

HOUSE BILL No. 2052

By Committee on Elections

1-18

1 AN ACT concerning elections; relating to voter registration; requiring
2 correction of voter registration lists when notice is provided that a
3 person is disqualified from juror service due to not being a United
4 States citizen; amending K.S.A. 43-162 and K.S.A. 2022 Supp. 25-
5 2316c and repealing the existing sections.
6

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

8 New Section 1. Any public agency that provides information from
9 voter registration records, licensed driver records, including state-issued
10 nondrivers' identification cards, or enumeration or census records to a
11 federal court for the purpose of preparation of jury lists by such federal
12 court shall not release such records to a federal court unless there is an
13 executed agreement between such federal court and the public agency that
14 requires such federal court to notify the county election office for the
15 county in which a potential juror resides if the court determines that such
16 potential juror is ineligible for jury service because such person is not a
17 citizen of the United States. Such notice shall include the name and
18 residence of the potential juror and the reason for such person's
19 ineligibility for jury service.

20 Sec. 2. K.S.A. 2022 Supp. 25-2316c is hereby amended to read as
21 follows: 25-2316c. (a) When a registered voter changes name by marriage,
22 divorce or legal proceeding, if the voter is otherwise qualified to vote at
23 such voting place the voter shall be allowed to vote a provisional ballot at
24 any election, or apply for an advance voting ballot, on the condition that
25 the voter first completes the application for registration prescribed by
26 K.S.A. 25-2309, and amendments thereto. Completion of the application
27 shall authorize the county election officer to update the registration
28 records, if appropriate, for voting in future elections. The county election
29 officer shall send, by nonforwardable mail, a notice of disposition to any
30 voter completing such application.

31 (b) When a registered voter changes residence, the voter shall
32 reregister in order to be eligible to vote, except that when a registrant has
33 moved from an address on the registration book to another address within
34 the county and has not reregistered, the registrant shall be allowed to vote
35 a provisional ballot at any election, or to apply for an advance voting
36 ballot, on the condition that the registrant first completes the application

1 for registration prescribed by K.S.A. 25-2309, and amendments thereto.
2 Completion of the application shall authorize the county election officer to
3 update the registration record, if appropriate, for voting in future elections.
4 The county election officer shall send, by nonforwardable mail, a notice of
5 disposition to any such voter. Whenever the county election officer
6 receives from any other election officer a notice of registration of a voter
7 in a different place than that shown in the records of the county election
8 officer, the officer shall remove the name of the voter from the registration
9 book and party affiliation list.

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

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

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

17 (2) (A) (i) has failed to respond to the notice described in subsection
18 (e)(1) through (e)(4); or (ii) the notice described in subsection (e)(5) is
19 returned as undeliverable; and (B) has not appeared to vote in an election
20 during the period beginning on the date of the notice and ending on the
21 day after the date of the second federal general election that occurs after
22 the date of the notice.

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

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

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

30 (3) if it appears from information provided by the postal service that a
31 registrant has moved to a different residence address in the county in
32 which the registrant is currently registered;

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

36 (5) if the registrant has no election-related activity for any four-
37 calendar year period. No election-related activity means that the elector
38 has not voted, attempted to vote, requested or submitted an advance ballot
39 application, filed an updated voter registration card, signed a petition,
40 which is required by law to be verified by the county election officer or the
41 secretary of state, or responded to any official election mailing transmitted
42 by the county election office.

43 The confirmation notice shall be sent by forwardable mail and shall

1 include a postage prepaid and preaddressed return card in a form
2 prescribed by the chief state election official.

3 (f) Except as otherwise provided by law, when a voter dies or is
4 disqualified for voting, the registration of the voter shall be void, and the
5 county election officer shall remove such voter's name from the
6 registration books and the party affiliation lists. ~~Whenever~~ *If any of the*
7 *following occurs, the county election officer shall remove the name of such*
8 *voter from the registration books and the party affiliation lists in such*
9 *officer's office:* (1) An obituary notice appears in a newspaper having
10 general circulation in the county reports the death of a registered voter, ~~or~~;
11 (2) a registered voter requests in writing that such voter's name be
12 removed from registration, ~~or~~; (3) a court of competent jurisdiction orders
13 removal of the name of a registered voter from registration lists, ~~or~~; (4) the
14 name of a registered voter appears on a list of deceased residents compiled
15 by the secretary of health and environment as provided in K.S.A. ~~65-2422~~
16 *65-2422d*, and amendments thereto, ~~or~~ appears on a copy of a death
17 certificate provided by the secretary of health and environment, or appears
18 in information provided by the social security administration, ~~the county~~
19 ~~election officer shall remove from the registration books and the party~~
20 ~~affiliation lists in such officer's office the name of any person shown by~~
21 ~~such list or death certificate to be deceased; or (5) notice is provided by a~~
22 ~~jury commissioner pursuant to K.S.A. 43-162, and amendments thereto, or~~
23 ~~by the appropriate officer of a federal court that a registered voter is not~~
24 ~~eligible for jury service due to such individual not being a citizen of the~~
25 *United States.* The county election officer shall not use or permit the use of
26 such lists of deceased residents or copies for any other purpose than
27 provided in this section.

28 (g) When the chief state election official receives written notice of a
29 felony conviction in a United States district court, such official shall notify
30 within five days the county election officer of the jurisdiction in which the
31 offender resides. Upon notification of a felony conviction from the chief
32 state election official, or from a county or district attorney or a Kansas
33 district court, the county election officer shall remove the name of the
34 offender from the registration records.

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

38 Sec. 3. K.S.A. 43-162 is hereby amended to read as follows: 43-162.
39 (a) All jury lists shall be prepared in accordance with the provisions of this
40 act. Jury commissioners shall cause to be prepared under ~~their~~ *such*
41 *commissioner's* supervision a list of persons qualified as jurors in each
42 county. Jury lists shall be prepared from voter registration records of the
43 county, lists of licensed drivers residing in the county or enumeration or

1 census records for the county, in accordance with the intent and purposes
2 of this act.

3 ~~On and after January 1, 1985, (b)~~ Lists of holders of state-issued
4 nondrivers' identification cards who reside in the county may also be used
5 in the preparation of jury lists. Jury lists prepared from multiple sources
6 may be used if one or more of the foregoing records is used as a material
7 source in preparing the list. The commissioners shall cause the jury list of
8 each county to be revised and updated by adding names of qualified jurors
9 and removing names of those who have died, removed from the county, or
10 who have otherwise become disqualified.

11 (c) For the purposes of preparation and revision of jury lists,
12 commissioners shall have access to the voter registration records of the
13 county, records of the division of vehicles pertaining to licensed drivers
14 who reside in the county and enumeration or census records for the county.
15 ~~On and after January 1, 1985,~~ Commissioners shall have access to records
16 of the division of vehicles pertaining to nondrivers' identification card
17 holders who reside in the county; for the purposes of preparation and
18 revision of jury lists.

19 (d) *If any person on a jury list is found by the commissioners to be*
20 *ineligible because such person is not a citizen of the United States, the*
21 *commissioners shall notify the county election office for the county in*
22 *which such person resides that such person is not a citizen of the United*
23 *States. Such notice shall include the name and residence of the potential*
24 *juror and the reason for such person's ineligibility for jury service.*

25 Sec. 4. K.S.A. 43-162 and K.S.A. 2022 Supp. 25-2316c are hereby
26 repealed.

27 Sec. 5. This act shall take effect and be in force from and after its
28 publication in the statute book.