

HOUSE BILL No. 2319

By Representative Esau

2-10

1 AN ACT concerning elections; relating to the deadline for returning
2 advance voting ballots; amending K.S.A. 2020 Supp. 25-1132 and
3 repealing the existing section.
4

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

6 Section 1. K.S.A. 2020 Supp. 25-1132 is hereby amended to read as
7 follows: 25-1132. (a) All advance voting ballots which are received in the
8 office of the county election officer or any polling place within the county
9 not later than the hour for closing of the polls on the date of any election
10 specified in K.S.A. 25-1122(f), and amendments thereto, shall be delivered
11 by the county election officer to the appropriate special election board
12 provided for in K.S.A. 25-1133, and amendments thereto.

13 (b) Subject to the deadline for receipt by the office of the county
14 election officer as set forth in this subsection, all advance voting ballots
15 received by mail by the office of the county election officer after the
16 closing of the polls on the date of any election specified in K.S.A. 25-
17 1122(f), and amendments thereto, and which are postmarked or are
18 otherwise indicated by the United States postal service to have been
19 mailed on or before the close of the polls on the date of the election, shall
20 be delivered by the county election officer to a special election board or
21 the county board of canvassers, as determined by the secretary of state, for
22 canvassing in a manner consistent, as nearly as may be, with other advance
23 voting ballots. The deadline for the receipt by mail of the advance voting
24 ballots by the office of the county election officer shall be ~~the last delivery~~
25 ~~of mail by the United States postal service 5:00 p.m. on the third day~~
26 ~~following the date of the election, unless additional time is permitted by~~
27 ~~the secretary.~~ *In no case shall an elected or appointed official or a court*
28 *change the deadline.* The secretary of state shall adopt rules and
29 regulations to implement this subsection.

30 Sec. 2. K.S.A. 2020 Supp. 25-1132 is hereby repealed.

31 Sec. 3. This act shall take effect and be in force from and after its
32 publication in the statute book.