

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Elections** recommends **HB 2067** be amended on page 4, in line 25, by striking all after "(d)" by striking all in line 26; in line 27, by striking "name and address on the registration book, the"; and inserting "A"; in line 28, following "thereto" by inserting ", if:

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

(2) the name and address of the voter provided on the application for an advance voting ballot do not match the voter's name and address on the registration book";

On page 5, in line 4, by striking "mail in" and inserting "provide";

On page 8, in line 33, after "or" by inserting "a concealed carry of handgun or weapon license issued"; in line 33, by striking "weapon" and inserting "handgun"; in line 37, by striking "a" where it appears in for the second time; in line 38, by striking "public" and inserting "an accredited"; in line 38, after "institution" by inserting "of education"; in line 40, by striking "; and" and inserting a period; and by striking all of the lines 41 through 43;

On page 9, by striking all in line 1; by striking all in lines 28 through 43;

On page 10, by striking all in lines 1 through 9;

On page 11, in line 33, by striking "not transmit an"; and inserting "transmit a provisional";

On page 13, following line 41, by inserting "Sec. 7. K.S.A. 25-2203 is hereby amended as follows: 25-2203. (a) There is hereby established the state election board, the members of which shall be the lieutenant governor, the secretary of state and the attorney general. The state election board shall meet on the call of the secretary of state.

(b) The state election board shall:

(1) Adopt rules and regulations for determination of apportionment of election expenses among the subdivisions of government. Such rules and regulations shall identify and define the election expenses which are direct and those which are indirect, or shall define sufficient means of making determination thereof.

(2) assess information provided by any applicant for voter registration as evidence of citizenship pursuant to K.S.A. 25-2309(m), and amendments thereto; and

(3) ~~The state election board shall~~ make such additional rules and regulations as it deems advisable relating to payment of election expenses.";

On page 14, in line 5, after "the" by inserting "national"; in line 5, by striking "application prescribed by" and inserting "form"; in line 6, before "federal" by inserting "issued pursuant to";

On page 17, by striking all in line 20; in line 21, by striking "satisfactory evidence of United States citizenship" and inserting "accept any completed application for registration, but an applicant shall not be registered until the applicant has provided satisfactory evidence of United States citizenship"; in line 23, by striking "(6)" and inserting "(13)"; in line 33, by striking all before "by" and inserting "issued";

On page 18, in line 11, by striking "or";

In line 13, by striking the period and by inserting ";

(7) the applicant's consular report of birth abroad of a citizen of the United States of America;

(8) the applicant's certificate of citizenship issued by the United States citizenship and immigration services;

(9) the applicant's certification of report of birth issued by the United States department of state;

(10) the applicant's American Indian card, with KIC classification, issued by the United States department of homeland security;

(11) the applicant's final adoption decree showing the applicant's name and United States

birthplace;

(12) the applicant's official United States military record of service showing the applicant's place of birth in the United States; or

(13) an extract from a United States hospital record of birth created at the time of the applicant's birth indicating the applicant's place of birth in the United States.

(m) If an applicant is a United States citizen but does not have any of the documentation listed in this section as satisfactory evidence of United States citizenship, such applicant may submit any evidence that such applicant believes demonstrates the applicant's United States citizenship.

(1) Any applicant seeking an assessment of evidence under this subsection may directly contact the elections division of the secretary of state by submitting a voter registration application or form as described by this section and any supporting evidence of United States citizenship. Upon receipt of this information, the secretary of state shall notify the state election board, as established under K.S.A. 25-2203, and amendments thereto, that such application is pending.

(2) The state election board shall give the applicant an opportunity for a hearing and an opportunity to present any additional evidence to the state election board. Notice of such hearing shall be given to the applicant at least five days prior to the hearing date. An applicant shall have the opportunity to be represented by counsel at such hearing.

(3) The state election board shall assess the evidence provided by the applicant to determine whether the applicant has provided satisfactory evidence of United States citizenship. A decision of the state election board shall be determined by a majority vote of the election board.

(4) If an applicant submits an application and any supporting evidence prior to the close of registration for an election cycle, a determination by the state election board shall be issued at least five days before such election date.

(5) If the state election board finds that the evidence presented by such applicant constitutes

satisfactory evidence of United States citizenship, such applicant will have met the requirements under this section to provide satisfactory evidence of United States citizenship.

(6) If the state election board finds that the evidence presented by an applicant does not constitute satisfactory evidence of United States citizenship, such applicant shall have the right to appeal such determination by the state election board by instituting an action under 8 U.S.C. § 1503. Any negative assessment of an applicant's eligibility by the state election board shall be reversed if the applicant obtains a declaratory judgment pursuant to 8 U.S.C. § 1503, demonstrating that such applicant is a national of the United States.";

And by redesignating the remaining subsections accordingly.

Also on page 18, following line 31, by inserting "(s) Nothing in this section shall prohibit an applicant from providing, or the secretary of state or county election officer from obtaining satisfactory evidence of United States citizenship, as described in subsection (1), at a different time or in a different manner than an application for registration is provided, as long as the applicant's eligibility can be adequately assessed by the secretary of state or county election officer as required by this section.";

Also on page 18, following line 31, by inserting:

"Sec. 9. K.S.A. 25-2352 is hereby amended to read as follows: 25-2352. (a) (1) Each Kansas division of motor vehicles driver's license application and nondriver identification card application (including any renewal application) submitted to a division of motor vehicles office in Kansas shall serve as an application for voter registration unless the applicant fails to sign the voter registration application. An individual who completes the application for voter registration and is otherwise eligible shall be registered to vote in accordance with the information supplied by the individual.

(2) An application for voter registration submitted under subsection (a)(1) shall be considered as updating any previous voter registration by the applicant.

(b) The voter registration section of the application:

(1) May require a second signature or other information that duplicates, or is in addition to, information in the driver's license or nondriver's identification card section of the application to prevent duplicate voter registrations, and to enable Kansas election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(2) shall include a statement that specifies each eligibility requirement for voting, contains an attestation that the applicant meets each such requirement, including citizenship, and requires the signature of the applicant, under penalty of perjury;

(3) shall include a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes;

(4) shall include a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes;

(5) shall be made available by the division of vehicles (as submitted by the applicant, or in machine-readable or other format) to the secretary of state and county election officers, as provided by rules and regulations adopted by the secretary of state; and

(6) shall be transmitted to the county election officer not later than five days after the date of acceptance.

(c) The motor vehicle driver's license and nondriver identification card form used for change of residence address shall also serve as a notification of change of residence address for voter registration for elections, unless the registrant states on the form that the change is not for voter registration purposes.

(d) The voter registration portion of the motor vehicle driver's license and nondriver identification card applications and change of address forms used shall be subject to approval by the

secretary of state for purposes of voter registration under this section.

(e) Following the line fixed for the signature of the applicant on the application for voter registration, a statement shall be printed stating that the penalty for submission of a false voter registration application is a maximum presumptive sentence of 17 months in prison.

(f) The department of revenue or an employee of the department of revenue acting within the scope of the employee's employment shall not be liable for any damages resulting from any claim based on the department of revenue's transfer of any motor vehicle record information to the secretary of state that is required or permitted by law.

~~(f)~~(g) The secretary of state is hereby authorized to adopt such rules and regulations in the manner prescribed by law as may be necessary for the administration of the provisions of this section."; And by renumbering sections accordingly;

On page 20, in line 39, by striking "at the polling place, or if the" and inserting ", the voter may vote a provisional ballot pursuant to K.S.A. 25-409, and amendments thereto. If the voter's";

On page 21, in line 36, by striking "applicant" and inserting "voter"; in line 43, after "or" by inserting "a concealed carry of handgun or weapon license issued";

On page 22, in line 6, by striking "a public" and inserting "an accredited"; in line 7, after "institution" by inserting "of education"; by striking all in lines 10 through 16; in line 17, by striking "(3)"; and inserting "(2)"; in line 25, by striking "are" and inserting "have";

On page 26, in line 6, by striking "which involve an election crime, attempted election crime or"; in line 7, by striking "violation"; in line 12, by striking "an"; in line 13, by striking "action" and inserting "a prosecution"; also in line 13, by striking "which involves an election crime, attempted election"; in line 14, by striking "crime or violation"; in line 16, after "prosecution" by inserting "or proceeding"; in line 26, after "K.S.A." by inserting "25-2203, 25-2352,";

On page 1, in the title, in line 2, before "25-2411" by inserting "25-2203, 25-2352,"; and the bill

be passed as amended.

\_\_\_\_\_Chairperson