

Session of 2018

**HOUSE BILL No. 2604**

By Committee on Elections

2-1

1 AN ACT concerning elections; amending K.S.A. 25-3205 and 25-3206 and K.S.A. 2017 Supp. 25-2360  
2 and repealing the existing sections.  
3

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

5 Section 1. K.S.A. 25-3205 is hereby amended to read as follows: 25-  
6 3205. (a) The state board of canvassers shall be the board of canvassers for  
7 the final canvass of the primary election of national and state officers.  
8 Provisions of law relating to the canvass of the national and state general  
9 elections shall, as far as applicable, apply to the canvass and certification  
10 of the secretary of state of ~~such~~ the primary elections. The state board of  
11 canvassers shall meet at the office of the secretary of state on the call of  
12 the secretary of state as soon as convenient after the tabulation of the  
13 returns is made. The meeting shall be called not later than September 1  
14 next following ~~such~~ the election, except when ~~such~~ the date falls on  
15 Sunday, then not later than the next following day which is not a legal  
16 holiday, and may recess from time to time until the final canvass is  
17 completed.

18 As soon as ~~such~~ the final canvass of the primary election shall be  
19 completed, the secretary of state shall publish in the Kansas register a  
20 certified statement of the candidates for the presidential electors, United  
21 States senator, representatives in congress and all state officers or so many  
22 of ~~such~~ the officers as may have been voted for at ~~such~~ the election. On the  
23 fourth day after the completion of such final canvass or as soon as  
24 practicable thereafter, the secretary of state shall mail to each candidate  
25 found by the state board of canvassers to be duly nominated a certificate of  
26 nomination, showing the name of the candidate, the party by whom  
27 nominated and the office for which the candidate is nominated as specified  
28 in the nomination papers and determined by the state board of canvassers.

29 (b) *The secretary of state shall publish on the official secretary of*  
30 *state website results by precinct for all statewide offices and for state*  
31 *legislative offices as soon as practicable after the final canvass of the*  
32 *primary election is complete.*

33 Sec. 2. K.S.A. 25-3206 is hereby amended to read as follows: 25-  
34 3206. (a) The state board of canvassers shall make the final canvass of  
35 national and state primary and general elections. ~~Such~~ The board shall also  
36 make the final canvass of elections upon constitutional amendments and

1 all questions submitted to election on a statewide basis, including  
2 questions on retention in office of justices of the supreme court, judges of  
3 the court of appeals and judges of the district court.

4 (b) For the purpose of canvassing elections specified in subsection  
5 (a), the state board of canvassers shall meet on the call of the secretary of  
6 state, in the secretary's office, as soon as convenient after the tabulation of  
7 the returns is made. In the case of general elections, the meeting shall be  
8 called not later than December 1 next following ~~such~~ the election, except  
9 when ~~such~~ the date falls on Sunday, then not later than the following day,  
10 and may recess from time to time until the canvass is completed.

11 (c) The state board of canvassers shall, upon the abstracts on file in  
12 the office of secretary of state, proceed to make final canvass of any  
13 election for officers specified in subsection (a). The state board of  
14 canvassers shall certify a statement which shall show the names of the  
15 persons receiving votes for any of ~~such~~ the offices, and the whole number  
16 received by each, distinguishing the districts and counties in which they  
17 were voted.

18 (d) The state board of canvassers shall, upon the abstracts on file in  
19 the office of the secretary of state, proceed to make final canvass and  
20 determination of the result of statewide question submitted elections. The  
21 state board of canvassers shall certify a statement of the number of votes  
22 on each question and the result thereof.

23 (e) The state board of canvassers shall certify such statements to be  
24 correct, and the members shall subscribe their names thereto, and the  
25 board shall determine what persons have been elected to such offices and  
26 the members shall endorse and subscribe on the statement a certificate of  
27 ~~such~~ the determination and deliver them to the secretary of state.

28 (f) *The secretary of state shall publish on the official secretary of*  
29 *state website election results by precinct for all statewide offices and for*  
30 *legislative offices as soon as practicable after the final canvass of the*  
31 *general election results.*

32 Sec. 3. K.S.A. 25-3205 and 25-3206 are hereby repealed.

33 Sec. 4. This act shall take effect and be in force from and after its  
34 publication in the statute book.

Sec. 3. K.S.A. 2017 Supp. 25-2360 is hereby amended to read as follows: 25-2360. The secretary of state shall issue a press release and post a notice on the secretary of state's website notifying the public whenever the online voter registration website is unavailable for a period of 24 hours or more.

and K.S.A. 2017 Supp. 25-2360

And by renumbering sections accordingly