

House Concurrent Resolution No. 5003

By Committee on Federal and State Affairs

1-15

1 A PROPOSITION to amend section 3 of article 4 of the constitution of
2 the state of Kansas, relating to the judiciary and recall elections.

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4 *Be it resolved by the Legislature of the State of Kansas, two-thirds of*
5 *the members elected (or appointed) and qualified to the House of*
6 *Representatives and two-thirds of the members elected (or appointed)*
7 *and qualified to the Senate concurring therein:*

8 Section 1. The following proposition to amend the constitution of
9 the state of Kansas shall be submitted to the qualified electors of the state
10 for their approval or rejection: Section 3 of article 4 of the constitution of
11 the state of Kansas is hereby amended to read as follows:

12 "Article 4. – ELECTIONS

13 "§ 3. **Recall of elected officials.** All elected public officials in
14 the state, ~~except~~ *including* judicial officers, shall be subject to
15 recall by voters of the state or political subdivision from which
16 elected. Procedures and grounds for recall shall be prescribed by
17 law."

18 Sec. 2. The following statement shall be printed on the ballot with
19 the amendment as a whole:

20 "*Explanatory statement.* The purpose of this statement is to
21 make all elected judicial officers subject to recall by voters
22 in the same manner as all other elected public official of the
23 state or political subdivisions.

24 "A vote in favor of the proposition would provide that all judges
25 of the district court, court of appeals and justices of the
26 supreme court would be subject to recall elections.

27 "A vote against the proposition would continue the current
28 exclusion of all judges of the district court, the court of
29 appeals and justices of the supreme court from recall
30 elections."

31 Sec. 3. This resolution, if approved by two-thirds of the members
32 elected (or appointed) and qualified to the House of Representatives, and
33 two-thirds of the members elected (or appointed) and qualified to the
34 Senate shall be entered on the journals, together with the yeas and nays.
35 The secretary of state shall cause this resolution to be published as
36 provided by law and shall cause the proposed amendment to be submitted

- 1 to the electors of the state at the election in November in the year 2016
- 2 unless a special election is called at a sooner date by concurrent
- 3 resolution of the legislature, in which case it shall be submitted to the
- 4 electors of the state at the special election.