

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on **Federal and State Affairs** recommends **HB 2332**, as amended by House Committee, be amended on page 1, following line 8, by inserting:

"New Section 1. (a) The governor shall not have any authority to modify election laws or procedures by issuance of an executive order.

(b) Except as provided in subsection (c), neither the executive branch nor the judicial branch of state government shall have any authority to modify the state election laws.

(c) The secretary of state shall not enter into any consent decree or other agreement with any state or federal court regarding the enforcement of any election law or the alteration of any election procedure without specific approval of such consent decree by the legislative coordinating council.

(d) Nothing in this section shall be construed to limit or otherwise restrict the judicial branch of state government in the exercise of any powers granted by article 3 of the constitution of the state of Kansas.

(e) If any provision of this section or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of the section that can be given effect without the invalid provision or application, and, to this end, the provisions of this section are severable.

New Sec. 2. The secretary of state shall record and maintain a residential address and a mailing address for each registered voter. The residential address of a registered voter shall correspond to a physical location where the registered voter resides and shall not be a post office

box or other address that cannot be used as a residence. The mailing address may be the same as the residential address but shall be recorded separately as the mailing address of the registered voter. The secretary shall record such information in any electronic database of registered voter information maintained by the secretary that is accessible by county election officers.";

On page 5, in line 4, after "(2)" by inserting "The application for an advance voting ballot included in such mailing shall be the official application for advance ballot by mail provided by the secretary of state. No portion of such application shall be completed prior to mailing such application to the registered voter.

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

(4)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 5, following line 30, by inserting:

"Sec. 4. K.S.A. 2020 Supp. 25-2423 is hereby amended to read as follows: 25-2423. (a)

Election tampering is;

(1) ~~While being charged with no election duty,~~ Making or changing any election record unless the person is lawfully carrying out an election duty;

(2) changing or attempting to change, alter, destroy or conceal any vote cast by paper ballot, election machine or computer;

(3) changing or attempting to change any vote by manipulating computer hardware, computer software, election machine, wireless or cellular transmission or vote tabulation methods; or

(4) knowingly producing false vote totals.

(b) Election tampering is a severity level 7, nonperson felony.";

Also on page 5, in line 31, by striking "is" and inserting "and 25-2423 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "relating to advance voting ballots" and inserting "prohibiting the governor, the executive branch and the judicial branch from modifying election laws; limiting the authority of the secretary of state to enter into certain consent decrees in court without legislative coordinating council approval; directing the secretary of state to include mailing addresses for registered voters in electronic databases maintained by the secretary; expanding the crime of election tampering"; in line 5, after "25-1122" by inserting "and 25-2423"; in line 6, by striking "section" and inserting "sections"; and the bill be passed as amended.

Chairperson