



STATE OF KANSAS

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CURT T. SCHNEIDER  
*Attorney General*

March 13, 1975

Opinion No. 75- 115

The Honorable Robert F. Bennett  
Governor of Kansas  
2nd Floor - State Capitol Building  
Topeka, Kansas 66612

Dear Bob:

I have your letter of March 10 past. I enclose a copy of my recent opinion to Paul and Sharon Hess, concerning their residence in Wichita. Because of Article 2, § 4, which prescribes residence qualifications particularly for members of the legislature, the opinion is only partially applicable to your circumstances.

Unlike members of the legislature, you continue to enjoy the benefit of K.S.A. 25-108 thus:

"That for the purpose of voting, no person who is in the employment of this state or any municipal subdivision thereof in any civil capacity shall be deemed to have gained or lost a residence by reason of such employment, but all such officers or employees shall be considered as residents of the place from whence they were elected or appointed."

In view of your stated intention to return to Johnson County when your tenure at Cedar Crest is concluded, there is no basis for the suggestion that you have abandoned your Johnson County residence, which remains unaltered by operation of law, per K.S.A. 25-108, upon your removal to your official residence in Topeka.

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Accordingly, in my opinion, you remain eligible to vote in the coming city and school district elections on April 1.

With every good wish.

Yours very truly,



CURT T. SCHNEIDER  
Attorney General

CTS:JRM:kj

Enclosure