

{As Amended by House Committee of the Whole}

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2086

By Committee on Elections

1-19

1 AN ACT concerning elections; relating to election procedures; clarifying
2 duties and qualifications of certain election officials; redefining certain
3 election crimes; amending K.S.A. 10-120, 15-809, 19-303, 19-804, 19-
4 3419, 19-3422, 19-3439, 25-105, 25-203, 25-208a, 25-211, 25-212, 25-
5 213, 25-303, 25-305, 25-308, 25-321, 25-432, 25-433, 25-604, 25-610,
6 25-901, **25-1115**, 25-1122, 25-1214, 25-1903, 25-2005, 25-2008, 25-
7 2018, 25-2021, 25-21a02, 25-2310, **25-2502**, 25-2507, 25-26a03, 25-
8 2702, 25-2703, 25-2704, 25-2705, 25-2706, 25-2805, 25-2812, 25-
9 2905, 25-3002, 25-3005, 25-3005a, 25-3104, 25-3107, 25-3201, 25-
10 3301, 25-3303, 25-3304, 25-3801, 25-4004, 25-4005, 25-4148d, 25-
11 4322, 25-4612, 25-4703, 25-4709 and 71-1415 and K.S.A. 2022 Supp.
12 19-3424, 25-3009 and 25-4414 and repealing the existing sections; also
13 repealing K.S.A. 25-222, 25-305b, 25-1709, 25-1710, 25-2601, 25-
14 4502, 25-4503, 25-4505, 25-4506, 25-4507 and 25-4508.

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

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

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

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

31 New Sec. 3. No county election officer or any employee or agent
32 thereof shall create, or permit any other person to create, or disclose to any
33 person an image of the hard drive of any electronic or electromechanical
34 voting system, optical scanning equipment or any other voting system that

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

1 registered voters or to be authorized by law to vote as former precinct
 2 residents and the present resident address of each applicant. Names and
 3 addresses shall remain so listed until the day of such election. The county
 4 election officer shall maintain a separate listing of the names and addresses
 5 of persons qualifying for permanent advance voting status. All such lists
 6 shall be available for inspection upon request in compliance with this
 7 subsection by any registered voter during regular business hours. The
 8 county election officer upon receipt of the applications shall enter upon a
 9 record kept by such officer the name and address of each applicant, which
 10 record shall conform to the list above required. Before inspection of any
 11 advance voting ballot application list, the person desiring to make the
 12 inspection shall provide to the county election officer identification in the
 13 form of driver's license or other reliable identification and shall sign a log
 14 book or application form maintained by the officer stating the person's
 15 name and address and showing the date and time of inspection. All records
 16 made by the county election officer shall be subject to public inspection,
 17 except that the voter identification information required by subsections (b)
 18 and (c) and the identifying number on ballots and ballot envelopes and
 19 records of such numbers shall not be made public.

20 (j) If a person on the permanent advance voting list fails to vote in
 21 ~~four~~ two ~~consecutive~~ general elections held on the ~~Thursday~~
 22 ~~succeeding the first Monday in November of each even-numbered and~~
 23 ~~odd-numbered year~~, the county election officer may mail a notice to such
 24 voter. The notice shall inform the voter that the voter's name will be
 25 removed from the permanent advance voting list unless the voter renews
 26 the application for permanent advance voting status within 30 days after
 27 the notice is mailed. If the voter fails to renew such application, the county
 28 election officer shall remove the voter's name from the permanent advance
 29 voting list. Failure to renew the application for permanent advance voting
 30 status shall not result in removal of the voter's name from the voter
 31 registration list.

32 (k) (1) Any person who solicits by mail a registered voter to file an
 33 application for an advance voting ballot and includes an application for an
 34 advance voting ballot in such mailing shall include on the exterior of such
 35 mailing, and on each page contained therein, except the application, a clear
 36 and conspicuous label in 14-point font or larger that includes:

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

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

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

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

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