

HOUSE BILL No. 2019

AN ACT concerning elections; amending K.S.A. 25-4502 and 25-4503 and K.S.A. 2007 Supp. 25-1122, 25-1123, 25-2908, 25-3002 and 25-4501 and repealing the existing sections.

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

Section 1. From and after January 1, 2010, K.S.A. 2007 Supp. 25-1122 is hereby amended to read as follows: 25-1122. (a) Any registered voter may file with the county election officer where such person is a resident, or where such person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. The signed application shall be transmitted only to the county election officer by personal delivery, mail, facsimile or as otherwise provided by law.

(b) If the registered voter is applying for an advance voting ballot to be transmitted in person, ~~and such voter is a first-time voter,~~ such voter shall provide ~~a form of valid identification such as a current and valid Kansas driver's license, nondriver's identification card, utility bill, bank statement, paycheck, government check or other government document containing the voter's current name and address as indicated on the registration book. Such voter shall not be required to provide identification if such voter has previously provided current and valid identification in the county where registered.~~ to the election officer: (1) *The voter's name;* (2) *if required, the voter's address;* (3) *the voter's signature on the registration book or application for an advance voting ballot as prescribed in K.S.A. 25-1122d, and amendments thereto;* and (4) *a current and valid form of identification listed in subsection (i) of section 3 and amendments thereto. A current and valid form of identification listed in subsection (i) of section 3, and amendments thereto, shall be presented in addition to any other form of identification required pursuant to this section. A signature may be made by mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding. A signature may be made by another person at the voter's direction if the signature reflects such voter's intention.*

The election officer shall compare the voter's signature on the registration book or application for an advance voting ballot as prescribed in K.S.A. 25-1122d, and amendments thereto, with the signature on the photographic identification provided by the voter. If the election officer is satisfied as to the identity of the voter, the election officer shall provide to the voter an advance voting ballot. If the photographic identification does not contain the signature of the voter, an additional form of identification that provides the voter's signature shall be required from the voter. The additional form of identification shall comply with the provisions of subsection (i) of section 3 and amendments thereto.

(c) If the registered voter is applying for an advance voting ballot to be transmitted by mail, and such voter is a first-time voter, such voter shall provide on the application for an advance voting ballot the voter's current and valid Kansas driver's license number, nondriver's identification card number or the last four digits of the voter's social security number, or shall provide with the application a copy of the voter's current and valid Kansas driver's license, nondriver's identification card, ~~utility bill, bank statement, paycheck, government check~~ or other government document containing the voter's current name and address as indicated on the registration book. Such voter shall not be required to provide identification if such voter has previously provided current and valid identification in the county where registered.

(d) If a ~~first-time~~ voter is unable or refuses to provide current and valid identification, or if the name and address do not match the voter's name and address on the registration book, the voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto. The voter shall provide a valid form of identification as defined in subsection (c) of this section to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) Applications for advance voting ballots to be transmitted to the voter by mail shall be filed only at the following times:

- (1) For the primary election occurring on the first Tuesday in August

in even-numbered years, between April 1 of such year and the last business day of the week preceding such primary election.

(2) For the general election occurring on the Tuesday succeeding the first Monday in November in even-numbered years, between 90 days prior to such election and the last business day of the week preceding such general election.

(3) For the primary election held five weeks preceding the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such primary election.

(4) For the general election occurring on the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such general election.

(5) For question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election.

(6) For question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the last business day of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the county election officer shall determine the final date for mailing of advance voting ballots, but such date shall not be more than three business days before such election.

(7) For any special election of officers, at such time as is specified by the secretary of state.

(8) For the presidential preference primary, between January 1 of the year in which such primary is held and the last business day of the week preceding such primary election.

The county election officer of any county may receive applications prior to the time specified in this subsection (e) and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(f) Unless an earlier date is designated by the county election office, applications for advance voting ballots transmitted to the voter in person in the office of the county election officer shall be filed on the Tuesday next preceding the election and on each subsequent business day until no later than 12:00 noon on the day preceding such election. If the county election officer so provides, applications for advance voting ballots transmitted to the voter in person in the office of the county election officer also may be filed on the Saturday preceding the election. Upon receipt of any such properly executed application, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act.

An application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language or by a person rendering assistance to such voter may be filed during the regular advance ballot application periods until the close of the polls on election day.

In any county having a population exceeding 250,000, the county election officer may designate places other than the central county election office as satellite advance voting sites. At any satellite advance voting site, a registered voter may obtain an application for advance voting ballots, such ballots and instructions shall be delivered to the voter in the same manner and subject to the same limitations as otherwise provided by this subsection.

(g) Any person having a permanent disability or an illness which has been diagnosed as a permanent illness is hereby authorized to make an application for permanent advance voting status. Applications for permanent advance voting status shall be in the form and contain such information as is required for application for advance voting ballots and also shall contain information which establishes the voter's right to permanent advance voting status.

(h) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, together with their correct post office address and the precinct, ward, township or voting area in which such persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant. Such names

and addresses shall remain so listed until the day of such election. The county election officer shall maintain a separate listing of the names and addresses of persons qualifying for permanent advance voting status. All such lists shall be available for inspection upon request in compliance with this subsection by any registered voter during regular business hours. The county election officer upon receipt of such applications shall enter upon a record kept by such officer the name and address of each applicant, which record shall conform to the list above required. Before inspection of any advance voting ballot application list, the person desiring to make such inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by such officer stating such person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the voter identification information required by subsections (b) and (c) and the identifying number on ballots and ballot envelopes and records of such numbers shall not be made public.

(i) If a person on the permanent advance voting list fails to vote in two consecutive general elections held on the Tuesday succeeding the first Monday in November of each even-numbered year, the county election officer may mail a notice to such voter. Such notice shall inform the voter that the voter's name will be removed from the permanent advance voting list unless the voter renews the application for permanent advance voting status within 30 days after the notice is mailed. If the voter fails to renew such application, the county election officer shall remove the voter's name from the permanent advance voting list. Failure to renew the application for permanent advance voting status shall not result in removal of the voter's name from the voter registration list.

(j) For the purposes of this section, "first-time voter" means a registered voter who has not previously voted in any election in the county in which the voter desires to vote. First-time voter includes a person whose name was removed from the county registration list in accordance with K.S.A. 25-2316c, and amendments thereto, and who has re-registered.

(k) The secretary of state may adopt rules and regulations defining valid forms of identification.

(l) *The following persons are exempt from the identification requirements of this section, except for first-time voters:*

- (1) *Persons 65 years of age or older;*
- (2) *persons with a temporary or permanent physical disability;*
- (3) *members of the uniformed service on active duty who, by reason of such active duty, are absent from the county on election day;*
- (4) *members of the merchant marine who, by reason of service in the merchant marine, are absent from the county on election day;*
- (5) *the spouse or dependent of a member referred to in paragraph (3) or (4) who, by reason of the active duty or service of the member, is absent from the county on election day; and*
- (6) *persons currently residing outside the United States who are eligible to vote in Kansas.*

Sec. 2. From and after January 1, 2010, K.S.A. 2007 Supp. 25-1123 is hereby amended to read as follows: 25-1123. (a) When an application for an advance voting ballot has been filed in accordance with K.S.A. 25-1122, and amendments thereto, the county election officer shall transmit to the voter applying therefor one each of the appropriate ballots. Except as provided by subsection (b), the county election officer shall transmit the advance voting ballots to the voter at one of the following addresses as specified by the voter on such application: (1) The voter's residential address or mailing address as indicated on the registration list; (2) the voter's temporary residential address; or (3) a medical care facility as defined in K.S.A. 65-425, and amendments thereto, psychiatric hospital, hospice or adult care home where the voter resides. No advance voting ballot shall be transmitted by the county election officer by any means prior to the 20th day before the election for which an application for an advance voting ballot has been received by such county election officer. If the advance voting ballot is transmitted by mail, such ballot shall be transmitted with printed instructions prescribed by the secretary of state

and a ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot. If the advance voting ballot is transmitted to the applicant in person in the office of the county election officer or at a satellite advance voting site, such advance voting ballot and printed instructions shall be transmitted in an advance voting ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot unless the voter elects to deposit the advance voting ballot into a locked ballot box without an envelope. All ballots shall be transmitted to the advance voting voter not more than 20 days before the election but within two business days of the receipt of such voter's application by the election officer or the commencement of such 20-day period. In primary elections required to be conducted on a partisan basis, the election officer shall deliver to such voter the ballot of the political party of the applicant.

(b) The restrictions in subsection (a) relating to where a county election officer may transmit an advance voting ballot shall not apply to an advance voting ballot requested pursuant to an application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language.

(c) The county election officer shall compare the driver's license number, nondriver's identification card number, ~~social security number or copy of other valid identification provided by a first-time voter to the voter registration list verified by the division of motor vehicles in accordance with federal law~~ *the last four digits of the voter's social security number or other government document containing the voter's current name and address as indicated in the registration book to the voter registration list verified by the division of motor vehicles in accordance with federal law.* If no identification information was provided by the ~~first-time~~ voter, or if such information does not match the information on the voter registration list, the county election officer shall not transmit an advance voting ballot.

(d) *The following persons are exempt from the identification requirements of this section, except for first-time voters as defined in K.S.A. 25-1122, and amendments thereto:*

- (1) *Persons 65 years of age or older;*
- (2) *persons with a temporary or permanent physical disability;*
- (3) *members of the uniformed service on active duty who, by reason of such active duty, are absent from the county on election day;*
- (4) *members of the merchant marine who, by reason of service in the merchant marine, are absent from the county on election day;*
- (5) *the spouse or dependent of a member referred to in paragraph (3) or (4) who, by reason of the active duty or service of the member, is absent from the county on election day; and*
- (6) *persons currently residing outside the United States who are eligible to vote in Kansas.*

Sec. 3. From and after January 1, 2010, K.S.A. 2007 Supp. 25-2908 is hereby amended to read as follows: 25-2908. (a) Each polling place shall use either: (1) A registration book and a poll book, as defined in K.S.A. 25-2507(a) and K.S.A. 25-2507(b)(1), and amendments thereto; or (2) a registration book, as defined in K.S.A. 25-2507(b)(2), and amendments thereto. The county election officer shall determine which books are used in each county, and which book voters shall sign.

(b) A person desiring to vote shall provide to the election board: (1) the voter's name; (2) if required, the voter's address; ~~and~~ (3) the voter's signature on the registration or poll book; *and (4) a current and valid form of identification listed in subsection (i). A current and valid form of identification listed in subsection (i) shall be presented in addition to any other form of identification required pursuant to this section.* A signature may be made by mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding. A signature may be made by another person at the voter's direction if the signature reflects such voter's intention.

(c) A member of the election board shall:

- (1) Announce the voter's name in a loud and distinct tone of voice,

and, if the name is in the registration books, the member of the election board having the registration record shall repeat the name;

(2) request the voter's signature on the registration or poll book;

(3) provide the required signature at the request of and on behalf of any voter who is unable to personally affix a signature by reason of temporary illness or disability, or lack of proficiency in reading the English language;

~~(4) if the voter is a first-time voter as described in subsection (h) of this section, request valid identification from the voter unless such voter has previously submitted current and valid identification in the county where registered; verify whether the photographic identification provided by the voter bears a signature. If the member of the election board is satisfied as to the identity of the voter, the member of the election board shall place such member's initials in the space provided and allow the voter to vote. If the photographic identification does not contain the signature of the voter, an additional form of identification that provides the voter's signature shall be required from the voter;~~

(5) give the voter one ballot, on the upper right-hand corner of which shall be written the number corresponding to the voter's number in the registration book or poll book; and

(6) mark the voter's name in the registration book and party affiliation list.

~~(d) A first-time voter shall provide to the election board a form of valid identification such as a current and valid Kansas driver's license, nondriver's identification card, utility bill, bank statement, paycheck, government check or other government document unless such voter has previously submitted current and valid identification in the county where registered. The document provided in accordance with this section shall contain the voter's current name and address as indicated on the registration book or poll book.~~

~~(e)(d)~~ If a first-time voter is unable or refuses to provide current and valid identification at the polling place, or if the name and address do not match the voter's name and address on the registration book or poll book, the voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto. The voter shall provide a valid form of identification as defined in subsection (d) of this section to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

~~(e)~~ (e) If the name of any person desiring to vote at an election is not in the registration books, an election board member shall print the name and address of the person appearing to vote in the registration book or poll book. The person appearing to vote shall add such person's signature to the registration book or poll book beside such person's printed name, as listed in the registration book or poll book, and the election board judge shall challenge such person's vote pursuant to K.S.A. 25-414, and amendments thereto. During the pendency of a challenge other voters shall be given ballots and be permitted to vote.

~~(f)~~ (f) A voter who has received an advance voting ballot may vote a provisional ballot on election day at the precinct polling place where the voter resides. If the voter returns the advance voting ballot to a judge or clerk at the precinct polling place, the judge or clerk shall void such advance voting ballot. Any such provisional ballot shall be counted only if the county board of canvassers determines that the provisional ballot was properly cast and the voter has not otherwise voted at such election.

~~(g)~~ (g) For the purposes of this section, "first-time voter" means a registered voter who has not previously voted in any election in the county in which the voter desires to vote. First-time voter includes a person whose name was removed from the county registration list in accordance with K.S.A. 25-2316c, and amendments thereto, and has re-registered.

~~(h)~~ (h) The secretary of state may adopt rules and regulations defining valid forms of identification.

(i) (1) *The following forms of identification shall be considered cur-*

rent and valid if such form of identification contains the name and photograph of the applicant and an expiration date which has not expired:

(A) *A Kansas driver's license;*

(B) *a Kansas identification card issued by the Kansas department of revenue;*

(C) *a United States passport;*

(D) *an employee badge or identification;*

(E) *a debit or credit card;*

(F) *a military identification;*

(G) *a student identification; or*

(H) *a public assistance identification.*

(2) *If the voter fails to furnish the identification required by this subsection, the voter shall be allowed to vote a provisional ballot. The canvassing board shall determine the validity of the ballot pursuant to K.S.A. 25-3002 and amendments thereto.*

(j) *The following persons are exempt from the identification requirements of this section, except for first-time voters:*

(1) *Persons 65 years of age or older;*

(2) *persons with a temporary or permanent physical disability;*

(3) *members of the uniformed service on active duty who, by reason of such active duty, are absent from the county on election day;*

(4) *members of the merchant marine who, by reason of service in the merchant marine, are absent from the county on election day;*

(5) *the spouse or dependent of a member referred to in paragraph (3) or (4) who, by reason of the active duty or service of the member, is absent from the county on election day; and*

(6) *persons currently residing outside the United States who are eligible to vote in Kansas.*

Sec. 4. From and after January 1, 2010, K.S.A. 2007 Supp. 25-3002 is hereby amended to read as follows: 25-3002. (a) The rules prescribed in this section shall apply to:

(1) The original canvass by election boards.

(2) Intermediate and final canvasses by county boards of canvassers.

(3) Final canvass by the state board of canvassers.

(4) All election contests.

(5) All other officers canvassing or having a part in the canvass of any election.

(b) Rules for canvassers:

(1) No ballot, or any portion thereof, shall be invalidated by any technical error unless it is impossible to determine the voter's intention. Determination of the voter's intention shall rest in the discretion of the board canvassing in the case of a canvass and in the election court in the case of an election contest.

(2) The occurrences listed in this subpart (2) shall not invalidate the whole ballot but shall invalidate that portion, and that portion only, in which the occurrence appears. The votes on such portion of the ballot shall not be counted for any candidate listed or written in such portion, but the remainder of the votes in other portions of the ballot shall be counted. The occurrences to which this subpart (2) shall apply are:

(A) Whenever a voting mark shall be made in the square *or oval* at the left of the name of more than one candidate for the same office, except when the ballot instructs that more than one candidate is to be voted.

(B) Whenever a voting mark is placed in the square *or oval* at the left of a space where no candidate is listed.

(3) When a registered voter has cast a provisional ballot intended for a precinct other than the precinct in which the voter resides but located within the same county, the canvassers shall count the votes for those offices or issues which are identical in both precincts. The canvassers shall not count the votes for those offices or issues which differ from the offices or issues appearing on the ballot used in the precinct in which the voter resides.

(4) A write-in vote for those candidates for the offices of governor and lieutenant governor shall not be counted unless the pair of candidates have filed an affidavit of candidacy pursuant to K.S.A. 25-305 and amendments thereto, and:

(A) Both candidates' names are written on the ballot; or

(B) only the name of the candidate for governor is written on the ballot.

(5) A write-in vote for those candidates for the offices of president and vice-president shall not be counted unless the pair of candidates have filed an affidavit of candidacy pursuant to K.S.A. 25-305 and amendments thereto, and:

(A) Both candidates' names are written on the ballot; or

(B) only the name of the candidate for president is written on the ballot.

(6) A write-in vote for candidates for state offices elected on a statewide basis other than offices subject to paragraph (4) shall not be counted unless the candidate has filed an affidavit of candidacy pursuant to K.S.A. 25-305, and amendments thereto.

(7) Any advance voting or mail ballot whose envelope containing the voter's written declaration is unsigned, shall be wholly void and no vote thereon shall be counted.

(8) No ballot cast by a ~~first-time voter as defined by K.S.A. 25-1122, and amendments thereto, or K.S.A. 25-2908, and amendments thereto,~~ voter shall be counted if the voter fails to provide valid identification *unless such voter is exempt from identification requirements as specified in subsection (k) of K.S.A. 25-1122, and amendments thereto, subsection (d) of K.S.A. 25-1123, and amendments thereto, or subsection (j) of K.S.A. 25-2908, and amendments thereto.*

New Sec. 5. (a) Any person who is 18 years of age or older and less than 65 years old may receive a nondriver's identification card free of charge upon application to the division of motor vehicles to meet requirements for photographic identification under this act. Such person shall sign an affidavit stating that such person is a registered voter or plans to register to vote and that the person: (1) Receives any of the following: Food stamps, general assistance, supplemental security income (SSI), temporary assistance to families, medicaid, united tribes food distribution program, BIA general assistance, administered temporary assistance for needy families, head start but only those meeting its income qualifying standard, or free school lunch program or (2) resides in a household whose income is 150% or less of the federal poverty level.

(b) The secretary of revenue shall adopt rules and regulations to implement this section.

(c) Any person who signs an affidavit provided in subsection (a) knowing the information is false, shall be guilty of an unclassified misdemeanor subject to a fine of not to exceed \$250.

New Sec. 6. (a) Except as provided in subsection (b), from and after August 1, 2008, any registered voter who is applying for an advance voting ballot in person and any registered voter who requests a ballot at a polling place shall be requested to provide a form of current and valid identification. The following forms of identification shall be considered current and valid if such form of identification contains the name and photograph of the applicant and an expiration date which has not expired:

(1) A Kansas driver's license;

(2) a Kansas identification card issued by the Kansas department of revenue;

(3) a United States passport;

(4) an employee badge or identification;

(5) a debit or credit card;

(6) a military identification;

(7) a student identification; or

(8) a public assistance identification.

(b) All first-time voters shall be required to provide a form of current and valid identification listed in subsection (a).

(c) Any registered voter who is not a first-time voter and who is unable to provide or refuses to provide such additional form of current and valid identification shall be allowed to vote as otherwise provided by law, and such ballot shall not be invalidated on the basis of failure to provide valid identification.

(d) County election officers and election board members shall distribute information to all registered voters applying for an advance ballot in person or requesting a ballot at a polling place written material which explains: (1) The provisions of this act requiring valid identification when

voting on and after January 1, 2010, and (2) the ability of any person who meets poverty guidelines provided in section 5, and amendments thereto, to obtain a nondriver's identification card free of charge.

(e) This section shall expire on January 1, 2010.

Sec. 7. From and after January 1, 2010, K.S.A. 2007 Supp. 25-4501 is hereby amended to read as follows: 25-4501. ~~(a)~~ Subject to the provisions of this section, there shall be held a presidential preference primary election in the year 2012, *on the first Saturday in February*, and every fourth year thereafter.

~~(b) On or before November 1, 2011, and on or before November 1 every fourth year thereafter, the secretary of state shall certify to the governor, to the chief clerk of the house of representatives and to the secretary of the senate a common date in the next succeeding year on which at least five other states will hold a presidential preference primary election, a delegate or mass convention or a caucus of qualified voters at which delegates to a national convention are selected. On or before each such date, if the secretary of state determines that there is no common date on which at least five states are conducting such a selection process in the next succeeding year, the secretary of state shall certify to the governor, the chief clerk of the house of representatives and the secretary of the senate on a date, which shall be on or before the first Tuesday in April of the next following year, on which the presidential preference primary election shall be held.~~

~~(c) The date certified by the secretary of state pursuant to subsection (b) shall be the date on which the presidential preference primary election authorized by subsection (a) shall be held in the state of Kansas.~~

Sec. 8. From and after January 1, 2010, K.S.A. 25-4502 is hereby amended to read as follows: 25-4502. (a) Every registered elector who has declared such elector's party affiliation with a political party eligible to participate in a state primary election shall have the opportunity to vote one vote at a presidential preference primary election for such elector's preference for one person to be the candidate for nomination by such candidate's party for president of the United States or for "none of the names shown." Any registered elector who has not declared such candidate's party affiliation prior to the election may make such a declaration at the polling place, and thereupon shall be permitted likewise the opportunity to vote one vote at the presidential preference primary. A vote for "none of the names shown" shall express the preference for an uncommitted delegation from Kansas to the national convention of that elector's party. Preference shall be indicated by marking with a cross or check mark inside a voting square on the ballot at the left of the voter's choice, or by voting by using a voting machine.

(b) The name of any candidate for a political party nomination for president of the United States shall be printed on the ballots only if, not later than twelve o'clock noon, ~~February 12 prior to~~ *on the date which precedes by seven weeks the date of the presidential preference primary* or, if such date falls on Saturday, Sunday or a holiday, not later than twelve o'clock noon the following day that is not a Saturday, Sunday or holiday:

(1) The candidate files with the secretary of state a declaration of intent to become a candidate accompanied by a fee of \$100; or

(2) there is filed in the office of secretary of state a petition in the form prescribed by K.S.A. 25-205, and amendments thereto, signed by not less than 1,000 registered electors, who are affiliated with the political party of such candidate as shown by the party affiliation list. The secretary of state shall determine the sufficiency of each such petition, and such determination shall be final.

Sec. 9. From and after January 1, 2010, K.S.A. 25-4503 is hereby amended to read as follows: 25-4503. (a) The names of the candidates for nomination for president of the United States by a political party eligible to participate in a state primary election shall be printed on the official ballots for the presidential preference primary elections of their respective parties along with the choice of "none of the names shown." The ballots shall be marked, returned and canvassed in the same manner and under the same conditions, so far as the same are applicable, as in the case of the primary election of candidates for nomination for state offices.

(b) The official presidential preference primary election ballots shall be printed in a single column and shall have the following heading:

**OFFICIAL PRESIDENTIAL PREFERENCE
PRIMARY ELECTION BALLOT**

_____Party

To vote for a person whose name is printed on the ballot make a cross or check mark in the square to the left of the name of the person for whom you desire to vote. To vote for “none of the names shown” make a cross or check mark in the square to the left of such words.

This shall be followed by the names of the candidates for president of the United States of such party in the manner and order certified by the secretary of state.

(c) As soon as possible after ~~February 12~~ *the candidate filing deadline as specified in subsection (b) of K.S.A. 25-4502, and amendments thereto*, secretary of state shall certify to each county election officer the name of each person who is a candidate for nomination to be president of the United States of each party authorized to participate in the presidential preference primary election. The secretary of state shall publish, not less than 21 days prior to the presidential preference primary, a notice in one newspaper in each county of the state where a newspaper is published, that the official list of candidates and the date of the election can be acquired in the office of the secretary of state or the office of the county election officer.

(d) When a party participating in the presidential preference primary election has more than one candidate, the secretary of state shall determine by lot the order in which the candidates' names will appear on the ballot. The order of names, as established by the secretary of state, shall be uniform in each county throughout the state.

Sec. 10. On and after January 1, 2010, K.S.A. 25-4502 and 25-4503 and K.S.A. 2007 Supp. 25-1122, 25-1123, 25-2908, 25-3002 and 25-4501 are hereby repealed.

Sec. 11. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.