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4 **SENATE BILL No. 468**

5
6 By Committee on Elections and Local Government

7
8 1-29

9
10 AN ACT concerning elections; relating to ~~technical~~ clean up amend-
11 ments; amending K.S.A. 25-4005 and K.S.A. 2001 Supp. 25-2316c and
12 25-3102 and repealing the existing sections.

13
14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 2001 Supp. 25-2316c is hereby amended to read
16 as follows: 25-2316c. (a) When a registered voter changes name by mar-
17 riage, divorce or legal proceeding, if such voter is otherwise qualified to
18 vote at such voting place such voter shall be allowed to vote a provisional
19 ballot at any election, or apply for an advance voting ballot, on the con-
20 dition that such voter first completes the application for registration pre-
21 scribed by K.S.A. 25-2309, and amendments thereto. Completion of the
22 application shall authorize the county election officer to update the reg-
23 istration records, if appropriate, for voting in future elections. The county
24 election officer shall send, by nonforwardable mail, a notice of disposition
25 to any voter completing such application.

26 (b) When a registered voter changes residence, such voter shall rer-
27 egister in order to be eligible to vote, except that when a registrant has
28 moved from an address on the registration book to another address within
29 the county and has not reregistered, such registrant shall be allowed to
30 vote a provisional ballot at any election, or to apply for an advance voting
31 ballot, on the condition that such registrant first completes the application
32 for registration prescribed by K.S.A. 25-2309, and amendments thereto.
33 Completion of the application shall authorize the county election officer
34 to update the registration record, if appropriate, for voting in future elec-
35 tions. The county election officer shall send, by nonforwardable mail, a
36 notice of disposition to any such voter. Whenever the county election
37 officer receives from any other election officer a notice of registration of
38 a voter in a different place than that shown in the records of the county
39 election officer, such officer shall remove the name of such voter from
40 the registration book and party affiliation list.

41 (c) Every application for registration completed under this section
42 shall be returned to the county election officer with the registration books.

43 (d) A registrant shall not be removed from the registration list on the

1 ground that the registrant has changed residence unless the registrant:

2 (1) Confirms in writing that the registrant has moved outside the
3 county in which the registrant is registered, or registers to vote in any
4 other jurisdiction; or

5 (2) has failed to respond to the notice described in subsection (e)(4)
6 and has not appeared to vote in an election during the period beginning
7 on the date of the notice and ending on the day after the date of the
8 second federal general election that occurs after the date of the notice.

9 (e) A county election officer shall send a confirmation notice upon
10 which a registrant may state such registrant's current address, within 45
11 days of the following events:

12 (1) A notice of disposition of an application for voter registration is
13 returned as undeliverable;

14 (2) change of address information supplied by the national change of
15 address program identifies a registrant whose address may have changed;

16 (3) if it appears from information provided by the postal service that
17 a registrant has moved to a different residence address in the county in
18 which the registrant is currently registered; or

19 (4) if it appears from information provided by the postal service that
20 a registrant has moved to a different residence address outside the county
21 in which the registrant is currently registered.

22 The confirmation notice shall be sent by forwardable mail and shall
23 include a postage prepaid and preaddressed return card in a form pre-
24 scribed by the chief state election official.

25 (f) Except as otherwise provided by law, when a voter dies or is dis-
26 qualified for voting, the registration of the voter shall be void, and the
27 county election officer shall remove such voter's name from the registra-
28 tion books and the party affiliation lists. Whenever (1) an obituary notice
29 appears in a newspaper having general circulation in the county reports
30 the death of a registered voter, or (2) a registered voter requests in writing
31 that such voter's name be removed from registration, or (3) a court of
32 competent jurisdiction orders removal of the name of a registered voter
33 from registration lists, or (4) the name of a registered voter appears on a
34 list of deceased residents compiled by the secretary of health and envi-
35 ronment as provided in K.S.A. 65-2422, and amendments thereto, or
36 appears on a copy of a death certificate provided by the secretary of health
37 and environment, or appears in information provided by the social se-
38 curity administration, the county election officer shall remove from the
39 registration books and the party affiliation lists in such officer's office the
40 name of any person shown by such list or death certificate to be deceased.
41 The county election officer shall not use or permit the use of such lists
42 of deceased residents or copies for any other purpose than provided in
43 this section.

1 (g) When the chief state election official receives written notice of a
2 felony conviction in a United States district court, such official shall notify
3 within five days the county election officer of the jurisdiction in which
4 the offender resides. Upon notification of a felony conviction from the
5 chief state election official, or from a county or district attorney or a
6 Kansas district court, the county election officer shall remove the name
7 of the offender from the registration records.

8 (h) Except as otherwise provided in this section, no person whose
9 name has been removed from the registration books shall be entitled to
10 vote until such person has registered again.

11 Sec. 2. K.S.A. 2001 Supp. 25-3102 is hereby amended to read as
12 follows: 25-3102. In the event that a member of the county board of
13 canvassers shall die, be absent, or from any casualty be prevented from
14 serving on such board, the remaining members of the county board of
15 canvassers shall select an elector to serve on the county board of can-
16 vassers in such member's place. If more than one member of the county
17 board of canvassers shall die, be absent, or from any casualty be prevented
18 from serving on the county board of canvassers, the remaining member
19 or members of the board ~~and the county election officer~~ shall jointly select
20 ~~two~~ electors to serve in their place. Functions and duties of the county
21 election officer may be performed by the deputy of the county election
22 officer in the absence of the county election officer.

23 Sec. 3. K.S.A. 25-4005 is hereby amended to read as follows: 25-
24 4005. The nomination papers or petitions as mentioned in K.S.A. 25-
25 4004, and amendments thereto, shall be in substantially the following
26 form:

27 I, the undersigned, an elector of the county of _____, and state of Kansas, and
28 a duly registered voter and a member of the _____ party, hereby nominate

29 _____
30 (Here insert name and city)

31 and state of Kansas as a candidate for the office of governor, and running with such
32 candidate _____

33 _____
34 (Here insert name and city)

35 and state of Kansas as a candidate for the office of lieutenant governor to be voted for at
36 the primary to be held on the first Tuesday in August in _____, as representing the
37 principles of such party; and I further declare that I intend to support the candidates herein
38 named and that I have not signed and will not sign any petition or nomination paper for
39 any other persons, for such offices at the next ensuing election.

40 (HEADING)

41 Name of	Street Number	Name of	Date of
42 Signers	or RR	City	Signing
43	(as registered)		

1 All nomination papers shall have substantially the foregoing form, writ-
2 ten or printed at the top thereof. No signature shall be counted unless it
3 is upon a sheet having such written or printed form at the top thereof.

4 Each signer of a nomination paper shall sign but one such paper for
5 governor and lieutenant governor, and shall declare that such signer in-
6 tends to support the candidates therein named, and shall add to the
7 signer's signature the signer's residence, if in a city, by street and number
8 (if any); or, otherwise by address as shown on such signer's registration.
9 No signature shall be counted unless the place of residence of the signer
10 is clearly indicated and the date of signing given as herein required and
11 if ditto marks are used to indicate address they shall be continuous and
12 clearly made. Such sheets shall not be cut or pasted together.

13 All signers of each separate nomination paper shall reside in the same
14 county. The affidavit of a ~~registered voter who resides in such county~~
15 *petition circulator who is a resident of the state of Kansas and has the*
16 *qualifications of an elector of the state of Kansas* shall be appended to
17 each such nomination paper, stating that to the best of such ~~voter's~~ *pe-*
18 *tition circulator's* knowledge and belief, all the signers thereof are qual-
19 ified electors of that county; that the ~~voter~~ *petition circulator* knows that
20 they signed the same with full knowledge of the contents thereof; that
21 their respective residences are correctly stated therein; that each signer
22 signed the same on the date stated opposite such signer's name, and that
23 the affiant intends to support the candidates therein named. Such affidavit
24 shall be prima facie evidence of the facts therein stated. ~~The person mak-~~
25 ~~ing such affidavit shall be duly registered.~~

26 Such nomination papers shall be signed by not less than 1% of the total
27 vote of the party designated in the state. The basis of the percentage shall
28 be the vote of the party for secretary of state at the last preceding general
29 election of secretary of state; or, in case of a new party, the basis of a
30 percentage shall be the vote cast for the successful candidate for secretary
31 of state at the last preceding general election of secretary of state.

32 Sec. 4. K.S.A. 25-4005 and K.S.A. 2001 Supp. 25-2316c and 25-3102
33 are hereby repealed.

34 Sec. 5. This act shall take effect and be in force from and after its
35 publication in the ~~statute book~~ ***Kansas register***.

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