

HOUSE BILL No. 2197

By Representative Miller

1-29

AN ACT concerning elections; relating to removal of voter's name from voter registration list; amending K.S.A. 25-2316c and repealing the existing section.

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

Section 1. K.S.A. 25-2316c is hereby amended to read as follows: 25-2316c. (a) When a registered voter changes name by marriage, divorce or legal proceeding, if such voter is otherwise qualified to vote at such voting place such voter shall be allowed to vote a provisional ballot at any election, or apply for an advance voting ballot, on the condition that such voter first completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to update the registration records, if appropriate, for voting in future elections. The county election officer shall send, by nonforwardable mail, a notice of disposition to any voter completing such application.

(b) When a registered voter changes residence, such voter shall reregister in order to be eligible to vote, except that when a registrant has moved from an address on the registration book to another address within the county and has not reregistered, such registrant shall be allowed to vote a provisional ballot at any election, or to apply for an advance voting ballot, on the condition that such registrant first completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to update the registration record, if appropriate, for voting in future elections. The county election officer shall send, by nonforwardable mail, a notice of disposition to any such voter. Whenever the county election officer receives from any other election officer a notice of registration of a voter in a different place than that shown in the records of the county election officer, such officer shall remove the name of such voter from the registration book and party affiliation list.

(c) Every application for registration completed under this section shall be returned to the county election officer with the registration books.

(d) A registrant shall not be removed from the registration list on the ground that the registrant has changed residence unless the registrant:

1 (1) Confirms in writing that the registrant has moved outside the
2 county in which the registrant is registered, or registers to vote in any
3 other jurisdiction; ~~or~~

4 (2) has failed to respond to the notice described in subsection (e) and
5 has not appeared to vote in an election during the period beginning on
6 the date of the notice and ending on the day after the date of the second
7 federal general election that occurs after the date of the notice; *or*

8 (3) *has failed to vote in two consecutive general elections.*

9 (e) A county election officer shall send a confirmation notice upon
10 which a registrant may state such registrant's current address, within 45
11 days of the following events:

12 (1) A notice of disposition of an application for voter registration is
13 returned as undeliverable;

14 (2) change of address information supplied by the National Change
15 of Address program identifies a registrant whose address may have
16 changed;

17 (3) if it appears from information provided by the postal service that
18 a registrant has moved to a different residence address in the county in
19 which the registrant is currently registered; or

20 (4) if it appears from information provided by the postal service that
21 a registrant has moved to a different residence address outside the county
22 in which the registrant is currently registered.

23 The confirmation notice shall be sent by forwardable mail and shall
24 include a postage prepaid and preaddressed return card in a form pre-
25 scribed by the chief state election official.

26 (f) Except as otherwise provided by law, when a voter dies or is dis-
27 qualified for voting, the registration of the voter shall be void, and the
28 county election officer shall remove such voter's name from the registra-
29 tion books and the party affiliation lists. Whenever (1) an obituary notice
30 appears in a newspaper having general circulation in the county reports
31 the death of a registered voter, or (2) a registered voter requests in writing
32 that such voter's name be removed from registration, or (3) a court of
33 competent jurisdiction orders removal of the name of a registered voter
34 from registration lists, or (4) the name of a registered voter appears on a
35 list of deceased residents compiled by the secretary of health and envi-
36 ronment as provided in K.S.A. 65-2422, and amendments thereto, or
37 appears on a copy of a death certificate provided by the secretary of health
38 and environment, the county election officer shall remove from the reg-
39 istration books and the party affiliation lists in such officer's office the
40 name of any person shown by such list or death certificate to be deceased.
41 The county election officer shall not use or permit the use of such lists
42 of deceased residents or copies for any other purpose than provided in
43 this section.

1 (g) When the chief state election official receives written notice of a
2 felony conviction in a United States district court, such official shall notify
3 within five days the county election officer of the jurisdiction in which
4 the offender resides. Upon notification of a felony conviction from the
5 chief state election official, or from a county or district attorney or a
6 Kansas district court, the county election officer shall remove the name
7 of the offender from the registration records.

8 (h) Except as otherwise provided in this section, no person whose
9 name has been removed from the registration books shall be entitled to
10 vote until such person has registered again.

11 (i) *Whenever the county election official removes a voter's name from*
12 *the registration list pursuant to paragraph (3) of subsection (d), the county*
13 *election officer, within 45 days of such removal, shall send a written notice*
14 *to the voter affected. The notice shall be mailed to the voter's last known*
15 *address as shown in the records of the county election official. The notice*
16 *shall be accompanied by an application for voter registration.*

17 Sec. 2. K.S.A. 25-2316c is hereby repealed.

18 Sec. 3. This act shall take effect and be in force from and after its
19 publication in the statute book.

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