office~~
31 ~~or has filed a nomination petition for the same office~~(1) *If a person has:*
32 *(A) Received and accepted a party nomination pursuant to K.S.A. 25-302,*
33 *and amendments thereto; (B) filed a declaration of intention to become a*
34 *candidate for an office pursuant to K.S.A. 25-206, and amendments*
35 *thereto; or (C) filed a valid nomination petition to be an independent*
36 *candidate pursuant to K.S.A. 25-303, and amendments thereto, such*
37 *person shall not become a candidate for office at a general election*
38 *through any of the foregoing procedures unless such person has satisfied*
39 *the provisions of paragraph (2).*

40 (2) *A person who has met one of the conditions described in*
41 *paragraph (1) shall not become a candidate for office at a general*
42 *election through any of the procedures described in paragraph (1) unless*
43 *prior to the filing deadline established by K.S.A. 25-205, and amendments*

1 *thereto, such person has: (A) Declined a party nomination pursuant to*
2 *K.S.A. 25-306e, and amendments thereto; (B) withdrawn from candidacy*
3 *after nomination pursuant to K.S.A. 25-306a, and amendments thereto; or*
4 *(C) withdrawn from a nomination pursuant to K.S.A. 25-306b, and*
5 *amendments thereto.*

6 ~~(c) No person shall be eligible to file either a declaration of intention~~
7 ~~to become a candidate for an office or a nomination petition for an office if~~
8 ~~such person has accepted a nomination for the same office pursuant to~~
9 ~~K.S.A. 25-303 or 25-304, and amendments thereto~~*The provisions of this*
10 *section shall be enforced by the secretary of state for all federal and state*
11 *elected offices and by the appropriate county election officer for all county*
12 *and township elected offices.*

13 Sec. 4. K.S.A. 25-302, 25-304 and 25-306 are hereby repealed.

14 Sec. 5. This act shall take effect and be in force from and after its
15 publication in the Kansas register.