

SENATE BILL No. 166

By Senator Corson

2-8

1 AN ACT concerning elections; relating to advance voting ballots;
2 authorizing transmittal of such ballots up to 40 days prior to an
3 election; amending K.S.A. 2020 Supp. 25-1123 and repealing the
4 existing section.
5

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

7 Section 1. K.S.A. 2020 Supp. 25-1123 is hereby amended to read as
8 follows: 25-1123. (a) When an application for an advance voting ballot has
9 been filed in accordance with K.S.A. 25-1122, and amendments thereto,
10 the county election officer shall transmit to the voter applying therefor one
11 each of the appropriate ballots. Unless an advance voting ballot is
12 transmitted in person pursuant to this subsection, the county election
13 officer shall transmit the advance voting ballots to the voter at one of the
14 following addresses as specified by the voter on such application: (1) The
15 voter's residential address or mailing address as indicated on the
16 registration list; (2) the voter's temporary residential address; or (3) a
17 medical care facility as defined in K.S.A. 65-425, and amendments
18 thereto, psychiatric hospital, hospice or adult care home where the voter
19 resides. No advance voting ballot shall be transmitted by the county
20 election officer by any means prior to the ~~20th~~ 40th day before the election
21 for which an application for an advance voting ballot has been received by
22 such county election officer. If the advance voting ballot is transmitted by
23 mail, such ballot shall be transmitted with printed instructions prescribed
24 by the secretary of state and a ballot envelope bearing upon the outside a
25 printed form as described in K.S.A. 25-1120, and amendments thereto, and
26 the same number as the number of the ballot. If the advance voting ballot
27 is transmitted to the applicant in person in the office of the county election
28 officer or at a satellite advance voting site, such advance voting ballot and
29 printed instructions shall be transmitted in an advance voting ballot
30 envelope bearing upon the outside a printed form as described in K.S.A.
31 25-1120, and amendments thereto, and the same number as the number of
32 the ballot unless the voter elects to deposit the advance voting ballot into a
33 locked ballot box without an envelope. All ballots shall be transmitted to
34 the advance voting voter not more than ~~20~~ 40 days before the election but
35 within two business days of the receipt of such voter's application by the
36 election officer or the commencement of such ~~20-day~~ 40-day period. In

1 primary elections required to be conducted on a partisan basis, the election
2 officer shall deliver to such voter the ballot of the political party of the
3 applicant.

4 (b) The restrictions in subsection (a) relating to where a county
5 election officer may transmit an advance voting ballot shall not apply to an
6 advance voting ballot requested pursuant to an application for an advance
7 voting ballot filed by a voter who has a temporary illness or disability or
8 who is not proficient in reading the English language.

9 (c) The county election officer shall compare the driver's license
10 number, nondriver's identification card number or copy of other valid
11 identification provided by a voter to the voter registration list verified by
12 the division of vehicles in accordance with federal law. If no identification
13 information was provided by the voter or if such information does not
14 match the information on the voter registration list, the county election
15 officer shall transmit a provisional advance voting ballot.

16 Sec. 2. K.S.A. 2020 Supp. 25-1123 is hereby repealed.

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