

Sub. for SB 171

HOW TO USE THIS SPREADSHEET

This table is designed to be a “road map” to the provisions of each section of Sub. for SB 171. The information is presented section-by-section, and the sections are in numerical order. If a section contains anything relevant to a column heading, this table will summarize the provision(s). (Note: The exception to this description are the columns reflecting current law. They are provided for reference.)

Please note the bill addresses many different units of local government, and each local government unit is addressed in more than one section of the bill. The sections relating to each unit can be nonconsecutive. The provisions relating to cities, for example, are addressed in several nonconsecutive bill sections.

Likewise, the bill addresses several topics relating to the conversion of spring elections to the fall. The same principle described for local government units applies to topics—that is, each topic is addressed in numerous, likely nonconsecutive, sections of the bill. Cross-references are provided to other bills, when applicable.

This spreadsheet does not mention stricken language for home rule and uniformity purposes.

SUB. for SB 171, AS AMENDED BY HOUSE COMMITTEE: SECTION BY SECTION CONTENT ANALYSIS
CITIES, CONSOLIDATED CITIES/COUNTIES, SCHOOL DISTRICTS: FALL OF EVEN-NUMBERED YEARS;
OTHER LOCAL GOVERNMENTS: FALL OF ODD-NUMBERED YEARS

Entity ⁽¹⁾	Section	KSA	Partisan/ Non-partisan	Changes to Dates										Changes Other than Changes to Dates or Partisan/Nonpartisan		
				Election month		Primary Month		Odd or Even Years		When Term Begins		Filing Deadline ⁽²⁾			Filling Vacancies	
				Bill	Current Law	Bill	Current Law	Bill	Current Law	Bill	Current Law	Bill	Current Law		Bill	Current Law
Any municipality: - city; - unified government (Wyandotte Co., Greeley Co.)	1	New Section		November		August		Even, starting 2016; Option for cities to provide for staggered or three-year terms (but says elections only in even-numbered years)		January, starting 2017		Same as for candidates for national, state, county and township offices (KSA 25-205)				Specify any term that expires in 2016 will expire the second Monday in January 2017, when newly elected officials would take office. Specify any term that expires in 2017 will expire the second Monday in January 2018, when newly elected officials would take office. Require each governing body to establish new terms to comply with this act. Allow any person meeting the qualifications for a municipal office to file a declaration of intent to become a candidate with the county election officer and pay \$20 filing fee. Note: p. 2, line 36, last word likely is intended to be "odd" rather than "even"
Special districts: Kansas City Board of Public Utilities; community college; drainage; extension (KSA 2-623 <i>et seq.</i>); irrigation; improvement (KSA 19-2753 <i>et seq.</i>); water (KSA 19-3501 <i>et seq.</i>) (WaterOne); hospital (KSA 80-2501 <i>et seq.</i>)	2	New Section	Non-partisan	November, starting 2017		August, starting 2017 (if otherwise required by law)		Odd		January, starting 2018		June 1 standard deadline (KSA 25-205)				Specify any term that expires in 2017 would expire in January 2018, when newly elected officials would take office. Governing body required to establish by resolution terms of office to comply with this act. County election officers, with assistance of Secretary of State, to conduct special district primary and general elections. Not applicable to any special district for which the elections are conducted at a meeting of the special district. Any person meeting the qualifications for a special district office may file a declaration of intent to become a candidate with the county election officer and pay \$20 filing fee.
Cities	3	New Section														Continue to operate under its current form of government until the form is changed as provided by law. Retain existing ordinances and charter ordinances, except those relating to the timing of primary and general elections, in effect until amended or repealed.
Cities	4	New Section														May adopt by ordinance its form of government and may change that form after four or more years. Governing body may establish by ordinance the powers and duties of the governing body; terms of office (two, three, or four years); election by ward or district, if applicable; powers and duties of city manager, if applicable; administrative departments; other matters deemed appropriate.
Cities	5	New Section														Submit a proposition to adopt a manager form of government to a vote of the qualified electors of the city. Specify petition procedures and the form of the ballot question.
Cities	6	New Section														Governing body to establish by ordinance the qualifications, oath, and powers and duties and terms of office of the governing body. Majority vote of the governing body required to take action unless a greater number of votes is specifically required under another provision of law. Governing body to appoint a city manager, who would serve at the pleasure of the governing body, to see that all laws and ordinances are enforced. City manager to appoint and remove all heads of departments and all subordinate officers and city employees; appointments to be made on merit and fitness alone.
Cities	7	New Section														Proposition to abandon a managerform of government must be submitted to a vote of the qualified electors of the city. Specify petition procedures and the form of the ballot question.
Unified school districts	8	New Section														Require unified school districts to "make suitable school buildings available for polling places," with at least 365 days' notice to the superintendent.
All (Requirements of Secretary of State)	9	New Section														Secretary of State to develop a public information program re: spring to fall; must use advertisements and public service announcements and official Secretary of State websites. Secretary and county election officers to develop dedicated websites to provide voter education and sample ballots. County election officers in consultation with the Secretary required to develop ways to reduce the ballot length and expedite the voting process on election days.

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All	10	New Section						Both								Secretary of State to develop the style and form of the official primary ballot and the official general election ballot for municipal and special district offices, prescribe the declaration of intent to become a candidate, establish primary and general election procedures, and adopt rules and regulations before July 1, 2016, to implement this section. County election officers to conduct municipal elections in even and odd years.
Name of the act	11	New Section														Names Sections 1 through 11 the Help Kansas Vote Act
Extension district	12	2-623		November	April			Odd	Odd	Following qualification of successors chosen at November election; July 1, for new appointed members	Following qualification of successors chosen at April election; July 1, for new appointed members					Would retain terms starting July 1 for members appointed to represent additional counties added to the district.
Extension district	13	2-624										June 1 standard deadline (KSA 25-205 and Section 10)	Ten weeks before April election			Declaration of candidacy to be in the manner prescribed in Sec. 7; add extension districts to those published in notice of election and list of candidates (25-105, 25-209). Strike requirement notice to be "posted in a conspicuous place in the office of the governing body." Require all direct election expenses be paid by the extension district (and remove a reference to election official compensation "as provided under the general election laws").
Cities	14	13-1220														Allow any city to establish a board of public utilities (current law: only city of 100,000 or more that owns and operates a municipal waterworks plant and a municipal electric light plant).
KC Board of Public Utilities	15	13-1221	Non-partisan	November	Month of city election			Odd						Majority vote of members	Majority vote with a minimum of four votes	Add "election shall be on a non-partisan basis."
Improvement district	16	19-2760														Repeal outdated language related to elections.
Water One	17	19-3505	Non-partisan (current law)	November	April			Odd	Odd	January (second Monday)	May 1					Retain August election if a new water district, with term to start in September. (Existing law would remain unchanged.) Add offices of this water district to those published in notice of election and list of candidates (25-105, 25-209).
Water One	18	19-3507				No primary	No primary					June 1 standard deadline (KSA 25-205 and Section 10)	Ten weeks before first Tuesday in April			Declare candidate intention in manner of Sec 10 and 25-205. Candidate names to be published in accordance with 25-209. Water district to pay all direct election expenses and all election expenses if no other election is being conducted in that precinct or voting place; if held in conjunction with other elections, cost to be prorated. County election officers, in cooperation with water district board, to determine names of those qualified to vote; a list of qualified electors to be furnished to the judges of the voting precincts or places where such electors are entitled to vote; the list would be conclusive for all elections held within the year that the list is furnished. No list is needed if all the qualified electors of a precinct are eligible. If no election in the voter's precinct, may vote at place designated by the county election officer. Anyone claiming erroneous omission from the list of voters may proceed to the county election officer, who may issue a certificate entitling the voter to vote.
Drainage district within city or county	19	24-412		November	April			Odd	Odd							Any director elected in 2015 would hold office until the successor is elected and qualified (2017).
Drainage district within city or county	20	24-414										June 1 standard deadline (KSA 25-205 and Section 10)	Ten weeks before April election			Declare candidate intention in manner of Section 10 and 25-205. Add drainage district offices to those published in notice of election and list of candidates (25-105, 25-209). Increase filing fee to \$20. Remove specific ballot rotation provision.

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Drainage district where owners of three fifths of land are nonresidents	21	24-459		November				Odd	(Not specified)	January	April					Change from 14 to 21 days before an election the deadline for an entity desiring to vote to register the name of its designated representative with the county election officer.
Drainage district organized in valley of natural watercourse	22	24-504		November	Last Tuesday of succeeding calendar month			Odd	(Not specified)							Section has to do with elections following the Governor's proclamation of a new drainage district.
Drainage district organized in valley of natural watercourse	23	24-506		November	April			Odd	(Not specified)							
All municipal offices Special districts	24	25-205										June 1				Add names of candidates for municipal offices to those to be on the official primary ballot for even-numbered year elections when they have qualified to be candidates. Primary elections to be held for municipal office when otherwise provided by law. Number of signatures required for a petition to be on the ballot for a municipal election to be "as provided by law." Primary elections for special district candidates to be held when required by law; candidates to become qualified in the same way as candidates for municipal office.
All municipal offices Special districts	25	25-209														Add all municipal offices to those for which official notices of candidates are published in the official county newspaper (currently national, state, county, township offices). Secretary of State and county election officers to use the procedures of this section to the extent applicable for municipal and special district elections in fall of even- and odd-numbered years. Secretary of State to use the procedures of this section to the extent applicable for special district elections in fall of odd-numbered years.
Special districts	26	25-210														Special district primary election ballots in odd-numbered years to be arranged and printed by the county election officer.
Municipal offices	27	25-212														Secretary of State to establish the arrangement of names as provided by law for primary elections for municipal elections through rules and regulations, to be adopted by July 1, 2016.
All municipal and special district offices	28	25-213														Ballot specifications: "municipal" as a category (in addition to national, state, county, township); Require the Secretary of State to develop, through rules and regulations adopted by July 1, 2016, the official primary election ballot to place all municipal primary elections at the top of the ballot; Require the Secretary of State, through rules and regulations, to develop the official ballot for special district elections in odd-numbered year elections.
All municipal and special district offices	29	25-610														Secretary of State to develop, through rules and regulations adopted by July 1, 2016, the official general election ballot to place all municipal elections at the top of the ballot; Require the Secretary of State to establish general election ballot styles for special districts through rules and regulations adopted by July 1, 2016.
All municipal and special district offices	30	25-611														Add municipal office to the list in order of offices on the general election ballot; Secretary of State to develop the order of arrangement of municipal offices on the general election office, through rules and regulations adopted by July 1, 2016; Secretary of State to establish arrangement of offices on general ballot for special districts and cities, if needed, in odd-numbered year elections by rules and regulations adopted by July 1, 2016.
Municipalities Special districts	31	25-618														Official general election ballot styles for municipalities and for special districts to be established by rules and regulations of the Secretary of State adopted by July 1, 2016.
All offices for which primary and general elections are held	32	25-1115		November	November and April	August	August and 5 weeks before April election	Both	(Not specified)							Amend the definition of "general election" to include elections in November of odd-numbered years; Amend the definition of "primary election" to add the election for municipal and special district officers on the first Tuesday in August of odd-numbered years.

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All (advance ballots)	33	25-1122														Applications for advance ballots: add "odd-numbered years" to times when applications for advance and general election ballots are accepted (90 days before general election until last business day of the week before the election); Removal from permanent advance voting list: notice to inform voter the voter will be removed from an advance voting list will be mailed if the voter fails to vote in 4 consecutive general elections held in November of each even-numbered or odd-numbered year (bill would add "odd-numbered year," increase the number of missed elections from 2 to 4).
School district	34	25-2006		November	April	August	Five weeks before April election	Even	Odd							
School district, question submitted election	35	25-2007									June 1 standard deadline (KSA 25-205)	Ten weeks before first Tuesday in April				Clarify definition of "county election officer" and "filing deadline."
School district, board	36	25-2010		November	April	August	Five weeks before April election	Even	Odd							
School district, board	37	25-2014														Ballots: names to be listed in order as provided in KSA 25-212 and KSA 25-610, as amended [current: "various possible orders in rotation"].
School district, board	38	25-2017														Remove a requirement the county election officer prescribe the time of every publication notice applicable to any primary or general school election.
School district, board	39	25-2017a														Require the clerk of the board of education of every school district to certify to the county election officer of the home county of the school district a list of school offices to be voted on and any boundary changes of member districts by May 1 of each even-numbered year (changed from January 1 of each odd-numbered year)
School district, board and question submitted elections	40	25-2018						Even	Odd							Notice of election and primary election: publication notice for board member elections and primary elections to be published by June 10 in even-numbered years, and notice of general election to be published by September 1 of each even-numbered year.
School district, district method of election	41	25-2020									June 1 standard deadline (KSA 25-205)					Specify the filing deadline of KSA 25-205; Increase the filing fee from \$5 to \$20.
School district	42	25-2022											If vacancy before May 1 of second year of term, appointee to serve until January after general election	If vacancy before January 1, until July 1		
School district	43	25-2023								Second Monday in January	July 1					Remove requirement oath of office be filed within ten days with the county election office.
Cities (definition of general election and primary election)	44	25-2102		November	November or April	August	August, and five weeks before April election	Even and Odd	Even							
Cities	45	25-2107		November	April	August	August (added by bill)	Even (general election) Even and Odd (primary)	Odd, with exceptions							Remove a pre-1968 exception for a certain city's charter ordinance;
Cities (primary election method specified)	46	25-2108a				August, if sufficient candidates	Five weeks before April election, if sufficient candidates	Even and Odd	Both							

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Cities	47	25-2109										June 1 standard deadline (KSA 25-205)	Ten weeks before first Tuesday in April			
Cities	48	25-2110										June 1 standard deadline (KSA 25-205)				Candidates for office elected at large to file with county election officer (current: file with city clerk if in city of first or second class); Remove filing fee, filing procedure, and petition signature percentages; Require cities to establish by ordinance the number of qualified electors who must sign a nomination petition.
Cities	49	25-2113	Partisan or Non-partisan													Governing body to determine whether city elections to be partisan or non-partisan; Remove exception to nonpartisan elections for certain urban areas.
Cities	50	25-2115														Ballot rotation: names to be listed in the various possible orders in rotation and as provided in KSA 25-212 and 25-610
Cities	51	25-2118														Require the city clerk to certify to the county election officer a list of city offices to be voted by May 1 (changed from January 1) of each year such city has a city election
Cities	52	25-2120							Second Monday in January, after election is certified	First regular meeting after election is certified						
All (voter registration)	53	25-2311														Remove references to April elections from provisions to allow voter registration 20 days before a primary or general election; Remove references to separate state, city and school elections; Allow registration of voters until 9 p.m. in any city (not just of first and second class); County election officer to certify the number of registered voters in each precinct before each primary or general election in odd-numbered years.
All (definitions)	54	25-2502		November	November or April	August	August, and five weeks before April election	Even and Odd	Even							Remove references to April elections; Add municipal offices to those with primaries.
Election workers	55	25-2804														Add requirement for a person age 16 or 17 appointed as an election judge or clerk to have a letter of recommendation from a school teacher, counselor, or administrator; Change from one to no more than one-third the number younger than 18 who could be appointed to each election board.
Voters	56	25-2901														Increase from 5 minutes to 10 minutes the time a voter may occupy a voting booth if other voters are waiting to occupy the booth.
U.S. Representative (filling vacancy)	57	25-3503														Fill a congressional vacancy 30-90 days before any primary election (not solely before a primary election of state officers) via a vote at the primary election. Fill a congressional vacancy occurring not more than 30 days before any primary election and before the general election (not solely a general election of state officers) via a vote at the general election.
Irrigation district	58	42-706		November	March (would retain election at an annual meeting in March if district is < 35,000 acres)			Odd	Both			June 1 standard deadline (KSA 25-205 and Section 10)	30 days before election			Change term of office from three years to two or four, as established in the board's resolution; Remove language regarding lengths of terms after a first election in an established district of more than 35,000 acres; Any district organized after the regular election is to hold its election at the next regular election; person getting the most votes shall serve a term of four years, those getting the second and third highest numbers of votes to serve two-year terms; Require declaration of intention to be filed with county election officer using procedures of KSA 25-205; Remove language relating to appointing persons for each voting place; Notice of election: move publication notice of election from at least five days before election to same as for other elections (KSA 25-105); Remove election provision related to two districts with the same district manager.

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Community college	59	71-1408														Revise when any community college district could change its method of election (current law: may change first Wednesday in April of odd-numbered year to first Tuesday in December of even-numbered year; proposed: may change first Wednesday in November of odd-numbered year to first Tuesday in June of even-numbered year).
Community college	60	71-1412							January	July						
Community college	61	71-1413		November	April	August	Five weeks before the first Tuesday in April	Odd	Odd							Add community college board of trustees candidates to those published in notice of election and list of candidates (KSA 25-105, KSA 25-209).
Community college	62	71-1414						Odd	Odd			June 1 (Same as in Section 10)	Ten weeks before the first Tuesday in April			Increase filing fee to \$20.
Community college	63	71-1419	Remain non-partisan													Remove language related to local election laws and a separate canvass.
School district (change of voting plan)	64	72-8008														Change when any school district could change its method of election (current law: may change first Wednesday in April of odd-numbered year to first Tuesday in December of even-numbered year; proposed: may change first Wednesday in November of odd-numbered year to first Tuesday in June of even-numbered year).
Hospital district	65	80-2508		November	April			Both (appears to contradict Sec. 2)	Both	January	May					Changes would apply if board members are chosen by election (as opposed to appointed or chosen at an annual meeting). If chosen by election, change term of office from three years to four. Increase filing fee from \$10 to \$20. Remove reference to city elections.
Cities; Unified governments	66	New Section														Require a special election to fill a vacancy on the governing body of any city or consolidated city and county, if the municipality does not have its own procedure for filling vacancies and has not filled any such vacancies within 60 days, and the governing body has not made an appointment to fill the vacancy within 60 days of the vacancy. (Contents of SB 10, as amended by Senate Ethics and Elections)
Unified governments	67 68	12-344 12-363														Require these consolidated city-county governments to fill vacancies as in Section 70. (Contents of SB 10, as amended by Senate Ethics and Elections)
Repealer	69															Repeal 56 statutes relating to how a city could choose and change its form of government. Repeal KSA 25-204, notice from the Secretary of State regarding April elections in even-numbered years, and publication of the notice. Repeal KSA 71-1417, ballot rotation for candidates for community college trustee.

(1) A topic was added in parentheses if needed for clarification.

(2) "June 1" or "September 1" includes "if such date falls on a Saturday, Sunday or holiday, then before 12 noon of the next day that is not a Saturday, Sunday, or holiday"