HOUSE BILL No. 2057

By Committee on Elections

AN ACT concerning elections; relating to advance voting ballots; regulating the use of remote ballot boxes for the return of such ballots.

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

Section 1. (a) A county election office shall only use remote ballot boxes in accordance with this section. A county election office may designate and use not more than one remote ballot box for each election, except that if a county has a population of more than 30,000 registered voters, the county election office for such county may designate and use one remote ballot box for each collective group of 30,000 registered voters or portion thereof in such county.

(b) While open and accessible for the deposit of advance voting ballots, each remote ballot box used in an election shall be continuously observed by an employee of the county election office or be continuously monitored by video recording equipment. Except as otherwise provided, all remote ballot boxes shall be closed and shall not be accessible for the deposit of advance voting ballots when the county election office is closed. All remote ballot boxes shall be closed, locked and shall not be accessible for the deposit of advance voting ballots after 7:00 p.m. on the date of the election, except that any voter who is waiting to deposit an advance voting ballot in a remote ballot box at 7:00 p.m. shall be permitted to deposit such ballot.

(c) Each remote ballot box shall have a sign conspicuously posted near the opening for depositing an advance voting ballot stating the requirements for and the statutory limit on the number of advance voting ballots that may be transmitted by a person other than the voter under K.S.A. 25-2437, and amendments thereto, and the penalty for violations thereof. Such signage shall be in compliance with any rules and regulations adopted by the secretary of state.

(d) If a remote ballot box is monitored by video recording equipment, such equipment shall be located to allow recording of the face of each individual when depositing an advance voting ballot. All video recordings shall be digitally preserved and maintained by the county election office for a period of not less than one year from the date of the recording. All video recordings created under this section shall be public records, and any video recording shall be made available upon request to any candidate.
whose name appears on a ballot in the county where such request is submitted. 

(e) The secretary of state shall adopt rules and regulations necessary to implement and enforce the provisions of this section, including, but not limited to, rules and regulations requiring that advance voting ballots returned using a remote ballot box be preserved separately from all other ballots collected by a county election office.

(f) As used in this section, "remote ballot box" means any form of a locked ballot box designated by the county election officer as available for use for depositing advance voting ballots. "Remote ballot box" does not include any ballot boxes located in a county election office or satellite advance voting site.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.