

HOUSE BILL No. 2086

By Committee on Elections

1-19

1 AN ACT concerning elections; relating to election procedures; clarifying
2 duties and qualifications of certain election officials; redefining certain
3 election crimes; amending K.S.A. 10-120, 15-809, 19-303, 19-804, 19-
4 3419, 19-3422, 19-3439, 25-105, 25-203, 25-208a, 25-211, 25-212, 25-
5 213, 25-303, 25-305, 25-308, 25-321, 25-432, 25-433, 25-604, 25-610,
6 25-901, 25-1122, 25-1214, 25-1903, 25-2005, 25-2008, 25-2018, 25-
7 2021, 25-21a02, 25-2310, 25-2507, 25-26a03, 25-2702, 25-2703, 25-
8 2704, 25-2705, 25-2706, 25-2805, 25-2812, 25-2905, 25-3002, 25-
9 3005, 25-3005a, 25-3104, 25-3107, 25-3201, 25-3301, 25-3303, 25-
10 3304, 25-3801, 25-4004, 25-4005, 25-4148d, 25-4322, 25-4612, 25-
11 4703, 25-4709 and 71-1415 and K.S.A. 2022 Supp. 19-3424, 25-3009
12 and 25-4414 and repealing the existing sections; also repealing K.S.A.
13 25-222, 25-305b, 25-1709, 25-1710, 25-2601, 25-4502, 25-4503, 25-
14 4505, 25-4506, 25-4507 and 25-4508.

25-1115,

25-2502,

15
16 *Be it enacted by the Legislature of the State of Kansas:*

17 New Section 1. (a) The secretary of state shall oversee the conduct of
18 statewide elections in this state as the chief election officer and shall be
19 responsible for assisting and advising county election officers in
20 conducting elections in compliance with federal and state laws and rules
21 and regulations.

22 (b) Each county election officer shall be the sole public officer
23 responsible for planning, conducting and coordinating elections held
24 within such officer's county. Such officer shall be responsible for ensuring
25 that all such elections comply with federal and state law and rules and
26 regulations.

27 New Sec. 2. No person shall serve as a county election officer if such
28 person has been convicted of any crime described in chapter 25 of the
29 Kansas Statutes Annotated, and amendments thereto, or of any crime in
30 any other jurisdiction that is substantially the same as any such crime.

31 New Sec. 3. No county election office or any employee or agent
32 thereof shall create, or permit any other person to create, or disclose to any
33 person an image of the hard drive of any electronic or electromechanical
34 voting system, optical scanning equipment or any other voting system that
35 contains a hard drive component without the written consent of the
36 secretary of state.

1 Sec. 26. K.S.A. 25-901 is hereby amended to read as follows: 25-901.

2 (a) Every committee, club, organization, municipality or association
3 designed to promote or engaged in promoting the success or defeat of any
4 party or the election or defeat of any candidate or candidates for any city
5 of the second and third class, unified school district, except unified school
6 districts having 35,000 or more ~~pupils~~ *students* regularly enrolled in the
7 preceding school year, any community college or township office; or the
8 adoption or defeat of any question submitted at any city, unified school
9 district, community college, township or county election, shall have a
10 treasurer, and shall cause to be kept a detailed account of all moneys or
11 property or other thing of value received by it, and of the manner in which
12 the same shall be expended; ~~and. Such committee, club, organization,~~
13 *municipality or association* shall file annually with the county election
14 officer of the county in which such committee, club, organization,
15 *municipality* or association has its headquarters a statement of all its
16 receipts and expenditures, showing in detail from whom such moneys or
17 property or other thing of value were received, to whom such moneys or
18 property or other thing of value were paid, for what specific purposes each
19 payment was made, and the exact nature of the service rendered in
20 consideration thereof.

21 (b) The annual statement ~~herein required~~ shall be filed on or before
22 December 31, ~~such statement and~~ shall cover the period ending on
23 December 1 immediately preceding. ~~The accounts of the state committee~~
24 ~~of each political party shall be audited annually by a certified public~~
25 ~~accountant and a copy of the audit filed with the secretary of state.~~

26 (c) This section and K.S.A. 25-905, and amendments thereto, shall
27 not be construed to require any committee, club, organization,
28 municipality or association ~~which that~~ is subject to the campaign finance
29 act ~~(, K.S.A. 25-4101 et seq.), and amendments thereto,~~ to file reports
30 required by this act.

31 Sec. 27. K.S.A. 25-1122 is hereby amended to read as follows: 25-

32 1122. (a) Any registered voter may file with the county election officer
33 where ~~the such~~ person is a resident, or where ~~the such~~ person is authorized
34 by law to vote as a former precinct resident, an application for an advance
35 voting ballot. The signed application shall be transmitted only to the
36 county election officer by personal delivery, mail, facsimile or as
37 otherwise provided by law.

38 (b) If the registered voter is applying for an advance voting ballot to
39 be transmitted in person, the voter shall provide identification pursuant to
40 K.S.A. 25-2908, and amendments thereto.

41 (c) If the registered voter is applying for an advance voting ballot to
42 be transmitted by mail, the voter shall provide with the application for an
43 advance voting ballot the voter's current and valid Kansas driver's license

Sec. 27. K.S.A. 25-1115 is hereby amended to read as follows:
25-1115. (a) "General election" means the elections held on the
Tuesday following the first Monday in November of both even-
numbered and odd-numbered years, and in the case of special
elections an election of any officers to fill vacancies held on a date
other than the Tuesday following the first Monday in November, the
election at which any such officer is finally elected.
(b) "Primary election" means the elections held on the first
Tuesday in August of both even-numbered and odd-numbered years;
and any other preliminary election held on a date other than the first
Tuesday in August at which part of the candidates for special
election to any national, state, county, city, school or other
municipal office are eliminated by the process of the election but at
which no officer is finally elected.
(c) "Special election" means any election that is not a general or
primary election, including, but not limited to, any mail ballot
election conducted pursuant to K.S.A. 25-431 et seq., and
amendments thereto. A special election shall not be held within 45
days of a general or primary election but may be held on the same
day as a general or primary election.

And by renumbering sections accordingly

1 ~~secretary of state and county election officers shall develop dedicated~~
2 ~~websites to provide voter education and sample ballots for elections.~~

3 ~~(b) The county election officers in consultation with the secretary of~~
4 ~~state shall develop ways to reduce the ballot length and expedite the voting~~
5 ~~process on election days.~~

6 Sec. 35. K.S.A. 25-2310 is hereby amended to read as follows: 25-
7 2310. County election officers shall ~~cause publication~~, *publish notice of*
8 *places and dates for registration and the closing thereof before each*
9 *election* in a newspaper having general circulation in the county ~~of the~~
10 ~~county election officer, of a notice of places and dates for registration and~~
11 ~~the closing thereof before each election. Such notice shall also be~~
12 ~~published on the website of the county election office of any county where~~
13 ~~the election is to be conducted. Such notice shall remain on the website~~
14 ~~until the day after the registration closes. Such notice also shall give~~
15 ~~information for registration by mail. Such notice shall be given in such~~
16 ~~form and at such time or times as is specified by rules and regulations of~~
17 ~~the secretary of state.~~

18 ✓ Sec. 36. K.S.A. 25-2507 is hereby amended to read as follows: 25-
19 2507. (a) "Poll book" means a book in which each voter may sign the
20 voter's signature and a number is assigned by one of the clerks of the
21 election board when the voter is given a ballot or set of ballots. If the
22 county election officer determines that voters shall sign the poll book, such
23 book shall also contain on each page the declaration prescribed by
24 subsection (d).

25 (b) "Registration book" means:

26 (1) A book or list containing the names and other information relating
27 to registered voters. Registration books shall have the names entered
28 therein before the same or copies thereof are delivered to the supervising
29 judges. Registration books may also contain blank lines on which each
30 voter shall sign the voter's signature. If the county election officer
31 determines that voters shall sign the registration book, such book shall also
32 contain on each page the declaration prescribed by subsection (d); or

33 (2) a book meeting the requirements of ~~K.S.A. 25-2507(b)(1), and~~
34 ~~amendments thereto; paragraph (1), and~~ containing:

35 (A) Blank lines on which each voter shall sign the voter's signature;
36 ~~containing on each page~~

37 (B) the declaration prescribed by subsection (d) *on each page of the*
38 *book*; ~~and containing~~

39 (C) the numbers assigned by one of the clerks of the election board
40 when voters are given ballots or sets of ballots.

41 (c) "Party affiliation lists" means a list containing the names of all
42 registered voters of a county who have lawfully designated a party
43 affiliation.

Sec. 37. K.S.A. 25-2502 is hereby amended to read as follows:
25-2502. (a) "General election" means the elections held on the
Tuesday following the first Monday in November of both even-
numbered and odd-numbered years, and in the case of ~~special~~
elections an election of any officers to fill vacancies held on a date
other than the Tuesday following the first Monday in November, the
election at which any such officer is finally elected.

(b) "Primary election" means the elections held on the first
Tuesday in August of both even-numbered and odd-numbered years;
and any other preliminary election held on a date other than the first
Tuesday in August at which part of the candidates for ~~special~~
election to any national, state, county, township, city, school or other
municipal office are eliminated by the process of the election but at
which no officer is finally elected.

(c) "Special election" means any election that is not a general or
primary election, including, but not limited to, any mail ballot
election conducted pursuant to K.S.A. 25-431 et seq., and
amendments thereto. A special election shall not be held within 45
days of a general or primary election but may be held on the same
day as a general or primary election.

And by renumbering sections accordingly

1 appear on primary college district election ballots.
2 Sec. 66. K.S.A. 10-120, 15-809, 19-303, 19-804, 19-3419, 19-3422,
3 19-3439, 25-105, 25-203, 25-208a, 25-211, 25-212, 25-213, 25-222, 25-
4 303, 25-305, 25-305b, 25-308, 25-321, 25-432, 25-433, 25-604, 25-610,
5 25-901, 25-1122, 25-1214, 25-1709, 25-1710, 25-1903, 25-2005, 25-2008,
6 25-2018, 25-2021, 25-21a02, 25-2310, 25-2507, 25-2601, 25-26a03, 25-
7 2702, 25-2703, 25-2704, 25-2705, 25-2706, 25-2805, 25-2812, 25-2905,
8 25-3002, 25-3005, 25-3005a, 25-3104, 25-3107, 25-3201, 25-3301, 25-
9 3303, 25-3304, 25-3801, 25-4004, 25-4005, 25-4148d, 25-4322, 25-4502,
10 25-4503, 25-4505, 25-4506, 25-4507, 25-4508, 25-4612, 25-4703, 25-
11 4709 and 71-1415 and K.S.A. 2022 Supp. 19-3424, 25-3009 and 25-4414
12 are hereby repealed.
13 Sec. 67. This act shall take effect and be in force from and after its
14 publication in the statute book.

25-1115,

25-2502,