

SENATE BILL No. 133

By Committee on Elections and Local Government

1-22

10 AN ACT concerning elections; relating to election crimes; relating to
11 advance voting suppression.

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

14 Section 1. Advance voting suppression is knowingly, **with intent to**
15 **impede, obstruct or influence the election process:** (a) Destroying or
16 altering ~~any~~ **another person's** advance voting ballot applied for, or com-
17 pleted, by a registered voter, ~~regardless of whether or not such registered~~
18 ~~voter has knowledge of destruction or alteration~~ **unless such registered**
19 **voter consents in writing to such destruction or alteration;**

20 (b) obstructing the delivery of an advance voting ballot to a voter or
21 a completed advance voting ballot to the county election officer;

22 (c) failing to deliver any such advance voting ballot to the appropriate
23 county election officer within two business days ~~as directed by the voter~~
24 **or before the close of polls on election day, whichever first occurs;**

25 (d) delivering an advance voting ballot to or causing the delivery of
26 an advance voting ballot to any place other than the county election office;

27 (e) exercising undue influence upon an advance voter in applying for,
28 ~~transmitting~~ **delivering** or marking an advance voting ballot; or

29 (f) opening an advance voting ballot envelope sealed by the voter or
30 examining or disclosing the contents of such voter's advance voting ballot
31 except as required to fulfill official duties as otherwise prescribed by law.

32 (g) **Delivering an advance voting ballot to the United States**
33 **mail, with first-class postage attached, at least five calendar days**
34 **prior to election day for delivery to the county election officer shall**
35 **not be a violation of this section.**

36 (h) *As used in this section:*

37 (1) **“Undue influence” means coercion, compulsion or restraint**
38 **as to diminish the voter's free agency, and by overcoming the power**
39 **of resistance, obliges or causes such voter to adopt the will of an-**
40 **other; and**

41 (2) **“deliver” means hand-deliver, mail or otherwise transmit an**
42 **advance voting ballot.**

43 Advance voting suppression is a severity level 9, nonperson felony.

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