

SENATE BILL No. 264

By Senator Faust-Goudeau

1-5

1 AN ACT concerning elections; relating to application and ballot signature
2 requirements for disabled voters; amending K.S.A. 2017 Supp. 25-
3 1122, 25-1124 and 25-1128 and repealing the existing sections.
4

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

6 Section 1. K.S.A. 2017 Supp. 25-1122 is hereby amended to read as
7 follows: 25-1122. (a) Any registered voter may file with the county
8 election officer where the person is a resident, or where the person is
9 authorized by law to vote as a former precinct resident, an application for
10 an advance voting ballot. The signed application shall be transmitted only
11 to the county election officer by personal delivery, mail, facsimile or as
12 otherwise provided by law.

13 (b) If the registered voter is applying for an advance voting ballot to
14 be transmitted in person, the voter shall provide identification pursuant to
15 K.S.A. 25-2908, and amendments thereto.

16 (c) If the registered voter is applying for an advance voting ballot to
17 be transmitted by mail, the voter shall provide with the application for an
18 advance voting ballot the voter's current and valid Kansas driver's license
19 number, nondriver's identification card number or a photocopy of any
20 other identification provided by K.S.A. 25-2908, and amendments thereto.

21 (d) A voter may vote a provisional ballot according to K.S.A. 25-409,
22 and amendments thereto, if:

23 (1) The voter is unable or refuses to provide current and valid
24 identification; or

25 (2) the name and address of the voter provided on the application for
26 an advance voting ballot do not match the voter's name and address on the
27 registration book. The voter shall provide a valid form of identification as
28 defined in K.S.A. 25-2908, and amendments thereto, to the county election
29 officer in person or provide a copy by mail or electronic means before the
30 meeting of the county board of canvassers. At the meeting of the county
31 board of canvassers the county election officer shall present copies of
32 identification received from provisional voters and the corresponding
33 provisional ballots. If the county board of canvassers determines that a
34 voter's identification is valid and the provisional ballot was properly cast,
35 the ballot shall be counted.

36 (e) No county election officer shall provide an advance voting ballot

1 primary or general election, between the time of the first published notice
2 thereof and the Tuesday of the week preceding such question submitted
3 election, except that if the question submitted election is held on a day
4 other than a Tuesday, the final date for mailing of advance voting ballots
5 shall be one week before such election.

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

8 The county election officer of any county may receive applications
9 prior to the time specified in this subsection and hold such applications
10 until the beginning of the prescribed application period. Such applications
11 shall be treated as filed on that date.

12 (g) Unless an earlier date is designated by the county election office,
13 applications for advance voting ballots transmitted to the voter in person in
14 the office of the county election officer shall be filed on the Tuesday next
15 preceding the election and on each subsequent business day until no later
16 than 12 noon on the day preceding such election. If the county election
17 officer so provides, applications for advance voting ballots transmitted to
18 the voter in person in the office of the county election officer also may be
19 filed on the Saturday preceding the election. Upon receipt of any such
20 properly executed application, the county election officer shall deliver to
21 the voter such ballots and instructions as are provided for in this act.

22 An application for an advance voting ballot filed by a voter who has a
23 temporary illness or disability or who is not proficient in reading the
24 English language or by a person rendering assistance to such voter may be
25 filed during the regular advance ballot application periods until the close
26 of the polls on election day.

27 The county election officer may designate places other than the central
28 county election office as satellite advance voting sites. At any satellite
29 advance voting site, a registered voter may obtain an application for
30 advance voting ballots. Ballots and instructions shall be delivered to the
31 voter in the same manner and subject to the same limitations as otherwise
32 provided by this subsection.

33 ~~(h) Any person having a permanent disability or an illness which has
34 been diagnosed as a permanent illness is hereby authorized to make an
35 application for permanent advance voting status. Applications for
36 permanent advance voting status shall be in the form and contain such
37 information as is required for application for advance voting ballots and
38 also shall contain information which establishes the voter's right to
39 permanent advance voting status.~~

40 (i) On receipt of any application filed under the provisions of this
41 section, the county election officer shall prepare and maintain in such
42 officer's office a list of the names of all persons who have filed such
43 applications, together with their correct post office address and the

The application for an advance voting ballot shall constitute the application for permanent advance voting status and the information contained in the application for an advance voting ballot as required by this section and for the application for permanent advance voting status shall be the same. The application shall provide in a type, size and format that is conspicuous in relation to the surrounding material, a means for an applicant to select whether the applicant is requesting an advance voting ballot only or also requesting permanent advance voting status. An application for an advance voting ballot submitted under the provisions of this section shall be considered an application for permanent advance voting status when the option for permanent advance voting status on the application is selected by the applicant. If an applicant for permanent advance voting status qualifies for an advance voting ballot under this section or qualifies for a provisional ballot and subsequently provides a signature that can be verified, the applicant shall be granted permanent advance voting status.