

SENATE BILL No. 37

By Committee on Ethics, Elections and Local Government

1-18

1 AN ACT concerning elections; dealing with voting procedures; amending
2 K.S.A. 25-601 and K.S.A. 2016 Supp. 25-210, 25-414, 25-2309, 25-
3 2352 and 25-3002 and repealing the existing sections.

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

6 Section 1. K.S.A. 2016 Supp. 25-210 is hereby amended to read as
7 follows: 25-210. (a) The official primary election ballot for national and
8 state offices and the official primary election ballot for county and
9 township offices of each political party shall be arranged on the ballot,
10 printed, voted, and canvassed in the same manner as is now or hereafter
11 provided by law for the arrangement, printing, voting, and canvassing of
12 official general ballots for national and state offices and official general
13 ballots for county and township offices, except as otherwise provided by
14 law.

15 (b) The official primary election ballot for municipal elections in odd-
16 numbered years shall be arranged and printed by the county election
17 officer.

18 (c) *Nothing in this section or in any other provision of state law shall*
19 *be construed as requiring national offices to be on the same ballot as*
20 *state, county and township offices.*

21 Sec. 2. K.S.A. 2016 Supp. 25-414 is hereby amended to read as
22 follows: 25-414. (a) It shall be the duty of each judge of election to
23 challenge any person offering to vote, whom the judge shall know or
24 suspect not to be qualified as an elector.

25 (b) A person who: (1) Has moved from an address in the registration
26 book to another address in the same county; or (2) has not moved, but the
27 registration list indicates otherwise, is a qualified elector, but shall be
28 challenged by an election judge and entitled to cast only a provisional
29 ballot pursuant to K.S.A. 25-409, and amendments thereto.

30 (c) *A person who has not provided satisfactory evidence of*
31 *citizenship as required by K.S.A. 25-2309, and amendments thereto, but*
32 *who is nevertheless registered to vote in elections for federal office*
33 *resulting from a court's enjoining, invalidating or in any way rendering*
34 *unenforceable the requirement that one provide satisfactory evidence of*
35 *citizenship prior to being registered to vote, shall be entitled to cast only a*
36 *provisional ballot pursuant to K.S.A. 25-409, and amendments thereto.*

1 (d) Any person who votes after the polling place hours prescribed in
2 K.S.A. 25-106, and amendments thereto, pursuant to a court or other order
3 is entitled to cast only a provisional ballot pursuant to K.S.A. 25-409, and
4 amendments thereto.

5 ~~(d)~~ (e) The application shall be delivered to the election judges and
6 attached to the provisional ballot envelope. Such application and ballot
7 envelope containing the ballot shall be transmitted to the county election
8 officer with election returns and supplies.

9 ~~(e)~~ (f) Following the determination of acceptance or rejection of any
10 provisional ballot by the county board of canvassers, the county election
11 officer shall update the registration record, if appropriate, for voting in
12 future elections, and send, by nonforwardable first-class mail, to the
13 address specified on the application, notice of disposition of the
14 application. The registrant's name shall not be removed from the official
15 list of eligible voters by reason of such a change of address except as
16 provided in K.S.A. 25-2316c, and amendments thereto.

17 Sec. 3. K.S.A. 25-601 is hereby amended to read as follows: 25-601.

18 (a) The secretary of state shall prescribe the ballot format but ballots shall
19 contain the information required by this section and be substantially in the
20 form set out in this section. The official general ballot for national, state,
21 county and township offices may be printed upon one ballot. All official
22 general ballots shall be printed in black ink on paper through which the
23 printing or writing cannot be read. ~~Such~~ The ballots shall be printed on
24 white paper or paper colored as authorized by rules and regulations
25 adopted by the secretary of state.

26 On the back or outside of each official general ballot, so as to appear
27 when folded, shall be printed the words "official general ballot," followed
28 by the words "national, state, county and township offices," followed by
29 the voting place for which the ballot is prepared and the date of the
30 election. No person's name shall appear on the back or outside of a ballot.
31 All nominations made and certified as provided by law, and none other,
32 shall be printed on the official general ballot. The names of candidates for
33 every office to be voted for at the general election shall be arranged under
34 the office to which each has been nominated.

35 (b) *Nothing in this section or in any other provision of state law shall*
36 *be construed as requiring the names of candidates for both national and*
37 *state, county and township offices to appear upon one ballot or as*
38 *requiring a ballot to contain national, state, county and township offices*
39 *together.*

40 Sec. 4. K.S.A. 2016 Supp. 25-2309 is hereby amended to read as
41 follows: 25-2309. (a) Any person may apply in person, by mail, through a
42 voter registration agency, or by other delivery to a county election officer
43 to be registered. ~~Such~~ The application shall be made on: (1) A form

1 approved by the secretary of state, which shall be provided by a county
2 election officer or chief state election official upon request in person, by
3 telephone or in writing; or (2) the national mail voter registration form
4 issued pursuant to federal law.

5 ~~Such~~ The application shall be signed by the applicant under penalty of
6 perjury and shall contain the original signature of the applicant or the
7 computerized, electronic or digitized transmitted signature of the
8 applicant. A signature may be made by mark, initials, typewriter, print,
9 stamp, symbol or any other manner if by placing the signature on the
10 document the person intends the signature to be binding. A signature may
11 be made by another person at the voter's direction if the signature reflects
12 such voter's intention.

13 (b) Applications made under this section shall give voter eligibility
14 requirements and such information as is necessary to prevent duplicative
15 voter registrations and enable the relevant election officer to assess the
16 eligibility of the applicant and to administer voter registration, including,
17 but not limited to, the following data to be kept by the relevant election
18 officer as provided by law:

- 19 (1) Name;
- 20 (2) place of residence, including specific address or location, and
21 mailing address if the residence address is not a permissible postal address;
- 22 (3) date of birth;
- 23 (4) sex;
- 24 (5) the last four digits of the person's social security number or the
25 person's full driver's license or nondriver's identification card number;
- 26 (6) telephone number, if available;
- 27 (7) naturalization data (if applicable);
- 28 (8) if applicant has previously registered or voted elsewhere,
29 residence at time of last registration or voting;
- 30 (9) when present residence established;
- 31 (10) name under which applicant last registered or voted, if different
32 from present name;
- 33 (11) an attestation that the applicant meets each eligibility
34 requirement;
- 35 (12) a statement that the penalty for submission of a false voter
36 registration application is a maximum presumptive sentence of 17 months
37 in prison;
- 38 (13) a statement that, if an applicant declines to register to vote, the
39 fact that the applicant has declined to register will remain confidential and
40 will be used only for voter registration purposes;
- 41 (14) a statement that if an applicant does register to vote, the office to
42 which a voter registration application is submitted will remain confidential
43 and will be used only for voter registration purposes;

1 (15) boxes for the applicant to check to indicate whether the applicant
2 is or is not a citizen of the United States, together with the question "Are
3 you a citizen of the United States of America?";

4 (16) boxes for the county election officer or chief state election
5 official to check to indicate whether the applicant has provided with the
6 application the information necessary to assess the eligibility of the
7 applicant, including ~~such~~ the applicant's United States citizenship;

8 (17) boxes for the applicant to check to indicate whether or not the
9 applicant will be 18 years of age or older on election day, together with the
10 question "Will you be 18 years of age on or before election day?";

11 (18) in reference to paragraphs (15) and (17) the statement "If you
12 checked 'no' in response to either of these questions, do not complete this
13 form.";

14 (19) a statement that the applicant shall be required to provide
15 identification when voting; and

16 (20) political party affiliation declaration, if any. An applicant's
17 failure to make a declaration will result in the applicant being registered as
18 an unaffiliated voter.

19 If the application discloses any previous registration in any other
20 county or state, as indicated by paragraph (8) or (10), or otherwise, the
21 county election officer shall upon the registration of the applicant, give
22 notice to the election official of the place of former registration, notifying
23 ~~such~~ the official of applicant's present residence and registration, and
24 authorizing cancellation of ~~such~~ the former registration. This section shall
25 be interpreted and applied in accordance with federal law. No eligible
26 applicant whose qualifications have been assessed shall be denied
27 registration.

28 (c) Any person who applies for registration through a voter
29 registration agency shall be provided with, in addition to the application
30 under subsection (b), a form which includes:

31 (1) The question "If you are not registered to vote where you live
32 now, would you like to apply to register to vote here today?";

33 (2) a statement that if the applicant declines to register to vote, this
34 decision will remain confidential and be used only for voter registration
35 purposes;

36 (3) a statement that if the applicant does register to vote, information
37 regarding the office to which the application was submitted will remain
38 confidential and be used only for voter registration purposes; and

39 (4) if the agency provides public assistance: (i) The statement
40 "Applying to register or declining to register to vote will not affect the
41 amount of assistance that you will be provided by this agency.";

42 (ii) boxes for the applicant to check to indicate whether the applicant
43 would like to register or declines to register to vote, together with the

1 statement "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE
2 CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE
3 AT THIS TIME.";

4 (iii) the statement "If you would like help in filling out the voter
5 registration application form, we will help you. The decision whether to
6 seek or accept help is yours. You may fill out the application form in
7 private."; and

8 (iv) the statement "If you believe that someone has interfered with
9 your right to register or to decline to register to vote, your right to privacy
10 in deciding whether to register or in applying to register to vote, or your
11 right to choose your own political party or other political preference, you
12 may file a complaint with the Kansas Secretary of State."

13 (d) If any person, in writing, declines to register to vote, the voter
14 registration agency shall maintain the form prescribed by subsection (c).

15 (e) A voter registration agency shall transmit the completed
16 registration application to the county election officer not later than five
17 days after the date of acceptance. Upon receipt of an application for
18 registration, the county election officer shall send, by nonforwardable
19 mail, a notice of disposition of the application to the applicant at the postal
20 delivery address shown on the application. If a notice of disposition is
21 returned as undeliverable, a confirmation mailing prescribed by K.S.A. 25-
22 2316c, and amendments thereto, shall occur.

23 (f) If an application is received while registration is closed, ~~such the~~
24 application shall be considered to have been received on the next
25 following day during which registration is open.

26 (g) A person who completes an application for voter registration shall
27 be considered a registered voter when the county election officer adds the
28 applicant's name to the county voter registration list.

29 (h) Any registered voter whose residence address is not a permissible
30 postal delivery address shall designate a postal address for registration
31 records. When a county election officer has reason to believe that a voter's
32 registration residence is not a permissible postal delivery address, the
33 county election officer shall attempt to determine a proper mailing address
34 for the voter.

35 (i) Any registered voter may request that such person's residence
36 address be concealed from public inspection on the voter registration list
37 and on the original voter registration application form. ~~Such The~~ request
38 shall be made in writing to the county election officer, and shall specify a
39 clearly unwarranted invasion of personal privacy or a threat to the voter's
40 safety. Upon receipt of such a request, the county election officer shall take
41 appropriate steps to ensure that ~~such the~~ person's residence address is not
42 publicly disclosed. Nothing in this subsection shall be construed as
43 requiring or authorizing the secretary of state to include on the voter

1 registration application form a space or other provision on the form that
2 would allow the applicant to request that such applicant's residence
3 address be concealed from public inspection.

4 (j) No application for voter registration shall be made available for
5 public inspection or copying unless the information required by subsection
6 (b)(5) has been removed or otherwise rendered unreadable.

7 (k) If an applicant fails to answer the question prescribed in
8 subsection (b)(15), the county election officer shall send the application to
9 the applicant at the postal delivery address given on the application, by
10 nonforwardable mail, with a notice of incompleteness. The notice shall
11 specify a period of time during which the applicant may complete the
12 application in accordance with K.S.A. 25-2311, and amendments thereto,
13 and be eligible to vote in the next election.

14 (l) The county election officer or secretary of state's office shall
15 accept any completed application for registration, but an applicant shall
16 not be registered until the applicant has provided satisfactory evidence of
17 United States citizenship. *If any provision of this statute is enjoined,*
18 *invalidated or otherwise unenforceable as to elections for federal office,*
19 *an applicant shall not be registered for any elections, except for elections*
20 *for federal office, until the applicant has provided satisfactory evidence of*
21 *United States citizenship.* Evidence of United States citizenship as required
22 in this section will be satisfied by presenting one of the documents listed in
23 subsections (l)(1) through (l)(13) in person at the time of filing the
24 application for registration or by including a photocopy of one of the
25 following documents with a mailed registration application. After a person
26 has submitted satisfactory evidence of citizenship, the county election
27 officer shall indicate this information in the person's permanent voter file.
28 Evidence of United States citizenship shall be satisfied by providing one of
29 the following, or a legible photocopy of one of the following documents:

30 (1) The applicant's driver's license or nondriver's identification card
31 issued by the division of vehicles or the equivalent governmental agency
32 of another state within the United States if the agency indicates on the
33 applicant's driver's license or nondriver's identification card that the person
34 has provided satisfactory proof of United States citizenship;

35 (2) the applicant's birth certificate that verifies United States
36 citizenship to the satisfaction of the county election officer or secretary of
37 state;

38 (3) pertinent pages of the applicant's United States valid or expired
39 passport identifying the applicant and the applicant's passport number, or
40 presentation to the county election officer of the applicant's United States
41 passport;

42 (4) the applicant's United States naturalization documents or the
43 number of the certificate of naturalization. If only the number of the

1 certificate of naturalization is provided, the applicant shall not be included
2 in the registration rolls until the number of the certificate of naturalization
3 is verified with the United States bureau of citizenship and immigration
4 services by the county election officer or the secretary of state, pursuant to
5 8 U.S.C. § 1373(c);

6 (5) other documents or methods of proof of United States citizenship
7 issued by the federal government pursuant to the immigration and
8 nationality act of 1952, and amendments thereto;

9 (6) the applicant's bureau of Indian affairs card number, tribal treaty
10 card number or tribal enrollment number;

11 (7) the applicant's consular report of birth abroad of a citizen of the
12 United States of America;

13 (8) the applicant's certificate of citizenship issued by the United
14 States citizenship and immigration services;

15 (9) the applicant's certification of report of birth issued by the United
16 States department of state;

17 (10) the applicant's American Indian card, with KIC classification,
18 issued by the United States department of homeland security;

19 (11) the applicant's final adoption decree showing the applicant's
20 name and United States birthplace;

21 (12) the applicant's official United States military record of service
22 showing the applicant's place of birth in the United States; or

23 (13) an extract from a United States hospital record of birth created at
24 the time of the applicant's birth indicating the applicant's place of birth in
25 the United States.

26 (m) If an applicant is a United States citizen but does not have any of
27 the documentation listed in this section as satisfactory evidence of United
28 States citizenship, ~~such~~ *the* applicant may submit any evidence that such
29 applicant believes demonstrates the applicant's United States citizenship.

30 (1) Any applicant seeking an assessment of evidence under this
31 subsection may directly contact the elections division of the secretary of
32 state by submitting a voter registration application or form as described by
33 this section and any supporting evidence of United States citizenship.
34 Upon receipt of this information, the secretary of state shall notify the state
35 election board, as established under K.S.A. 25-2203, and amendments
36 thereto, that such application is pending.

37 (2) The state election board shall give the applicant an opportunity for
38 a hearing and an opportunity to present any additional evidence to the state
39 election board. Notice of such hearing shall be given to the applicant at
40 least five days prior to the hearing date. An applicant shall have the
41 opportunity to be represented by counsel at ~~such~~ *the* hearing.

42 (3) The state election board shall assess the evidence provided by the
43 applicant to determine whether the applicant has provided satisfactory

1 evidence of United States citizenship. A decision of the state election
2 board shall be determined by a majority vote of the election board.

3 (4) If an applicant submits an application and any supporting
4 evidence prior to the close of registration for an election cycle, a
5 determination by the state election board shall be issued at least five days
6 before ~~such~~ the election date.

7 (5) If the state election board finds that the evidence presented by
8 ~~such~~ the applicant constitutes satisfactory evidence of United States
9 citizenship, ~~such~~ the applicant will have met the requirements under this
10 section to provide satisfactory evidence of United States citizenship.

11 (6) If the state election board finds that the evidence presented by an
12 applicant does not constitute satisfactory evidence of United States
13 citizenship, ~~such~~ the applicant shall have the right to appeal such
14 determination by the state election board by instituting an action under 8
15 U.S.C. § 1503. Any negative assessment of an applicant's eligibility by the
16 state election board shall be reversed if the applicant obtains a declaratory
17 judgment pursuant to 8 U.S.C. § 1503, demonstrating that ~~such~~ the
18 applicant is a national of the United States.

19 (n) Any person who is registered in this state on the effective date of
20 this amendment to this section is deemed to have provided satisfactory
21 evidence of citizenship and shall not be required to resubmit evidence of
22 citizenship.

23 (o) For purposes of this section, proof of voter registration from
24 another state is not satisfactory evidence of United States citizenship.

25 (p) A registered Kansas voter who moves from one residence to
26 another within the state of Kansas or who modifies such voter's
27 registration records for any other reason shall not be required to submit
28 evidence of United States citizenship.

29 (q) If evidence of citizenship is deemed to be unsatisfactory due to an
30 inconsistency between the document submitted as evidence and the name
31 or sex provided on the application for registration, ~~such~~ the applicant may
32 sign an affidavit:

33 (1) Stating the inconsistency or inconsistencies related to the name or
34 sex, and the reason therefor; and

35 (2) swearing under oath that, despite the inconsistency, the applicant
36 is the individual reflected in the document provided as evidence of
37 citizenship. However, there shall be no inconsistency between the date of
38 birth on the document provided as evidence of citizenship and the date of
39 birth provided on the application for registration. If ~~such~~ an affidavit is
40 submitted by the applicant, the county election officer or secretary of state
41 shall assess the eligibility of the applicant without regard to any
42 inconsistency stated in the affidavit.

43 (r) All documents submitted as evidence of citizenship shall be kept

1 confidential by the county election officer or the secretary of state and
2 maintained as provided by Kansas record retention laws. The provisions of
3 this subsection shall expire on July 1, 2021, unless the legislature reviews
4 and reenacts this provision prior to July 1, 2021.

5 (s) The secretary of state may adopt rules and regulations in order to
6 implement the provisions of this section.

7 (t) Nothing in this section shall prohibit an applicant from providing,
8 or the secretary of state or county election officer from obtaining
9 satisfactory evidence of United States citizenship, as described in
10 subsection (1), at a different time or in a different manner than an
11 application for registration is provided, as long as the applicant's eligibility
12 can be adequately assessed by the secretary of state or county election
13 officer as required by this section.

14 (u) *In the event that a court enjoins, invalidates or otherwise renders*
15 *unenforceable in any way any provision of this act as it applies to*
16 *elections for federal office, the secretary of state shall adopt rules and*
17 *regulations to ensure that until voter registration applicants have provided*
18 *satisfactory evidence of citizenship, they shall not be registered to vote for*
19 *any election except for elections for federal office.*

20 Sec. 5. K.S.A. 2016 Supp. 25-2352 is hereby amended to read as
21 follows: 25-2352. (a) (1) Each Kansas division of motor vehicles driver's
22 license application and nondriver identification card application (including
23 any renewal application) submitted to a division of motor vehicles office
24 in Kansas shall serve as an application for voter registration unless the
25 applicant fails to sign the voter registration application. An individual who
26 completes the application for voter registration and is otherwise eligible
27 shall be registered to vote in accordance with the information supplied by
28 the individual.

29 (2) An application for voter registration submitted under subsection
30 (a)(1) shall be considered as updating any previous voter registration by
31 the applicant.

32 (b) The voter registration section of the application:

33 (1) May require a second signature or other information that
34 duplicates, or is in addition to, information in the driver's license or
35 nondriver's identification card section of the application to prevent
36 duplicate voter registrations, and to enable Kansas election officials to
37 assess the eligibility of the applicant and to administer voter registration
38 and other parts of the election process;

39 (2) shall include a statement that specifies each eligibility
40 requirement for voting, contains an attestation that the applicant meets
41 each such requirement, including citizenship, and requires the signature of
42 the applicant, under penalty of perjury;

43 (3) shall include a statement that, if an applicant declines to register

1 to vote, the fact that the applicant has declined to register will remain
2 confidential and will be used only for voter registration purposes;

3 (4) shall include a statement that if an applicant does register to vote,
4 the office at which the applicant submits a voter registration application
5 will remain confidential and will be used only for voter registration
6 purposes;

7 (5) shall be made available by the division of vehicles (as submitted
8 by the applicant, or in machine-readable or other format) to the secretary
9 of state and county election officers, as provided by rules and regulations
10 adopted by the secretary of state; and

11 (6) shall be transmitted to the county election officer not later than
12 five days after the date of acceptance.

13 (c) The motor vehicle driver's license and nondriver identification
14 card form used for change of residence address shall also serve as a
15 notification of change of residence address for voter registration for
16 elections, unless the registrant states on the form that the change is not for
17 voter registration purposes.

18 (d) The voter registration portion of the motor vehicle driver's license
19 and nondriver identification card applications and change of address forms
20 used shall be subject to approval by the secretary of state for purposes of
21 voter registration under this section.

22 (e) Following the line fixed for the signature of the applicant on the
23 application for voter registration, a statement shall be printed stating that
24 the penalty for submission of a false voter registration application is a
25 maximum presumptive sentence of 17 months in prison.

26 (f) The department of revenue or an employee of the department of
27 revenue acting within the scope of the employee's employment shall not be
28 liable for any damages resulting from any claim based on the department
29 of revenue's transfer of any motor vehicle record information to the
30 secretary of state that is required or permitted by law.

31 (g) The secretary of state is hereby authorized to adopt such rules and
32 regulations in the manner prescribed by law as may be necessary for the
33 administration of the provisions of this section.

34 (h) *In the event that the requirement that an individual provide*
35 *satisfactory evidence of citizenship prior to being registered to vote is*
36 *enjoined, invalidated or otherwise rendered unenforceable by any court as*
37 *it relates to elections for federal office, the secretary of state shall issue*
38 *rules and regulations to ensure that an individual shall not be registered to*
39 *vote for any election except for elections for federal office until such*
40 *applicant has provided satisfactory evidence of citizenship.*

41 Sec. 6. K.S.A. 2016 Supp. 25-3002 is hereby amended to read as
42 follows: 25-3002. (a) The rules prescribed in this section shall apply to:

43 (1) The original canvass by election boards.

- 1 (2) Intermediate and final canvasses by county boards of canvassers.
- 2 (3) Final canvass by the state board of canvassers.
- 3 (4) All election contests.
- 4 (5) All other officers canvassing or having a part in the canvass of
5 any election.
- 6 (b) Rules for canvassers:
- 7 (1) No ballot, or any portion thereof, shall be invalidated by any
8 technical error unless it is impossible to determine the voter's intention.
9 Determination of the voter's intention shall rest in the discretion of the
10 board canvassing in the case of a canvass and in the election court in the
11 case of an election contest.
- 12 (2) The occurrences listed in this ~~subpart (2)~~ *paragraph* shall not
13 invalidate the whole ballot but shall invalidate that portion, and that
14 portion only, in which the occurrence appears. The votes on such portion
15 of the ballot shall not be counted for any candidate listed or written in such
16 portion, but the remainder of the votes in other portions of the ballot shall
17 be counted. The occurrences to which this ~~subpart (2)~~ *paragraph* shall
18 apply are:
- 19 (A) Whenever a voting mark shall be made in the square at the left of
20 the name of more than one candidate for the same office, except when the
21 ballot instructs that more than one candidate is to be voted.
- 22 (B) Whenever a voting mark is placed in the square at the left of a
23 space where no candidate is listed.
- 24 (3) When a registered voter has cast a provisional ballot intended for
25 a precinct other than the precinct in which the voter resides but located
26 within the same county, the canvassers shall count the votes for those
27 offices or issues which are identical in both precincts. The canvassers shall
28 not count the votes for those offices or issues which differ from the offices
29 or issues appearing on the ballot used in the precinct in which the voter
30 resides.
- 31 (4) *When a voter who is registered to vote only for elections for
32 federal office has cast a provisional ballot which contains votes for offices
33 or issues for which the voter is not eligible to vote, the canvassers shall
34 count the votes for only the federal offices. The canvassers shall not count
35 the votes for those offices or issues for which the voter is not eligible to
36 vote.*
- 37 (5) A write-in vote for those candidates for the offices of governor
38 and lieutenant governor shall not be counted unless the pair of candidates
39 have filed an affidavit of candidacy pursuant to K.S.A. 25-305, and
40 amendments thereto, and:
- 41 (A) Both candidates' names are written on the ballot; or
- 42 (B) only the name of the candidate for governor is written on the
43 ballot.

1 ~~(5)~~ (6) A write-in vote for those candidates for the offices of president
2 and vice-president shall not be counted unless the pair of candidates have
3 filed an affidavit of candidacy pursuant to K.S.A. 25-305, and amendments
4 thereto, and:

5 (A) Both candidates' names are written on the ballot; or

6 (B) only the name of the candidate for president is written on the
7 ballot.

8 ~~(6)~~ (7) A write-in vote for candidates for state offices elected on a
9 statewide basis other than offices subject to paragraph~~(4)~~ 5 shall not be
10 counted unless the candidate has filed an affidavit of candidacy pursuant to
11 K.S.A. 25-305, and amendments thereto.

12 ~~(7)~~ (8) Any advance voting or mail ballot whose envelope containing
13 the voter's written declaration is unsigned, shall be wholly void and no
14 vote thereon shall be counted.

15 ~~(8)~~ (9) No ballot cast shall be counted if the voter fails to provide
16 valid identification as defined by K.S.A. 25-2908, and amendments
17 thereto.

18 Sec. 7. K.S.A. 25-601 and K.S.A. 2016 Supp. 25-210, 25-414, 25-
19 2309, 25-2352 and 25-3002 are hereby repealed.

20 Sec. 8. This act shall take effect and be in force from and after its
21 publication in the statute book.