

PETITION CIRCULATION GUIDE

This guide is for circulating a petition for a specific purpose as provided by law. This guide is NOT intended for candidates filing for office by petition. Kansas does not have a statewide statutory referendum initiative. State laws and constitutional amendments are not proposed or adopted as they are in some other states. Petitioners should seek the advice of an attorney in drafting a petition form. Prior to being circulated for signatures, most petitions should be submitted to the county counselor or county or district attorney for approval as specific laws governing the type of petition must be strictly adhered to. If law does not provide for a certain type of petition, it is not binding on the governing body to which it is presented. However, the petition may be presented to a governing body to influence a course of action.

FORMS

Except for recall petitions, there are no standard pre-printed petition forms for the variety of petitions allowed by law.

CIRCULATORS

Petition circulators may carry a petition through the election district if they meet the constitutional qualification to be an elector. However, they are not required by law to be registered voters in the election district. Each circulator must: 1.) witness every signature on every page; 2.) collect signatures from only one county on each page; 3.) sign, and have notarized, an affidavit that is attached to or printed on the back of the petition form.

Circulators of petitions may not sign the front of a petition form they are circulating because they may not witness their own signature. One affidavit may apply to all pages submitted by one circulator if their pages are all together in one document and the affidavit is attached. An incorrect affidavit will invalidate all pages to which it applies.

SIGNERS

For most petitions, signers must be registered voters and residents of the election district. All signers of a particular page of a petition must reside in the county. Petition signers must include their printed name, signature, address, city, zip code and date of signature. Individuals may not sign the same petition more than once. Individuals are prohibited, by law, to sign a petition for another person.

SIGNATURE REQUIREMENTS

The number of signatures needed is provided in the state statute governing the specific type of petition. It is usually a percentage of the registered voters or a percentage of the votes cast in a past election.

FILING

If more than one circulator carries petitions for the same petition drive, all must be submitted at the same time as a group to the appropriate filing office. If a petition is determined to be insufficient, later filings are prohibited and the petition process must begin from the beginning. Petitions must be filed within 180 days after the first signature was collected. For recall petitions, petitions must be submitted within 90 days. Other petitions have separate, specific deadlines determined by statute.

PROCESSING

For local issues, petitions should be submitted to the county election office. Select petitions must be filed with other units of government and, in such cases, the petition is sent to the county election office for processing because they maintain custody of voter registration records. For state issues, petitions are filed with the Secretary of State who transmits copies to county election offices for verification.

Questions: call **1-800-262-8683** or visit **sos.ks.gov**.

