

Elections and Campaign Finance; Advance Ballots; Polling Place Change Notifications; Write-in Candidates; Campaign Contribution and Other Reports; E-mail Addresses; HB 2158

HB 2158 makes changes and additions to elections and campaign finance law.

Advance Voting Ballot Deadlines

The bill revises deadlines regarding advance voting ballots, as follows:

- Adds a requirement that all advance voting ballots received at any polling place in the county not later than the hour for closing of the polls on any election date for all elections specified in KSA 25-1122(f) [all primary, general, and question submitted elections, special elections of officers, and presidential preference primaries] be delivered by the county election officer to the appropriate special election board. Prior law required only those advance ballots received in the county election office to be treated in this manner;
- Adds requirements for the receipt by mail of advance ballots, as follows:
 - Delivery to a special election board or the county board of canvassers, in a manner as consistent as possible with canvassing of other advance ballots, those received after the closing of the polls on the date of any election specified in KSA 25-1122(f), and which are postmarked before the close of the polls on the election date;
 - Establishes the deadline for receipt by mail of advance ballots by the county election officer as the last mail delivery by the U.S. Postal Service (USPS) on the third day following the election date, unless additional time is permitted by the Secretary of State; and
 - Requires the Secretary of State to adopt rules and regulations to implement these provisions;
- Authorizes a special election board to meet as provided by rules and regulations to be adopted by the Secretary of State, in addition to meeting as provided in continuing law, and to make technical and conforming changes. This includes requiring that procedures for canvassing and challenging advance ballots received by mail after polls close be set forth in rules and regulations adopted by the Secretary of State; and
- Revises the deadlines for transmittal by mail of applications for advance ballots, as follows:
 - For all elections occurring on the date of a primary or general election, from the last business day of the week preceding the election to the Tuesday of the week preceding the election; and

- For question submitted elections not held on the date of a primary or general election, from the last business day of the week preceding the election to the Tuesday of the week preceding the election (the same requirement as for those occurring on primary or general election dates), except if such an election is held on a day other than a Tuesday. In these instances, the change will be from not more than three business days before the election to one week before the election.

Notices Regarding Polling Place Changes

The bill prohibits a county election officer from changing a polling place prior to an election without providing mailed notice at least 30 days prior to the election. A waiver from this requirement is authorized if the county election officer declares an emergency.

The bill further states failure to receive notice of a change in the voting place shall not give rise to a cause of action challenging the election results. The bill requires the Secretary of State 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.

Streamlining of Filing Requirements for Last-minute Campaign Contribution Reports

The bill eliminates the requirement that pre-primary and pre-general election last-minute contribution reports filed by treasurers for candidates for state office be filed in the office of the county election officer. Enactment of this legislation leaves a requirement that these reports be filed only in the Office of the Secretary of State.

E-mail Addresses: Optional for Reports to Secretary of State

The bill amends Campaign Finance Act reporting requirements for contact purposes. The bill makes optional the submission of e-mail addresses as follows:

- For every treasurer for a candidate (and chairperson for a candidate committee, if one is appointed) for state office, to the Secretary of State;
- For every treasurer for a candidate (and chairperson for a candidate committee, if one is appointed) for local office, to the relevant county election officer;
- For every chairperson and treasurer of a party or political committee who anticipates receiving contributions or making expenditures for a candidate for state office, to the Secretary of State; and
- For every chairperson and treasurer of a party or political committee who anticipates receiving contributions or making expenditures for a candidate for local office, to the relevant county election officer.

The bill requires the e-mail addresses be submitted not later than ten days after the appointment of the relevant officer, if the e-mail address is submitted.

Write-in Candidates: Option to Have Name Removed from General Election Ballot

The bill allows a write-in winning candidate of a primary election for national, state, county, township, or municipal office to notify the appropriate election entity in writing within ten days following the canvass the person does not want his or her name on the official general ballot. The bill requires the write-in candidate's name appear on the general election ballot if the notification is not received in the ten-day period.

The bill requires the above-mentioned notification be delivered to the Secretary of State for national or state office and to the county election office for all other offices.