

**25-432. Elections which may be conducted under act; limitations.** An election shall not be conducted under this act unless:

- (a) Conducted on a date, mutually agreed upon by the governing body of the political or taxing subdivision and the county election officer, not later than 120 days following the date the request is submitted by the political or taxing subdivision;
- (b) the secretary of state approves a written plan for conduct of the election, which shall include a written timetable for the conduct of the election, submitted by the county election officer;
- (c) the election is nonpartisan;
- (d) the election is not one at which any candidate is elected, retained or recalled;
- (e) the election is not held on the same date as another election in which the qualified electors of that subdivision of government are eligible to cast ballots; and
- (f) the election is a question submitted election at which all of the qualified electors of one of the following subdivisions of government are the only electors eligible to vote:
  - (1) Counties;
  - (2) cities;
  - (3) school districts, except in an election held pursuant to K.S.A. 72-7302 et seq., and amendments thereto;
  - (4) townships;
  - (5) benefit districts organized under K.S.A. 31-301, and amendments thereto;
  - (6) cemetery districts organized under K.S.A. 15-1013 or 17-1330, and amendments thereto;
  - (7) combined sewer districts organized under K.S.A. 19-27,169, and amendments thereto;
  - (8) community college districts organized under K.S.A. 71-1101 et seq., and amendments thereto;
  - (9) fire districts organized under K.S.A. 19-3601 or 80-1512, and amendments thereto;
  - (10) hospital districts;
  - (11) improvement districts organized under K.S.A. 19-2753, and amendments thereto;
  - (12) Johnson county park and recreation district organized under K.S.A. 19-2859, and amendments thereto;
  - (13) sewage disposal districts organized under K.S.A. 19-27,140, and amendments thereto;
  - (14) water districts organized under K.S.A. 19-3501 et seq., and amendments thereto;
  - (15) transportation development districts created pursuant to K.S.A. 2014 Supp. 12-17,140 et seq., and amendments thereto; or
  - (16) any tract of land annexed pursuant to K.S.A. 15-521 [12-521], and amendments thereto.

**History:** L. 1983, ch. 125, § 2; L. 1984, ch. 374, § 34; L. 1991, ch. 101, § 1; L. 2002, ch. 105, § 12; L. 2003, ch. 120, § 15; L. 2011, ch. 101, § 10; June 2.