

Approved: 3/16/97
Date

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE.

The meeting was called to order by Chairperson Janice Hardenburger at 5:00 p.m. on February 25, 1997 in Room 529-S of the Capitol.

All members were present.

Committee staff present: Dennis Hodgins, Legislative Research Department
Mike Heim, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Bonnie Fritts, Committee Secretary

Conferees appearing before the committee:

Others attending:

Chairperson Hardenburger asked for committee action on bills previously heard.

SB 145 **Concerning elections; relating to advance voting**

Balloons were submitted for committee review with several amendments recommended by the Secretary of State's office that would facilitate voting (Attachment 1). Staff explained the amendments. There was discussion about information requested on the application form and how that form is handled.

Senator Steineger moved to adopt the amendments on page 2, adding language to lines 24 & 25; on page 5, striking language on lines 25 & 26; on page 6, adding language to line 40; and adding new Sec. 8 on page 9. Senator Praeger seconded the motion. The motion passed.

Senator Steineger made a motion to pass the bill as amended. Senator Praeger seconded the motion. The motion carried.

SB 323 **Concerning county clerks and election commissioners; relating to qualifications for office**

Senator Vidricksen made a motion to adopt the amendments submitted at a meeting on February 24, 1997. Senator Lawrence seconded the motion. The motion carried.

Senator Praeger moved to pass the bill as amended. Senator Vidricksen seconded the motion. The motions passed.

The meeting was adjourned at 5:45 p.m.

The next meeting is scheduled for 1:30 p.m. March 5, 1997.

SENATE BILL No. 145

By Committee on Elections and Local Government

1-29

9 AN ACT concerning elections; relating to advance voting; amending
10 K.S.A. 25-3301 and K.S.A. 1996 Supp. 25-1120, 25-1122, 25-1123, 25-
11 1124, 25-1128 and 25-2316c and repealing the existing sections.
12

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

14 Section 1. K.S.A. 1996 Supp. 25-1120 is hereby amended to read as
15 follows: 25-1120. When the names to appear on ballots are definitely
16 known and not later than 20 days prior to any primary, general or question
17 submitted election each county election officer shall cause to be prepared
18 such number of advance voting ballots and ballot envelopes as in the
19 election officer's judgment are necessary to carry out the requirements
20 of this act. Except as otherwise provided in this section, such ballots shall
21 contain the names ~~and cities of residence~~ of all persons who are candi-
22 dates for all national, state, county, city, township and school offices,
23 which names may be written, typewritten or printed. On the same line
24 with each candidate's name shall be a square in the ordinary form, or
25 parentheses in which the voter can place a cross or check mark. In the
26 case of elections required by law to be conducted on a partisan basis, such
27 ballot shall indicate the political party of each candidate. In all counties
28 in which the same, or reproductions of the same, ballots which are pre-
29 sented to electors at the polls for voting on election day can be used for
30 advance voting, the names of candidates for the offices of precinct com-
31 mitteeman and committeewoman shall be printed on the ballots. In coun-
32 ties in which ballots or reproductions of ballots presented to electors at
33 the polls for voting on election day cannot be used for advance voting,
34 the ballots may contain blank lines for writing in names of candidates for
35 precinct committeemen and committeewomen together with the number
36 of the precinct or name of the township of such candidate. On the same
37 line with each blank line shall be a square in the ordinary form or paren-
38 thesis in which the voter can place the appropriate mark.

39 The county election officer of any county may number such advance
40 voting ballots. If the county election officer of any county elects to prepare
41 advance voting ballots and ballot envelopes without identifying consecu-
42 tive numbers, such officer shall prepare and distribute such ballots and
43 envelopes in accordance with a plan approved by the secretary of state.

SENATE ELECTIONS ↓
LOCAL GOVERNMENT
2-25-97
ATTACHMENT 1

1 If the county election officer elects to number such ballots, all advance
 2 voting ballots shall be consecutively numbered, and the ballot envelope
 3 for each ballot, if such envelope is required as provided in K.S.A. 25-
 4 1123, and amendments thereto, shall bear the same number as the ballot.
 5 The ballot envelope shall also bear a declaration in substance as follows:

6 **THIS DECLARATION MUST BE**
 7 **COMPLETED AND SIGNED**

8 "I _____ do hereby declare that I marked the enclosed ballot and that such ballot
 9 was enclosed and sealed in this envelope by me. My legal residence is in the _____
 10 precinct, _____ township, (or, in the _____ precinct of the _____ ward,
 11 _____ street in the city of _____), in the county of _____, state
 12 of Kansas.

13 (Signed) _____"

14 The ballot envelope shall also contain a statement advising the voter
 15 that the signed envelope will be separated from the ballot to guarantee
 16 the confidentiality of the vote cast.

17 The ballot envelope to be used for voting by a former precinct resident
 18 shall also state the place of former residence of the voter and the date of
 19 removal therefrom to the voter's present residence.

20 Sec. 2. K.S.A. 1996 Supp. 25-1122 is hereby amended to read as
 21 follows: 25-1122. (a) Any person described in K.S.A. 25-1119, and amend-
 22 ments thereto, may file with the county election officer where such person
 23 is a resident, or where such person is authorized by law to vote as a former
 24 precinct resident, an application for an advance voting ballot. *The signed*
 25 *application may be transmitted to the county election officer by facsimile.*

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

28 (1) For the primary election occurring on the first Tuesday in August
 29 in even-numbered years, between April 1 of such year and the last busi-
 30 ness day of the week preceding such primary election.

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

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

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

41 (5) For question submitted elections occurring on the date of a pri-
 42 mary or general election, the same as is provided for ballots for election
 43 of officers at such election.

OK

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

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

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

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

17 (c) Except as otherwise provided in subsection (e), applications made
18 by persons specified in K.S.A. 25-1119, and amendments thereto, for
19 advance voting ballots to be transmitted to the voter in person in the
20 office of the county election officer shall be filed only on the Tuesday
21 next preceding the election, or such earlier date as the county election
22 officer may designate, on each subsequent business day and, if the county
23 election officer so provides, on Saturday, until no later than 12:00 noon
24 on the day preceding such election. Upon receipt of any such application,
25 properly executed, the county election officer shall deliver to the voter
26 such ballots and instructions as are provided for in this act.

27 (d) Any person having a permanent physical disability or an illness
28 which has been diagnosed as a permanent illness who would be qualified
29 to vote an advance voting ballot pursuant to K.S.A. 25-1119, and amend-
30 ments thereto, is hereby authorized to make an application for permanent
31 advance voting status. Applications for permanent advance voting status
32 shall be in the form and contain such information as is required for ap-
33 plication for advance voting ballots but shall also contain information
34 which establishes the voter's right to permanent advance voting status.

35 (e) On receipt of any application filed under the provisions of this
36 section, the county election officer shall prepare and maintain in such
37 officer's office a list of the names of all persons who have filed such
38 applications, together with their correct post office address and the pre-
39 cinct, ward, township or voting area in which such persons claim to be
40 registered voters or to be authorized by law to vote as former precinct
41 residents and the present resident address of each applicant, which names
42 and addresses shall remain so listed until the day of such election available
43 for inspection upon request in compliance with this subsection by any

1 registered voter during regular business hours. The county election offi-
 2 cer upon receipt of such applications shall enter upon a record kept by
 3 such officer the name and address of each such person, which record
 4 shall conform to the list above required. The county election officer shall
 5 maintain a separate listing of the names and addresses of persons quali-
 6 fying for permanent advance voting status. Before inspection of any ad-
 7 vance voting ballot application list, the person desiring to make such in-
 8 spection shall provide to the county election officer identification in the
 9 form of driver's license or other reliable identification and shall sign a log
 10 book or application form maintained by such officer stating such person's
 11 name and address and showing the date and time of inspection. All re-
 12 cords made by the county election officer shall be subject to public in-
 13 spection, except that the identifying number on ballots and ballot enve-
 14 lopes and records of such number shall in no case be made public.

15 (f) If an advance voting ballot is destroyed, spoiled, lost or not re-
 16 ceived by the voter, the voter may request a replacement ballot from the
 17 county election officer as provided in this subsection. When a request is
 18 timely received under this subsection, the county election officer shall
 19 deliver the ballot to the voter if the voter is present in the office of the
 20 county election officer, or promptly transmit the ballot by mail to the
 21 voter at the address contained in the original application, except when
 22 prohibited in the subsection. The county election officer shall keep a
 23 record of each replacement advance voting ballot provided under this
 24 subsection.

25 Sec. 3. K.S.A. 1996 Supp. 25-1123 is hereby amended to read as
 26 follows: 25-1123. When an application for an advance voting ballot has
 27 been filed in accordance with K.S.A. 25-1122, and amendments thereto,
 28 the county election officer shall transmit to the voter applying therefor
 29 one each of the appropriate ballots. *The county election officer shall trans-*
 30 *mit the advance voting ballots to the voter at one of the following addresses*
 31 *as specified by the voter on such application: (a) The voter's ~~residence~~*
 32 *address or mailing address as indicated on the registration list; (b) the*
 33 *voter's temporary residential address; or (c) a medical care facility as*
 34 *defined in K.S.A. 65-425, and amendments thereto, psychiatric hospital,*
 35 *hospice or adult care home where the voter resides. No advance voting*
 36 *ballot shall be transmitted by the county election officer by any means*
 37 *prior to the 20th day before the election for which an application for an*
 38 *advance voting ballot has been received by such county election officer.*
 39 *If the advance voting ballot is transmitted by mail, such ballot shall be*
 40 *transmitted with printed instructions prescribed by the secretary of state*
 41 *and a ballot envelope bearing upon the outside a printed form as de-*
 42 *scribed in K.S.A. 25-1120, and amendments thereto, and the same num-*
 43 *ber as the number of the ballot. If the advance voting ballot is transmitted*

residential

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

13 Sec. 4. K.S.A. 1996 Supp. 25-1124 is hereby amended to read as
 14 follows: 25-1124. (a) Any person qualified to vote pursuant to K.S.A. 25-
 15 1119, and amendments thereto, upon receiving any ballot transmitted to
 16 such person as provided in this act, shall cast their vote as follows: The
 17 voter shall make a cross or check mark in the square or parentheses
 18 opposite the name of each candidate or question for whom the voter
 19 desires to vote. The voter shall make no other mark, and shall allow no
 20 other person to make any mark, upon such ballot. If the advance voting
 21 ballot was transmitted by mail, the voter shall ~~then~~ personally place the
 22 ballot in the ballot envelope bearing the same number as the ballot and
 23 seal the envelope. The voter shall ~~then~~ fill out in full the form on the
 24 ballot envelope and shall sign the same. The ballot envelope shall be
 25 mailed or otherwise transmitted to the county election officer ~~for to the~~
 26 ~~precinct polling place before the close of the polls on election day.~~ If the
 27 advance voting ballot was transmitted to the voter in person in the office
 28 of the county election officer, the voter may deposit such ballot into a
 29 locked ballot box without an envelope.

30 (b) Any sick, physically disabled or illiterate voter who is unable to
 31 apply for or mark or transmit an advance voting ballot, may request as-
 32 sistance in applying for or marking or transmitting an advance voting
 33 ballot.

34 (c) *An application for an advance voting ballot filed by a sick, phys-*
 35 *ically disabled or illiterate voter or by a person rendering assistance to*
 36 *such voter may be filed during the regular advance ballot application*
 37 *periods until the close of the polls on election day.* ~~Any such voted ballot~~
 38 ~~shall be transmitted to the county election officer before the close of the~~
 39 ~~polls on election day.~~

40 (e) (d) The county election officer shall allow a person to assist a sick,
 41 physically disabled or illiterate voter in applying for or marking or trans-
 42 mitting an application or advance voting ballot, provided a written state-
 43 ment is signed by the person who renders assistance to the sick, physically

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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 business address; (3) the voter's temporary residential or business address; or (4) 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.

1 disabled or illiterate voter and submitted to the county election officer
 2 with the application or ballot. The statement shall be on a form prescribed
 3 by the secretary of state and shall contain a statement from the person
 4 providing assistance that the person has not exercised undue influence
 5 on the voting decision of the sick, physically disabled or illiterate voter
 6 and that the person providing assistance has completed the application
 7 or marked the ballot as instructed by the sick, physically disabled or illit-
 8 erate voter.

9 ~~(d)~~ (e) Any person assisting a sick, physically disabled or illiterate
 10 voter in applying for or marking or transmitting an advance voting ballot
 11 who knowingly and willfully fails to sign and submit the statement re-
 12 quired by this section shall be guilty of a class E felony.

13 Sec. 5. K.S.A. 1996 Supp. 25-1128 is hereby amended to read as
 14 follows: 25-1128. (a) No voter shall mark or transmit to the county elec-
 15 tion officer more than one advance voting ballot, or set of one of each
 16 kind of ballot, if the voter is entitled to vote more than one such ballot
 17 at a particular election.

18 (b) No person, unless authorized by K.S.A. 25-1119, and amend-
 19 ments thereto, shall mark, sign or transmit to the county election officer
 20 any advance voting ballot or advance voting ballot envelope.

21 (c) *No person, unless authorized by K.S.A. 25-1122 or K.S.A. 25-1124,*
 22 *and amendments thereto, shall intercept, interfere with, or delay the*
 23 *transmission of advance voting ballots from the county election officer to*
 24 *the voter.*

25 ~~(e)~~ (d) No person shall willfully and falsely affirm, declare or sub-
 26 scribe to any material fact in an affirmation form for an advance voting
 27 ballot, or set of advance voting ballots if the voter is entitled to vote more
 28 than one kind of advance voting ballot at a particular election, or in a
 29 declaration form on an advance voting ballot envelope.

30 ~~(d)~~ (e) Nothing in this section shall be construed to prohibit any per-
 31 son from mailing, carrying or otherwise conveying advance voting ballots
 32 or sets of advance voting ballots to the county election officer upon re-
 33 quest of advance voting voters.

34 ~~(e)~~ (f) Violation of any provision of this section is a class C misde-
 35 meanor.

36 Sec. 6. K.S.A. 1996 Supp. 25-2316c is hereby amended to read as
 37 follows: 25-2316c. (a) When a registered voter changes name by marriage,
 38 divorce or legal proceeding, if such voter is otherwise qualified to vote at
 39 such voting place such voter shall be allowed to vote a provisional ballot
 40 at any election on the condition that such voter first completes the ap-
 41 plication for registration prescribed by K.S.A. 25-2309, and amendments
 42 thereto. Completion of the application shall authorize the county election
 43 officer to update the registration records, if appropriate, for voting in

, or apply for an advance voting ballot,

1 future elections. The county election officer shall send, by nonforward-
2 able first-class mail, a notice of disposition to any voter completing such
3 application.

4 (b) When a registered voter changes residence, such voter must rer-
5 egister in order to be eligible to vote, except that when a registrant has
6 moved from an address on the registration book to another address within
7 the county and has not reregistered, such registrant shall be allowed to
8 vote a provisional ballot at any election, *or to apply for an advance voting*
9 *ballot*, on the condition that such registrant first completes the application
10 for registration prescribed by K.S.A. 25-2309, and amendments thereto.
11 Completion of the application shall authorize the county election officer
12 to update the registration record, if appropriate, for voting in future elec-
13 tions. The county election officer shall send, by nonforwardable first-class
14 mail, a notice of disposition to any such voter. Whenever the county elec-
15 tion officer receives from any other election officer a notice of registration
16 of a voter in a different place than that shown in the records of the county
17 election officer, such officer shall remove the name of such voter from
18 the registration book and party affiliation list.

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

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

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

26 (2) has failed to respond to the notice described in subsection (e) and
27 has not appeared to vote in an election during the period beginning on
28 the date of the notice and ending on the day after the date of the second
29 federal general election that occurs after the date of the notice.

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

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

35 (2) change of address information supplied by the National Change
36 of Address program identifies a registrant whose address may have
37 changed;

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

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

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

4 (f) Except as otherwise provided by law, when a voter dies or is dis-
5 qualified for voting, the registration of the voter shall be void, and the
6 county election officer shall remove such voter's name from the registra-
7 tion books and the party affiliation lists. Whenever (1) an obituary notice
8 appears in a newspaper having general circulation in the county reports
9 the death of a registered voter, or (2) a registered voter requests in writing
10 that such voter's name be removed from registration, or (3) a court of
11 competent jurisdiction orders removal of the name of a registered voter
12 from registration lists, or (4) the name of a registered voter appears on a
13 list of deceased residents compiled by the secretary of health and envi-
14 ronment as provided in K.S.A. 65-2422, and amendments thereto, or
15 appears on a copy of a death certificate provided by the secretary of health
16 and environment, the county election officer shall remove from the reg-
17 istration books and the party affiliation lists in such officer's office the
18 name of any person shown by such list or death certificate to be deceased.
19 The county election officer shall not use or permit the use of such lists
20 of deceased residents or copies for any other purpose than provided in
21 this section.

22 (g) When the chief state election official receives written notice of a
23 felony conviction in a United States district court, such official shall notify
24 within five days the county election officer of the jurisdiction in which
25 the offender resides. Upon notification of a felony conviction from the
26 chief state election official, or from a county or district attorney or a
27 Kansas district court, the county election officer shall remove the name
28 of the offender from the registration records.

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

32 Sec. 7. K.S.A. 25-3301 is hereby amended to read as follows: 25-
33 3301. (a) Each registered voter of this state who has declared a party
34 affiliation as provided in this section or in K.S.A. 25-3304, and amend-
35 ments thereto, shall be entitled to vote at every partisan primary election.

36 (b) The county election officer shall prepare for each voting place at
37 each partisan primary election a party affiliation list, duly certified by such
38 officer, which clearly indicates the party affiliation of each registered voter
39 in the voting area who has declared a party affiliation. The registration
40 book prepared for a voting place pursuant to K.S.A. 25-2318, and amend-
41 ments thereto, may be used as such list, but no registration book prepared
42 for use at a voting place in an election other than a partisan primary
43 election or an election held at the same time as a partisan primary election

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1 shall indicate in any manner the party affiliation of any voter. Such list
2 shall be delivered by the supervising judge to the voting place before the
3 opening of the polls.

4 (c) The party affiliation list provided for by subsection (b) shall be
5 used to determine the party affiliation of a voter offering to vote at a
6 partisan primary election *and to a voter applying for an advance voting*
7 *ballot pursuant to K.S.A. 25-1122, and amendment thereto.* If a voter's
8 party affiliation is not indicated on the party affiliation list, such voter
9 shall state ~~his or her~~ *the voter's* party affiliation in writing on a form
10 prescribed by the secretary of state. ~~One of the judges then~~ *A judge at*
11 *the precinct polling place, or the county election officer or such officer's*
12 *designee,* shall give such voter a primary ballot of the voter's party affilia-
13 tion, and such person thereupon shall be entitled to vote. Such a state-
14 ment of party affiliation shall constitute a declaration of party affiliation,
15 and all such signed statements shall be returned to the county election
16 officer, who shall cause them to be recorded on the party affiliation list.

17 (d) No voter shall be allowed to receive the ballot of any political
18 party except that with which such voter is affiliated.

19 (e) Party affiliation statements shall be preserved for five (5) years.
20 The county election officer may ~~then~~ dispose of the statements in the
21 manner approved for destruction of ballots as provided in K.S.A. 25-2708,
22 and amendments thereto.

23 (f) The county election officer shall update party affiliation lists as
24 provided by rules and regulations of the secretary of state.

25 Sec. ~~[8-]~~ K.S.A. 25-3301 and K.S.A. 1996 Supp. 25-1120, 25-1122, 25-
26 1123, 25-1124, 25-1128 ~~and 25-2316c~~ are hereby repealed.

27 Sec. ~~[9-]~~ This act shall take effect and be in force from and after its
28 publication in the statute book.

Sec. 8. See Attached
, 25-2316c and 25-2908

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Sec. 8. K.S.A. 1996 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) Persons desiring to vote shall give their names, and if required their residence, to the judges of election, one of whom shall announce the 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. For the purpose of identifying voters at the polling place, the voter shall add the voter's signature, as listed in the registration book, to the registration book beside the voter's printed name or to the poll book and the voter shall be allowed to vote. An election board member shall provide the required signature at the request of and on behalf of any voter who is unable to personally affix a handwritten signature by reason of physical disability, visual handicap or lack of proficiency in reading the English language or any voter 65 or more years of age. The judges shall give the voter one and only one of each ballot to be cast at the election, on the upper right-hand corner of each of which shall be written the number corresponding to the voter's number in the registration book or poll books, and the voter's name shall be marked in the registration books and the party affiliation list. If the voter refuses to sign the registration book or poll book, the election board judge shall challenge such person's vote pursuant to K.S.A. 25-414, and amendments thereto.

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.

(c) A voter who has received an advance voting ballot may vote a regular ballot on election day at the precinct polling place where the voter resides if the voter first 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.