

2021 Kansas Statutes

25-4406. Same; mandatory requirements for electronic or electromechanical systems approved.

Electronic or electromechanical voting systems approved by the secretary of state:

- (a) Shall provide for voting for the candidates for nomination or election of all political parties officially recognized pursuant to K.S.A. 25-302a, and amendments thereto;
- (b) shall permit a voter to vote for any independent candidate for any office;
- (c) shall provide for voting on constitutional amendments or other questions submitted;
- (d) shall be so constructed that, as to primaries where candidates are nominated by political parties, the voter can vote only for the candidates for whom the voter is qualified to vote according to articles 2 and 33 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto;
- (e) shall afford the voter an opportunity to vote for any or all candidates for an office for whom the voter is by law entitled to vote and no more, and at the same time shall prevent the voter from voting for the same candidate twice for the same office;
- (f) shall be so constructed that in presidential elections the presidential electors of any political party may be voted for by one action;
- (g) shall provide for "write-in" votes;
- (h) shall provide for voting in absolute secrecy, except as to persons who request assistance due to temporary illness or disability or a lack of proficiency in reading the English language;
- (i) shall reject all votes for an office or upon a question submitted when the voter has cast more votes for such office or upon such question than the voter is entitled to cast;
- (j) shall provide for instruction of voters on the operation of voting machines, illustrating the manner of voting by the use of such systems. The instruction may include printed materials or demonstration by election board workers;
- (k) shall provide a paper record of each vote cast, produced at the time the vote is cast;
- (l) shall have the ability to be tested both before an election and prior to the date of canvass. The test shall include the ability to match the paper records of such machines to the vote totals contained in the machines; and
- (m) shall meet the requirements of the help America vote act of 2002 and other federal statutes and regulations governing voting equipment.

History: L. 1977, ch. 129, § 6; L. 1980, ch. 115, § 4; L. 2000, ch. 49, § 4; L. 2007, ch. 125, § 14; L. 2018, ch. 116, § 10; July 1.