

HOUSE BILL No. 2251

By Committee on Elections

2-5

1 AN ACT concerning elections; dealing with voting; amending K.S.A. 25-
2 1132 and K.S.A. 2014 Supp. 25-3008 and repealing the existing
3 sections.

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

6 New Section 1. (a) Any county election officer may:

7 (1) Institute a ballot system providing for the distribution and use of
8 any ballot style for any precinct or voting district available at any polling
9 place within the county on election day;

10 (2) establish satellite polling places where voters may cast an advance
11 ballot for any ballot style; and

12 (3) establish electronic polling books to be used at all polling places.

13 (b) Advance ballots may be returned to any polling place on election
14 day prior to the closing of the polls. Advance ballots that are submitted at a
15 polling place on election day other than at the county election office shall
16 be counted at the same time that provisional ballots are counted. Such
17 advance ballots, otherwise, shall be treated as any other advance ballots.

18 Sec. 2. K.S.A. 25-1132 is hereby amended to read as follows: 25-
19 1132. *Except as provided in section 1, and amendments thereto*, all
20 advance voting ballots which are received in the office of the county
21 election officer not later than the hour for closing of the polls on the date
22 of any election specified in ~~subsection (b)~~ of K.S.A. 25-1122(b), and
23 amendments thereto, shall be delivered by the county election officer to
24 the appropriate special election board provided for in K.S.A. 25-1133, and
25 amendments thereto.

26 Sec. 3. K.S.A. 2014 Supp. 25-3008 is hereby amended to read as
27 follows: 25-3008. Before leaving the voting place the supervising judge
28 shall ascertain that the election supplies and ballots that are to be returned
29 have been packaged, packed and separated as provided in this section:

30 (a) All ballots both voted and unvoted, except void, objected to and
31 provisional ballots *and advanced ballots turned in as provided in section*
32 *1, and amendments thereto*, shall be placed in bags or sacks. Such bags or
33 sacks shall be sealed and appropriately labeled. The method of sealing and
34 labeling shall be a method approved by the secretary of state and directed
35 by the county election officer.

36 (b) Ballots that are spoiled and returned by the voter shall be marked

1 "spoiled" on the back thereof and shall be placed in the bags or envelopes
2 specified in subsection (a) of this section.

3 (c) Provisional ballot envelopes containing ballots, with applications
4 for registration attached, shall be placed in an appropriately labeled
5 envelope, and shall be sealed as in subsection (a) of this section.

6 (d) Provisional ballot envelopes containing ballots cast after the
7 polling place hours prescribed in K.S.A. 25-106, and amendments thereto,
8 pursuant to a court or other order shall be separated from the provisional
9 ballot envelopes described in subsection (c) of this section and packaged
10 and sealed as required by subsection (a) of this section.

11 (e) *Advanced ballots turned in at the polling place shall be packed
12 and sealed as required by subsection (a) of this section.*

13 (f) Objected to ballots shall be placed in an appropriately labeled
14 envelope, and shall be sealed as in subsection (a) of this section.

15 ~~(g)~~ (g) Ballots that are cast but not counted shall be marked "void" on
16 the back thereof and shall be placed in the same envelope that contains
17 objected to ballots.

18 ~~(h)~~ (h) Ballots specified in subsections (a) and (b) shall be separately
19 packaged from ballots specified in subsections (c), (d), ~~(e) and~~, (f) and (g).

20 ~~(i)~~ (i) Poll books, registration books, party affiliation lists, tally
21 sheets, abstracts and election supplies not listed in the preceding
22 subsections of this section shall be returned sealed but not packaged with
23 the items specified in subsections (a), (b), (c), (d), (e), ~~(f) and~~, (g) and (h).

24 ~~(j)~~ (j) (1) If upon receiving the sealed bags or sacks of ballots after the
25 original canvass, the county election officer discovers that the board which
26 conducted the original canvass failed to provide a tally sheet of write-in
27 votes, the county election officer may appoint a special write-in board to
28 unseal the ballots and count any write-in votes which appear on the ballots.
29 Such write-in votes shall be reported to the county election officer, who
30 shall include them with the official results of the election. When the board
31 completes its tally of write-in votes, the bags or sacks shall be resealed.

32 (2) The special write-in board shall be appointed by the county
33 election officer from the election boards of the county or from a pool of
34 trained board workers maintained by the county election officer. One
35 member of the board shall be designated by the county election officer as a
36 supervising judge, and the remaining members of the board shall be of
37 different political parties to the extent practicable.

38 Sec. 4. K.S.A. 25-1132 and K.S.A. 2014 Supp. 25-3008 are hereby
39 repealed.

40 Sec. 5. This act shall take effect and be in force from and after its
41 publication in the statute book.