

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2210

By Committee on Elections

2-4

1 AN ACT concerning elections; relating to change of party affiliation; when  
2 not permissible; amending K.S.A. **25-3301** and 25-3304 and repealing  
3 the existing ~~section~~ **sections**.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 25-3304 is hereby amended to read as follows: 25-  
7 3304. (a) Any person who has declared such person's party or voter  
8 affiliation in the manner provided by law shall be listed on a voter  
9 affiliation list as a member of a registered political organization, or on a  
10 party affiliation list if a member of a recognized political party, unless the  
11 person's name is purged or removed therefrom as provided by K.S.A. 25-  
12 3303, and amendments thereto, or unless the person changes party or voter  
13 affiliation as provided in this section.

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

25 ~~(c) Any person who has never declared a party or voter affiliation in~~  
26 ~~the county in which such person resides may file a written declaration with~~  
27 ~~the county election officer, stating the person's party or voter affiliation.~~  
28 ~~Such declaration shall be filed not less than 14 days prior to the date of any~~  
29 ~~national, state, county or township primary election. The county election~~  
30 ~~officer shall enter a record of such declaration on the party or voter~~  
31 ~~affiliation list of the preceding primary election in the proper column~~  
32 ~~opposite the voter's name.~~

33 **Sec. 2. K.S.A. 25-3301 is hereby amended to read as follows: 25-**  
34 **3301. (a) Each registered voter of this state who has declared a party**  
35 **affiliation as provided in this section or in K.S.A. 25-3304, and**  
36 **amendments thereto, shall be entitled to vote at every partisan**

1 primary election.

2 (b) The county election officer shall prepare for each voting place  
3 at each partisan primary election a party affiliation list, duly certified  
4 by such officer, which clearly indicates the party affiliation of each  
5 registered voter in the voting area who has declared a party affiliation.  
6 The registration book prepared for a voting place pursuant to K.S.A.  
7 25-2318, and amendments thereto, may be used as such list, but no  
8 registration book prepared for use at a voting place in an election  
9 other than a partisan primary election or an election held at the same  
10 time as a partisan primary election shall indicate in any manner the  
11 party affiliation of any voter. Such list shall be delivered by the  
12 supervising judge to the voting place before the opening of the polls.

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

27 ~~(d) No voter shall be allowed to receive the ballot of any political~~  
28 ~~party except that with which such voter is affiliated.~~

29 ~~(e) Party affiliation statements shall be preserved for five years.~~  
30 ~~The county election officer may dispose of the statements in the~~  
31 ~~manner approved for destruction of ballots as provided in K.S.A. 25-~~  
32 ~~2708, and amendments thereto.~~

33 ~~(f) (e) The county election officer shall update party affiliation~~  
34 ~~lists as provided by rules and regulations of the secretary of state.~~

35 ~~Sec. 2-3. K.S.A. 25-3301 and 25-3304 is are hereby repealed.~~

36 ~~Sec. 3-4. This act shall take effect and be in force from and after its~~  
37 ~~publication in the statute book.~~