

SENATE BILL No. 439

By Committee on Judiciary

2-4

1 AN ACT concerning elections; relating to voter registration; requiring a
2 county election officer to send a confirmation notice if there is no
3 election-related activity for any four calendar year period; amending
4 K.S.A. 25-2316c and repealing the existing section.

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

7 Section 1. K.S.A. 25-2316c is hereby amended to read as follows: 25-
8 2316c. (a) When a registered voter changes name by marriage, divorce or
9 legal proceeding, if ~~such~~ the voter is otherwise qualified to vote at such
10 voting place ~~such~~ the voter shall be allowed to vote a provisional ballot at
11 any election, or apply for an advance voting ballot, on the condition that
12 ~~such~~ the voter first completes the application for registration prescribed by
13 K.S.A. 25-2309, and amendments thereto. Completion of the application
14 shall authorize the county election officer to update the registration
15 records, if appropriate, for voting in future elections. The county election
16 officer shall send, by nonforwardable mail, a notice of disposition to any
17 voter completing such application.

18 (b) When a registered voter changes residence, ~~such~~ the voter shall
19 reregister in order to be eligible to vote, except that when a registrant has
20 moved from an address on the registration book to another address within
21 the county and has not reregistered, ~~such~~ the registrant shall be allowed to
22 vote a provisional ballot at any election, or to apply for an advance voting
23 ballot, on the condition that ~~such~~ the registrant first completes the
24 application for registration prescribed by K.S.A. 25-2309, and
25 amendments thereto. Completion of the application shall authorize the
26 county election officer to update the registration record, if appropriate, for
27 voting in future elections. The county election officer shall send, by
28 nonforwardable mail, a notice of disposition to any such voter. Whenever
29 the county election officer receives from any other election officer a notice
30 of registration of a voter in a different place than that shown in the records
31 of the county election officer, ~~such~~ the officer shall remove the name of
32 ~~such~~ the voter from the registration book and party affiliation list.

33 (c) Every application for registration completed under this section
34 shall be returned to the county election officer with the registration books.

35 (d) A registrant shall not be removed from the registration list on the
36 ground that the registrant has changed residence unless the registrant:

1 (1) Confirms in writing that the registrant has moved outside the
2 county in which the registrant is registered, or registers to vote in any other
3 jurisdiction;~~or~~

4 (2) has failed to respond to the notice described in subsection (e)~~(4)~~
5 and has not appeared to vote in an election during the period beginning on
6 the date of the notice and ending on the day after the date of the second
7 federal general election that occurs after the date of the notice~~}; or~~

8 ***(3) has no election-related activity for any four calendar year***
9 ***period, and the confirmation notice is returned as undeliverable. No***
10 ***election-related activity means that the elector has not voted, attempted***
11 ***to vote, requested or submitted an advance ballot application, filed an***
12 ***updated voter registration card, signed a petition which is required by***
13 ***law to be verified by the county election officer or the secretary of state***
14 ***or responded to any official election mailing transmitted by the county***
15 ***election office***~~};~~

16 (e) A county election officer shall send a confirmation notice upon
17 which a registrant may state such registrant's current address, within 45
18 days of the following events:

19 (1) A notice of disposition of an application for voter registration is
20 returned as undeliverable;

21 (2) change of address information supplied by the national change of
22 address program identifies a registrant whose address may have changed;

23 (3) if it appears from information provided by the postal service that a
24 registrant has moved to a different residence address in the county in
25 which the registrant is currently registered;~~or~~ ***or***

26 (4) if it appears from information provided by the postal service that a
27 registrant has moved to a different residence address outside the county in
28 which the registrant is currently registered;~~or~~

29 ~~*(5) if the registrant has no election-related activity for any four*~~
30 ~~*calendar year period. No election-related activity means that the elector*~~
31 ~~*has not voted, attempted to vote, requested or submitted an advance ballot*~~
32 ~~*application, filed an updated voter registration card, signed a petition*~~
33 ~~*which is required by law to be verified by the county election officer or the*~~
34 ~~*secretary of state, or responded to any official election mailing transmitted*~~
35 ~~*by the county election office.*~~

36 The confirmation notice shall be sent by forwardable mail and shall
37 include a postage prepaid and preaddressed return card in a form
38 prescribed by the chief state election official.

39 (f) Except as otherwise provided by law, when a voter dies or is
40 disqualified for voting, the registration of the voter shall be void, and the
41 county election officer shall remove such voter's name from the
42 registration books and the party affiliation lists. Whenever (1) an obituary
43 notice appears in a newspaper having general circulation in the county

1 reports the death of a registered voter, or (2) a registered voter requests in
2 writing that such voter's name be removed from registration, or (3) a court
3 of competent jurisdiction orders removal of the name of a registered voter
4 from registration lists, or (4) the name of a registered voter appears on a
5 list of deceased residents compiled by the secretary of health and
6 environment as provided in K.S.A. 65-2422, and amendments thereto, or
7 appears on a copy of a death certificate provided by the secretary of health
8 and environment, or appears in information provided by the social security
9 administration, the county election officer shall remove from the
10 registration books and the party affiliation lists in such officer's office the
11 name of any person shown by such list or death certificate to be deceased.
12 The county election officer shall not use or permit the use of such lists of
13 deceased residents or copies for any other purpose than provided in this
14 section.

15 (g) When the chief state election official receives written notice of a
16 felony conviction in a United States district court, such official shall notify
17 within five days the county election officer of the jurisdiction in which the
18 offender resides. Upon notification of a felony conviction from the chief
19 state election official, or from a county or district attorney or a Kansas
20 district court, the county election officer shall remove the name of the
21 offender from the registration records.

22 (h) Except as otherwise provided in this section, no person whose
23 name has been removed from the registration books shall be entitled to
24 vote until such person has registered again.

25 Sec. 2. K.S.A. 25-2316c is hereby repealed.

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