

# Constitution of the State of Kansas



## Ordinance

WHEREAS, The government of the United States is the proprietor of a large portion of the lands included in the limits of the state of Kansas as defined by this constitution; and,

WHEREAS, The state of Kansas will possess the right to tax said lands for purposes of government, and for other purposes; Now, therefore, Be it ordained by the people of Kansas:

That the right of the state of Kansas to tax such lands is relinquished forever, and the state of Kansas will not interfere with the title of the United States to such lands, nor with any regulation of congress in relation thereto, nor tax nonresidents higher than residents: Provided always, That the following conditions be agreed to by congress:

**§ 1: School sections.** Sections numbered sixteen and thirty-six in each township in the state, including Indian reservations and trust lands, shall be granted to the state for the exclusive use of common schools; and when either of said sections, or any part thereof, has been disposed of, other lands of equal value, as nearly contiguous thereto as possible, shall be substituted therefore.

**§ 2: University lands.** That seventy-two sections of land shall be granted to the state for the erection and maintenance of a state university.

**§ 3: Lands for public buildings.** That thirty-six sections shall be granted to the state for the erection of public buildings.

(a) Victims of crime, as defined by law, shall be entitled to certain basic rights, including the right to be informed of and to be present at public hearings, as defined by law, of the criminal justice process, and to be heard at sentencing or at any other time deemed appropriate by the court, to the extent that these rights do not interfere with the constitutional or statutory rights of the accused.

(b) Nothing in this section shall be construed as creating a cause of action for money damages against the state, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof. The legislature may provide for other remedies to ensure adequate enforcement of this section.

(c) Nothing in this section shall be construed to authorize a court to set aside or to void a finding of guilty or not guilty or an acceptance of a plea of guilty or to set aside any sentence imposed or any other final disposition in any criminal case.

### § 16: Marriage.

(a) The marriage contract is to be considered in law as a civil contract. Marriage shall be constituted by one man and one woman only. All other marriages are declared to be contrary to the public policy of this state and are void.

(b) No relationship, other than a marriage, shall be recognized by the state as entitling the parties to the rights or incidents of marriage.

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Updated 12/2016 to include §21 in the Bill of Rights.



**§ 7: Savings clause.** (a) All laws in force at the time of the adoption of this amendment and consistent therewith shall remain in full force and effect until amended or repealed by the legislature. All laws inconsistent with this amendment,

(c) No religious sect or sects shall control any part of the public educational funds.

(b) The legislature shall make suitable provision for finance of the educational interests of the state. No tuition shall be charged for attendance at any public school to pupils required by law to attend such school, except such fees or supplemental charges as may be authorized by law. The legislature may authorize the state board of regents to establish tuition, fees and charges at institutions under its supervision.

(a) The legislature may levy a permanent tax for the use and benefit of state institutions of higher education and apportion among and appropriate the same to the several institutions, which levy, apportionment and appropriation shall continue until changed by statute. Further appropriate and other provision for finance of institutions of higher education may be made by the legislature.

**§ 6: Finance.** (a) The legislature shall make suitable provision for finance of the educational interests of the state. No tuition shall be charged for attendance at any public school to pupils required by law to attend such school, except such fees or supplemental charges as may be authorized by law. The legislature may authorize the state board of regents to establish tuition, fees and charges at institutions under its supervision.

**§ 5: Local public schools.** Local public schools under the general supervision of the state board of education shall be maintained, developed and operated by locally elected boards. When authorized by law, such boards may make and carry out agreements for cooperative operation and administration of educational programs under the general supervision of the state board of education, but such agreements shall be subject to limitation, change or termination by the legislature.

**§ 4: Commissioner of education.** The state board of education shall appoint a commissioner of education who shall serve at the pleasure of the board as its executive officer.

**§ 3: State board of education and state board of regents.** (a) The legislature shall provide for a state board of education which shall have general supervision of public schools, educational institutions and all the educational interests of the state, except educational functions delegated by law to the state board of regents. The state board of education shall perform such other duties as may be provided by law.

(b) The legislature shall provide for a state board of regents and for its control and supervision of public institutions of higher education. Public institutions of higher education shall include universities and colleges granting baccalaureate or postbaccalaureate degrees and such other institutions and educational interests as may be provided by law. The state board of regents shall perform such other duties as may be prescribed by law.

(c) Any municipal university shall be operated, supervised and controlled as provided by law.

**§ 3: Members of state board of education and state board of regents.** (a) There shall be ten members of the state board of education with overlapping terms as the legislature may prescribe. The legislature shall make provision for ten member districts, each comprised of four contiguous senatorial districts. The electors of each member district shall elect one person residing in the district as a member of the board. The legislature shall prescribe the manner in which vacancies occurring on the board shall be filled.

(b) The state board of regents shall have nine members with overlapping terms as the legislature may prescribe. Members shall be appointed by the governor, subject to confirmation by the senate. One member shall be

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(c) Any municipal university shall be operated, supervised and controlled as provided by law.

**§ 1: Schools and related institutions and activities.** The legislature shall provide for intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools, educational institutions and related activities which may be organized and changed in such manner as may be provided by law.

## Article 6.—EDUCATION

### § 8: Eliminated by revision.

arrest in all cases except felony or breach of the peace.

**§ 4: Lands for benevolent institutions.** That seventy-two sections shall be granted to the state for the erection and maintenance of charitable and benevolent institutions.

**§ 5: Salt springs and mines.** That all salt springs, not exceeding twelve in number, with six sections of land adjacent to each, together with all mines, with the lands necessary for the full use, shall be granted to the state for works of public improvement.

**§ 6: Proceeds to schools.** That five percentum of the proceeds of the public lands in Kansas, disposed of after the admission of the state into the union, shall be paid to the state for a fund, the income of which shall be used for the support of common schools.

**§ 7: School lands.** That the five hundred thousand acres of land to which the state is entitled under the act of congress entitled "An act to appropriate the proceeds of the sales of public lands and grant pre-emption rights," approved September 4th, 1841, shall be granted to the state for the support of common schools.

**§ 8: Selection of lands.** That the lands hereinbefore mentioned shall be selected in such manner as may be prescribed by law; such selections to be subject to the approval of the commissioner of the general land office of the United States.

**PREAMBLE**

We, the people of Kansas, grateful to Almighty God for our civil and religious privileges, in order to insure the full enjoyment of our rights as American citizens, do ordain and establish this constitution of the state of Kansas, with the following boundaries, to wit: Beginning at a point on the western boundary of the state of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence running west on said parallel to the twenty-fifth meridian of longitude west from Washington; thence north on said meridian to the fortieth parallel of north latitude; thence east on said parallel to the western boundary of the state of Missouri; thence south with the western boundary of said state to the place of beginning.

**KANSAS BILL OF RIGHTS**

**§ 7: Privileges of electors.** Electors, during their attendance at elections, and in going to and returning therefrom, shall be privileged from

**§ 6: Eliminated by revision.**

**§ 5: Repealed.**

**§ 4: Proof of right to vote.** The legislature shall provide by law for proper proofs of the right of suffrage.

**§ 3: Eliminated by revision.**

**§ 2: Disqualification to vote.** The legislature may, by law, exclude persons from voting because of commitment to a jail or penal institution. No person convicted of a felony under the laws of any state or of the United States, unless pardoned or restored to his civil rights, shall be qualified to vote.

**§ 1: Qualifications of electors.** Every citizen of the United States who has attained the age of eighteen years and who resides in the voting area in which he or she seeks to vote shall be deemed a qualified elector. Laws of this state relating to voting for presidential electors and candidates for the office of president and vice-president of the United States shall comply with the laws of the United States relating thereto. A citizen of the United States, who is otherwise qualified to vote in Kansas for presidential electors and candidates for the offices of president and vice-president of the United States may vote for such officers either in person or by absentee ballot notwithstanding the fact that such person may have become a nonresident of this state if his or her removal from this state occurs during a period in accordance with federal law next preceding such election. A person who is otherwise a qualified elector may vote in the voting area of his or her former residence either in person or by absentee ballot notwithstanding the fact that such person may have become a nonresident of this state if his or her removal from this state occurs during a period in accordance with federal law next preceding the election at which he or she seeks to vote, if his new residence is in another voting area in the state of Kansas.

**Article 5.—SUFFRAGE**

**§ 4: Eliminated by revision.**

**§ 5: Eliminated by revision.**

the premises. Temporary permits for the sale of intoxicating liquor may be issued in any county in which the regulation, licensing, taxation and sale of intoxicating liquor by the drink in public places is approved pursuant to this section, but no temporary permit shall be issued for the sale of intoxicating liquor by the drink within any county in which the regulation, licensing, taxation and sale of intoxicating liquor by the drink in public places is prohibited.

§ 11: Repealed.

**§ 12: Membership or nonmembership in labor organizations.** No person shall be denied the opportunity to obtain or retain employment because of membership or nonmembership in any labor organization, nor shall the state or any subdivision thereof, or any individual, corporation, or any kind of association enter into any agreement, written or oral, which excludes any person from employment or continuation of employment because of membership or nonmembership in any labor organization.

**§ 13: Continuity of state and local governmental operations.** Notwithstanding any general or special provision of this constitution, the legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate duty (1) to provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) to adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations including, but not limited to, the financing thereof. In the exercise of the powers hereby conferred the legislature shall in all respects conform to the requirements of this constitution except to the extent that in the judgment of the legislature so to do would be impracticable or would admit of undue delay.

§ 14: Oaths of state officers. All state officers before entering upon their respective duties shall take and subscribe an oath or affirmation to support the constitution of the United States and the constitution of this state, and faithfully to discharge the duties of their respective offices.

**§ 15: Victims' rights.**

**§ 5: Unemployment compensation; old-age benefits; taxation.** The state may provide by law for unemployment compensation and contributory old-age benefits and may tax employers and employees therefor; and the restrictions and limitations of section 24 of article 2, and section 11 of the constitution shall not be construed to limit the authority conferred by this amendment. No direct ad valorem tax shall be laid on real or personal property for such purposes.

**§ 4: Aged and infirm persons; financial aid; state participation.** The respective counties of the state shall provide, as may be prescribed by law, for those inhabitants who, by reason of age, infirmity or other misfortune, may have claims upon the aid of society. The state may participate financially in such aid and supervise and control the administration thereof.

**§ 3: Eliminated by revision.**

**§ 2: Eliminated by revision.**

**§ 1: Benevolent institutions.** Institutions for the benefit of mentally or physically incapacitated or handicapped persons, and such other benevolent institutions as the public good may require, shall be fostered and supported by the state, subject to such regulations as may be prescribed by law.

**§ 10: Eliminated by amendment.**

**§ 9: Eliminated by amendment.**

**§ 8: Eliminated by amendment.**

**§ 7: Eliminated by amendment.**

**Article 7.—PUBLIC INSTITUTIONS AND WELFARE**

**§ 10: Eliminated by amendment.**

**§ 9: Eliminated by amendment.**

**§ 8: Eliminated by amendment.**

**§ 7: Eliminated by amendment.**

**§ 6: Eliminated by amendment.**

**§ 5: Eliminated by amendment.**

out the joint consent of husband and wife, when that relation exists; but no property shall be exempt from sale for taxes, or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon: Provided, That provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife: And provided further, That the legislature by an appropriate act or acts, clearly framed to avoid abuses, may provide that when it is shown the husband or wife while occupying a homestead is adjudged to be insane, the duly appointed guardian of the insane spouse may be authorized to join with the sane spouse in executing a mortgage upon the homestead, renewing or refinancing an encumbrance thereon which is likely to cause its loss, or in executing a lease thereon authorizing the lessee to explore and produce therefrom oil, gas, coal, lead, zinc, or other minerals.

### § 10: Intoxicating liquors.

(a) The legislature may provide for the prohibition of intoxicating liquors in certain areas.

(b) The legislature may regulate, license and tax the manufacture and sale of intoxicating liquors, and may regulate the possession and transportation of intoxicating liquors.

(c) The sale of intoxicating liquor by the individual drink in public places is prohibited, except that the legislature may permit, regulate, license and tax the sale of intoxicating liquor by the drink in public places in a county where the qualified electors of the county approve, by a majority vote of those voting on this proposition, to adopt this proposition, but such sales shall be limited to: (1) Public places where gross receipts from sales of food for consumption on the premises constitute not less than 30% of the gross receipts from all sales of food and beverages on such premises; or (2) public places for which a temporary permit has been issued as authorized by law.

At any subsequent general election, the legislature may provide by law for the submission of propositions to qualified electors of counties for: (1) The prohibition of sales of intoxicating liquor by the individual drink in public places within the county; (2) the regulation, licensing, taxing and sale of intoxicating liquor by the drink in public places within the county without a requirement that any portion of their gross receipts be derived from the sale of food; or (3) the regulation, licensing, taxing and sale of intoxicating liquor by the drink in public places within the county which derive not less than 30% of their gross receipts from the sale of food for consumption on

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§ 1: Counties. The legislature shall provide for organizing new coun-

### Article 9.—COUNTRY AND TOWNSHIP ORGANIZATION

suppress insurrection, and to repel invasion.

§ 4: Commander in chief. The governor shall be commander in chief, and shall have power to call out the militia to execute the laws, to

commissioned in such manner as may be provided by law.

§ 3: Officers. Officers of the militia shall be elected or appointed, and

not incompatible with the laws of the United States.

§ 2: Organization. The legislature shall provide for organizing, equip-

ing and disciplining the militia in such manner as it shall deem expedient,

exempted therefrom, upon such conditions as may be prescribed by law.

§ 1: Composition; exemption. The militia shall be composed of all

able-bodied male citizens between the ages of twenty-one and forty-five

years, except such as are exempted by the laws of the United States or

of this state; but all citizens of any religious denomination whatever who

from scruples of conscience may be adverse to bearing arms shall be

§ 16: Savings clause. Nothing contained in this amendment to the

constitution shall: (a) Shorten the term of office or abolish the office of any

judge of the supreme court, any judge of the district court, or any other

judge or any other court who is holding office at the time this amendment

becomes effective, or who is holding office at the time of adoption, re-

jection, or resubmission of a nonpartisan method of selection of district

judges as provided in subsection (a) of section 6 hereof, and all such jus-

ices and judges shall hold their respective offices for the terms for which

§ 1. Equal rights. All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness.

§ 2. Political power; privileges. All political power is inherent in the people, and all free governments are founded on their authority, and are instituted for their equal protection and benefit. No special privileges or immunities shall ever be granted by the legislature, which may not be altered, revoked or repealed by the same body; and this power shall be exercised by no other tribunal or agency.

§ 3. Right of peaceable assembly; petition. The people have the right to assemble, in a peaceable manner, to consult for their common good, to instruct their representatives, and to petition the government, or any department thereof, for the redress of grievances.

§ 4. Individual right to bear arms; armies. A person has the right to keep and bear arms for the defense of self, family, home and state, for lawful hunting and recreational use, and for any other lawful purpose; but standing armies, in time of peace, are dangerous to liberty, and shall not be tolerated, and the military shall be in strict subordination to the civil power.

§ 5. Trial by jury. The right of trial by jury shall be inviolate.

§ 6. Slavery prohibited; servitude for conviction of a crime. There shall be no slavery in this state; and no involuntary servitude, except for the punishment of crime, whereof the party shall have been duly convicted.

§ 7. Religious liberty property qualification for public office. The right to worship God according to the dictates of conscience shall never be infringed; nor shall any person be compelled to attend or support any form of worship; nor shall any control of or interference with the rights of conscience be permitted, nor any preference be given by law to any religious establishment or mode of worship. No religious test or property qualification shall be required for any office of public trust, nor for any vote at any elections, nor shall any person be incompetent to testify on account of religious belief.

§ 8. Habeas corpus. The right to the writ of habeas corpus shall not

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for recall shall be prescribed by law.

§ 3: Recall of elected officials. All elected public officials in the

state, except judicial officers, shall be subject to recall by voters of the

state or political subdivision from which elected. Procedures and grounds

in each organized county in the state, as provided by law.

§ 2: General elections. General elections shall be held biennially

on the Tuesday succeeding the first Monday in November in even-num-

bered years. Not less than three county commissioners shall be elected

voting device, or both, as the legislature shall by law provide.

§ 1: Mode of voting. All elections by the people shall be by ballot or

### Article 4.—ELECTIONS

§ 20: Eliminated by revision.

§ 19: Eliminated by revision.

§ 18: Stricken from article.

§ 17: Eliminated by revision.

remain in force and effect until amended or repealed by the legislature.

or relating to the justices or judges of such courts, and such statutes shall

supreme court nominating commission, district courts, or any other court,

law; (b) repeal any statute relating to the supreme court, the

election, or appointed unless sooner removed in the manner provided by

judges and judges shall hold their respective offices for the terms for which

judges as provided in subsection (a) of section 6 hereof, and all such jus-

section, or resubmission of a nonpartisan method of selection of district

becomes effective, or who is holding office at the time of adoption, re-

judge or any other court who is holding office at the time this amendment

justices of the supreme court, any judge of the district court, or any other

constitution shall: (a) Shorten the term of office or abolish the office of any

supreme court after appropriate hearing.

form adequately his duties. Other judges shall be subject to retirement

commission that such justice is so incapacitated as to be unable to per-

ing, upon certification to the governor, by the supreme court nominating

be suspended, unless the public safety requires it in case of invasion or rebellion.

**§ 9. Bail; fines; cruel and unusual punishment.** All persons shall be bailable by sufficient sureties except for capital offenses, where proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted.

**§ 10. Trial; defense of accused; witness against self; double jeopardy.** In all prosecutions, the accused shall be allowed to appear and defend in person, or by counsel; to demand the nature and cause of the accusation against him; to meet the witness face to face, and to have compulsory process to compel the attendance of the witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed. No person shall be a witness against himself, or be twice put in jeopardy for the same offense.

**§ 11. Liberty of press and speech; libel.** The liberty of the press shall be inviolate; and all persons may freely speak, write or publish their sentiments on all subjects, being responsible for the abuse of such rights; and in all civil or criminal actions for libel, the truth may be given in evidence to the jury, and if it shall appear that the alleged libelous matter was published for justifiable ends, the accused party shall be acquitted.

**§ 12. No forfeiture of estate for crimes.** No conviction within the state shall work a forfeiture of estate.

**§ 13. Treason.** Treason shall consist only in levying war against the state, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason unless on the evidence of two witnesses to the overt act, or confession in open court.

**§ 14. Soldiers' quarters.** No soldier shall, in time of peace, be quartered in any house without the consent of the occupant, nor in time of war, except as prescribed by law.

**§ 15. Search and seizure.** The right of the people to be secure in their persons and property against unreasonable searches and sei-

sas, the legislature may authorize the licensing, conduct and regulation of charitable raffles by nonprofit religious, charitable, fraternal, educational and veterans organizations. A raffle means a game of chance in which each participant buys a ticket or tickets from a nonprofit organization with each ticket providing an equal chance to win a prize and the winner being determined by a random drawing. Such organizations shall not use an electronic gaming machine or vending machine to sell tickets or conduct raffles. No such nonprofit organization shall contract with a professional raffle or other lottery vendor to manage, operate or conduct any raffle. Raffles shall be licensed and regulated by the Kansas department of revenue, office of charitable gaming or successor agency.

**§ 4: Repealed.**

**§ 5: Financial statements; publication.** An accurate and detailed statement of the receipts and expenditures of the public moneys, and the several amounts paid, to whom, and on what account, shall be published, as prescribed by law.

**§ 6: Rights of women.** The legislature shall provide for the protection of the rights of women, in acquiring and possessing property, real, personal and mixed, separate and apart from the husband; and shall also provide for their equal rights in the possession of their children.

**§ 7: Salaries reduced for neglect of duty.** The legislature may reduce the salaries of officers, who shall neglect the performance of any legal duty.

**§ 8: Location of state capital.** The temporary seat of government is hereby located at the city of Topeka, county of Shawnee. The first legislature under this constitution shall provide by law for submitting the question of the permanent location of the capital to a popular vote, and a majority of all the votes cast at some general election shall be necessary for such location.

**§ 9: Homestead exemption.** A homestead to the extent of one hundred and sixty acres of farming land, or of one acre within the limits of an incorporated town or city, occupied as a residence by the family of the owner, together with all the improvements on the same, shall be exempted from forced sale under any process of law, and shall not be alienated with-

peachment and conviction, justices may be retired after appropriate hearing prescribed in article 2 of this constitution. In addition to removal by impeachment court may be removed from office by impeachment and conviction as **§ 15: Removal of justices and judges.** Justices of the supreme

**§ 14: Eliminated by revision.**

ance in office. except as may be provided by law, or practice law during their continu- office of profit or trust under the authority of the state, or the United States justices or judges shall receive no fees or perquisites nor hold any other unless by general law applicable to all salaried officers of the state. Such ived by law, which shall not be diminished during their terms of office. courts shall receive for their services such compensation as may be pro- **§ 13: Compensation of justices and judges; certain limitation.** The justices of the supreme court and judges of the district

qualified. **§ 12: Extension of terms until successor qualified.** All judicial officers shall hold their offices until their successors shall have

**§ 11: Stricken from article.**

**§ 10: Eliminated by revision.**

**§ 9: Eliminated by revision.**

take part in any political campaign. any contribution to or hold any office in a political party or organization or subsection (a) of section 6 of this article, shall directly or indirectly make the district court holding office under a nonpartisan method authorized in retained under the procedure of section 5 of this article, nor any judge of **§ 8: Prohibition of political activity by justices and certain judges.** No justice of the supreme court who is appointed or

qualifications as may be prescribed by law. to practice law in the courts of this state and shall possess such other years of age and shall be duly authorized by the supreme court of Kansas supreme court and judges of the district courts shall be at least thirty **§ 7: Qualifications of justices and judges.** Justices of the

the Kansas register immediately upon final passage and shall be effec- residence. Bills reapportioning legislative districts shall be published in the state who are residents of the state in the district of their permanent dents of the state and students attending colleges and universities within (2) to include military personnel stationed within the state who are resi- state; and and nonresident students attending colleges and universities within the state (1) To exclude nonresident military personnel stationed within the state upon the basis of the population of the state adjusted:

the census. Senatorial and representative districts shall be reapportioned census of population taken and published by the United States bureau of reapportion the state senatorial districts and representative districts on its regular session every tenth year thereafter, the legislature shall by law the 1987 Session Laws of Kansas. At its regular session in 1992, and at census of the inhabitants of the state taken by authority of chapter 61 of state representative and senatorial districts upon the basis of the latest the state representative districts, the state senatorial districts or both (a) At its regular session in 1989, the legislature shall by law reapportion **districts.**

**§ 1: Reapportionment of senatorial and representative**

**Article 10.—APPORTIONMENT OF THE LEGISLATURE**

prescribed by law. **§ 5: Removal of officers.** All county and township officers may be removed from office, in such manner and for such cause, as shall be

**§ 4: Stricken from the constitution.**

**§ 3: Stricken from the constitution.**

for such county and township officers as may be necessary. **§ 2: County and township officers.** The legislature shall provide

miles. so as to include an area of less than four hundred and thirty-two square county; nor any county organized, nor the lines of any county changed shall be changed without the consent of a majority of the electors of the **§ 1: Locating county seats, and changing county lines; but no county seat**

to be determined, so far as practicable, by examination, which, so far as practicable, shall be competitive.

**§ 3: Lotteries.** Lotteries and the sale of lottery tickets are forever prohibited.

**§ 3a: Regulation, licensing and taxation of “bingo” games authorized.** Notwithstanding the provisions of section 3 of article 15 of the constitution of the state of Kansas the legislature may regulate, license and tax the operation or conduct of games of bingo and instant bingo, as defined by law, by bona fide nonprofit religious, charitable, fraternal, educational and veterans organizations.

**§ 3b: Regulation, licensing and taxation of horse and dog racing and parimutuel wagering thereon.** Notwithstanding the provisions of section 3 of article 15 of the constitution of the state of Kansas, the legislature may permit, regulate, license and tax, at a rate not less than 3% nor more than 6% of all money wagered, the operation or conduct, by bona fide nonprofit organizations, of horse and dog racing and parimutuel wagering thereon in any county in which: (a) A majority of the qualified electors of the county voting thereon approve this proposed amendment; or (b) the qualified electors of the county approve a proposition, by a majority vote of those voting thereon at an election held within the county, to permit such racing and wagering within the boundaries of the county. No off-track betting shall be permitted in connection with horse and dog racing permitted pursuant to this section.

**§ 3c: State-owned and operated lottery.** Notwithstanding the provisions of section 3 of article 15 of the constitution of the state of Kansas, the legislature may provide for a state-owned and operated lottery, except that such state-owned lottery shall not be operated after June 30, 1990, unless authorized to be operated after such date by a concurrent resolution approved by a majority of all of the members elected (or appointed) and qualified of each house and adopted in the 1990 regular session of the legislature. The state shall whenever possible provide the public information on the odds of winning a prize or prizes in a lottery game.

**§ 3d. Regulation of “raffles” authorized.** Notwithstanding the provisions of section 3 of article 15 of the constitution of the state of Kan-

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**§ 1: System of taxation; classification; exemption.** (a) The provisions of this subsection shall govern the assessment and taxation of property on and after January 1, 2013, and each year thereafter. Except as otherwise hereinafter specifically provided, the legislature shall provide for a uniform and equal basis of valuation and rate of tax-ation of all property subject to taxation. The legislature may provide for the classification and the taxation uniformly as to class or recreational vehicles and watercraft, as defined by the legislature, or may exempt such class from property taxation and impose taxes upon another basis in lieu thereof. The provisions of this subsection shall not be applicable to the taxation of motor vehicles, except as otherwise hereinafter specifically

## Article 11.—FINANCE AND TAXATION

**§ 2: Eliminated by revision.**

**§ 3: Repealed.**

reapportioned in accordance herewith.

(e) A judgment of the supreme court of the state determining a reapportionment to be valid shall be final until the legislative districts are again to present their views.

(d) Whenever a petition or application is filed under this section, the supreme court, in accordance with its rules, shall permit interested persons to file their views.

(c) Upon enactment of a reapportionment to conform with a judgment of the supreme court within 15 days, the legislature shall enact a statute of reapportionment conforming to the judgment of the supreme court. Should the legislature fail to do so, the legislature shall be deemed to have enacted a statute of reapportionment conforming to the judgment of the supreme court. Should the legislature fail to do so, the legislature shall be deemed to have enacted a statute of reapportionment conforming to the judgment of the supreme court. Should the legislature fail to do so, the legislature shall be deemed to have enacted a statute of reapportionment conforming to the judgment of the supreme court. Should the legislature fail to do so, the legislature shall be deemed to have enacted a statute of reapportionment conforming to the judgment of the supreme court.

(b) The attorney general shall apply to the supreme court of the state to determine the validity of the proposed reapportionment. The supreme court, within 10 days from the filing of such application, shall enter its judgment. Should the legislature fail to do so, the legislature shall be deemed to have enacted a statute of reapportionment conforming to the judgment of the supreme court. Should the legislature fail to do so, the legislature shall be deemed to have enacted a statute of reapportionment conforming to the judgment of the supreme court. Should the legislature fail to do so, the legislature shall be deemed to have enacted a statute of reapportionment conforming to the judgment of the supreme court.

(a) Within 15 days after the publication of an act reapportioning the legislative districts within the time specified in (a), the attorney general shall petition the supreme court of the state to determine the validity thereof. The supreme court, within 30 days from the filing of the petition, shall enter its judgment. Should the supreme court determine that the reapportionment is invalid, the legislature shall enact a statute of reapportionment conforming to the judgment of the supreme court. Should the legislature fail to do so, the legislature shall be deemed to have enacted a statute of reapportionment conforming to the judgment of the supreme court. Should the legislature fail to do so, the legislature shall be deemed to have enacted a statute of reapportionment conforming to the judgment of the supreme court.

zures shall be inviolate; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons or property to be seized.

**§ 16. Imprisonment for debt.** No person shall be imprisoned for debt, except in cases of fraud.

**§ 17. Property rights of citizens and aliens.** No distinction shall ever be made between citizens of the state of Kansas and the citizens of other states and territories of the United States in reference to the purchase, enjoyment or descent of property. The rights of aliens in reference to the purchase, enjoyment or descent of property may be regulated by law.

**§ 18. Justice without delay.** All persons, for injuries suffered in person, reputation or property, shall have remedy by due course of law, and justice administered without delay.

**§ 19. Emoluments or privileges prohibited.** No hereditary emoluments, honors, or privileges shall ever be granted or conferred by the state.

**§ 20. Powers retained by people.** This enumeration of rights shall not be construed to impair or deny others retained by the people; and all powers not herein delegated remain with the people.

**§ 21. Right of public to hunt, fish and trap wildlife.** The people have the right to hunt, fish and trap, including by the use of traditional methods, subject to reasonable laws and regulations that promote wildlife conservation and management and that preserve the future of hunting and fishing. Public hunting and fishing shall be a preferred means of managing and controlling wildlife. This section shall not be construed to modify any provision of law relating to trespass, property rights or water resources.

## Article 1.--EXECUTIVE

**§ 1: Executive officers; selection; terms.** The constitutional officers of the executive department shall be the governor, lieutenant governor, secretary of state, and attorney general, who shall have such

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(f) The supreme court may assign a district judge to temporarily to fill the vacancies of district courts temporarily to other districts.

(e) The supreme court or any justice thereof shall have the power to assign a judge to fill the vacancy of a district judge.

(d) Provision may be made by law for judges pro tem of the district courts.

(c) The legislature shall provide for clerks of the district courts.

(b) The district courts shall have such jurisdiction in their respective districts as may be provided by law.

(a) The terms of office of the executive officers shall be as follows: The governor shall be elected to four years and may be reelected once. The lieutenant governor shall be elected to four years and may be reelected once. The secretary of state shall be elected to four years and may be reelected once. The attorney general shall be elected to four years and may be reelected once. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be for six years. District courts shall be divided into judicial districts as provided by law. Each judicial district shall have at least one judge. District courts shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide for the manner of submission and retention of judges and for the manner of appointment to fill a vacancy that occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than thirty days after such vacancy, or as may be provided by such nonpartisan method of selection.

(a) The state shall be divided into judicial districts as provided by law. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be for six years. District courts shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide for the manner of submission and retention of judges and for the manner of appointment to fill a vacancy that occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than thirty days after such vacancy, or as may be provided by such nonpartisan method of selection.

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(a) The state shall be divided into judicial districts as provided by law. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be for six years. District courts shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide for the manner of submission and retention of judges and for the manner of appointment to fill a vacancy that occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than thirty days after such vacancy, or as may be provided by such nonpartisan method of selection.

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qualifications as are provided by law. Such officers shall be chosen by the electors of this state at the time of voting for members of the legislature in the year 1974 and every four years thereafter, and such officers elected in 1974 and thereafter shall have terms of four years which shall begin on the second Monday of January next after their election, and until their successors are elected and qualified. In the year 1974 and thereafter, at all elections of governor and lieutenant governor the candidates for such offices shall be nominated and elected jointly in such manner as is prescribed by law so that a single vote shall be cast for a candidate for governor and a candidate for lieutenant governor running together, and if such candidates are nominated by petition or convention each petition signature and each convention vote shall be made for a candidate for governor and a candidate for lieutenant governor running together. No person may be elected to more than two successive terms as governor nor to more than two successive terms as lieutenant governor.

**§ 2: Eliminated by revision.**

**§ 3: Executive power of governor.** The supreme executive power of this state shall be vested in a governor, who shall be responsible for the enforcement of the laws of this state.

**§ 4: Reports to governor.** The governor may require information in writing from the officers of the executive department, upon any subject relating to their respective duties. The officers of the executive department, and of all public state institutions, shall, at least ten days preceding each regular session of the legislature, severally report to the governor, who shall transmit such reports to the legislature.

**§ 5: Governor's duties for legislature; messages; special sessions; adjournment.** The governor may, on extraordinary occasions, call the legislature into special session by proclamation; and shall call the legislature into special session, upon petition signed by at least two-thirds of the members elected to each house. At every session of the legislature the governor shall communicate in writing information in reference to the condition of the state, and recommend such measures as he deems expedient. In case of disagreement between the two houses in respect of the time of adjournment, the governor may adjourn the legislature to such time as he deems proper, not beyond its next regular session.

The convention shall have power to choose its own officers, appoint and remove its employees and fix their compensation, determine its rules, judge the qualifications of its members, and carry on the business of the convention in an orderly manner. Each delegate shall receive such compensation as provided by law. A vacancy in the office of any delegate shall be filled as provided by law.

The convention shall have power to amend or revise all or that part of the constitution indicated by the question voted upon to call the convention, subject to ratification by the electors. No proposed constitution, or amendment or revision of an existing constitution, shall be submitted by the convention to the electors unless it has been available to the delegates in final form at least three days on which the convention is in session, prior to final passage, and receives the assent of a majority of all the delegates. The yeas and nays upon final passage of any proposal, and upon any question upon request of one-tenth of the delegates present, shall be entered in the journal of the convention.

Proposals of the convention shall be submitted to the electors at the first general or special statewide election occurring not less than two months after final action thereon by the convention, and shall take effect in accordance with the provisions thereof in such form and with such notice as is directed by the convention upon receiving the approval of a majority of the qualified electors voting thereon.

**Article 15.—MISCELLANEOUS**

**§ 1: Selection of officers.** All officers whose election or appointment is not otherwise provided for, shall be chosen or appointed as may be prescribed by law.

**§ 2: Tenure of office; merit system in civil service.** The tenure of any office not herein provided for may be declared by law; when not so declared, such office shall be held during the pleasure of the authority making appointment, but the legislature shall not create any office the tenure of which shall be longer than four years, except that appointments under a merit system in civil service shall not be subject to such limitation. The legislature may make provisions for a merit system under which appointments and promotions in the civil service of this state and all civil divisions thereof, shall be made according to merit and fitness,

provided.  
(b) In event of the failure of the governor to make the appointment within sixty days from the time the names of the nominees are submitted to him, the chief justice of the supreme court shall make the appointment from such nominees.  
(c) Each justice of the supreme court appointed pursuant to provisions of subsection (a) of this section shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of twelve months in office. Not less than sixty days prior to the holding of the general election next preceding the expiration of his term of office, any justice of the supreme court may file in the office of the secretary of state a declaration of candidacy for election to succeed himself. If a declaration is not so filed, the position held by such justice shall be open from the expiration of his term of office. If such declaration is filed, his name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:  
"Shall \_\_\_\_\_  
(Here insert name of justice.)  
\_\_\_\_\_ (Here insert the title of the court.)  
be retained in office?"  
If a majority of those voting on the question vote against retaining him in office, the position or office which he holds shall be open upon the expiration of his term of office; otherwise he shall, unless removed for cause, remain in office for the regular term of six years from the second Monday in January following such election. At the expiration of each term he shall, unless by law he is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.  
(d) A nonpartisan nominating commission whose duty it shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court is hereby established, and shall be known as the "supreme court nominating commission." Said commission shall be organized as hereinafter provided.  
(e) The supreme court nominating commission shall be composed as

provided, mineral products, money, mortgages, notes and other evidence of debt and grain. Property shall be classified into the following classes for the purpose of assessment and assessed at the percentage of value prescribed therefor:  
Class 1 shall consist of real property. Real property shall be further classified into seven subclasses. Such property shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:  
(1) Real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located....11 1/2%  
(2) Land devoted to agricultural use which shall be valued upon the basis of its agricultural income or agricultural productivity pursuant to section 12 of article 11 of the constitution.... 30%  
(3) Vacant lots.... 12%  
(4) Real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501 of the federal internal revenue code, and which is included in this subclass by law....12%  
(5) Public utility real property, except railroad real property which shall be assessed at the average rate that all other commercial and industrial property is assessed....33%  
(6) Real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use....25%  
(7) All other urban and rural real property not otherwise specifically subclassified....30%  
Class 2 shall consist of tangible personal property. Such tangible personal property shall be further classified into six subclasses, shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:  
(1) Mobile homes used for residential purposes....11 1/2%  
(2) Mineral leasehold interests except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests the average daily production from which is 100 mcf or less, which shall be assessed at 25%....30%  
(3) Public utility tangible personal property including inventories there-

resolution of the legislature for the purpose of submitting constitutional propositions, such proposition to amend the constitution shall be submitted, both by title and by the amendment as a whole, to the electors for their approval or rejection. The title by which a proposition is submitted shall be specified in the concurrent resolution making the proposition and shall be a brief nontechnical statement expressing the intent or purpose of the proposition and the effect of a vote for and a vote against the proposition. If a majority of the electors voting on any such amendment shall vote for the amendment, the same shall become a part of the constitution. When more than one amendment shall be submitted at the same election, such amendments shall be so submitted as to enable the electors to vote on each amendment separately. One amendment of the constitution may revise any entire article, except the article on general provisions, and in revising any article, the article may be renumbered and all or parts of other articles may be amended, or amended and transferred to the article being revised. Not more than five amendments shall be submitted at the same election.

## § 2: Constitutional conventions; approval by electors.

The legislature, by the affirmative vote of two-thirds of all the members elected to each house, may submit the question "Shall there be a convention to amend or revise the constitution of the state of Kansas?" or the question "Shall there be a convention limited to revision of article(s) \_\_\_\_\_ of the constitution of the state of Kansas?", to the electors at the next election for representatives, and the concurrent resolution providing for such question shall specify in such blank appropriate words and figures to identify the article or articles to be considered by the convention. If a majority of all electors voting on the question shall vote in the affirmative, delegates to such convention shall be elected at the next election for representatives thereafter, unless the legislature shall have provided by law for the election of such delegates at a special election. The electors of each representative district as organized at the time of such election of delegates shall elect as many delegates to the convention as there are representatives from such district. Such delegates shall have the same qualifications as provided by the constitution for members of the legislature and members of the legislature and candidates for membership in the legislature shall be eligible for election as delegates to the convention. The delegates so elected shall convene at the state capital on the first Tuesday in May next following such election or at an earlier date if provided by law.

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gate, exceed one million dollars, except as hereinafter provided. Every state may contract public debts; but such debts shall never, in the aggregate, exceed one million dollars, except as hereinafter provided. Every

§ 6: State debts; annual tax; proceeds. For the purpose of defraying extraordinary expenses and making public improvements, the state may contract public debts; but such debts shall never, in the aggregate, exceed one million dollars, except as hereinafter provided. Every

§ 5: Object of tax. No tax shall be levied except in pursuance of a law, which shall distinctly state the object of the same; to which object only such tax shall be applied.

§ 4: Revenue for current expenses. The legislature shall provide, at each regular session, for raising sufficient revenue to defray the current expenses of the state for two years.

§ 3: Transferred and renumbered.

§ 2: Taxation of incomes. The state shall have power to levy and collect taxes on incomes from whatever source derived, which taxes may be graduated and progressive.

§ 1: Taxation of property. The state shall have power to levy and collect taxes on property, which taxes may be graduated and progressive.

(a) All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation.

(b) All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation.

(c) Commercial and industrial machinery and equipment which, if its economic life is seven years or more, shall be valued at its retail cost when new less seven-year straight-line depreciation, or which, if its economic life is less than seven years, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost when new of such property. . . . 25%

(d) All categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985. . . . 30%

## § 6: Reorganization of state agencies of executive branch.

(a) For the purpose of transferring, abolishing, consolidating or coordinating the whole or any part of any state agency, or the functions thereof, within the executive branch of state government, when the governor considers the same necessary for efficient administration, he may issue one or more executive reorganization orders, each bearing an identifying number, and transmit the same to the legislature within the first thirty calendar days of any regular session. Agencies and functions of the legislative and judicial branches, and constitutionally delegated functions of state officers and state boards shall be exempt from executive reorganization orders.

(b) The governor shall transmit each executive reorganization order to both houses of the legislature on the same day, and each such order shall be accompanied by a governor's message which shall specify with respect to each abolition of a function included in the order the statutory authority for the exercise of the function. Every executive reorganization order shall provide for the transfer or other disposition of the records, property and personnel affected by the order. Every executive reorganization order shall provide for all necessary transfers of unexpended balances of appropriations of agencies affected by such order, and such changes in responsibility for and handling of special funds as may be necessary to accomplish the purpose of such order. Transferred balances of appropriations may be used only for the purposes for which the appropriation was originally made.

(c) Each executive reorganization order transmitted to the legislature as provided in this section shall take effect and have the force of general law on the July 1 following its transmittal to the legislature, unless within sixty calendar days and before the adjournment of the legislative session either the senate or the house of representatives adopts by a majority vote of the members elected thereto a resolution disapproving such executive reorganization order. Under the provisions of an executive reorganization order a portion of the order may be effective at a time later than the date on which the order is otherwise effective.

(d) An executive reorganization order which is effective shall be published as and with the acts of the legislature and the statutes of the state. Any executive reorganization order which is or is to become effective may be amended or repealed as statutes of the state are amended or repealed.

§ 7: Pardons. The pardoning power shall be vested in the governor, under regulations and restrictions prescribed by law.

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§ 5: Selection of justices of the supreme court. (a) Any vacancy occurring in the office of any justice of the supreme court and any position to be open thereon as a result of enlargement of the court, or the retirement or failure of an incumbent to file his declaration of candidacy to succeed himself as hereinafter required, or failure of a justice to be elected to succeed himself, shall be filled by appointment by the governor of one or three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter

§ 4: Reporter, clerk. There shall be appointed, by the justices of the supreme court, a reporter and clerk of said court, who shall hold their offices two years, and whose duties shall be prescribed by law.

§ 3: Jurisdiction and terms. The supreme court shall have original jurisdiction in proceedings in quo warranto, mandamus, and habeas corpus; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the state.

§ 2: Supreme court. The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and not fewer than four justices shall be necessary for a decision. The term of office of the justices shall be six years except as hereinafter provided. The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning from the court. Upon such declaration or resignation, the justice who is next senior in continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

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§ 8: Eliminated by revision.

§ 9: State seal and commissions. There shall be a seal of the state, which shall be kept by the governor, and used by him officially, and which shall be the great seal of Kansas. All commissions shall be issued in the name of the state of Kansas; and shall be signed by the governor, countersigned by the secretary of state, and sealed with the great seal.

§ 10: Eliminated by revision.

§ 11: Vacancies in executive offices. When the office of governor is vacant, the lieutenant governor shall become governor. In the event of the disability of the governor, the lieutenant governor shall assume the powers and duties of governor until the disability is removed. The legislature shall provide by law for the succession to the office of governor should the offices of governor and lieutenant governor be vacant, and for the assumption of the powers and duties of governor during the disability of the governor, should the office of lieutenant governor be vacant or the lieutenant governor be disabled. When the office of secretary of state or attorney general is vacant, the governor shall fill the vacancy by appointment for the remainder of the term. If the secretary of state or attorney general is disabled, the governor shall name a person to assume the powers and duties of the office until the disability is removed. The procedure for determining disability and the removal thereof shall be provided by law.

§ 12: Lieutenant governor. The lieutenant governor shall assist the governor and have such other powers and duties as are prescribed by law.

§ 13: Eliminated by revision.

§ 14: Eliminated by revision.

§ 15: Compensation of officers. The officers mentioned in this article shall at stated times receive for their services a such compensation as is established by law, which shall not be diminished during their terms of office, unless by general law applicable to all salaried officers of the state. Any person exercising the powers and duties of an office mentioned in this article shall receive the compensation established by law for that office.

§ 1: Judicial power; seals; rules. The judicial power of this state

Article 3.—JUDICIAL

§ 30: Delegation of powers to interstate bodies. The legislature may confer legislative powers upon interstate bodies, comprised of officers of this state or its political subdivisions acting in conjunction with officers of other jurisdictions, relating to the functions thereof. Any such delegation, and any agreement made thereunder shall be subject to limitation, change or termination by the legislature, unless contained in a compact approved by the congress.

§ 29: Eliminated by revision.

§ 28: Officers impeachable; grounds; punishment. The governor and all other officers under this constitution, shall be removed from office on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors.

§ 27: Impeachment. The house of representatives shall have the sole power to impeach. All impeachments shall be tried by the senate; and when sitting for that purpose, the senators shall take an oath to do justice according to the law and the evidence. No person shall be convicted without the concurrence of two-thirds of the senators then elected (or appointed) and qualified.

§ 26: Repealed. § 25: Eliminated by revision.

§ 24: Appropriations. No money shall be drawn from the treasury except in pursuance of a specific appropriation made by law.

§ 23: Eliminated by revision.

No member of the legislature shall be subject to arrest -- except for treason, felony or breach of the peace -- in going to, or returning from, the place of meeting, or during the continuance of the session; neither shall he be subject to the service of any civil process during the session, nor for fifteen days previous to its commencement.

(d) Powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measure of self-government.

(e) This amendment shall be effective on and after July 1, 1961.

§ 6: Definition of corporations; suits. The term corporations, as used in this article, shall include all associations and joint stock companies having powers and privileges not possessed by individuals or partnerships; and all corporations may sue and be sued in their corporate name.

Article 13.—BANKS

§ 1: Banking laws. No bank shall be established otherwise than under a general banking law, nor be operated otherwise than by a duly organized corporation.

§ 2: State not to be stockholder. The state shall not be a stockholder in any banking institution, except that any retirement or pension plan authorized pursuant to the laws of this state may be a stockholder in any banking institution.

§ 3: Eliminated by revision.

§ 4: Eliminated by revision.

§ 5: Transferred and renumbered as § 2 by revision.

§ 6: Eliminated by revision.

§ 7: Eliminated by revision.

§ 8: Eliminated by revision.

§ 9: Eliminated by revision.

Article 14.—CONSTITUTIONAL AMENDMENT AND REVISION

§ 1: Proposals by legislature; approval by electors. Proposals for the amendment of this constitution may be made by concurrent resolution originating in either house of the legislature, and if two-thirds of all the members elected (or appointed) and qualified of each house shall approve such resolution, the secretary of state shall cause such resolution to be published in the manner provided by law. At the next election for representatives or a special election called by concurrent

§ 9: Internal improvements; state highway system; flood control; conservation or development of water resources. The state shall never be a party in carrying on any work of internal improvement except that: (1) It may adopt, construct, reconstruct and maintain a state system of highways, but no general property tax shall ever be laid nor general obligation bonds issued by the state for such highways; (2) It may be a party to flood control works and works for the conservation or development of water resources; (3) It may, for the purpose of stimulating economic development and private sector job creation in all areas of the state, participate in the development of a capital formation system and have a limited role in such system through investment of state funds authorized in accordance with law; (4) It may be a party to any work of internal improvement, whenever any work of internal improvement not authorized by (1), (2) or (3) is once authorized by a separate bill passed by the affirmative vote of not less than two-thirds of all members

§ 7: Election on indebtedness. No debt shall be contracted by the state except as herein provided, unless the proposed law for creating such debt shall first be submitted to a direct vote of the electors of the state at some general election; and if such proposed law shall be ratified by a majority of all the votes cast at such general election, then it shall be the duty of the legislature next after such election to enact such law and create such debt, subject to all the provisions and restrictions provided in the preceding section of this article.

§ 8: Borrowing money by state. The state may borrow money to repel invasion, suppress insurrection, or defend the state in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized, or to the repayment of the debt thereby created.





