

HOUSE BILL No. 2543

By Committee on Elections

1-26

Proposed Amendments to HB 2543 #3
Representative Sawyer
February 16, 2016
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Office of Revisor of Statutes

1 AN ACT concerning elections; requiring a manual audit of certain election
2 results.

relating to the time of canvassing;

; amending K.S.A. 2015 Supp. 25-3104 and repealing
the existing section

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) Prior to the meeting of the county board of canvassers
6 to certify the official election results for any election in which the
7 canvassers certify the results, the county election officer shall conduct a
8 manual audit or tally of each vote cast, regardless of the method of voting,
9 in 1% of all precincts located within the county or in a district or race
10 designated by the secretary of state.

11 (b) The audit shall be performed manually and shall review the paper
12 ballot or paper ballot equivalent on any electronic voting device. The audit
13 shall be performed by a sworn election board consisting of bi-partisan
14 trained board members. The county election officer will determine the
15 members of the sworn election board who will conduct the audit.

16 (c) At least five days prior to the audit, notice of the time and location
17 of the audit shall be provided to the public on the official county website.
18 The audit shall be conducted in a public setting. Any candidate or entity
19 who is authorized to appoint a poll watcher may appoint a poll watcher for
20 the audit.

agent

21 (d) The results of the audit shall be compared to the unofficial
22 election night returns and a report shall be submitted to the county election
23 office and to the secretary of state's office prior to the meeting of the
24 county board of canvassers. If a discrepancy is reported between the audit
25 and the unofficial returns and cannot be resolved, the county election
26 officer or the secretary of state may require audits of additional precincts.
27 Once the audit has been completed, the results of the audit shall be used by
28 the county board of canvassers when certifying the official election results.
29 (e) The secretary of state shall adopt rules and regulations governing
30 the conduct and procedure of the audit, including the random selection of
31 the precinct districts.

32 Sec. 2. This act shall take effect and be in force from and after July 1,
33 2017 and its publication in the statute book.

2016,

Sec. 2. K.S.A. 2015 Supp. 25-3104 is hereby amended to read as follows: 25-3104. The original canvass of every election shall be performed by the election boards at the voting places. The county election officer shall present the original returns, together with the ballots, books and any other records of the election, for the purpose of canvass, to the county board of canvassers at any time between 8 a.m. and 10 a.m. on the Monday next following any election held on a Tuesday, except that the county election officer may move the canvass to the second Thursday following the election if notice is published prior to the canvass in a newspaper with general circulation in the county a business day not later than 13 days following any election, except that a county election official may move the canvass up to four business days later. Notice of the time and place of the canvass shall be published in a newspaper of general circulation in the county prior to the canvass. For elections not held on a Tuesday, the canvass by the county board of canvassers shall be held on a day and hour designated by it, and not later than the fifth 13th business day following the day of such election.

Sec. 3. K.S.A. 2015 Supp. 25-3104 is hereby repealed.

And by renumbering sections accordingly