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MEMORANDUM

To: Chairperson Thompson
Members of the Senate Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: February 6, 2024

Subject: SB 365 – Requiring advance voting ballots be returned by the close of the polls on election day.

Senate Bill No. 365 (SB 365) would amend K.S.A. 25-1132, which governs the return of advance voting ballots. Under current law, all advance voting ballots that are postmarked by the close of the polls on election day and received by the county election office by the last delivery of the United States postal service on the third day after the day of the election may be included in the canvass of ballots. SB 365 would remove the three-day post-election time period for receiving advance voting ballots by the county election office. Under SB 365 all advance voting ballots must be received by the county election office by the close of the polls (7 p.m.) on the day of the election.

An identical bill, SB 209, was passed by the Legislature during the 2023 legislative session and was vetoed by the Governor.

If enacted, SB 365 would become effective on July 1, 2024.