

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, **25-1115**, 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, ~~and 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. *(a) Except as provided in subsection (b)*, no county
32 election office or any employee or agent thereof shall create, or permit any

1 other person to create, or disclose to any person an image of the hard drive
2 of any electronic or electromechanical voting system, optical scanning
3 equipment or any other voting system that contains a hard drive
4 component without the written consent of the secretary of state.

5 ***(b) Each county election officer shall create a backup copy of the***
6 ***hard drive of any electronic or electromechanical voting system, optical***
7 ***scanning equipment or any other voting system that contains a hard***
8 ***drive component. Such backup copies shall be created immediately prior***
9 ***to and immediately after any system updates, repairs or improvements***
10 ***and prior to and after each general election. The county election officer***
11 ***shall maintain such backup copies in a secured location for not less than***
12 ***22 months.***

13 Sec. 4. K.S.A. 10-120 is hereby amended to read as follows: 10-120.

14 *(a)* Whenever an election is required for the issuance of bonds for any
15 purpose by any municipality other than an irrigation district or where a
16 different procedure for giving notice of the election is specifically
17 provided by law, upon compliance with the legal requirements necessary
18 and precedent to the call for the election, the proper municipal officers
19 shall call an election. The election shall be held within ~~45~~ 60 days after
20 compliance with the necessary requirements, or within 90 days, should the
21 longer period include the date of a general election.

22 *(b)* Notice of the election shall be published in a newspaper of general
23 circulation in the municipality once each week for two consecutive weeks.
24 The first publication shall be not less than 21 days prior to the election.
25 *Notice of the election shall also be published on the website of the county*
26 *election office of any county where the election is to be conducted. Such*
27 *notice shall be published not less than 21 days prior to the election and*
28 *shall remain on the website until the day after the election.* The notice
29 shall set forth the time and place of holding the election and the purpose
30 for which the bonds are to be issued and shall be signed by the county
31 election officer. The election shall be held at the usual place of holding
32 elections and shall be conducted by the officers or persons provided by law
33 for holding elections in the municipality.

34 Sec. 5. K.S.A. 15-809 is hereby amended to read as follows: 15-809.

35 *(a)* Any city of the third class ~~which~~ *that* owns an electric light or
36 waterworks plant, electric transmission line; or water, gas or electric
37 distribution system may sell the same, except that the sale shall not be
38 made until the proposition of whether to sell has been submitted to a vote
39 of the qualified electors of the city. If a majority of the qualified electors
40 who vote in the election vote in favor of the sale, the governing body may
41 dispose of the plant, transmission line or distribution system; according to
42 the proposition voted on at the election. The proposition submitted to the
43 electors shall contain a statement of the proposed sale price and the name

1 of the purchaser.

2 (b) When the governing body of such city decides to put the
3 proposition to a vote, ~~it~~ the governing body shall pass an ordinance calling
4 an election to be held within ~~40~~ 60 days after the passage of the ordinance.
5 The mayor shall cause a notice of the election to be published once a week
6 for two consecutive weeks; with the first publication to be not less than 21
7 days preceding the election. Notice of the election shall also be published
8 on the website of the county election office of any county where the
9 election is to be conducted. Such notice shall be published not less than 21
10 days prior to the election and shall remain on the website until the day
11 after the election. The notice shall state the purpose of the election, giving
12 the sale price and the name of the purchaser, the date of the election, and
13 the places of voting. The proposed purchaser shall bear all the expenses of
14 the election.

15 (c) All sales shall be for cash, and the proceeds of the sale shall be
16 applied upon the payment of any outstanding bonds or obligations incurred
17 in the purchase, erection or improvement of the property sold. The excess,
18 if any, shall be paid into the general fund of the city. If the city is unable to
19 purchase the unmatured bonds issued for the purchase, erection or
20 improvement of the property sold, the governing body may invest the
21 money necessary to take up such bonds at maturity in investments
22 authorized by K.S.A. 12-1675, and amendments thereto, in the manner
23 prescribed therein or in any municipal bonds of this state, ~~which~~ and such
24 bonds shall become due prior to the due date of the bonds issued for the
25 purchase, erection or improvement of the property sold, or in government
26 bonds or federal landbank bonds. The purchase price and proceeding of the
27 sale shall be filed with the state corporation commission.

28 Sec. 6. K.S.A. 19-303 is hereby amended to read as follows: 19-303.
29 If a vacancy in the office of county clerk should occur by death,
30 resignation; or otherwise, the vacancy shall be filled by appointment of a
31 qualified elector of ~~the county~~ this state in the manner ~~herein~~ provided in
32 this section. If the vacancy occurs on or after May 1 of the second year of
33 the term, the person so appointed shall serve for the remainder of the
34 unexpired term and until a successor is elected and qualifies. If the
35 vacancy occurs before May 1 of the second year of the term, the person
36 appointed to fill the vacancy shall serve until a successor is elected and
37 ~~qualifies~~ qualified at the next general election to serve the remainder of the
38 unexpired term. Nomination and election of such successor shall be in the
39 same manner as nomination and election of a county clerk for a regular
40 term. Appointments hereunder shall be made in the manner provided by
41 law for filling vacancies in the office of member of the house of
42 representatives.

43 Sec. 7. K.S.A. 19-804 is hereby amended to read as follows: 19-804.

1 Except in those counties operating under the provisions of consolidated
2 law enforcement acts, whenever a vacancy occurs in the office of sheriff of
3 any county, the undersheriff of such county shall in all things execute the
4 office of sheriff until a sheriff shall be appointed by the governor in the
5 manner provided by law for filling vacancies in the office of member of
6 the house of representatives. *Any individual appointed to the office of*
7 *sheriff shall be a qualified elector of the county on the day such individual*
8 *is sworn in as sheriff of such county.* If the vacancy occurs on or after May
9 1 of the second year of the term, the person so appointed shall serve for the
10 remainder of the unexpired term and until a successor is elected and
11 ~~qualifies~~ *qualified.* If the vacancy occurs before May 1 of the second year
12 of the term, the person appointed to fill the vacancy shall serve until a
13 successor is elected and ~~qualifies~~ *qualified* at the next general election to
14 serve the remainder of the unexpired term. Nomination and election of
15 such successor shall be in the same manner as nomination and election of a
16 sheriff for a regular term. Any default or misfeasance in office of such
17 undersheriff in the meantime, as well as before such vacancy, shall be
18 deemed to be a breach of the condition of the bond given by the sheriff
19 who appointed the undersheriff, and also a breach of the condition of the
20 bond executed by such undersheriff to the sheriff by whom the
21 undersheriff was appointed.

22 Sec. 8. K.S.A. 19-3419 is hereby amended to read as follows: 19-
23 3419. In counties of this state having a population exceeding ~~130,000~~
24 ***100,000***, *as certified to the secretary of state by the director of the division*
25 *of the budget on the previous July 1 in accordance with K.S.A. 11-201, and*
26 *amendments thereto, or as otherwise determined pursuant to K.S.A. 11-*
27 *202, and amendments thereto, there shall be an office of commissioner of*
28 *elections, which that shall be administered by an election commissioner.*
29 The election commissioner shall be appointed by the secretary of state and
30 shall hold office for a term of four years and until a successor is appointed
31 and qualified. The secretary of state may remove the election
32 commissioner for official misconduct. Upon occurrence of a vacancy in
33 the office of county election commissioner, the secretary of state shall
34 appoint a successor. If the vacancy occurs before the expiration of a term
35 of office, the appointment shall be for the unexpired term. ~~Such election~~
36 ~~commissioner shall have been a qualified elector and a resident of the~~
37 ~~county at least two years prior to appointment. ***Such election***~~
38 ***commissioner shall have been a qualified elector or resident of the***
39 ***county at least two years prior to appointment.*** Within 10 days after
40 receiving official notice of the appointment and before entering upon the
41 duties of the office, the election commissioner shall take, subscribe and
42 cause to be filed in the office of the secretary of state an oath of office for
43 the faithful discharge of official duties. ~~***Within six months after taking the***~~

1 ~~**oath of office, the newly appointed election commissioner shall become**~~
2 ~~**a qualified elector of the same county.**~~

3 Sec. 9. K.S.A. 19-3422 is hereby amended to read as follows: 19-
4 3422. All the jurisdiction, powers and duties now or hereafter conferred by
5 law upon the county clerks and city, school and township officers relating
6 to the conduct, supervision and control of elections, are hereby withdrawn
7 from ~~said~~ *such* county clerks and city, school and township officers; in all
8 counties having a population of more than ~~one hundred thousand~~
9 ~~(100,000)~~ ~~130,000~~ **100,000**, *as certified to the secretary of state by the*
10 *director of the division of the budget on the previous July 1 in accordance*
11 *with K.S.A. 11-201, and amendments thereto, or as otherwise determined*
12 *pursuant to K.S.A. 11-202, and amendments thereto, and ~~the same~~ such*
13 *jurisdiction, powers and duties* are conferred upon the election
14 commissioner appointed as provided in K.S.A. 19-3419; ~~and, and~~
15 *amendments thereto*. All laws of the state relating to the registration,
16 qualification, challenging and voting of electors at any election in any such
17 county are conferred upon and made applicable to the county election
18 commissioner.

19 Sec. 10. K.S.A. 2022 Supp. 19-3424 is hereby amended to read as
20 follows: 19-3424. (a) The election commissioner, in the conduct of
21 elections, shall operate under the general supervision of the secretary of
22 state and shall comply with the statutes, rules and regulations and
23 standards and directives that relate to the registration of voters and the
24 conduct of elections. The election commissioner shall:

25 (1) Establish and fix the boundaries of wards and precincts within the
26 county and in all cities the greater part of the population of which is
27 located in the county. The commissioner shall accept and file nomination
28 ~~petitions and declaration papers~~ *declarations of intention* of candidates and
29 declarations of party affiliation;

30 (2) give notice by publication in the official county paper; ~~and on the~~
31 ~~website of the county election office of any county where the election is to~~
32 ~~be conducted. Such notice shall be published at least 15 days before the~~
33 ~~holding of~~ *prior to* any election, except as otherwise provided by law, ~~of~~
34 ~~and shall provide~~ the time of ~~holding~~ the election, ~~and~~ the officers at that
35 time to be chosen; and any other matters to be voted upon;

36 (3) publish notice giving the proper party designation if required by
37 law, the title of each office, the names and addresses of all persons seeking
38 national and state offices ~~and~~, as certified to the county election officer by
39 the secretary of state, and of all persons from whom nomination ~~papers~~
40 ~~petitions~~ or *declarations of intention* have been filed with the election
41 officer, giving the name and address of each, the title to the office, the day
42 of the election, the hours during which the polls will be open and the
43 location of the voting place in each precinct or area, and mail to all persons

1 whose nomination ~~petitions or declaration papers~~ *declarations of intention*
2 are on file with the election officer; a copy of the first issue containing the
3 publication notice;

4 (4) have charge of the printing of the ballots for all elections to which
5 this act applies held within the county, or held within any city, school
6 district, township or drainage district located in the county. The
7 commissioner shall conduct negotiations for the letting of the contract to
8 print ballots and shall let the contract, with the approval of the board of
9 county commissioners; and

10 (5) be the clerk of the court for the trial of contested elections except
11 national and state elections, and all intentions to contest any election shall
12 be filed with the election commissioner.

13 (b) In the administration of the office of the election commissioner,
14 any action taken by the election commissioner shall be subject to the
15 following provisions established by the board of county commissioners
16 applicable to all county departments, agencies and officials:

17 (1) Personnel policies and procedures;

18 (2) any pay plan, compensation plan and benefits for county
19 employees;

20 (3) purchasing policies and procedures;

21 (4) budgeting policies and procedures;

22 (5) financial policies and procedures; and

23 (6) auditing policies and procedures.

24 (c) Each year, consistent with the county's budgeting procedures, the
25 election commissioner shall submit to the board of county commissioners
26 a requested budget for the office of the election commissioner showing the
27 amount of funding deemed necessary to pay the costs for salaries of the
28 election commissioner, any deputy or assistant election commissioners,
29 and other employees of the office, together with the projected costs and
30 expenses of the office for the next ensuing budget year. The board of
31 county commissioners shall consider the request in the same manner as
32 other departments and agencies of the county and shall approve and adopt
33 a budget for the office of election commissioner within the county budget
34 in an amount determined by the board of county commissioners to be
35 sufficient and adequate for the performance of the duties of the office and
36 the conduct of elections as required by law.

37 Sec. 11. K.S.A. 19-3439 is hereby amended to read as follows: 19-
38 3439. Notwithstanding the provisions of any statute to the contrary, in any
39 county ~~having a population of more than one hundred and forty thousand~~
40 ~~(140,000) and less than two hundred and twenty thousand (220,000),~~
41 *where an election commissioner has been appointed all-ward and precinct*
42 *boundary lines shall be established and may be changed from time to time,*
43 *exclusively by the election commissioner of any such county. No precinct*

1 shall be divided by a ward boundary line. Whenever the governing body of
2 any city proposes to adopt an annexation ordinance, at least seven-~~(7)~~ days
3 prior to such adoption, ~~it~~ *the governing body* shall notify the county
4 election officer by transmitting a copy of the proposed ordinance to ~~him~~
5 *such officer*; together with a statement of the date the proposed ordinance,
6 if passed, will take effect in accordance with the provisions of K.S.A. 12-
7 523, *and amendments thereto*. If the county election officer is of the
8 opinion that the date such ordinance takes effect will materially interfere
9 with any election, ~~he~~ *such officer* shall so certify, stating ~~his~~ *the* reasons
10 therefor, to the governing body of such city and deliver a copy of such
11 certificate to the secretary of state. Whenever any such certificate is filed
12 with the governing body of a city and the secretary of state, the ordinance
13 to which it applies shall not take effect until the day after the election with
14 which it will interfere, and if such an ordinance will materially interfere
15 with the primary-~~state-wide~~ *statewide* election in the opinion of the county
16 election officer, such ordinance shall not take effect until the day after the
17 ~~state-wide~~ *statewide* general election. In the event that the governing body
18 of any city ~~which~~ *that* receives a certificate under this ~~act~~ *section* is
19 aggrieved thereby because the reasons for the opinion of the county
20 election officer are deemed incorrect or insufficient, such governing body
21 may appeal the decision to the district court. In any such case the district
22 court shall advance the appeal for immediate determination as the public
23 interest may require. A copy of any such appeal shall be filed with the
24 secretary of state at the time the appeal is made, and the secretary of state
25 shall file a statement of position with respect to the matter in controversy
26 with the district court.

27 Sec. 12. K.S.A. 25-105 is hereby amended to read as follows: 25-105.
28 Except as otherwise provided by law, the county election officer shall
29 cause notice of the time of the holding of any general election to be
30 published once at least ~~15~~ *30* days before such election, ~~except in the case~~
31 ~~of special elections, when 10 days' notice shall be given~~. Such notice shall
32 be published in a paper or papers having circulation in such county. *Notice*
33 *of the election shall also be published on the website of the county election*
34 *office of any county where the election is to be conducted. Such notice*
35 *shall be published not less than 30 days prior to the election and shall*
36 *remain on the website until the day after the election*. Such notice shall
37 state the date and times of such election, the name of each person
38 nominated for any public office to be voted upon and any propositions to
39 be voted upon. If such election is not held in conjunction with another
40 election for which notice of voting areas and polling places has been
41 published, the notice required by this section shall also include such
42 information. When the names to appear on general election ballots are
43 definitely known and ~~no~~ *not* later than ~~25~~ *50* days prior to any general

1 election, the county election officer shall mail a copy of such notice to
2 each person nominated for any public office, except candidates for
3 president and vice president of the United States, and to judicial retention
4 candidates.

5 Sec. 13. K.S.A. 25-203 is hereby amended to read as follows: 25-203.
6 ~~(a) Except as otherwise provided in subsection (b),~~ The primary national,
7 state, county and township election shall be held on the first Tuesday of
8 August in even-numbered years for the nomination of all candidates to be
9 voted for at the next following general election.

10 ~~(b) In the year 1992, if new boundary lines are defined and districts~~
11 ~~established in the manner prescribed by law for the offices of~~
12 ~~representative in the United States congress, senator and representative in~~
13 ~~the legislature of the state of Kansas, and member of the state board of~~
14 ~~education, on or after June 13, 1992, the primary national, state, county~~
15 ~~and township election shall be held on August 25, 1992, for the~~
16 ~~nomination of all candidates to be voted for at the next following general~~
17 ~~election.~~

18 Sec. 14. K.S.A. 25-208a is hereby amended to read as follows: 25-
19 208a. (a) Within 10 days, Saturdays, Sundays and holidays not included,
20 from the date of the filing of nomination petitions or a declaration of
21 intention to become a candidate for United States senator or representative
22 or for state office, the secretary of state shall determine the validity of such
23 petitions or declaration.

24 The secretary of state shall send a copy of all petitions to the county
25 election officer of the county of the district in which the nomination
26 petition was passed. The county election officer shall check the petitions
27 only for valid signatures and certify the results of such check to the
28 secretary of state within 10 days, including Saturdays, Sundays and
29 holidays, of the date the petitions were filed with the secretary. The
30 secretary of state upon receipt of the validated petition from the county
31 election officer shall notify the candidate of the validity of the petition.

32 (b) Within three days from the date of the filing of nomination
33 petitions or a declaration of intention to become a candidate for county or
34 township office or for precinct committeeman or committeewoman, the
35 county election officer shall determine the validity of such petitions or
36 declaration. *The county election officer shall verify the party affiliation of*
37 *the candidate at the time a declaration of intention is filed to become a*
38 *candidate for precinct committeeman or committeewoman.*

39 (c) If any nomination petitions or declarations are found to be invalid,
40 the secretary of state or the county election officer, as the case may be,
41 shall notify the candidate on whose behalf the petitions or declaration was
42 filed that such nomination petitions or declaration have been found to be
43 invalid and the reason for the finding. Such candidate may make objection

1 to the finding of invalidity by the secretary of state or the county election
2 officer in accordance with K.S.A. 25-308, and amendments thereto.

3 Sec. 15. K.S.A. 25-211 is hereby amended to read as follows: 25-211.
4 The county election officer shall, at least ~~two (2) weeks before~~ *50 days*
5 *prior to* the primary election, mail to each person whose name is to appear
6 on the official ballot in such county, ~~to the address given in such papers, a~~
7 ~~copy of the first issue of the county paper containing the names and~~
8 ~~addresses and to the chairpersons of the political parties of such county a~~
9 *list of those candidates whose names will be printed on the national, state,*
10 *county and township primary election ballots, including the office, the*
11 *candidate's name, the city where the candidate resides and the candidate's*
12 *political party, as such information will appear on the primary election*
13 *ballot. The* ~~chairman~~ *chairperson* of each *political party* ~~shall or any~~
14 *candidate may*, on or before the ~~eleventh~~ *45th* day preceding such primary
15 election, suggest to the county election officer any changes ~~that he may~~
16 ~~consider should be made in~~ to the ballot ~~applicable to his party~~, and, if
17 upon examination the county election officer shall find any error or
18 omission in ~~said~~ *such* ballot, ~~he~~ *the county election officer* shall correct the
19 ballot and cause ~~the same~~ *such* ballot to be printed and distributed as
20 required by law in the case of ballots for the national, state, county and
21 township general election. The number of ballots of each party to be
22 furnished to each precinct shall be adequate in the opinion of the county
23 election officer.

24 Sec. 16. K.S.A. 25-212 is hereby amended to read as follows: 25-212.
25 (a) In case there are nomination petitions or declarations of intention to
26 become a candidate on file for more than one candidate or for more than
27 one pair of candidates for governor and lieutenant governor, of the same
28 party for any national or state office, the secretary of state shall divide the
29 state or appropriate part thereof, into as many divisions as there are names
30 to go on such party ballot for that office. Such divisions shall be as nearly
31 equal in number of members of such party as is convenient without
32 dividing any one county. In making such division the secretary of state
33 shall take the alphabetical list of counties in regular order until the
34 secretary of state gets the required proportion of party members of such
35 party based upon the party affiliation lists as shown by the certificates of
36 the respective county election officers, and so on through the list of
37 counties until the secretary of state gets the proper proportion of party
38 members in each division. The secretary of state shall also take the
39 alphabetical list of candidates or pairs of candidates in regular order and in
40 certifying to the county election officer the list of names for whom
41 nomination petitions or declarations of intent to become a candidate have
42 been filed, shall place one name or pair of candidates at the head of the list
43 in the first division of counties, another in the second division, and so on

1 with all the candidates for any particular office, so that every candidate or
 2 pair of candidates for any office shall be at the head of the list in one
 3 division of the state and second in another division thereof, and so forth.
 4 When, in the case of candidates for the office of congressman, district
 5 judge, district magistrate judge, state senator, state representative or state
 6 board of education member, the secretary of state finds that the secretary
 7 of state cannot get a fair proportion of party members to give each
 8 candidate for congressman, district judge, district magistrate judge, state
 9 senator, state representative or state board of education member in any
 10 given district an equitable or fair opportunity to have the candidate's name
 11 first on the ballot in the respective counties of the district, the secretary of
 12 state shall order the county election officers ~~in the various~~ *all counties or*
 13 *in designated* counties of the district, *at the secretary's discretion*, to rotate
 14 the names of the candidates for such district offices according to precinct.
 15 If voting machines are used the arrangement of names of candidates or
 16 pair of candidates for all offices on the voting machines shall be rotated, as
 17 near as may be, according to precinct.

18 (b) The arrangement of the names certified by the secretary of state
 19 shall govern the county election officer in arranging the primary election
 20 ballot, and the county election officer in preparing the ballot for such
 21 officer's county shall follow the same arrangement as provided in this
 22 section for the secretary of state, for the candidates nominated for county
 23 offices, using the township and precincts of the county in making the
 24 division.

25 (b)(c) The secretary of state by rules and regulations adopted on or
 26 before July 1, 2016, shall establish the arrangement of names as provided
 27 by law for the official primary ballot for municipal elections.

28 Sec. 17. K.S.A. 25-213 is hereby amended to read as follows: 25-213.

29 (a) At all national and state primary elections, the national and state offices
 30 as specified for each in this section shall be printed upon the official
 31 primary election ballot for national and state offices and the county and
 32 township offices as specified for each in this section shall be printed upon
 33 the official primary election ballot for county and township offices.

34 (b) The official primary election ballots shall have the following
 35 heading:

36 OFFICIAL PRIMARY ELECTION BALLOT

37 _____ Party

38 To vote for a person whose name is printed on the ballot make a cross
 39 or check mark in the square at the left of the person's name. To vote for a
 40 person whose name is not printed on the ballot, write the person's name in
 41 the blank space, if any is provided, and make a cross or check mark in the
 42 square to the left.

43 The words national and state or the words county and township shall

1 appear on the line preceding the part of the form shown above.

2 The form shown shall be followed by the names of the persons for
3 whom nomination petitions or declarations have been filed according to
4 law for political parties having primary elections, and for the national and
5 state offices in the following order: United States senator, United States
6 representative from _____ district, governor and lieutenant governor,
7 secretary of state, attorney general, state treasurer, commissioner of
8 insurance, senator _____ district, representative _____ district, district
9 judge _____ district, district magistrate judge _____ district, district
10 attorney _____ judicial district, and member state board of education
11 _____ district. For county and township offices the form shall be followed
12 by the names of persons for whom nomination petitions or declarations
13 have been filed according to law for political parties having primary
14 elections in the following order: Commissioner _____ district, county clerk,
15 treasurer, register of deeds, county attorney, sheriff, township trustee,
16 township treasurer, township clerk. When any office is not to be elected, it
17 shall be omitted from the ballot. Other offices to be elected but not listed,
18 shall be inserted in the proper places. For each office there shall be a
19 statement of the number to vote for.

20 To the left of each name there shall be printed a square. Official
21 primary election ballots may be printed in one or more columns. The
22 names certified by the secretary of state or county election officer shall be
23 printed on official primary election ballots and no others. In case there are
24 no nomination petitions or declarations on file for any particular office, the
25 title to the office shall be printed on the ballot followed by a blank line
26 with a square, and such title, followed by a blank line, may be printed in
27 the list of candidates published in the official paper. No blank line shall be
28 printed following any office where there are nomination petitions or
29 declarations on file for the office except following the offices of precinct
30 committeeman and precinct committeewoman.

31 (c) Except as otherwise provided in this section, no person's name
32 shall be printed more than once on either the official primary election
33 ballot for national and state offices or the official primary election ballot
34 for county and township offices. No name that is printed on the official
35 primary election ballot as a candidate of a political party shall be printed or
36 written in as a candidate for any office on the official primary election
37 ballot of any other political party. If a person is a candidate for the
38 unexpired term for an office, the person's name may be printed on the
39 same ballot as a candidate for the next regular term for such office. The
40 name of any candidate on the ballot may be printed on the same ballot as
41 such candidate and also as a candidate for precinct committeeman or
42 committeewoman. No name that is printed on the official primary election
43 ballot for national and state offices shall be printed or written in elsewhere

1 on the ballot or on the official primary election ballot for county and
2 township offices except for precinct committeeman or committeewoman.
3 No name that is printed on the official primary election ballot for county
4 and township offices shall be printed or written in on the official primary
5 election ballot for national and state offices or elsewhere on the county and
6 township ballot except for precinct committeeman or committeewoman.

7 (d) No person shall be elected to the office of precinct committeeman
8 or precinct committeewoman where no nomination petitions or
9 declarations have been filed, unless the person receives at least five write-
10 in votes, *resides in such precinct, is a qualified elector and is a member of*
11 *such party as shown by the party affiliation list maintained in the county*
12 *election office.* As a result of a primary election, no person shall receive
13 the nomination and no person's name shall be printed on the official
14 general election ballot when no nomination petitions or declarations were
15 filed, unless the person receives votes equal in number to not less than 5%
16 of the total of the current voter registration designated in the state, county
17 or district in which the office is sought, as compiled by the office of the
18 secretary of state, except that a candidate for township office may receive
19 the nomination and have such person's name printed on the ballot where
20 no nomination petitions or declarations have been filed if such candidate
21 receives three or more write-in votes. No such person shall be required to
22 obtain more than 5,000 votes.

23 (e) The secretary of state by rules and regulations shall develop the
24 official ballot for municipal elections in odd-numbered year elections.

25 (f) A person who won the primary election as a result of the person's
26 name being written in on the primary ballot shall have such person's name
27 printed on the official general election ballot for national, state, county,
28 township or municipal office, unless the person notifies, in writing, the
29 secretary of state for national or state office or the county election office
30 for all other offices within 10 days following the canvass of the primary
31 election that the person does not want such person's name on the official
32 general election ballot.

33 Sec. 18. K.S.A. 25-303 is hereby amended to read as follows: 25-303.

34 (a) This section shall not apply to city and school elections, nor to election
35 of other officers provided by law to be elected in ~~April~~ *odd-numbered*
36 *years.*

37 (b) All nominations other than party nominations shall be
38 independent nominations. No person who has declared and retains a party
39 affiliation in accordance with K.S.A. 25-3301, and amendments thereto,
40 shall be eligible to accept an independent nomination for any office.

41 (c) Independent nominations of candidates for any office to be filled
42 by the voters of the state at large may be made by nomination petitions
43 signed by not less than 5,000 qualified voters for each candidate and in the

1 case of governor and lieutenant governor for each pair of such candidates.

2 ~~(e)~~(d) Independent nominations of candidates for offices to be filled
3 by the voters of a county, district or other division less than a state may be
4 made by nomination petitions signed by voters equal in number to not less
5 than 4% of the current total of qualified voters of such county, district or
6 other division as compiled by the office of the secretary of state in the case
7 of state offices and as compiled in the office of the county election officer
8 and certified to the secretary of state in accordance with K.S.A. 25-2311,
9 and amendments thereto, in the case of local offices, and in no case to be
10 signed by less than 25 nor more than 5,000 qualified voters of such county,
11 district or division, for each candidate.

12 ~~(d)~~(e) Independent nominations of candidates for offices to be filled
13 by the voters of a township may be made by nomination papers signed by
14 not less than 5% of the current total of qualified voters of such township,
15 computed as above provided, for each candidate, and in no case to be
16 signed by less than 10 such voters of such township for each candidate.

17 ~~(e)~~(f) The signatures to such nomination petitions need not all be
18 appended to one paper, but each registered voter signing an independent
19 certificate of nomination shall add to the signature such petitioner's place
20 of residence and post office address. All signers of each separate
21 nomination petition shall reside in the same county and election district of
22 the office sought. The affidavit of the candidate or a petition circulator
23 shall be appended to each petition and shall contain, at the end of each set
24 of documents carried by each circulator or candidate, a verification, signed
25 by the circulator or candidate, to the effect that such circulator or candidate
26 personally witnessed the signing of the petition by each person whose
27 name appears thereon.

28 ~~(f)~~(g) No such nomination ~~paper~~ petition shall contain the name of a
29 candidate for governor without in the same such ~~paper~~ petition containing
30 the name of a candidate for lieutenant governor, and if it does it shall be
31 void.

32 ~~(g)~~(h) No person shall join in nominating more than one person for
33 the same office, and if this is done, the name of such petitioner shall not be
34 counted on any certificate.

35 *(i) Not later than the date of the meeting of the state board of*
36 *canvassers in accordance with K.S.A. 25-3205, and amendments thereto,*
37 *the secretary of state shall determine the validity of the independent*
38 *nominating petitions. If any independent nomination petitions are found to*
39 *be invalid, the secretary of state shall notify the candidate on whose behalf*
40 *the independent nomination petitions were filed that such nomination*
41 *petitions have been found to be invalid and the reason for such finding of*
42 *invalidity. Such candidate may make objection to the finding of invalidity*
43 *by the secretary of state in accordance with K.S.A. 25-308, and*

1 *amendments thereto.*

2 ~~Sec. 19. K.S.A. 25-305 is hereby amended to read as follows: 25-305.~~

3 ~~(a) Certificates of nomination by convention or caucus for the nomination~~
4 ~~of candidates for national, state, county and township offices shall be filed~~
5 ~~with the secretary of state, or the county election officer, not later than~~
6 ~~12:00 noon, on the day fixed for the deadline for filing petitions for~~
7 ~~nomination and declarations of intent *intention* to become candidates in~~
8 ~~accordance with K.S.A. 25-205, and amendments thereto, preceding the~~
9 ~~national, state, county and township general election, except when such~~
10 ~~date falls on Saturday, Sunday or a holiday, and then not later than 12:00~~
11 ~~noon the following day that is not a Saturday, Sunday or a holiday.~~

12 ~~(b) Independent nomination petitions for the nomination of~~
13 ~~candidates for national, state, county and township offices shall be filed~~
14 ~~with the secretary of state or the county election officer no later than 12:00~~
15 ~~noon on the Monday preceding the date fixed for the holding of primary~~
16 ~~elections in accordance with K.S.A. 25-203, and amendments thereto,~~
17 ~~preceding a national, state, county or township general election.~~

18 ~~(c) An affidavit of write-in candidacy for the offices of governor and~~
19 ~~lieutenant governor shall be filed with the secretary of state no later than~~
20 ~~12:00 noon on the 2nd Monday preceding the general election for those~~
21 ~~offices.~~

22 ~~(d) An affidavit of write-in candidacy for the offices of president and~~
23 ~~vice-president shall be filed with the secretary of state no later than 12:00~~
24 ~~noon on the 2nd Monday preceding the general election for those offices.~~

25 ~~(e) An affidavit of write-in candidacy for state offices elected on a~~
26 ~~statewide basis other than offices subject to subsection (c) shall be filed~~
27 ~~with the secretary of state no later than 12:00 noon on the second Monday~~
28 ~~preceding the election at which the write-in candidate seeks nomination or~~
29 ~~election. *Any person who desires to be a write-in candidate for any national*~~
30 ~~*or state office shall file an affidavit of write-in candidacy with the*~~
31 ~~*secretary of state not later than 12:00 noon on the fourth Monday*~~
32 ~~*preceding the general election for that office.*~~

33 ~~(d) *The fee for filing an affidavit of write-in candidacy shall be the*~~
34 ~~*same as the fee established in K.S.A. 25-206, and amendments thereto, for*~~
35 ~~*the same corresponding office.*~~

36 ~~Sec. 20. 19. K.S.A. 25-308 is hereby amended to read as follows: 25-~~

37 ~~308. (a) Any certificate of nomination, nomination petitions or declaration~~
38 ~~of intention to become a candidate, filed or issued in apparent conformity~~
39 ~~with law, shall be deemed to be valid unless:~~

40 ~~(1) An objection ~~thereto~~ is made in writing within three days from the~~
41 ~~date the certificate, petitions or declaration is filed with or issued by the~~
42 ~~proper officers; or~~

43 ~~(2) in the case of certificates of nomination, nomination petitions and~~

1 declarations of intention to become a candidate, the secretary of state or
2 the county election officer finds them to be invalid pursuant to K.S.A. 25-
3 208a, and amendments thereto.

4 (b) If the secretary of state or the county election officer finds any
5 certificates of nomination, nomination petitions or declaration of intention
6 to become a candidate to be invalid pursuant to K.S.A. 25-208a, and
7 amendments thereto, the candidate on whose behalf the certificates,
8 petitions or declaration was filed may make objection to such finding in
9 writing within three days of receipt by the candidate of notice of such
10 finding.

11 (c) In the case of nominations of national and state officers,
12 objections shall be filed with the secretary of state and shall be considered
13 by the lieutenant governor, secretary of state, and attorney general, *or such*
14 *officer's designee*, and a decision of a majority of these officers, *or such*
15 *officers' designees*, shall be final. In the case of nominations for county,
16 township, city and school officers, objections shall be filed with the county
17 election officer and shall be considered by the county election officer,
18 county attorney or district attorney and an elected official of the county
19 whose position is not involved in the controversy, who shall be designated
20 by the county election officer. The decision of a majority of these officers
21 shall be final.

22 (d) In any case where objection is made, notice shall be given
23 immediately, by the officer with whom the objections are filed, to the other
24 officers required to determine the matter and to the candidates affected by
25 such objection, addressed in the case of candidates to their places of
26 residence as given in the nomination petitions, declaration of intention to
27 become a candidate or certificate of nomination. The notice shall state the
28 time when the objection will be considered. Such time shall not be more
29 than five days following the giving of such notice in the case of
30 nomination of a national or state officer and not be more than three days
31 following the giving of such notice in the case of nomination of a county,
32 township, city or school officer, and the place where such objections will
33 be considered.

34 (e) The causes for objection under this section as to any office may be
35 any of those causes listed in K.S.A. 25-1436, and amendments thereto. The
36 officers determining any objections under this section may assess any costs
37 arising from such determination to either the objector or objectee in
38 accordance with the determination made. Such costs shall be paid to the
39 secretary of state or the county election officer, as the case may be, and
40 deposited in the treasury of the state or county to the credit of its general
41 fund. If such costs are not paid within 10 days after being fixed, the
42 secretary of state or county election officer shall make a certificate of the
43 facts and file it with the clerk of the district court in the county where the

1 person resides who must pay such costs. Such clerk of the district court
2 shall collect such costs as in cases of collection of court costs, and when
3 collected such costs shall be disposed of as are court costs in such district
4 court.

5 (f) All mandamus proceedings to compel an officer to certify and
6 place upon the ballot any name or names, and all injunction proceedings to
7 restrain an officer from certifying and placing upon the ballot any name or
8 names, must be commenced not less than ~~45~~ 60 days before the election.

9 Sec. ~~21~~ 20. K.S.A. 25-321 is hereby amended to read as follows: 25-
10 321. A person appointed to the office of state representative under the
11 provisions of this act may hold the office for the remainder of the term.
12 Any person appointed to the office of senator under the provisions of this
13 act may hold the office: (a) If the vacancy occurs prior to May 1 of the
14 second year of the term, until the next general election, when a senator
15 shall be elected to fill the term; or (b) if such vacancy occurs ~~after~~ on or
16 after May 1 of the second year of the term, for the remainder of the term.
17 In cases where the appointment of a senator is until the next general
18 election, nomination and election of such successor shall be in the same
19 manner as nomination and election of a senator for a regular term.

20 Sec. ~~22~~ 21. K.S.A. 25-432 is hereby amended to read as follows: 25-
21 432. An election shall not be conducted under this act unless:

22 (a) Conducted on a date, mutually agreed upon by the governing
23 body of the political or taxing subdivision and the county election officer,
24 not later than 120 days following the date the request is submitted by the
25 political or taxing subdivision;

26 (b) the secretary of state approves a written plan for conduct of the
27 election, ~~which shall include~~ *including, but not limited to*, a written
28 timetable for the conduct of the election, submitted by the county election
29 officer;

30 (c) the election is nonpartisan;

31 (d) the election is not one at which any candidate is elected, retained
32 or recalled;

33 (e) the election is not held on the same date as another election in
34 which the qualified electors of that subdivision of government are eligible
35 to cast ballots, except this restriction shall not apply to mail ballot
36 elections held under K.S.A. 79-2925c, and amendments thereto; and

37 (f) the election is a question submitted election at which all of the
38 qualified electors of one of the following subdivisions of government are
39 the only electors eligible to vote:

40 (1) Counties;

41 (2) cities;

42 (3) school districts, except in an election held pursuant to K.S.A. 72-
43 635 et seq., and amendments thereto;

- 1 (4) townships;
- 2 (5) benefit districts organized under K.S.A. 31-301, and amendments
- 3 thereto;
- 4 (6) cemetery districts organized under K.S.A. 15-1013 or 17-1330,
- 5 and amendments thereto;
- 6 ~~(7) combined sewer districts organized under K.S.A. 19-27,169, and~~
- 7 ~~amendments thereto;~~
- 8 ~~(8)~~ community college districts organized under K.S.A. 71-1101 et
- 9 seq., and amendments thereto;
- 10 ~~(9)~~(8) fire districts organized under K.S.A. 19-3601 or 80-1512, and
- 11 amendments thereto;
- 12 ~~(10)~~(9) hospital districts;
- 13 ~~(11)~~(10) improvement districts organized under K.S.A. 19-2753, and
- 14 amendments thereto;
- 15 ~~(12)~~(11) Johnson county park and recreation district organized under
- 16 K.S.A. 19-2859, and amendments thereto;
- 17 ~~(13)~~ sewage disposal districts organized under K.S.A. 19-27,140, and
- 18 ~~amendments thereto;~~
- 19 ~~(14)~~(12) water districts organized under K.S.A. 19-3501 et seq., and
- 20 amendments thereto;
- 21 ~~(15)~~(13) transportation development districts created pursuant to
- 22 K.S.A. 2022 Supp. 12-17,140 et seq., and amendments thereto; or
- 23 ~~(16)~~(14) any tract of land annexed pursuant to K.S.A. 12-521, and
- 24 amendments thereto.

25 Sec. ~~23~~ 22. K.S.A. 25-433 is hereby amended to read as follows: 25-
26 433. (a) The county election officer shall mail all official ballots with a
27 return identification envelope and instructions sufficient to describe the
28 voting process to each elector entitled to vote in the election on one date
29 not sooner than the 20th day before the date of the election and not later
30 than the 10th day before the date of the election. Ballots mailed by the
31 county election officer shall be addressed to the address of each elector
32 appearing in the registration records, and placed in an envelope ~~which~~ *that*
33 is prominently marked "Do Not Forward." Ballots shall not be mailed to
34 any inactive voter who, based on information provided by the postal
35 service, appears to have moved to a residence address outside the county
36 in which the voter is currently registered and who has been mailed a
37 confirmation notice as described in ~~subparagraph (4) of subsection (c) of~~
38 K.S.A. 25-2316c(e)(4), and amendments thereto, or because a
39 "Forwarding Order Expired" or "Moved — No Forwarding Address"
40 notice was received from the post office. Any inactive voter who believes
41 such voter is entitled to vote in the election may request a replacement
42 ballot as provided for in subsection (d) of this section.

43 (b) Upon receipt of the ballot the elector shall mark it, sign the return

1 identification envelope supplied with the ballot and comply with the
 2 instructions provided with the ballot. The elector may return the marked
 3 ballot to the county election officer by United States mail, if it is received
 4 by the county election officer by the date of the election, or personally
 5 deliver the ballot to the office of the county election officer before noon on
 6 the date of the election. The ballot shall be returned in the return
 7 identification envelope. The county election officer shall provide for the
 8 payment of postage for the return of ballot envelopes.

9 (c) The return identification envelope shall contain the following
 10 form:

11 I declare under penalty of election perjury, a felony, that I am a resident
 12 and a qualified voter for this election as shown on voter registration
 13 records and that I have voted the enclosed ballot and am returning it in
 14 compliance with Kansas law, and amendments thereto, and have not and
 15 will not vote more than one ballot in this election.

16 I also understand that failure to complete the information below will
 17 invalidate my ballot.

18
 19
 20
 21
 22
 23

Signature

Residence Address

24 (d) If the ballot is destroyed, spoiled, lost or not received by the
 25 elector, the elector may obtain a replacement ballot from the county
 26 election officer as provided in this subsection. An elector seeking a
 27 replacement ballot shall sign a statement verified on oath or affirmation,
 28 on a form prescribed by the secretary of state, that the ballot was
 29 destroyed, spoiled, lost or not received. The applicant shall deliver the
 30 statement to the county election officer before noon on the date of the
 31 election. The applicant may mail the statement to the county election
 32 officer, except a county election officer shall not transmit a ballot by mail
 33 under this subsection unless the application is received prior to the close of
 34 business on the second day prior to the election. When an application is
 35 timely received under this subsection, the county election officer shall
 36 deliver the ballot to the voter if the voter is present in the office of the
 37 county election officer, or promptly transmit the ballot by mail to the voter
 38 at the address contained in the application, except when prohibited in this
 39 subsection. The county election officer shall keep a record of each
 40 replacement ballot provided under this subsection.

41 (e) A ballot shall be counted only if: (1) It is returned in the return
 42 identification envelope; (2) the envelope is signed by the elector to whom
 43 the ballot is issued; and (3) the signature has been verified as provided in

1 this subsection. The county election officer shall verify the signature of
2 each elector on the return identification envelope with the signature on the
3 elector's registration records and may commence verification at any time
4 prior to the canvass of the election. *The county election office shall*
5 *attempt to contact each person who submits a mail ballot if there is no*
6 *signature or the signature does not match with the signature on file and*
7 *allow such elector the opportunity to correct the deficiency before the*
8 *commencement of the county canvass. Verification of the voter's signature*
9 *shall not be required if the voter has a disability preventing the voter from*
10 *signing the ballot or preventing the voter from having a signature*
11 *consistent with such voter's registration form. Signature verification may*
12 *occur by electronic device or human inspection. If the county election*
13 *officer determines that an elector to whom a replacement ballot has been*
14 *issued under subsection (d) has voted more than once, the county election*
15 *officer shall not count any ballot cast by that elector.*

16 (f) The county election officer shall supervise the procedures for the
17 handling and canvassing of ballots to insure the safety and confidentiality
18 of all ballots properly cast.

19 (g) The names of voters whose mail ballot envelopes are returned to
20 the county election officer as "undeliverable" shall be subject to removal
21 from the voter registration book and party affiliation list in the manner
22 provided in ~~subsection (d) of K.S.A. 25-2316c(d), and amendments~~
23 ~~thereto.~~

24 ~~Sec. 24. 23. K.S.A. 25-604 is hereby amended to read as follows: 25-~~
25 ~~604. (a) Except as otherwise provided in subsection (b),~~The county
26 ~~election officers shall have charge of the printing of the ballots for all~~
27 ~~elections, primary, special and general.~~

28 ~~(b) The secretary of state may provide for the printing of all or any~~
29 ~~portion of the ballots for a presidential preference primary election. The~~
30 ~~secretary of state shall determine, with the advice of the director of~~
31 ~~printing, the most efficient manner in which to print ballots for a~~
32 ~~presidential preference primary election for any county in the state of~~
33 ~~Kansas.~~

34 ~~(e)—~~Nothing in this subsection shall apply to the printing of ballot
35 labels for use on voting machines.

36 (c) The ballots shall be printed on paper of sufficient strength as not
37 to be punctured by ordinary pencil marking. Ballots shall be put in the
38 possession of the county election officer at least five days before the
39 election, accompanied by sufficient number, not to exceed 50 for each
40 precinct or area, of exact copies of such ballots, printed on paper of any
41 color, except white, as authorized by rules and regulations adopted by the
42 secretary of state, for the inspection of candidates and ~~their~~ agents *of the*
43 *candidates* and for distribution through each of the party organizations. If

1 any mistakes are discovered they shall be corrected without delay. County
2 election officers may also obtain and distribute ballots or lists of
3 candidates and other questions to be voted upon on paper of any color
4 authorized by rules and regulations adopted by the secretary of state
5 stamped "SAMPLE BALLOT" in large letters, and these ballots, lists of
6 candidates and other questions to be voted upon shall be used for
7 educational purposes and the distribution shall be for such purpose. The
8 county election officers shall cause to be delivered to the supervising
9 judges, not less than 12 hours before the time fixed by law for the opening
10 of the polls, a number of properly printed ballots fully sufficient to meet
11 the demands and needs of all the voters. Such ballots shall be put in
12 separate sealed packages of 25, 50 or 100 ballots each, with marks on the
13 outside clearly designating the voting place for which they are intended
14 and the number of ballots enclosed. The county election officer shall retain
15 at the county election office an additional supply of ballots to meet any
16 emergency need for such ballots that might arise from loss or destruction
17 of ballots, enlarged vote or any other legitimate cause. The county election
18 officer may make a charge for all sample ballots, lists and materials
19 distributed in an amount not to exceed the actual cost of the materials,
20 printing and the distribution thereof.

21 Sec. ~~25~~ 24. K.S.A. 25-610 is hereby amended to read as follows: 25-
22 610. (a) The secretary of state shall furnish to each county election officer
23 forms for ballots in ~~their~~ *such officers'* respective counties. The secretary
24 of state shall prepare a rotation of the different candidates appearing on the
25 official general ballot for the national and state offices for each such office.
26 Such rotation shall be developed and arranged so that each candidate shall
27 have an equal opportunity as near as practicable for the respective offices
28 to which ~~they~~ *such candidates* are nominated. In case there is more than
29 one candidate for any national or state office, the secretary of state shall
30 divide the state or part thereof, into as many divisions as there are names
31 to go on the ballot for each particular office. In making such division the
32 secretary of state shall divide, in regular order, the alphabetical list of
33 counties into the required number of divisions, in such a manner that all
34 divisions are as nearly equal as convenient in the number of registered
35 voters in such division as compiled by the office of the secretary of state.
36 The secretary of state, in certifying the list of names of candidates to the
37 county election officers, shall assign, in regular order from the alphabetical
38 list of candidates for each office, the ballot position for each candidate in
39 such a manner that every candidate for any office shall occupy a different
40 ballot position in each division. When, in the case of candidates for
41 national or state offices elected on less than a statewide basis, the secretary
42 of state finds it impossible to make a division ~~which~~ *that* allows each such
43 candidate in any given district an equitable or fair opportunity to have such

1 candidate's name first on the ballot in the respective counties of the
2 district, the secretary of state shall order the county election officers in ~~the~~
3 ~~various all counties or in designated~~ counties of the district, *at the*
4 *secretary's discretion*, to rotate the names of the candidates for such
5 district offices according to precinct to obtain an equitable division. The
6 names of candidates for the same office but for different terms of service
7 therein shall be arranged in groups according to the length of their
8 respective terms.

9 In the case of the governor and lieutenant governor running together,
10 when the word "candidate" is used in this section, it shall mean pair of
11 candidates.

12 (b) The secretary of state shall establish the general election ballot
13 styles for general elections in odd-numbered year elections for
14 municipalities by rules and regulations adopted on or before July 1, 2016.

15 ~~Sec. 26.~~ 25. K.S.A. 25-901 is hereby amended to read as follows: 25-
16 901. (a) Every committee, club, organization, municipality or association
17 designed to promote or engaged in promoting the success or defeat of any
18 party or the election or defeat of any candidate or candidates for any city
19 of the second and third class, unified school district, except unified school
20 districts having 35,000 or more ~~pupils~~ *students* regularly enrolled in the
21 preceding school year, any community college or township office; or the
22 adoption or defeat of any question submitted at any city, unified school
23 district, community college, township or county election, shall have a
24 treasurer, and shall cause to be kept a detailed account of all moneys or
25 property or other thing of value received by it, and of the manner in which
26 the same shall be expended; ~~and. Such committee, club, organization,~~
27 *municipality or association* shall file annually with the county election
28 officer of the county in which such committee, club, organization,
29 *municipality* or association has its headquarters a statement of all its
30 receipts and expenditures, showing in detail from whom such moneys or
31 property or other thing of value were received, to whom such moneys or
32 property or other thing of value were paid, for what specific purposes each
33 payment was made, and the exact nature of the service rendered in
34 consideration thereof.

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

40 (c) This section and K.S.A. 25-905, and amendments thereto, shall
41 not be construed to require any committee, club, organization,
42 municipality or association ~~which that~~ is subject to the campaign finance
43 act ~~(, K.S.A. 25-4101 et seq.)~~, *and amendments thereto*, to file reports

1 required by this act.

2 {~~Sec. 27.~~ 26. K.S.A. 25-1115 is hereby amended to read as follows:
3 **25-1115. (a) "General election" means the elections held on the**
4 **Tuesday following the first Monday in November of both even-**
5 **numbered and odd-numbered years, and in the case of ~~special elections~~**
6 *an election of any officers to fill vacancies held on a date other than the*
7 *Tuesday following the first Monday in November, the election at which*
8 *any such officer is finally elected.*

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

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

22 ~~Sec. 27.~~ 28. 27. K.S.A. 25-1122 is hereby amended to read as
23 follows: 25-1122. (a) Any registered voter may file with the county
24 election officer where ~~the~~ such person is a resident, or where ~~the~~ such
25 person is authorized by law to vote as a former precinct resident, an
26 application for an advance voting ballot. The signed application shall be
27 transmitted only to the county election officer by personal delivery, mail,
28 facsimile or as otherwise provided by law.

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

32 (c) If the registered voter is applying for an advance voting ballot to
33 be transmitted by mail, the voter shall provide with the application for an
34 advance voting ballot the voter's current and valid Kansas driver's license
35 number, nondriver's identification card number or a photocopy of any
36 other identification provided by K.S.A. 25-2908, and amendments thereto.

37 (d) A voter may vote a provisional ballot according to K.S.A. 25-409,
38 and amendments thereto, if:

39 (1) The voter is unable or refuses to provide current and valid
40 identification; or

41 (2) the name and address of the voter provided on the application for
42 an advance voting ballot do not match the voter's name and address on the
43 registration book. The voter shall provide a valid form of identification as

1 defined in K.S.A. 25-2908, and amendments thereto, to the county election
2 officer in person or provide a copy by mail or electronic means before the
3 meeting of the county board of canvassers. At the meeting of the county
4 board of canvassers the county election officer shall present copies of
5 identification received from provisional voters and the corresponding
6 provisional ballots. If the county board of canvassers determines that a
7 voter's identification is valid and the provisional ballot was properly cast,
8 the ballot shall be counted.

9 (e) No county election officer shall provide an advance voting ballot
10 to a person who is requesting an advance voting ballot to be transmitted by
11 mail unless:

12 (1) The county election official verifies that the signature of the
13 person matches that on file in the county voter registration records, except
14 that verification of the voter's signature shall not be required if a voter has
15 a disability preventing the voter from signing. Signature verification may
16 occur by electronic device or by human inspection. In the event that the
17 signature of a person who is requesting an advance voting ballot does not
18 match that on file, the county election officer shall attempt to contact the
19 person and shall offer the person another opportunity to provide the
20 person's signature for the purposes of verifying the person's identity. If the
21 county election officer is unable to reach the person, the county election
22 officer may transmit a provisional ballot, however, such provisional ballot
23 may not be counted unless a signature is included therewith that can be
24 verified; and

25 (2) the person provides such person's full Kansas driver's license
26 number, Kansas nondriver's identification card number issued by the
27 division of vehicles, or submits such person's application for an advance
28 voting ballot and a copy of identification provided by K.S.A. 25-2908, and
29 amendments thereto, to the county election officer for verification. If a
30 person applies for an advance voting ballot to be transmitted by mail but
31 fails to provide identification pursuant to this subsection or the
32 identification of the person cannot be verified by the county election
33 officer, the county election officer shall provide information to the person
34 regarding the voter rights provisions of subsection (d) and shall provide
35 the person an opportunity to provide identification pursuant to this
36 subsection. For the purposes of this act, Kansas state offices and offices of
37 any subdivision of the state will allow any person seeking to vote by an
38 advance voting ballot the use of a photocopying device to make one
39 photocopy of an identification document at no cost.

40 (f) Applications for advance voting ballots to be transmitted to the
41 voter by mail shall be filed only at the following times:

42 (1) For the primary election occurring on the first Tuesday in August
43 in both even-numbered and odd-numbered years, between April 1 of such

1 year and the Tuesday of the week preceding such primary election.

2 (2) For the general election occurring on the Tuesday following the
3 first Monday in November in both even-numbered and odd-numbered
4 years, between 90 days prior to such election and the Tuesday of the week
5 preceding such general election.

6 (3) For question submitted elections occurring on the date of a
7 primary or general election, the same as is provided for ballots for election
8 of officers at such election.

9 (4) For question submitted elections not occurring on the date of a
10 primary or general election, between the time of the first published notice
11 thereof and the Tuesday of the week preceding such question submitted
12 election, except that if the question submitted election is held on a day
13 other than a Tuesday, the final date for mailing of advance voting ballots
14 shall be one week before such election.

15 (5) For any special election of officers, at such time as is specified by
16 the secretary of state.

17 The county election officer of any county may receive applications
18 prior to the time specified in this subsection and hold such applications
19 until the beginning of the prescribed application period. Such applications
20 shall be treated as filed on that date.

21 (g) Unless an earlier date is designated by the county election office,
22 applications for advance voting ballots transmitted to the voter in person ~~in~~
23 ~~the office of the county election officer~~ shall be filed on the Tuesday next
24 preceding the election and on each subsequent business day until no later
25 than 12 noon on the day preceding such election. If the county election
26 officer so provides, applications for advance voting ballots transmitted to
27 the voter in person in the office of the county election officer also may be
28 filed on the Saturday preceding the election. Upon receipt of any such
29 properly executed application, the county election officer shall deliver to
30 the voter such ballots and instructions as are provided for in this act.

31 An application for an advance voting ballot filed by a voter who has a
32 temporary illness or disability or who is not proficient in reading the
33 English language or by a person rendering assistance to such voter may be
34 filed during the regular advance ballot application periods until the close
35 of the polls on election day.

36 The county election officer may designate places other than the central
37 county election office as satellite advance voting sites. At any satellite
38 advance voting site, a registered voter may obtain an application for
39 advance voting ballots. Ballots and instructions shall be delivered to the
40 voter in the same manner and subject to the same limitations as otherwise
41 provided by this subsection.

42 (h) Any person having a permanent disability or an illness that has
43 been diagnosed as a permanent illness is hereby authorized to make an

1 application for permanent advance voting status. Applications for
2 permanent advance voting status shall be in the form and contain such
3 information as is required for application for advance voting ballots and
4 also shall contain information that establishes the voter's right to
5 permanent advance voting status.

6 (i) On receipt of any application filed under the provisions of this
7 section, the county election officer shall prepare and maintain in such
8 officer's office a list of the names of all persons who have filed such
9 applications, together with their correct post office address and the
10 precinct, ward, township or voting area in which the persons claim to be
11 registered voters or to be authorized by law to vote as former precinct
12 residents and the present resident address of each applicant. Names and
13 addresses shall remain so listed until the day of such election. The county
14 election officer shall maintain a separate listing of the names and addresses
15 of persons qualifying for permanent advance voting status. All such lists
16 shall be available for inspection upon request in compliance with this
17 subsection by any registered voter during regular business hours. The
18 county election officer upon receipt of the applications shall enter upon a
19 record kept by such officer the name and address of each applicant, which
20 record shall conform to the list above required. Before inspection of any
21 advance voting ballot application list, the person desiring to make the
22 inspection shall provide to the county election officer identification in the
23 form of driver's license or other reliable identification and shall sign a log
24 book or application form maintained by the officer stating the person's
25 name and address and showing the date and time of inspection. All records
26 made by the county election officer shall be subject to public inspection,
27 except that the voter identification information required by subsections (b)
28 and (c) and the identifying number on ballots and ballot envelopes and
29 records of such numbers shall not be made public.

30 (j) If a person on the permanent advance voting list fails to vote in
31 ~~four two~~ **four two** consecutive general elections ~~held on the Tuesday~~
32 ~~succeeding the first Monday in November of each even-numbered and~~
33 ~~odd-numbered year~~, the county election officer may mail a notice to such
34 voter. The notice shall inform the voter that the voter's name will be
35 removed from the permanent advance voting list unless the voter renews
36 the application for permanent advance voting status within 30 days after
37 the notice is mailed. If the voter fails to renew such application, the county
38 election officer shall remove the voter's name from the permanent advance
39 voting list. Failure to renew the application for permanent advance voting
40 status shall not result in removal of the voter's name from the voter
41 registration list.

42 (k) (1) Any person who solicits by mail a registered voter to file an
43 application for an advance voting ballot and includes an application for an

1 advance voting ballot in such mailing shall include on the exterior of such
2 mailing, and on each page contained therein, except the application, a clear
3 and conspicuous label in 14-point font or larger that includes:

4 (A) The name of the individual or organization that caused such
5 solicitation to be mailed;

6 (B) if an organization, the name of the president, chief executive
7 officer or executive director of such organization;

8 (C) the address of such individual or organization; and

9 (D) the following statement: "Disclosure: This is not a government
10 mailing. It is from a private individual or organization."

11 (2) The application for an advance voting ballot included in such
12 mailing shall be the official application for advance ballot by mail
13 provided by the secretary of state. No portion of such application shall be
14 completed prior to mailing such application to the registered voter.

15 (3) An application for an advance voting ballot shall include an
16 envelope addressed to the appropriate county election office for the
17 mailing of such application. In no case shall the person who mails the
18 application to the voter direct that the completed application be returned to
19 such person.

20 (4) The provisions of this subsection shall not apply to:

21 (A) The secretary of state or any election official or county election
22 office; or

23 (B) the official protection and advocacy for voting access agency for
24 this state as designated pursuant to the federal help America vote act of
25 2002, public law 107-252, or any other entity required to provide
26 information concerning elections and voting procedures by federal law.

27 (5) A violation of this subsection is a class C nonperson
28 misdemeanor.

29 (1) (1) No person shall mail or cause to be mailed an application for
30 an advance voting ballot, unless such person is a resident of this state or is
31 otherwise domiciled in this state.

32 (2) Any individual may file a complaint in writing with the attorney
33 general alleging a violation of this subsection. Such complaint shall
34 include the name of the person alleged to have violated this subsection and
35 any other information as required by the attorney general. Upon receipt of
36 a complaint, the attorney general shall investigate and may file an action
37 against any person found to have violated this subsection.

38 (3) Any person who violates the provisions of this subsection is
39 subject to a civil penalty of \$20. Each instance in which a person mails an
40 application for an advance voting ballot in violation of this section shall
41 constitute a separate violation.

42 (m) *A county election officer shall not mail a ballot to a voter unless*
43 *such voter has submitted an application for an advance voting ballot,*

1 *except that a ballot may be mailed to a voter if such voter has permanent*
 2 *advance voting ballot status pursuant to subsection (h) or if the election is*
 3 *conducted pursuant to the mail ballot {election} act, K.S.A. 25-431 et seq.,*
 4 *and amendments thereto.*

5 (n) The secretary of state may adopt rules and regulations in order to
 6 implement the provisions of this section and to define valid forms of
 7 identification.

8 ~~Sec. 28. 29.~~ 28. K.S.A. 25-1214 is hereby amended to read as
 9 follows: 25-1214. As used in this act: (a) "Federal act" means the
 10 uniformed and overseas citizens absentee voting act (~~42 U.S.C. § 1973ff et~~
 11 ~~seq.~~), 52 U.S.C. § 20301 et seq.

12 (b) (1) "Persons in federal services" means:

13 ~~(+)(A)~~ (A) Members of the armed forces of the United States, while in the
 14 active service, and their spouses and dependents;

15 ~~(-)(B)~~ (B) members of the merchant marine of the United States and their
 16 spouses and dependents; and

17 ~~(+)(C)~~ (C) citizens of the United States residing outside the territorial
 18 limits of the United States and the District of Columbia and their spouses
 19 and dependents when residing with or accompanying them.

20 (2) Persons in federal service does not include any person who has
 21 failed to respond to a selective service call as certified by the local draft
 22 board to the county election officer or who is a deserter from any United
 23 States military service.

24 ~~Sec. 29. 30.~~ 29. K.S.A. 25-1903 is hereby amended to read as
 25 follows: 25-1903. (a) A person may become a candidate for election to the
 26 office of state board member by either one of the methods provided in this
 27 section.

28 (1) Any person who is an elector of any board member district may
 29 petition to be a candidate for member of the state board from the board
 30 member district in which such person resides. Any such person shall file
 31 with the secretary of state a petition for the candidacy of such person
 32 signed by not less than 200 electors residing in such board member
 33 district.

34 (2) Any person who is an elector of any board member district may
 35 become a candidate for member of the state board from the board member
 36 district in which such candidate resides by filing in the office of the
 37 secretary of state a declaration of intent to be such a candidate and
 38 payment of a filing fee in the amount of \$25.

39 (b) Any such petition or declaration of ~~intent~~ intention filed by a
 40 candidate to run in the primary election held in accordance with K.S.A.
 41 25-203, and amendments thereto, shall be filed no later than 12:00 noon,
 42 June 10, prior to such primary election, or if such date falls on Saturday,
 43 Sunday or a holiday, then before 12:00 noon of the next following day that

1 is not a Saturday, Sunday or a holiday. Any such petition or declaration of
2 ~~intent~~ *intention* filed by an independent candidate for the office of state
3 board member shall be filed no later than 12:00 noon on the Monday
4 preceding the date fixed for the holding of primary elections in accordance
5 with K.S.A. 25-203, and amendments thereto.

6 Sec. ~~30.~~ ~~31.~~ **30.** K.S.A. 25-2005 is hereby amended to read as
7 follows: 25-2005. (a) "School district" means all of a school district or all
8 of its territory.

9 (b) ~~"Plan of change" means a specific proposal to change the voting~~
10 ~~plan or the method of election, or both, in a school district.~~

11 (e)—"Voting plan" means one of the three voting plans described in
12 this act. "Voting plan-A" is election at large in both primary and general
13 elections. "Voting plan-B" is voting by a district method in the primary and
14 by election at large in the general election. "Voting plan-C" is voting by a
15 district method in both the primary and general elections.

16 Sec. ~~31.~~ ~~32.~~ **31.** K.S.A. 25-2008 is hereby amended to read as
17 follows: 25-2008. (a) "School office" or "school officer" means members
18 of the governing body of any school district.

19 (b) "State board" means ~~the state superintendent of public instruction~~
20 ~~until that office is abolished and thereafter the constitutional state board of~~
21 ~~education.~~

22 Sec. ~~32.~~ ~~33.~~ **32.** K.S.A. 25-2018 is hereby amended to read as
23 follows: 25-2018. (a) Notices of board member elections and question
24 submitted elections of a school district shall be made as provided in this
25 section.

26 (b) On or before June 10 of odd-numbered years, the county election
27 officer shall publish a notice of election one time in a newspaper having
28 general circulation in the school district. *Notice of the election shall also*
29 *be published on the website of the county election office of any county*
30 *where the election is to be conducted. Such notice shall remain on the*
31 *website until the day after the election.* The notice for board member
32 elections shall state: (1) The name of the school district; (2) the date of the
33 general election; (3) the date of the primary election if one is held; (4) the
34 filing deadline and the place of filing; and (5) the offices or positions to be
35 filled.

36 (c) All notices provided for by this section shall be given in the form
37 prescribed by the secretary of state to the extent that any notice or part
38 thereof is prescribed by the secretary of state. The provisions of this
39 section shall not be construed to require the secretary of state to prescribe
40 any particular form.

41 (d) On or before June 10 of each odd-numbered year, a notice of
42 primary elections shall be published by the county election officer *one*
43 *time* in a newspaper having general circulation in the school district, if a

1 primary election is required to be held. *Notice of the election shall also be*
2 *published on the website of the county election office of any county where*
3 *the election is to be conducted. Such notice shall remain on the website*
4 *until the day after the election. The publication shall be made one time and*
5 *notice shall state: (1) The name of the school district; (2) the date of the*
6 *primary election; (3) the names of the candidates and the office or position*
7 *for which each is a candidate; (4) the voting place or places and the area*
8 *each voting place is to serve; and (5) the times of opening and closing of*
9 *the polls. Description of areas shall be in the terms determined by the*
10 *county election officer.*

11 (e) On or before September 1 of each odd-numbered year, a notice of
12 the general election shall be published by the county election officer one
13 time in a newspaper having general circulation in the school district.
14 *Notice of the election shall also be published on the website of the county*
15 *election office of any county where the election is to be conducted. Such*
16 *notice shall be published not less than 21 days prior to the election and*
17 *shall remain on the website until the day after the election. The notice*
18 *shall state: (1) The name of the school district; (2) the date of the general*
19 *election; (3) the names of the candidates and the office or position for*
20 *which each is a candidate; (4) the voting place or places and the area each*
21 *voting place is to serve; and (5) the time of opening and closing of polls.*
22 *Description of areas shall be in such terms as may be determined by the*
23 *county election officer.*

24 (f) Notice of any question submitted election of any school district
25 shall be made in the manner provided by K.S.A. 10-120, and amendments
26 thereto. The notice shall state: (1) the name of the school district; (2) the
27 date of the election; (3) the amount of bonds to be issued, if a bond
28 election; (4) the proposition to be voted upon; (5) the hours of opening and
29 closing of the polls; (6) the voting place or places and the area each voting
30 place is to serve; and (7) any other information specifically required by
31 law. Description of areas shall be in the terms determined by the county
32 election officer.

33 ~~Sec. 33.~~ **34. 33.** K.S.A. 25-2021 is hereby amended to read as
34 follows: 25-2021. (a) In school districts in which a member district method
35 of election is in effect, if there are more than three qualified candidates for
36 any member position in any member district, the county election officer
37 shall call, and there shall be held, a primary election in each such member
38 district. The names of the two candidates receiving the greatest number of
39 votes for any member position at the primary election shall appear on the
40 ballots in the general election. If there are three or fewer qualified
41 candidates for any member position, there shall not be a primary election
42 and the names of the candidates shall be placed on the ballots in the
43 general election.

1 (b) In school districts in which the election at large method of
2 election is in effect, if there are more than three times the number of
3 candidates as there are board members to be elected, the county election
4 officer shall call, and there shall be held, a primary election. The names of
5 twice the number of candidates as there are board members to be elected
6 who received the greatest number of votes at the primary election shall
7 appear on the ballots in the general election. If there are not more than
8 three times the number of candidates as there are board members to be
9 elected, there shall not be a primary election and the names of the
10 candidates shall be placed on the ballots in the general election.

11 (c) If a member is to be elected to fill an unexpired term, the office
12 shall be listed separately on the ballots. If there are more than three
13 candidates for such unexpired term, the county election officer shall call,
14 and there shall be held, a primary election. The names of the two
15 candidates for such unexpired term receiving the greatest number of votes
16 shall appear on the ballots in the general election. If there are three or
17 fewer qualified candidates for the unexpired term of any member position,
18 there shall not be a primary election and the names of the candidates shall
19 be placed on the ballots in the general election.

20 (d) On the ballots in general school elections, blank lines for the
21 names of write-in candidates shall be printed at the end of the list of
22 candidates for each different office. The number of blank lines for such
23 elected office shall be equal to the number to be elected thereto. The
24 purpose of such blank lines shall be to permit the voter to insert the name
25 of any person not printed on the ballot *who is a qualified elector residing*
26 *in the district* for whom such voter desires to vote for such office. No lines
27 for write-in candidates shall appear on primary school election ballots.

28 ~~Sec. 34. 35. 34.~~ K.S.A. 25-21a02 is hereby amended to read as
29 follows: 25-21a02. ~~(a) The secretary of state shall develop a public~~
30 ~~information program to inform the public generally of changes made as a~~
31 ~~result of moving spring elections to fall elections. Such public information~~
32 ~~program shall include, at a minimum, the explanation of which public~~
33 ~~office elections are being transferred from spring to fall elections. The~~
34 ~~program shall include the use of advertisements and public service~~
35 ~~announcements as well as posting of information on the opening pages of~~
36 ~~the official internet websites of the secretary of state and county election~~
37 ~~officers. The secretary of state and county election officers shall develop~~
38 ~~dedicated websites to provide voter education and sample ballots for~~
39 ~~elections.~~

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

43 ~~Sec. 35. 36. 35.~~ K.S.A. 25-2310 is hereby amended to read as

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

12 ~~{Sec. 37. 36. K.S.A. 25-2502 is hereby amended to read as follows:~~
 13 **25-2502. (a) "General election" means the elections held on the**
 14 **Tuesday following the first Monday in November of both even-**
 15 **numbered and odd-numbered years, and in the case of special elections**
 16 **an election of any officers to fill vacancies held on a date other than the**
 17 **Tuesday following the first Monday in November, the election at which**
 18 **any such officer is finally elected.**

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

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

32 ~~Sec. 36. 38. 37. K.S.A. 25-2507 is hereby amended to read as~~
 33 ~~follows: 25-2507. (a) "Poll book" means a book in which each voter may~~
 34 ~~sign the voter's signature and a number is assigned by one of the clerks of~~
 35 ~~the election board when the voter is given a ballot or set of ballots. If the~~
 36 ~~county election officer determines that voters shall sign the poll book, such~~
 37 ~~book shall also contain on each page the declaration prescribed by~~
 38 ~~subsection (d).~~

39 **(b) "Registration book" means:**

40 **(1) A book or list containing the names and other information relating**
 41 **to registered voters. Registration books shall have the names entered**
 42 **therein before the same or copies thereof are delivered to the supervising**
 43 **judges. Registration books may also contain blank lines on which each**

1 voter shall sign the voter's signature. If the county election officer
 2 determines that voters shall sign the registration book, such book shall also
 3 contain on each page the declaration prescribed by subsection (d); or

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

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

8 (B) the declaration prescribed by subsection (d) *on each page of the*
 9 *book; and containing*

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

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

15 (d) "Declaration" means the following: "I, the undersigned, declare
 16 under penalty of perjury that I am a registered voter in the state of Kansas,
 17 county of _____, that I have not signed a name other than my own in
 18 order to represent myself as any other registered voter, and that I am
 19 qualified to vote and have not previously voted and will not vote again in
 20 the election held on this date, in this or any other jurisdiction in the United
 21 States, for any offices or ballot issues."

22 (e) "*Abstract*" means a list of election results for a particular precinct
 23 or district with the total votes for each candidate for elected office or the
 24 total votes for and against any constitutional amendment or question
 25 presented on the ballot.

26 ~~Sec. 37-39, 38.~~ K.S.A. 25-26a03 is hereby amended to read as
 27 follows: 25-26a03. (a) Notwithstanding any other law or provisions to the
 28 contrary, no election precinct shall be created, divided, abolished or
 29 consolidated or the boundaries thereof changed:

30 (1) During the period four months prior to each primary election and
 31 the succeeding general election; or

32 (2) between January 1 of a year the last digit of which is ~~8 and~~
 33 ~~December 1 of a year the last digit of which is 0, and from and after~~
 34 ~~January 1, 1993, between January 1 of a year the last digit of which is 7 0~~
 35 and the time when the legislature has been redistricted in a year the last
 36 digit of which is 2, except in the following cases:

37 ~~(a)(1)~~(A) If required by the creation of a political subdivision, new
 38 precincts may be created.

39 ~~(2)~~(B) If there is an alteration of a political subdivision by annexation,
 40 new precincts may be created.

41 ~~(3)~~(C) If a political subdivision annexes an area adjacent to the
 42 political subdivision boundary, the annexed area may be included in a
 43 precinct immediately adjacent to it, if the annexed area is in the same

1 legislative district.

2 ~~(4)(D)~~ A municipality or county election officer may establish new
3 election precincts lying entirely within the boundaries of any existing
4 precinct and shall designate the new precincts by name or number, or a
5 combination of name and number, ~~which shall include~~ *including* the
6 designated name or number of the former precinct.

7 ~~(5)(E)~~ If required to conform and coincide with a federal census
8 block boundary established by the federal bureau of the census, a county
9 election officer may change precinct boundaries.

10 (b) When necessary to comply with the provisions of this act, not less
11 than 45 days after the legislature has been redistricted, or by June ~~10~~ *1* in a
12 year the last digit of which is 2-~~(~~, whichever occurs first), precinct
13 boundaries shall be reestablished.

14 ~~Sec. 38-40. 39.~~ K.S.A. 25-2702 is hereby amended to read as
15 follows: 25-2702. The county election officer may establish more than one
16 precinct in any township or divide any township into precincts. Such
17 division shall be made by a declaration made at least ~~ninety~~ *(90)* days
18 before any county or state primary or general election, ~~and~~. Notice of such
19 division, showing the boundaries of each precinct, shall be published once
20 each week for three ~~(3)~~ consecutive weeks in a newspaper of general
21 circulation in the county in which such township is located. *Notice of the*
22 *election shall also be published on the website of the county election office*
23 *of any county where the election is to be conducted.* A division once made
24 shall remain the same until changed by subsequent declaration and
25 publication notice as herein required. Upon making such division into
26 precincts, the county election officer shall designate the boundaries of each
27 precinct. A voter shall not be eligible to vote at any national, state, county
28 or township election in any voting area other than the one in which ~~he or~~
29 ~~she~~ *such voter* resides.

30 ~~Sec. 39-41. K.S.A. 25-2703 is hereby amended to read as follows:~~
31 ~~25-2703. (a) The county election officers shall provide suitable voting~~
32 ~~places in which to hold all national, state, county, township, city and~~
33 ~~school primary and general elections, question submitted elections and~~
34 ~~other public elections. County election officers shall arrange for voting~~
35 ~~places to be warmed, lighted, and furnished with proper supplies and~~
36 ~~conveniencs, including a sufficient number of booths, shelves and~~
37 ~~pencils, to enable the voters to prepare their ballots, screened from~~
38 ~~observation. Voting booths shall be in plain view of the receiving board,~~
39 ~~and both they *the voting booths* and the ballot boxes shall be in plain view~~
40 ~~of electors waiting to vote. Each *voting booth* shall be designed so as to~~
41 ~~protect the privacy of the voter. Booths *and* shall be well lighted.~~

42 ~~(b) No person other than judges, clerks and other election officers~~
43 ~~allowed by law, and those admitted for the purpose of voting, shall be~~

1 ~~permitted within three feet of the voting booths, of voting machines where~~
2 ~~they are used, if any, or of any table being used by the any election board,~~
3 ~~except by the authority of the supervising judge. The supervising judge~~
4 ~~may expand such distance beyond three feet as needed. Voting booths shall~~
5 ~~be deposited with the county election officer between elections.~~

6 Sec. ~~40.~~ **40.** K.S.A. 25-2704 is hereby amended to read as
7 follows: 25-2704. (a) The county election officer shall provide ballot
8 boxes for each voting place. The secretary of state may adopt rules and
9 regulations authorizing, in certain cases, additional or fewer ballot boxes
10 than specified in subsection (b) ~~of this section~~ to be supplied.

11 (b) Unless otherwise provided by rules and regulations adopted ~~under~~
12 ~~this section~~ by the secretary of state, a separate ballot box shall be
13 provided for each of the types of ballots named in the following list, if
14 such ballots are to be voted at the election:

- 15 (1) A box for "national and state ballots";
- 16 (2) a box for "county and township ballots";
- 17 (3) a box for "judicial ballots";
- 18 (4) a box for "city ballots";
- 19 (5) a box for "school ballots";
- 20 (6) a box for "ballots for constitutional amendments"; and
- 21 (7) a box for "questions submitted."

22 (c) Each ballot box shall be labeled according to its appropriate
23 designation as set out in ~~quotation marks in~~ subsection (b) ~~of this section~~.

24 (d) *The provisions of this section shall only apply to elections*
25 *conducted in counties that do not use tabulators or optical scanners to*
26 *count votes.*

27 Sec. ~~41.~~ **41.** K.S.A. 25-2705 is hereby amended to read as
28 follows: 25-2705. (a) At the time ~~that the~~ a voting place is opened, the
29 supervising judge shall cause the ballot boxes to be opened in the presence
30 of people there assembled. The ballot boxes shall be turned upside down
31 so as to empty ~~them~~ *such boxes* of everything therein, ~~and the same~~. *Each*
32 *ballot box* shall then be locked securely and shall not be opened again until
33 opened for the purpose of canvassing.

34 (b) *The provisions of this section shall only apply to elections*
35 *conducted in counties that do not use tabulators or optical scanners to*
36 *count votes.*

37 Sec. ~~42.~~ **42.** K.S.A. 25-2706 is hereby amended to read as
38 follows: 25-2706. (a) The county election officer shall prepare and furnish
39 copies of all registrations and all books, maps, instructions and blanks
40 needed for the use and guidance of election boards and voters. County
41 election officers may adopt such rules and regulations for elections as may
42 be needed and not in conflict with state law or rules and regulations. Such
43 rules and regulations shall be submitted to the secretary of state for

1 approval.

2 (b) The county election officer shall furnish printed instructions to
3 election boards, defining ~~their~~ *duties of such officers* and the law
4 governing elections.

5 (c) (1) The county election officer shall furnish *and publish on the*
6 *website of the county election office*:

7 (A) Printed instructions to voters;

8 (B) a list of voters' rights and responsibilities;

9 (C) a sample ballot;

10 (D) notification of the date of the election; and

11 (E) the polling place hours.

12 (2) Each of the items in paragraph (1) shall be posted in every voting
13 place at every election.

14 (3) Wherever the secretary of state deems it advisable, all items listed
15 in ~~subsection (e) paragraph (1)~~ shall be printed in English and in a
16 language or languages other than English.

17 (d) The secretary of state shall specify the form and contents of
18 instructions to voters, list of voters' rights and responsibilities and
19 instructions to election boards. Such specifications shall be transmitted to
20 county election officers and may be changed from time to time by the
21 secretary of state.

22 ~~Sec. 43. 45. 43.~~ K.S.A. 25-2805 is hereby amended to read as
23 follows: 25-2805. If any judges or clerks shall fail or refuse to appear and
24 serve at the proper time and place, or for any cause are or become
25 disqualified, then the electors present shall promptly notify the county
26 election officer thereof. The county election officer shall appoint such
27 person as ~~he~~ *such officer* may select to fill any such vacancy. ~~If such a~~
28 ~~vacancy continues for more than one hour after notice to the county~~
29 ~~election officer, the electors present may select from their number, viva~~
30 ~~voce, judges and clerks to fill such vacancies.~~

31 ~~Sec. 44. 46. 44.~~ K.S.A. 25-2812 is hereby amended to read as
32 follows: 25-2812. ~~From and after January 1, 2010:~~ (a) Not less than 60
33 days before any election, the county election officer may contact the
34 administrator or operator at each nursing facility, assisted living facility
35 and hospital- based long-term care unit to request that the registered voters
36 in ~~the~~ *such* facility be offered the opportunity to vote in such election
37 according to the procedures outlined in this section. If the administrator or
38 operator of the facility agrees, the county election officer and the
39 administrator or operator shall establish a date, mutually agreed upon, for
40 such voting to take place. The provisions of this section shall not apply to
41 mail ballot elections conducted pursuant to K.S.A. 25-431 et seq., and
42 amendments thereto.

43 (b) The county election officer shall appoint a special election board

1 of two or more members to administer ballots to registered voters who are
2 residents of any facility designated in subsection (a) and ~~which has that~~
3 ~~has~~ agreed to participate. The members of such special election board shall
4 be appointed and trained by the county election officer in the same manner
5 as members of election boards serving in polling places on election day.
6 The members of a special election board shall possess the qualifications of
7 registered voters in Kansas and in the county where ~~they~~ *such members*
8 serve and shall subscribe the oath prescribed by law. The members of the
9 board shall not all be affiliated with the same political party, to the extent
10 practicable, and shall not be candidates for any offices, other than the
11 offices of precinct committeemen or precinct committeewomen, to be
12 elected in the election at which ~~they~~ *such members* serve.

13 (c) The special election board shall, to the extent practicable, follow
14 advance voting procedures as provided for ~~in Kansas~~ *by law*. All persons
15 who are registered voters of the county and who are current residents of
16 the facility may request a ballot from the special election board. In the case
17 of a voter who has applied for and received permanent advance voting
18 status pursuant to ~~subsection (g) of K.S.A. 25-1122(h)~~, and amendments
19 thereto, the special election board may deliver such voter's ballot to the
20 voter instead of mailing the ballot as required by K.S.A. 25-1123, and
21 amendments thereto. Any voter may receive assistance from a member of
22 the special board or from a person of such voter's choice. Any person
23 rendering assistance to a voter shall sign a written statement as provided
24 for in ~~subsection (d) of K.S.A. 25-1124(e)~~, and amendments thereto, and
25 shall file such statement with the special board or with the county election
26 officer.

27 (d) The special election board shall ensure that the privacy of each
28 voter is preserved and shall cause each voter's ballot to be sealed in an
29 envelope or deposited in a locked ballot box. In cases where ~~direct~~
30 ~~recording~~ *electronic or electromechanical* voting systems are used, the
31 special election board shall ensure that the voting equipment is secured
32 from tampering and unauthorized access. At the conclusion of the voting
33 process at a facility, the ballots, *voting equipment*, voting records and
34 materials shall be returned to the county election officer. All the members
35 of the special election board shall certify the receipt and return of the
36 ballots, voting equipment, voting records and materials.

37 (e) The county election officer shall ensure that the ballots received
38 from any such special election board shall be tabulated according to
39 procedures established by law for the tabulation of advance voting ballots
40 and shall ensure that the tabulated returns are included with other official
41 election returns and presented to the county board of canvassers for the
42 canvass as provided by law. Any ballot cast by a voter pursuant to this
43 section may be challenged in the same manner as other ballots are

1 challenged.

2 (f) The county election officer shall ensure that mobile voting sites
3 established under this act are clearly posted as such during the hours
4 voting is allowed.

5 (g) (1) For the purposes of this section, the term:

6 (A) "Assisted living facility" ~~shall have the meaning ascribed to it~~
7 *means the same as defined* in K.S.A. 39-923, and amendments thereto.

8 (B) "~~Hospital-based~~*Hospital-based* long-term care unit" means a unit
9 that provides physician services and continuous nursing supervision for
10 patients who:

11 (i) Are not in an acute phase of illness; and

12 (ii) currently require nursing care that is primarily of a convalescent,
13 restorative or long-term nature. Long-term care unit also includes
14 medicare-certified, distinct-part long-term care units.

15 (C) "Nursing facility" ~~shall have the meaning ascribed to it~~ *means the*
16 *same as defined* in K.S.A. 39-923, and amendments thereto.

17 Sec. ~~45-47.~~ **45.** K.S.A. 25-2905 is hereby amended to read as
18 follows: 25-2905. (a) If not already folded, the election board shall fold
19 each ballot before handing the same to a voter. If more than one ballot is to
20 be handed to a voter, the ballots in the set shall be folded separately.
21 Ballots shall be folded so that the names of candidates are concealed and
22 the printed endorsement and ballot number are on the outside of the folded
23 ballot. Before leaving the voting booth, the voter shall refold each of ~~his~~
24 *such voter's* ballots separately in the manner ~~he~~ received ~~it~~ and so that the
25 names of candidates and marks on the ballot are concealed. Upon leaving
26 the booth, the voter shall deliver ~~his~~ *the* ballot or set of ballots to one of the
27 judges, who shall ~~forthwith,~~ *promptly* and in the presence of the voter and
28 of the election board, properly clip the number therefrom and deposit the
29 ballots in their respective ballot boxes.

30 (b) *The provisions of this section shall only apply to elections*
31 *conducted in counties that do not use tabulators or optical scanners to*
32 *count votes.*

33 Sec. ~~46-48.~~ **46.** K.S.A. 25-3002 is hereby amended to read as
34 follows: 25-3002. (a) The rules prescribed in this section shall apply to:

35 (1) The original canvass by election boards;:

36 (2) intermediate and final canvasses by county boards of canvassers;:

37 (3) final canvass by the state board of canvassers;:

38 (4) all election contests;: *and*

39 (5) all other officers canvassing or having a part in the canvass of any
40 election.

41 (b) *The following shall be rules for canvassers:*

42 (1) No ballot, or any portion thereof, shall be invalidated by any
43 technical error unless it is impossible to determine the voter's intention.

1 Determination of the voter's intention shall rest in the discretion of the
2 board canvassing in the case of a canvass and in the election court in the
3 case of an election contest.

4 (2) The occurrences listed in this ~~subpart (2)~~ *paragraph* shall not
5 invalidate the whole ballot but shall invalidate that portion, and that
6 portion only, in which the occurrence appears. The votes on such portion
7 of the ballot shall not be counted for any candidate listed or written in such
8 portion, but the remainder of the votes in other portions of the ballot shall
9 be counted. The occurrences to which this ~~subpart (2)~~ *paragraph* shall
10 apply are:

11 (A) Whenever a voting mark shall be made in the square at the left of
12 the name of more than one candidate for the same office, except when the
13 ballot instructs that more than one candidate is to be voted; *and*

14 (B) whenever a voting mark is placed in the square at the left of a
15 space where no candidate is listed.

16 (3) When a registered voter has cast a provisional ballot intended for
17 a precinct other than the precinct in which the voter resides but located
18 within the same county, the canvassers shall count the votes for those
19 offices or issues ~~which~~ *that* are identical in both precincts. The canvassers
20 shall not count the votes for those offices or issues ~~which~~ *that* differ from
21 the offices or issues appearing on the ballot used in the precinct in which
22 the voter resides.

23 (4) A write-in vote for those candidates for the offices of governor
24 and lieutenant governor shall not be counted unless the pair of candidates
25 have filed an affidavit of candidacy pursuant to K.S.A. 25-305, and
26 amendments thereto, and:

27 (A) Both candidates' names are written on the ballot; or

28 (B) only the name of the candidate for governor is written on the
29 ballot.

30 (5) A write-in vote for those candidates for the offices of president
31 and vice-president shall not be counted unless the pair of candidates have
32 filed an affidavit of candidacy pursuant to K.S.A. 25-305, and amendments
33 thereto, and:

34 (A) Both candidates' names are written on the ballot; or

35 (B) only the name of the candidate for president is written on the
36 ballot.

37 (6) A write-in vote for candidates for state offices elected on a
38 statewide basis other than offices subject to paragraph (4) shall not be
39 counted unless the candidate has filed an affidavit of candidacy pursuant to
40 K.S.A. 25-305, and amendments thereto.

41 (7) Any advance voting or mail ballot whose envelope containing the
42 voter's written declaration is unsigned, shall be wholly void and no vote
43 thereon shall be counted.

1 (8) No ballot cast shall be counted if the voter fails to provide valid
2 identification as defined by K.S.A. 25-2908, and amendments thereto.

3 (9) *When a registered voter who is unaffiliated with a political party*
4 *has cast a provisional partisan ballot in a primary election, the canvassers*
5 *shall count the votes for those offices or issues for which an unaffiliated*
6 *voter may cast a vote. The canvassers shall not count the votes for those*
7 *offices for which only a voter who is affiliated with a political party may*
8 *cast a vote.*

9 ~~Sec. 47.~~ **47.** K.S.A. 25-3005 is hereby amended to read as
10 follows: 25-3005. At all elections authorized poll agents shall be allowed
11 to be present and observe the proceedings at all original, intermediate and
12 final canvasses of elections, *at all recounts authorized by K.S.A. 25-3107,*
13 *and amendments thereto, at all audits conducted after an election*
14 *pursuant to K.S.A. 25-3009, and amendments thereto, and at the time and*
15 *place of casting ballots, subject to such limitations as are prescribed by law*
16 *or rules and regulations—of adopted by the secretary of state. The*
17 *supervising judge of each voting place shall be in charge thereof and may*
18 *direct authorized poll agents as to their conduct—within the voting place,*
19 *but such directions shall not favor agents of one kind or party over agents*
20 *of another kind or party, and such directions shall not be contrary to law,*
21 *rules and regulations—of adopted by the secretary of state; or instructions of*
22 *the county election officer.*

23 ~~Sec. 48.~~ **50.** K.S.A. 25-3005a is hereby amended to read as follows:
24 25-3005a. (a) As used in this act article, "authorized poll agent" means any
25 one of the following persons:

26 (1) Chairperson of a state or county party committee;

27 (2) chairpersons of committees concerned with question submitted
28 elections;

29 (3) chairperson of state party committee;

30 (4) any candidate whose name appears on a ballot associated with
31 the polling place;

32 (5) any precinct committeeman or precinct committeewoman;

33 (6)(4) any write-in candidate who has filed an affidavit of write-in
34 pursuant to K.S.A. 25-305, and amendments thereto; or

35 (7)(5) any person appointed as provided in this section by any of the
36 persons specified in this subsection.

37 (b) Every person appointed to be an authorized poll agent under
38 authority of this act shall be so appointed in writing by the person making
39 such appointment. Such written appointment shall be filed with the county
40 election office by hand delivery, express delivery service, facsimile
41 transmission or any electronic method authorized by the secretary of state
42 and a copy of such appointment shall be carried by the authorized poll
43 agent at all times such person is acting as such agent and shall be

1 ~~displayed upon demand of any member of any election board or any other~~
 2 ~~election officer. Each authorized poll agent shall wear a badge clearly~~
 3 ~~identifying the wearer as an authorized poll agent. The badge shall contain~~
 4 ~~the word "observer" in 32-point or larger type. The badge shall be issued~~
 5 ~~by the county election officer. Every appointment of an authorized poll~~
 6 ~~agent shall be made in such form as is approved by the secretary of state.~~
 7 ~~The number of authorized poll agents in each voting place at any one time~~
 8 ~~appointed by any of the following shall be limited to the number indicated:~~

9 ~~(1) State and county chairpersons, one *two*;~~

10 ~~(2) candidates, not to exceed one each;~~

11 ~~(3) precinct committeemen and committeewomen, one each;~~

12 ~~(4) the chairperson of each committee or organization concerned with~~
 13 ~~any election on a question submitted, one each; and~~

14 ~~(5)(4) write-in candidates who have filed an affidavit or write-in~~
 15 ~~pursuant to K.S.A. 25-305, and amendments thereto, one each.~~

16 ~~(e) When any candidate or any precinct committeeman or precinct~~
 17 ~~committeewoman *other person* is acting as an authorized poll agent, such~~
 18 ~~person shall carry identification which *that* shall be supplied by the county~~
 19 ~~election officer. Such identification shall indicate the authority by which~~
 20 ~~such person is an authorized poll agent, and the same shall be in such form~~
 21 ~~as is approved by the secretary of state. Whenever an authorized poll agent~~
 22 ~~is required to carry identification under the provisions of this subsection~~
 23 ~~such agent shall display the same upon demand of any member of any~~
 24 ~~election board or any other election officer.~~

25 ~~(d) Each person appointed to be an authorized poll agent shall:~~

26 ~~(1) Be a registered Kansas voter;~~

27 ~~(2) a member of any candidate's immediate family; or~~

28 ~~(3) be a person under 18 years of age but at least 14 years of age who~~
 29 ~~meets all other requirements for qualification of an elector except that of~~
 30 ~~age.~~

31 ~~(e) The provisions of this section shall apply to all elections.~~

32 ~~(f) Violations of this section shall be a class C nonperson~~
 33 ~~misdemeanor.~~

34 Sec. ~~49-51~~, 48. K.S.A. 2022 Supp. 25-3009 is hereby amended to
 35 read as follows: 25-3009.(a) After an election and prior to the meeting of
 36 the county board of canvassers to certify the official election results for
 37 any election in which the canvassers certify the results, the county election
 38 officer shall conduct a manual audit or tally of each vote cast, regardless of
 39 the method of voting, in 1% of all precincts, with a minimum of one
 40 precinct located within the county. The precinct or precincts shall be
 41 randomly selected and the selection shall take place after the election.

42 (b) (1) The audit shall be performed manually and shall review all
 43 paper ballots *or the corresponding ballot images* selected pursuant to

1 subsection (a). The audit shall be performed by a sworn election board
2 consisting of bipartisan trained board members. The county election
3 officer shall determine the members of the sworn election board who will
4 conduct the audit.

5 (2) The audit shall review contested races as follows:

6 (A) In presidential election years:

7 (i) One federal race;

8 (ii) one state legislative race; ~~and~~

9 (iii) one county race; *and*

10 (iv) *one constitutional amendment question, if any.*

11 (B) In even-numbered, non-presidential election years:

12 (i) One federal race;

13 (ii) one statewide race;

14 (iii) one state legislative race; ~~and~~

15 (iv) one county race; *and*

16 (v) *one constitutional amendment question, if any.*

17 (C) In even-numbered election years, any federal, statewide or state
18 legislative race that is within 1% of the total number of votes cast tallied
19 on election night, as determined by the secretary of state, shall be audited.
20 The county election officer shall conduct the audit in the manner set forth
21 in subsection (a) in 10% of all county precincts in the specified race, with
22 a minimum of one precinct in the county. The precincts audited pursuant to
23 this subsection shall be in addition to the precincts audited under
24 ~~subsections~~ *subparagraphs* (2)(A) and (B).

25 (D) In odd-numbered election years, two local races will be randomly
26 selected, and the selection shall take place after the election.

27 (c) At least five days prior to the audit, notice of the time and location
28 of the audit shall be provided to the public on the official county website.
29 The audit shall be conducted in a public setting. Any candidate or entity
30 who is authorized to appoint a poll agent may appoint a poll agent for the
31 audit.

32 (d) The results of the audit shall be compared to the unofficial
33 election night returns and a report shall be submitted to the county election
34 office and to the secretary of state's office prior to the meeting of the
35 county board of canvassers. If a discrepancy is reported between the audit
36 and the unofficial returns and cannot be resolved, the county election
37 officer or the secretary of state may require audits of additional precincts.
38 Once the audit has been completed, the results of the audit shall be used by
39 the county board of canvassers when certifying the official election results.

40 (e) Upon publication of the notice of the audit pursuant to subsection
41 (c), the signed and certified official abstracts required by K.S.A. 25-3006,
42 and amendments thereto, shall be made available by the county election
43 office for review by any authorized poll agent. Such abstracts shall be

1 from all precincts and shall not be limited to those precincts that are
2 subject to the audit. The abstracts shall be available for review until
3 commencement of the original canvass.

4 (f) The secretary of state shall adopt rules and regulations governing
5 the conduct and procedure of the audit, including the random selection of
6 the precincts and offices involved in the audit.

7 ~~Sec. 50.~~ ~~52.~~ **49.** K.S.A. 25-3104 is hereby amended to read as
8 follows: 25-3104. The original canvass of every election shall be
9 performed by the election boards at the voting places. The county election
10 officer shall present the original returns, together with the ballots, books
11 and any other records of the election, for the purpose of canvass, to the
12 county board of canvassers at any time between 8 a.m. and 10 a.m. on the
13 Monday next following any election held on a Tuesday, except that the
14 county election officer may move the canvass to any business day not later
15 than 13 days following any election. Notice of the time and place of the
16 canvass shall be published in a newspaper of general circulation in the
17 county prior to the canvass *and shall also be published on the website of*
18 *the county election office.* For elections not held on a Tuesday, the canvass
19 by the county board of canvassers shall be held on a day and hour
20 designated by it, and not later than the 13th day following the day of such
21 election.

22 ~~Sec. 51.~~ ~~53.~~ **50.** K.S.A. 25-3107 is hereby amended to read as
23 follows: 25-3107. (a) At the time of commencement of any canvass by the
24 county board of canvassers the county election officer shall present to the
25 county board of canvassers the preliminary abstracts of election returns,
26 together with the ballots and records returned by the election boards and,
27 as provided by rules and regulations adopted by the secretary of state as
28 authorized by K.S.A. 25-1132(b), and amendments thereto, advance voting
29 ballots received after the closing of the polls pursuant to K.S.A. 25-
30 1132(b), and amendments thereto. The county board of canvassers shall
31 inspect and check the records presented by the county election officer and
32 shall hear any questions which the county election officer believes
33 appropriate for determination of the board. The county board of canvassers
34 shall do what is necessary to obtain an accurate and just canvass of the
35 election and shall finalize the preliminary abstract of election returns by
36 making any needed changes, and certifying its authenticity and accuracy.
37 The certification of the county board of canvassers shall be attested by the
38 county election officer. Neither the county board of canvassers nor the
39 county election officer shall open or unseal sacks or envelopes of ballots,
40 except as is required by K.S.A. 25-409, 25-1136 and 25-1337, and
41 amendments thereto, or other specific provision of law or as is authorized
42 to carry out a recount under subsection (b), or as authorized under
43 subsection (e).

1 (b) If a majority of the members of the county board of canvassers
2 shall determine that there are manifest errors appearing on the face of the
3 poll books of any election board, which might make a difference in the
4 result of any election, or if any candidate shall request the recount of the
5 ballots cast in all or in only specified voting areas for the office for which
6 the person is a candidate, or if any registered elector who cast a ballot in a
7 question submitted election requests a recount in all or only specified
8 voting areas to determine the result of the election, the county board of
9 canvassers shall cause a special election board appointed by the county
10 election officer to meet under the supervision of the county election officer
11 and recount the ballots with respect to any office or question submitted
12 specified by the county board of canvassers or requested by the candidate
13 or elector. If a recount is required in a county that uses optical scanning
14 systems as defined in K.S.A. 25-4601 et seq., and amendments thereto, or
15 electronic or electromechanical voting systems, as defined in K.S.A. 25-
16 4401, and amendments thereto, the method of conducting the recount shall
17 be at the discretion of the person requesting the recount. The county
18 election officer shall not be a member of the special election board. Before
19 the special election board meets to recount the ballots upon a properly
20 filed request, the party who makes the request shall file with the county
21 election officer a bond, with security to be approved by the county or
22 district attorney, conditioned to pay all costs incurred by the county in
23 making the recount. In the event that the candidate requesting the recount
24 is declared the winner of the election as a result of the recount, or if as a
25 result of the recount a question submitted is overturned, no action shall be
26 taken on the person's bond and the county shall bear the costs incurred for
27 the recount. Any recount must be requested in writing and filed with the
28 county election officer not later than 5 p.m. on the day following the *last*
29 meeting of the county board of canvassers. The request shall specify which
30 voting areas are to be recounted. The county election officer shall
31 immediately notify any candidate involved in the election for which the
32 recount is requested, or shall notify the county chairperson of each
33 candidate's party. Any ~~the~~ recount shall be initiated not later than the
34 following day and shall be completed not later than 5 p.m. on the fifth day
35 following the filing of the request for a recount, including Saturdays,
36 Sundays and holidays. Upon completion of any recount under this
37 subsection, the election board shall package and reseal the ballots as
38 provided by law and the county board of canvassers shall complete its
39 canvass. The members of the special election board shall be paid as
40 prescribed in K.S.A. 25-2811, and amendments thereto, for time actually
41 spent making the recount.

42 (c) (1) The provisions of this subsection shall apply to ~~candidates at~~
43 any election for:

- 1 (A) Any state or national office elected on a statewide basis;
- 2 (B) the office of president or vice president of the United States;
- 3 (C) the office of members of *the* United States house of
4 representatives;
- 5 (D) *the* office of members of *the* state senate or house of
6 representatives whose district is located in two or more counties; ~~and~~
- 7 (E) *the* office of members of *the* state board of education; *and*
- 8 (F) *a constitutional amendment.*

9 (2) Any candidate may request a recount in one or more counties.
10 *Any registered elector who cast a ballot in an election for a constitutional*
11 *amendment submitted may request a recount in one or more counties. Any*
12 *such recount ~~must~~ shall be requested in writing and filed with the secretary*
13 *of state not later than 5 p.m. ~~on the second Friday following the election~~*
14 *on the day following the last meeting of the county board of canvassers*
15 *canvassing votes in the election for which the recount is requested. The*
16 *request shall specify which counties or precincts are to be recounted. If a*
17 *recount is required in a county that uses optical scanning ~~systems~~*
18 *equipment, as defined in K.S.A. 25-4601, and amendments thereto, or*
19 *electronic or electromechanical voting systems, as defined in K.S.A. 25-*
20 *4401, and amendments thereto, the method of conducting the recount shall*
21 *be at the discretion of the person requesting the recount. Except as*
22 *provided by this subsection and subsection (d), the person requesting the*
23 *recount shall file, *contemporaneously with a request for a recount, a bond**
24 *with the secretary of state ~~a bond~~, with security to be approved by the*
25 *secretary of state, conditioned to pay all costs incurred by the counties and*
26 *the secretary of state in making the recount. The amount of the bond shall*
27 *be determined by the secretary of state. A candidate described in*
28 *subsection (c)(1)(D) and (E) may post a bond as provided by subsection*
29 *(b) in lieu of the bond required by this subsection. In the event that the*
30 *candidate requesting the recount is declared the winner of the election as a*
31 *result of the recount, no action shall be taken on the candidate's bond and*
32 *the counties shall bear the costs incurred for the recount.*

33 (3) The secretary of state immediately shall notify each county
34 election officer affected by the recount and any candidate involved in the
35 election for which the recount is requested. If the candidate cannot be
36 reached, then the secretary of state shall notify the state chairperson of
37 such candidate's party. Any such recount shall be conducted under the
38 supervision of the county election officers at the direction of the secretary
39 of state, and shall be initiated not later than the following day and shall be
40 completed not later than 5 p.m. on the fifth day following the filing of the
41 request for a recount, including Saturdays, Sundays and holidays. Each
42 county election officer involved in the recount shall appoint a special
43 election board to recount the ballots. The members of the special election

1 board shall be paid as prescribed in K.S.A. 25-2811, and amendments
2 thereto, for time actually spent making the recount. Upon completion of
3 any recount under this subsection, the special election board in each
4 county shall package and reseal the ballots as provided by law and the
5 county board of canvassers shall complete its canvass. The county election
6 officer in each county immediately shall certify the results of the recount
7 to the secretary of state.

8 (d) (1) The provisions of this subsection shall apply to ~~candidates at~~
9 *any* general elections for:

10 (A) Any state or national office elected on a statewide basis;

11 (B) the office of president or vice president of the United States;

12 (C) the office of members of *the* United States house of
13 representatives;

14 (D) *the* office of members of state senate or house of representatives;
15 and

16 (E) *the* office of members of *the* state board of education.

17 (2) Whenever the election returns reflect that a candidate for office
18 was defeated by $\frac{1}{2}$ of 1% or less of the total number of votes cast and if
19 the candidate requests a recount in one or more counties ~~of the ballots~~, *no*
20 *bond shall be required* and the state shall bear the cost of any recount
21 performed using the method by which the ballots were counted originally.

22 (3) Not later than 60 days following a recount conducted pursuant to
23 this subsection, the board of county commissioners of each county in
24 which the recount occurred shall certify to the secretary of state the
25 amount of all necessary direct expenses incurred by the county. Payment
26 for such expenses shall be made to the county treasurer of the county upon
27 warrants of the director of accounts and reports pursuant to vouchers
28 approved by the secretary of state. Upon receipt of such payment and
29 reimbursements, the county treasurer shall deposit the entire amount
30 thereof in the county election fund, if there is one and if there is not then
31 to the county general fund.

32 (4) The secretary of state, with the advice of the director of accounts
33 and reports, shall determine the correctness of each amount certified under
34 this section and adjust any discrepancies discovered before approving
35 vouchers for payment to any county.

36 (e) Procedures for canvassing and challenging advance voting ballots
37 received by mail after the closing of the polls pursuant to K.S.A. 25-
38 1132(b), and amendments thereto, shall be as set forth in rules and
39 regulations adopted by the secretary of state as authorized by K.S.A. 25-
40 1132(b), and amendments thereto.

41 ~~Sec. 52. 51.~~ K.S.A. 25-3201 is hereby amended to read as
42 follows: 25-3201. The governor, secretary of state and attorney general, *or*
43 *such officers' designee*, shall constitute the state board of canvassers. Any

1 two of such members may act for such board.

2 Sec. ~~53.~~ **52.** K.S.A. 25-3301 is hereby amended to read as
3 follows: 25-3301. (a) Each registered voter of this state who has declared a
4 party affiliation as provided in this section or in K.S.A. 25-3304, and
5 amendments thereto, shall be entitled to vote at every partisan primary
6 election. *Each political party entitled to nominate candidates by primary*
7 *election shall notify the secretary of state in writing on or before January*
8 *15 of any year in which a partisan general election is to be held whether*
9 *voters who are unaffiliated with such political party may vote in such*
10 *party's primary election.*

11 (b) The county election officer shall prepare for each voting place at
12 each partisan primary election a party affiliation list, duly certified by such
13 officer, ~~which~~ *that* clearly indicates the party affiliation of each registered
14 voter in the voting area who has declared a party affiliation. The
15 registration book prepared for a voting place pursuant to K.S.A. 25-2318,
16 and amendments thereto, may be used as such list, but no registration book
17 prepared for use at a voting place in an election other than a partisan
18 primary election or an election held at the same time as a partisan primary
19 election shall indicate in any manner the party affiliation of any voter.
20 Such list shall be delivered by the supervising judge to the voting place
21 before the opening of the polls.

22 (c) The party affiliation list provided for by subsection (b) shall be
23 used to determine the party affiliation of a voter offering to vote at a
24 partisan primary election and of a voter applying for an advance voting
25 ballot pursuant to K.S.A. 25-1122, and amendments thereto. If a voter's
26 party affiliation is not indicated on the party affiliation list, such voter shall
27 state the voter's party affiliation in writing on a form prescribed by the
28 secretary of state. A judge at the precinct polling place, or the county
29 election officer or such officer's designee, shall give such voter a primary
30 ballot of the voter's party affiliation, and such person thereupon shall be
31 entitled to vote. Such a statement of party affiliation shall constitute a
32 declaration of party affiliation, and all such signed statements shall be
33 returned to the county election officer, who shall cause them to be
34 recorded on the party affiliation list.

35 (d) Party affiliation statements shall be preserved for five years. The
36 county election officer may dispose of the statements in the manner
37 approved for destruction of ballots as provided in K.S.A. 25-2708, and
38 amendments thereto.

39 (e) The county election officer shall update party affiliation lists as
40 provided by rules and regulations of the secretary of state.

41 Sec. ~~54.~~ **53.** K.S.A. 25-3303 is hereby amended to read as
42 follows: 25-3303. Whenever a name is ~~purged~~ *removed* from the voter
43 registration books as provided by K.S.A. 25-2316c, *and amendments*

1 *thereto*, such name shall also be ~~purged or~~ removed from the party
2 affiliation list.

3 Sec. ~~55-57~~, 54. K.S.A. 25-3304 is hereby amended to read as
4 follows: 25-3304. (a) Any person who has declared such person's party or
5 voter affiliation in the manner provided by law shall be listed on a voter
6 affiliation list as a member of a registered political organization, or on a
7 party affiliation list if a member of a recognized political party, unless the
8 person's name is ~~purged or removed therefrom~~ as provided by K.S.A. 25-
9 3303, and amendments thereto, or unless the person changes party or voter
10 affiliation as provided in this section.

11 (b) Any person, who, having declared a party or voter affiliation,
12 desires to change the same, may file a written declaration with the county
13 election officer, stating the change of party or voter affiliation. Such
14 declaration cannot be filed during the time from the candidate filing
15 deadline, as prescribed in K.S.A. 25-205, 25-305 and 25-4004, and
16 amendments thereto, through the time when the primary election results
17 are certified by the secretary of state. The county election officer shall
18 enter a record of such change on the party or voter affiliation list of such
19 preceding primary election in the proper column opposite the voter's name.

20 Sec. ~~56-58~~, 55. K.S.A. 25-3801 is hereby amended to read as
21 follows: 25-3801. (a) At each primary election, the members of the party
22 residing in each precinct in each county of the state shall elect a man ~~of~~
23 ~~their number from such members~~ as precinct committeeman and a woman
24 ~~of their number from such members~~ as precinct committeewoman. No
25 person shall be eligible *to file a declaration of intention to be a candidate*
26 *for*, to be a candidate for or hold the office of precinct committeeman or
27 precinct committeewoman of a party in any precinct unless ~~such the~~
28 person actually ~~lives, resides and occupies a place of abode~~ in such
29 precinct, ~~and is in all other respects~~ a qualified elector and is ~~shown as~~
30 a member of such party on the party affiliation list; *maintained* in the office
31 of the county election officer. ~~The chairperson of the state or county~~
32 ~~political party may file an objection with the county election officer at any~~
33 ~~time to challenge the eligibility of a person to be a candidate for or to~~
34 ~~serve as a precinct committeeman or committeewoman of such party. Each~~
35 *precinct committeeman and committeewoman shall assume the duties of*
36 *precinct committeeman and committeewoman on the day after the primary*
37 *election and shall not be required to take an oath under K.S.A. 54-106,*
38 *and amendments thereto.*

39 (b) Except as provided in subsection ~~(b)~~ (c), any vacancy occurring in
40 the office of precinct committeeman or committeewoman shall be
41 ~~promptly~~ filled by appointment by the county chairperson, ~~except that for~~
42 any vacancy ~~which that~~ occurs because the party had no candidate at ~~such~~
43 ~~the~~ primary election shall not be filled until the county central committee

1 has elected or reelected its chairperson. Not later than three days after
2 appointment of precinct committeemen and committeewomen, the county
3 chairperson making the appointments shall notify the county election
4 officer of such appointments **and include the name, address, email**
5 **address, if available, and a phone number or phone numbers,**
6 **including a mobile phone number, if available, of each appointee in**
7 **such notification.** The county election officer shall make such
8 appointments public immediately upon receipt thereof. ~~As used in this act,~~
9 ~~"primary election" means the statewide election held in August of even-~~
10 ~~numbered years.~~

11 ~~(b)(c)~~ (1) When a convention is to be held under article 39 of chapter
12 25 of Kansas Statutes Annotated, *and amendments thereto*, to fill a
13 vacancy, no appointments shall be made under subsection (a):

14 ~~(1)~~(A) After the county chairperson has received notice from the
15 county election officer of a vacancy or a pending vacancy in a county
16 elected office; or

17 ~~(2)~~(B) after the county chairperson in each county, all or a part of
18 which, is located within a legislative district has received notice from the
19 secretary of state of a vacancy or a pending vacancy in a legislative office.

20 (2) After the vacancy has been filled by a person elected at a
21 convention held under article 39 of chapter 25 of the Kansas Statutes
22 Annotated, *and amendments thereto*, any vacancy in the office of precinct
23 committeeman or committeewoman shall be filled as provided by
24 subsection (a).

25 (d) **If a precinct committeeman or committeewoman is elected as**
26 **a write-in candidate, the county clerk shall request from the**
27 **appropriate county chairperson the name, address, email address, if**
28 **available, and a phone number or phone numbers, including a mobile**
29 **phone number, if available, of such elected precinct committeeman or**
30 **committeewoman.**

31 (e) **Each precinct committeeman and committeewoman shall**
32 **report any changes in such person's name, address, email address and**
33 **phone numbers to the county election officer not later than 10 days**
34 **after such change.**

35 (f) The county election officer shall send to the secretary of state
36 within seven days after each primary election in even-numbered years
37 a list of who holds the office of precinct committeeman or
38 committeewoman along with the name, address, phone number and
39 email address, if available, of each such person. The county officer
40 shall report all updates of such information at the time such updates
41 are received to the secretary of state. The secretary of state shall keep
42 an updated list of all precinct committeepersons, including their
43 names, addresses, phone numbers and their email addresses, if

1 available.

2 (g) As used in this section, "primary election" means the election
3 held on the first Tuesday in August of even-numbered years.

4 Sec. ~~57.~~ **56.** K.S.A. 25-4004 is hereby amended to read as
5 follows: 25-4004. The provisions of K.S.A. 25-205, and amendments
6 thereto, shall not apply to the offices of governor and lieutenant governor.
7 The names of candidates for governor and lieutenant governor shall be
8 printed upon the official primary ballot when each pair thereof shall have
9 qualified to become candidates in one or the other of the following
10 methods ~~and none other: First, they shall have had filed in~~

11 (a) *Nomination petitions shall be filed on their behalf, not later than*
12 *12 noon, June 1, prior to such primary election, or if such date falls on*
13 *Saturday, Sunday or a legal holiday, then before 12 noon the following*
14 *business day, ~~nomination papers, commonly called nomination petitions,~~*
15 *as provided for in K.S.A. 25-4005, and amendments thereto; or, ~~second,~~*
16 *they*

17 (b) *such persons shall have filed not later than the time for filing*
18 *nomination ~~papers~~ petitions, as ~~above~~ provided in paragraph (a), with the*
19 *secretary of state, ~~as hereinafter prescribed,~~ a declaration of intention to*
20 *become candidates; accompanied by a fee as provided in K.S.A. 25-4006,*
21 *and amendments thereto.*

22 Sec. ~~58.~~ **60.** **57.** K.S.A. 25-4005 is hereby amended to read as
23 follows: 25-4005. (a) ~~The nomination papers or petitions as mentioned~~
24 ~~described~~ in K.S.A. 25-4004, and amendments thereto, shall be in
25 substantially the following form:

26 _____, I,
27 the undersigned, an elector of the county of _____, and state of
28 Kansas, and a duly registered voter and a member of the _____
29 party, hereby nominate

30 _____
31 (Here insert name and city)
32 and state of Kansas as a candidate for the office of governor, and
33 running with such candidate

34 _____
35 (Here insert name and city)
36 and state of Kansas as a candidate for the office of lieutenant governor
37 to be voted for at the primary to be held on the first Tuesday in August in
38 _____, as representing the principles of such party; and I further
39 declare that I intend to support the candidates herein named and that I have
40 not signed and will not sign any *nomination* petition ~~or nomination paper~~
41 for any other persons, for such offices at the next ensuing election.

42 (HEADING)

43 Name of Street Number Name of Date of

1 Reports shall be filed with the secretary of state. Reports required by this
2 section shall be in addition to any other reports required by law.

3 (b) (1) The report shall contain the name and address of each person
4 who makes a contribution to the party committee or political committee in
5 an aggregate amount or value in excess of \$300 or more during the period
6 commencing 11 days before a primary or general election at which a state
7 or local officer is to be elected and ending at 11:59 p.m. on the Wednesday
8 preceding the date of the election. Such report shall contain the amount
9 and date of each such contribution. The report shall be made on or before
10 the close of business on the Thursday preceding the date of the election.

11 (2) In addition, a separate report shall be made on a daily basis for the
12 Thursday, Friday, Saturday and Sunday immediately preceding the
13 election. Each daily report shall contain the information required in
14 paragraph (1) ~~of this section~~. Each report shall be filed by 5:00 p.m. on the
15 next day respectively.

16 (c) Reports required by this section shall be filed *with the secretary of*
17 *state during regular business hours* by hand delivery, *or* express delivery
18 service, ~~facsimile transmission~~ *or at any time by* any electronic method
19 authorized by the secretary of state.

20 (d) (1) "Contribution" ~~shall have the meaning ascribed to it means the~~
21 *same as defined in K.S.A. 25-4143, and amendments thereto.*

22 (2) "Party committee" ~~shall have the meaning ascribed to it means the~~
23 *same as defined in K.S.A. 25-4143, and amendments thereto.*

24 (3) "Political committee" ~~shall have the meaning ascribed to it means~~
25 *the same as defined in K.S.A. 25-4143, and amendments thereto.*

26 (e) The provisions of this section shall be *a part of and supplemental*
27 *to the campaign finance act.*

28 ~~Sec. 60-62.~~ **59.** K.S.A. 25-4322 is hereby amended to read as
29 follows: 25-4322. (a) Before any petition for recall of a local officer is
30 circulated, a copy thereof accompanied by names and addresses of the
31 recall committee and sponsors shall be filed in the office of the county
32 election officer with whom the petitions are required to be filed. The copy
33 of the petition so filed shall be subscribed by the members of the recall
34 committee in the presence of such county election officer. The recall
35 committee shall represent all sponsors and subscribers in matters relating
36 to the recall. Notice on all matters pertaining to the recall may be served
37 on any member of the recall committee in person or by mail addressed to a
38 committee member as indicated on the petition so filed. The county
39 election officer, upon request, shall notify the recall committee of the
40 official number of votes cast for all candidates for the office of the local
41 officer sought to be recalled, such percentage to be based upon the last
42 general election for the current term of office of the officer sought to be
43 recalled.

1 (b) Before any petition for recall of a local officer is circulated, the
2 county election officer shall transmit a copy of such petition to the county
3 or district attorney or to the attorney designated pursuant to subsection (c)
4 for determination of the sufficiency of the grounds stated in the petition for
5 recall. Within five *business* days of receipt of the copy of the petition from
6 the county election officer, the county or district attorney or the attorney
7 designated pursuant to subsection (c) shall make such determination and
8 notify the county election officer, the officer sought to be recalled and the
9 recall committee of such determination. Such determination shall include
10 whether:

11 (1) The facts do not support the grounds for recall as stated in the
12 petition for recall;

13 (2) the petition is not substantially in the required form;

14 (3) the petition was filed during the first 120 days of the term of
15 office of the official sought to be recalled or within less than 180 days of
16 the termination of the term of office of the officer sought to be recalled;

17 (4) the person named in the petition is not a local officer;

18 (5) there is an insufficient number of required signatures of any kind;

19 (6) the local officer sought to be recalled has been or is being
20 subjected to another recall election during such officer's current term of
21 office; or

22 (7) the application does not conform to any other requirement of this
23 act.

24 (c) In the case of a recall of the county or district attorney, a judge of
25 the district court of such county shall designate an attorney to determine
26 the sufficiency of the grounds stated in the petition for recall. Such
27 attorney shall perform the duties imposed on the county or district attorney
28 in the recall of other local officers.

29 (d) All mandamus proceedings to compel a recall election and all
30 injunction proceedings to restrain a recall election shall be commenced
31 within 30 days after the county or district attorney's decision.

32 ~~Sec. 61-63.~~ **60.** K.S.A. 2022 Supp. 25-4414 is hereby amended to
33 read as follows: 25-4414. (a) Electronic or electromechanical voting
34 system or electronic poll book fraud is:

35 ~~(a)~~(1) Being in unlawful or unauthorized possession of electronic or
36 electromechanical voting system equipment, electronic poll book
37 equipment, computer programs, operating systems, firmware, software or
38 ballots;

39 (2) *accessing without authorization or facilitating the unauthorized*
40 *access to electronic or electromechanical voting system equipment,*
41 *electronic poll book equipment, computer programs, operating systems,*
42 *firmware, software or ballots;*

43 (3) *knowingly publishing or causing to be published any password or*

1 *other confidential information relating to electronic or electromechanical*
2 *voting system equipment, electronic poll book equipment, computer*
3 *programs, operating systems, firmware or software; or*

4 ~~(b)(4)~~ intentionally tampering with, altering, disarranging, defacing,
5 impairing or destroying any electronic or electromechanical voting system,
6 electronic poll book or component part thereof, or any ballot used by such
7 electronic or electromechanical voting systems.

8 (b) Electronic or electromechanical voting system or electronic poll
9 book fraud is a severity level 9, nonperson felony.

10 Sec. ~~62-64~~ 61. K.S.A. 25-4612 is hereby amended to read as
11 follows: 25-4612. (a) Optical scanning equipment fraud is:

12 ~~(a)(1)~~ Being in unlawful or unauthorized possession of ballots, optical
13 scanning equipment, computer programs, operating systems, firmware or
14 software;

15 (2) *accessing without authorization or facilitating the unauthorized*
16 *access to optical scanning equipment;*

17 (3) *knowingly publishing or causing to be published any password or*
18 *other confidential information relating to optical scanning equipment; or*

19 ~~(b)(4)~~ intentionally tampering with, altering, disarranging, defacing,
20 impairing or destroying any optical scanning equipment or component part
21 thereof, or any ballot, operating system, firmware or software used by a
22 system.

23 (b) Optical scanning equipment fraud is a severity level 9, nonperson
24 felony.

25 Sec. ~~63-65~~ 62. K.S.A. 25-4703 is hereby amended to read as
26 follows: 25-4703. As used in this act:

27 (a) "Arbitrator" means a neutral third party selected by the secretary
28 of state who resolves the dispute between the complainant and respondent,
29 and whose decision is final.

30 (b) "Complainant" means the person who files a complaint with the
31 Kansas secretary of state under this act.

32 (c) "Respondent" means any state or local election official whose
33 actions are asserted to be in violation of title III in a complaint filed under
34 this act.

35 (d) "Title III" means title III of the help America vote act of 2002,
36 public law 107-252, 116 Stat. 1666 (2002), codified at ~~42 United States~~
37 ~~code §§ 15481-15485~~ 52 U.S.C. §§ 21081-21102.

38 Sec. ~~64-66~~ 63. K.S.A. 25-4709 is hereby amended to read as
39 follows: 25-4709. (a) *Except as provided in subsection (c)*, if requested by
40 the complainant, the secretary of state shall conduct a hearing on the
41 record to review the complaint. The secretary of state or other person
42 designated by the secretary of state shall serve as the hearing officer.

43 (b) The hearing shall be conducted no later than 30 days after the

1 secretary of state receives the complaint. The secretary of state shall give
2 at least 5 days advance notice of the date, time, and place of the hearing to
3 the complainant and each named respondent.

4 (c) *After reviewing a complaint and giving all inferences to the*
5 *complainant, the secretary of state, **after consultation on such complaint***
6 ***with the attorney general**, may dismiss the complaint without a hearing if*
7 *the complaint fails to allege facts that assert a violation of title III.*

8 Sec. ~~65-67~~. 64. K.S.A. 71-1415 is hereby amended to read as
9 follows: 71-1415. (a) In college districts in which a district method of
10 election is in effect, if there are more than three qualified candidates for
11 any member position, the county election officer shall call, and there shall
12 be held, a primary election in each such member district. The names of the
13 two candidates receiving the greatest number of votes for any member
14 position at the primary election shall appear on the ballots in the general
15 election. If there are three or fewer qualified candidates for any member
16 position, there shall not be a primary election and the names of the
17 candidates shall be placed on the ballots in the general election.

18 (b) In college districts in which the election at large method of
19 election is in effect, if there are more than three times the number of
20 candidates as there are trustees to be elected, the county election officer
21 shall call, and there shall be held, a primary election. The names of twice
22 the number of candidates as there are trustees to be elected who receive the
23 greatest number of votes at the primary election shall appear on the ballots
24 in the general election. If there are not more than three times the number of
25 candidates as there are trustees to be elected, there shall not be a primary
26 election and the names of the candidates shall be placed on the ballots in
27 the general election.

28 (c) If a member is to be elected to fill an unexpired term, the office
29 shall be listed separately on the ballots. If there are more than three
30 candidates for such unexpired term, the county election officer shall call,
31 and there shall be held, a primary election. The names of the two
32 candidates for such unexpired term receiving the greatest number of votes
33 shall appear on the ballots in the general election. If there are three or
34 fewer qualified candidates for the unexpired term of any member position,
35 there shall not be a primary election and the names of the candidates shall
36 be placed on the ballots in the general election.

37 (d) On the ballots in general college district elections, blank lines for
38 the names of write-in candidates shall be printed at the end of the list of
39 candidates for each different office. The number of blank lines for each
40 elected office shall be equal to the number of candidates to be elected
41 thereto. The purpose of such blank lines shall be to permit the voter to
42 insert the name of any person *who is a qualified elector residing in the*
43 *district and whose name is not printed on the ballot but for whom such*

1 voter desires to vote for such office. No lines for write-in candidates shall
2 appear on primary college district election ballots.

3 Sec. ~~66-68~~, **65**. K.S.A. 10-120, 15-809, 19-303, 19-804, 19-3419, 19-
4 3422, 19-3439, 25-105, 25-203, 25-208a, 25-211, 25-212, 25-213, 25-222,
5 25-303, ~~25-305~~, 25-305b, 25-308, 25-321, 25-432, 25-433, 25-604, 25-
6 610, 25-901, **25-1115**, 25-1122, 25-1214, 25-1709, 25-1710, 25-1903, 25-
7 2005, 25-2008, 25-2018, 25-2021, 25-21a02, 25-2310, **25-2502**, 25-2507,
8 25-2601, 25-26a03, 25-2702, ~~25-2703~~, 25-2704, 25-2705, 25-2706, 25-
9 2805, 25-2812, 25-2905, 25-3002, 25-3005, ~~25-3005a~~, 25-3104, 25-3107,
10 25-3201, 25-3301, 25-3303, 25-3304, 25-3801, 25-4004, 25-4005, 25-
11 4148d, 25-4322, ~~25-4502, 25-4503, 25-4505, 25-4506, 25-4507, 25-4508~~,
12 25-4612, 25-4703, 25-4709 and 71-1415 and K.S.A. 2022 Supp. 19-3424,
13 25-3009 and 25-4414 are hereby repealed.

14 Sec. ~~67-69~~, **66**. This act shall take effect and be in force from and
15 after its publication in the statute book.