

As Amended by Senate Committee

Session of 2007

SENATE BILL No. 283

By Senator Francisco

2-5

10 AN ACT concerning election boards; relating to the operation thereof;
11 amending K.S.A. 25-2810 and repealing the existing section.
12

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

14 Section 1. K.S.A. 25-2810 is hereby amended to read as follows: 25-
15 2810. (a) Each election board shall have control of its voting place and
16 election procedure under the sole supervision of the secretary of state,
17 county election officer, deputy county election officers and the supervising
18 judge. The election board shall open the polls at the time specified
19 by the county election officer. The judges shall have charge of the ballots
20 and the supervising judge shall designate one of their number to furnish
21 them to voters as provided by law.

22 (b) Any election board of five or more members may be divided by
23 the county election officer into a receiving board and a counting board,
24 and the receiving board shall furnish and receive ballots and record the
25 names of voters. The receiving board shall have control of the voting place
26 and election procedure under the sole supervision and direction of the
27 secretary of state, county election officer, deputy county election officers,
28 and the supervising judge. The receiving board shall open and close the
29 polls at the time specified by the county election officer.

30 (c) The counting board or boards, if any, shall proceed to their voting
31 place after the opening of the polls at the hour specified by the county
32 election officer.

33 (d) At national and state elections, both primary and general, the
34 counting board, if any, shall take charge of one of the ballot boxes con-
35 taining the national and state ballots already cast in that precinct. It shall
36 retire to a partitioned room or space in the voting place provided for that
37 purpose and there proceed to count and tabulate the ballots cast as it
38 shall find them deposited in the national and state ballot box. The re-
39 ceiving board shall continue to receive the votes of electors in another
40 national and state ballot box, and in a county and township ballot box until
41 such time as the counting board shall have finished counting and tabu-
42 lating the ballots cast in the first national and state ballot box. They shall
43 then exchange the first box for the second national and state box, and so

1 continue until they have counted and tabulated all the votes cast on that
2 election day in the national and state ballot boxes. Counting boards may,
3 in like manner, count the ballots in other ballot boxes when only an un-
4 substantial number of national and state ballots have been cast and are
5 uncounted, and likewise at elections where there are no national and state
6 ballots. Prior to the closing of the polls, no ballots shall be counted from
7 any ballot box containing less than 50 ballots. No result of the count shall
8 be made known to any person not on the election board, except the county
9 election officer or such officer's deputies, until after the time to close the
10 polls.

11 (e) At city and school elections, both primary and general, the count-
12 ing board, if any, shall take charge of a ballot box containing one kind of
13 ballot. Such board shall then proceed, as in national and state elections,
14 to count and tabulate the ballots cast. When the ballots in such ballot box
15 have been counted, the box shall be exchanged for another ballot box and
16 so continue until all of the ballots of every kind are counted and tabulated.

17 (f) When the hour arrives for closing the polls, the election board,
18 including both the receiving and counting boards if any, shall continue in
19 the work of counting, tabulating and summarizing the votes, and making
20 their certificates as to the result of the election.

21 (g) All of the judges and clerks at the same voting place **on duty**
22 **when the polls close** shall unite in certifying the election results as pro-
23 vided in K.S.A. 25-3006 and amendments thereto.

24 (h) (1) *In accordance with rules and regulations adopted by the sec-*
25 *retary of state, the county election officer may allocate staffing resources;*
26 *as needed at the voting place except that two members of the election*
27 *board, one of which is the supervising judge, shall be on duty for the*
28 *entire time the polls are open.*

29 (2) *The secretary of state may adopt rules and regulations to imple-*
30 *ment the provisions of this section.*

31 Sec. 2. K.S.A. 25-2810 is hereby repealed.

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