

## HOUSE BILL No. 2876

By Committee on Elections and Governmental Organization

2-13

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9 AN ACT relating to elections; concerning voter registration; amending  
10 K.S.A. 25-2311 and K.S.A. 2007 Supp. 25-2316c and repealing the  
11 existing sections.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 25-2311 is hereby amended to read as follows: 25-  
15 2311. (a) County election officers shall provide for the registration of  
16 voters at one or more places on all days except the following:

17 (1) Days when the main offices of the county government are closed  
18 for business, except as is otherwise provided by any county election officer  
19 under the provisions of K.S.A. 25-2312 and amendments thereto; *and*

20 (2) days when the main offices of the city government are closed for  
21 business, in the case of deputy county election officers who are city clerks  
22 except as is otherwise provided by any county election officer under the  
23 provisions of K.S.A. 25-2312 and amendments thereto;

24 ~~(3) the 14 days preceding the day of primary and general state~~  
25 ~~elections;~~

26 ~~—(4) the 14 days preceding the day of primary city and school elections,~~  
27 ~~if either has a primary;~~

28 ~~—(5) the 14 days preceding each first Tuesday in April of odd num-~~  
29 ~~bered years, being the day of city and school general elections;~~

30 ~~—(6) the 14 days preceding the day of any election other than one~~  
31 ~~specified in paragraphs (3), (4) and (5) of this subsection; and~~

32 ~~—(7) the day of any primary or general election or any question sub-~~  
33 ~~mitted election.~~

34 (b) For the purposes of this section in counting days that registration  
35 books are to be closed, all of the days including Sunday and legal holidays  
36 shall be counted.

37 (c) The secretary of state shall notify every county election officer of  
38 the dates when registration shall be closed preceding primary and general  
39 state, city and school elections. The days so specified by the secretary of  
40 state shall be conclusive. Such notice shall be given by the secretary of  
41 state by mail at least 60 days preceding every primary and general state,  
42 city and school election.

43 (d) The last days before closing of registration books as directed by

1 the secretary of state under subsection (c) of this section, county election  
2 officers shall provide for registration of voters during regular business  
3 hours, during the noon hours and at other than regular business hours  
4 upon such days as the county election officers deem necessary. The last  
5 three business days before closing of registration books prior to state  
6 primary and general elections, county election officers may provide for  
7 registration of voters until 9:00 p.m. in cities of the first and second class.  
8 *On the day of any primary or general election or any question submitted*  
9 *election, county election officers shall provide for registration of voters at*  
10 *the polls during the hours in which the polls are open.*

11 (e) County election officers shall accept and process applications re-  
12 ceived by voter registration agencies and the division of motor vehicles  
13 not later than the 15th day preceding the date of any election; mailed  
14 voter registration applications that are postmarked not later than the 15th  
15 day preceding the date of any election; or, if the postmark is illegible or  
16 missing, is received in the mail not later than the ninth day preceding the  
17 day of any election.

18 (f) The secretary of state may adopt rules and regulations interpreting  
19 the provisions of this section and specifying the days when registration  
20 shall be open, days when registration shall be closed, and days when it is  
21 optional with the county election officer for registration to be open or  
22 closed.

23 (g) Before each primary and general election held in even-numbered  
24 years, and at times and in a form prescribed by the secretary of state,  
25 each county election officer shall certify to the secretary of state the num-  
26 ber of registered voters in each precinct of the county as shown by the  
27 registration books in the office of such county election officer.

28 Sec. 2. K.S.A. 2007 Supp. 25-2316c is hereby amended to read as  
29 follows: 25-2316c. (a) When a registered voter changes name by marriage,  
30 divorce or legal proceeding, if such voter is otherwise qualified to vote at  
31 such voting place such voter shall be allowed to vote a provisional ballot  
32 at any election, or apply for an advance voting ballot, on the condition  
33 that such voter first completes the application for registration prescribed  
34 by K.S.A. 25-2309, and amendments thereto. Completion of the appli-  
35 cation shall authorize the county election officer to update the registration  
36 records, if appropriate, for voting in future elections. The county election  
37 officer shall send, by nonforwardable mail, a notice of disposition to any  
38 voter completing such application.

39 (b) When a registered voter changes residence, such voter shall rer-  
40 egister in order to be eligible to vote, except that when a registrant has  
41 moved from an address on the registration book to another address within  
42 the county and has not reregistered, such registrant shall be allowed to  
43 vote a provisional ballot at any election, or to apply for an advance voting

1 ballot, on the condition that such registrant first completes the application  
2 for registration prescribed by K.S.A. 25-2309, and amendments thereto.  
3 Completion of the application shall authorize the county election officer  
4 to update the registration record, if appropriate, for voting in future elec-  
5 tions. The county election officer shall send, by nonforwardable mail, a  
6 notice of disposition to any such voter. Whenever the county election  
7 officer receives from any other election officer a notice of registration of  
8 a voter in a different place than that shown in the records of the county  
9 election officer, such officer shall remove the name of such voter from  
10 the registration book and party affiliation list.

11 *(c) Any person who on election day appears at the polling place for*  
12 *the precinct in which such person resides, who is not registered but is*  
13 *otherwise qualified to vote at such voting place, shall be allowed to vote*  
14 *at such election on the condition that such person registers at such time*  
15 *by completing a registration card, makes an oath in the form prescribed*  
16 *by the secretary of state and provides proof of residence in accordance*  
17 *with rules and regulations adopted by the secretary of state. The regis-*  
18 *tration card shall authorize the county election officer to register such*  
19 *voter and the county election officer shall send, by nonforwardable first-*  
20 *class mail, a certificate of registration to such voter.*

21 ~~(d)~~ Every application for registration completed under this section  
22 shall be returned to the county election officer with the registration books.

23 ~~(e)~~ A registrant shall not be removed from the registration list on  
24 the ground that the registrant has changed residence unless the registrant:

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

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

32 ~~(f)~~ A county election officer shall send a confirmation notice upon  
33 which a registrant may state such registrant's current address, within 45  
34 days of the following events:

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

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

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

42 (4) if it appears from information provided by the postal service that  
43 a registrant has moved to a different residence address outside the county

1 in which the registrant is currently registered.

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

5 ~~(f)~~ (g) Except as otherwise provided by law, when a voter dies or is  
6 disqualified for voting, the registration of the voter shall be void, and the  
7 county election officer shall remove such voter's name from the registra-  
8 tion books and the party affiliation lists. Whenever (1) an obituary notice  
9 appears in a newspaper having general circulation in the county reports  
10 the death of a registered voter, or (2) a registered voter requests in writing  
11 that such voter's name be removed from registration, or (3) a court of  
12 competent jurisdiction orders removal of the name of a registered voter  
13 from registration lists, or (4) the name of a registered voter appears on a  
14 list of deceased residents compiled by the secretary of health and envi-  
15 ronment as provided in K.S.A. 65-2422, and amendments thereto, or  
16 appears on a copy of a death certificate provided by the secretary of health  
17 and environment, or appears in information provided by the social se-  
18 curity administration, the county election officer shall remove from the  
19 registration books and the party affiliation lists in such officer's office the  
20 name of any person shown by such list or death certificate to be deceased.  
21 The county election officer shall not use or permit the use of such lists  
22 of deceased residents or copies for any other purpose than provided in  
23 this section.

24 ~~(g)~~ (h) When the chief state election official receives written notice  
25 of a felony conviction in a United States district court, such official shall  
26 notify within five days the county election officer of the jurisdiction in  
27 which the offender resides. Upon notification of a felony conviction from  
28 the chief state election official, or from a county or district attorney or a  
29 Kansas district court, the county election officer shall remove the name  
30 of the offender from the registration records.

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

34 Sec. 3. K.S.A. 25-2311 and K.S.A. 2007 Supp. 25-2316c are hereby  
35 repealed.

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