

{As Amended by House Committee of the Whole}

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2086

By Committee on Elections

1-19

Proposed Amendments to
House Bill No. 2086
(As Amended by House Committee of the Whole)
Senate Committee on Federal and State Affairs
"Precinct Committee Persons"
Prepared by: Jason Long
Office of Revisor of Statutes

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, **25-1115**, 25-1122, 25-1214, 25-1903, 25-2005, 25-2008, 25-
7 2018, 25-2021, 25-21a02, 25-2310, **25-2502**, 25-2507, 25-26a03, 25-
8 2702, 25-2703, 25-2704, 25-2705, 25-2706, 25-2805, 25-2812, 25-
9 2905, 25-3002, 25-3005, 25-3005a, 25-3104, 25-3107, 25-3201, 25-
10 3301, 25-3303, 25-3304, 25-3801, 25-4004, 25-4005, 25-4148d, 25-
11 4322, 25-4612, 25-4703, 25-4709 and 71-1415 and K.S.A. 2022 Supp.
12 19-3424, 25-3009 and 25-4414 and repealing the existing sections; also
13 repealing K.S.A. 25-222, 25-305b, 25-1709, 25-1710, 25-2601, 25-
14 4502, 25-4503, 25-4505, 25-4506, 25-4507 and 25-4508.

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

1 enter a record of such change on the party or voter affiliation list of such
2 preceding primary election in the proper column opposite the voter's name.

3 Sec. ~~56.~~ **58.** K.S.A. 25-3801 is hereby amended to read as follows:
4 25-3801. (a) At each primary election, the members of the party residing in
5 each precinct in each county of the state shall elect a man ~~of their number~~
6 *from such members* as precinct committeeman and a woman ~~of their~~
7 ~~number from such members~~ as precinct committeewoman. No person shall
8 be eligible *to file a declaration of intention to be a candidate for*; to be a
9 candidate for or hold the office of precinct committeeman or precinct
10 committeewoman of a party in any precinct unless ~~such~~ **the** person
11 actually lives, resides ~~and occupies a place of abode~~ in such precinct, ~~and~~
12 is ~~in all other respects~~ a qualified elector and is ~~shown as~~ a member of
13 such party on the party affiliation list; *maintained* in the office of the
14 county election officer. ~~The chairperson of the state or county political~~
15 ~~party may file an objection with the county election officer at any time to~~
16 ~~challenge the eligibility of a person to be a candidate for or to serve as a~~
17 ~~precinct committeeman or committeewoman of such party. Each precinct~~
18 ~~committeeman and committeewoman shall assume the duties of precinct~~
19 ~~committeeman and committeewoman on the day after the primary election~~
20 ~~and shall not be required to take an oath under K.S.A. 54-106, and~~
21 ~~amendments thereto.~~

Strike in lines 14-17

22 **(b)** Except as provided in subsection ~~(b)~~ **(c)**, any vacancy occurring in
23 the office of precinct committeeman or committeewoman shall be
24 promptly filled by appointment by the county chairperson, ~~except that for~~
25 any vacancy ~~which that~~ occurs because the party had no candidate at ~~such~~
26 **the** primary election shall not be filled until the county central committee
27 has elected or reelected its chairperson. Not later than three days after
28 appointment of precinct committeemen and committeewomen, the county
29 chairperson making the appointments shall notify the county election
30 officer of such appointments **and include the name, address, email**
31 **address, if available, and a phone number or phone numbers,**
32 **including a mobile phone number, if available, of each appointee in**
33 **such notification.** The county election officer shall make such
34 appointments public immediately upon receipt thereof. ~~As used in this act,~~
35 ~~"primary election" means the statewide election held in August of even-~~
36 ~~numbered years.~~

37 ~~(b)(c)~~ **(1)** When a convention is to be held under article 39 of chapter
38 25 of Kansas Statutes Annotated, *and amendments thereto*, to fill a
39 vacancy, no appointments shall be made under subsection (a):

40 ~~(+)~~ **(A)** After the county chairperson has received notice from the
41 county election officer of a vacancy or a pending vacancy in a county
42 elected office; or

43 ~~(2)~~ **(B)** after the county chairperson in each county, all or a part of