

Approved: March 7, 2011  
Date

## MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Chairman Schwab at 9:00 a.m., on February 21, 2011, in Room 546-S of the Capitol.

All members were present .

Committee staff present:

Doug Taylor, Office of Revisor of Statutes  
Katherine McBride, Office of Revisor of Statutes  
Martha Dorsey, Kansas Legislative Research Department  
Jay Hall, Kansas Legislative Research Department  
Diane Brian, Committee Assistant

Conferees appearing before the Committee:

NONE

Others attending:

See attached list.

### **Discussion and final action on:**

#### **HB 2067 – Voter photographic identification requirement.**

Representative Goico moved to pass HB 2067 favorable for passage. Representative Rubin seconded motion. Representative Rubin made a substitute motion to amend HB 2067. Motion was seconded by Representative Garber. Staff distributed balloon amendment 1 (Attachment 1) and gave explanation of changes. Discussion followed. Motion carried.

Representative Goico moved to adopt balloon amendment 4 on HB 2067. Motion was seconded by Representative Rubin. Staff distributed balloon amendment 4 (Attachment 2) and gave explanation of changes. Discussion followed. Motion carried.

Representative Goico moved to pass HB 2067 favorably for passage as amended. Discussion followed. Motion carried.

#### **HB 2126 – Elections: municipalities; primary and general election date change.**

Representative Gioco moved to pass HB 2126 favorable for passage. Representative Rubin seconded the motion. Discussion followed. Motion failed.

Representative Gonzalez introduced pages from his district; Mark Nickels, Thomas Elevier, Zack Whaley, and Bree Brooks.

Chairman Schwab thanked the committee for the hard work they've done.

The next meeting is scheduled for March 2, 2011.

The meeting was adjourned at 10:30 a.m.

## GUEST LIST

[illegible]

## HOUSE BILL No. 2067

By Representatives Kinzer, Arpke, Brown, Brunk, Burgess, Calloway, Carlson, Collins, DeGraaf, Donohoe, Fawcett, Fund, Garber, Goico, Goodman, Gregory, Grosserode, Hildabrand, M. Holmes, Howell, Huebert, Kelley, Kelly, Kiegerl, Kleeb, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, Osterman, Otto, Patton, Peck, Powell, Rhoades, Rubin, Ryckman, Scapa, Seiwert, Siegfried, Smith, Suellentrop, Vickrey, Weber, B. Wolf, K. Wolf and Worley

1-24

Proposed Amendments to HB 2067  
BALLOON #1  
For Committee on Elections  
February 21, 2011  
Prepared By: Katherine McBride  
Office of Revisor of Statutes

HOUSE ELECTIONS  
DATE: 2-21-11  
ATTACHMENT: 1

1 AN ACT concerning elections; relating to voter identification; amending  
2 K.S.A. 25-2411, 25-2416, 25-2423 and 25-2431 and K.S.A. 2010  
3 Supp. 8-1324, 25-1122, 25-1122d, 25-1123, 25-1124, 25-1128, 25-  
4 2309, 25-2908, 25-3002 and 65-2418 and repealing the existing  
5 sections.  
6

25-2203, 25-2352,

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2010 Supp. 8-1324 is hereby amended to read as  
9 follows: 8-1324. (a) Any resident who does not hold a current valid  
10 Kansas driver's license may make application to the division of vehicles  
11 and be issued one identification card.

12 (b) For the purpose of obtaining an identification card, an applicant  
13 shall submit, with the application, proof of age, proof of identity and  
14 proof of lawful presence. An applicant shall submit with the application a  
15 photo identity document, except that a non-photo identity document is  
16 acceptable if it includes both the applicant's full legal name and date of  
17 birth, and documentation showing the applicant's name, the applicant's  
18 address of principal residence and the applicant's social security account  
19 number. The applicant's social security number shall remain confidential  
20 and shall not be disclosed, except as provided pursuant to K.S.A. 74-  
21 2012, and amendments thereto. If the applicant does not have a social  
22 security number, the applicant shall provide proof of lawful presence and  
23 Kansas residency. The division shall assign a distinguishing number to  
24 the identification card. Before issuing an identification card to a person,  
25 the division shall make reasonable efforts to verify with the issuing  
26 agency the issuance, validity and completeness of each document  
27 required to be presented by the applicant to prove age, identity and lawful  
28 presence.

29 (c) The division shall not issue an identification card to any person  
30 who fails to provide proof that the person is lawfully present in the  
31 United States. If an applicant provides evidence of lawful presence as set  
32 out in subsections (b)(2)(E) through (2)(I) of K.S.A. 8-240, and

1 otherwise provided by law.

2 (b) If the registered voter is applying for an advance voting ballot to  
3 be transmitted in person, ~~and such voter is a first-time voter~~, such voter  
4 shall provide *identification pursuant to K.S.A. 25-2908, and amendments*  
5 *thereto. a form of valid identification such as a current and valid Kansas*  
6 *driver's license, nondriver's identification card, utility bill, bank*  
7 *statement, paycheck, government check or other government document*  
8 *containing the voter's current name and address as indicated on the*  
9 *registration book. Such voter shall not be required to provide*  
10 *identification if such voter has previously provided current and valid*  
11 *identification in the county where registered.*

12 (c) If the registered voter is applying for an advance voting ballot to  
13 be transmitted by mail, ~~and such voter is a first-time voter~~, such voter  
14 shall provide ~~on~~with the application for an advance voting ballot the  
15 voter's current and valid Kansas driver's license number, nondriver's  
16 identification card number or *a photocopy of any other identification*  
17 *provided by K.S.A. 25-2908, and amendments thereto. the last four digits*  
18 *of the voter's social security number, or shall provide with the application*  
19 *a copy of the voter's current and valid Kansas driver's license, nondriver's*  
20 *identification card, utility bill, bank statement, paycheck, government*  
21 *check or other government document containing the voter's current name*  
22 *and address as indicated on the registration book. Such voter shall not be*  
23 *required to provide identification if such voter has previously provided*  
24 *current and valid identification in the county where registered.*

25 (d) ~~If a first-time voter is unable or refuses to provide current and~~  
26 ~~valid identification, or if the name and address do not match the voter's~~  
27 ~~name and address on the registration book, the~~ voter may vote a  
28 provisional ballot according to K.S.A. 25-409, and amendments thereto,  
29 The voter shall provide a valid form of identification as defined in  
30 subsection (e) of K.S.A. 25-2908, *and amendments thereto, this section to*  
31 *the county election officer in person or provide a copy by mail or*  
32 *electronic means before the meeting of the county board of canvassers. At*  
33 *the meeting of the county board of canvassers the county election officer*  
34 *shall present copies of identification received from provisional voters and*  
35 *the corresponding provisional ballots. If the county board of canvassers*  
36 *determines that a voter's identification is valid and the provisional ballot*  
37 *was properly cast, the ballot shall be counted.*

38 (e) *No county election officer shall provide an advance voting ballot*  
39 *to a person who is requesting an advance voting ballot to be transmitted*  
40 *by mail unless:*

41 (1) *The county election official verifies that the signature of the*  
42 *person matches that on file in the county voter registration records.*  
43 *Signature verification may occur by electronic device or by human*

A

, if:

- (1) The voter is unable or refuses to provide current and valid identification; or
- (2) the name and address of the voter provided on the application for an advance voting ballot do not match the voter's name and address on the registration book.

1 inspection. In the event that the signature of a person who is requesting  
2 an advance voting ballot does not match that on file, the county election  
3 officer shall attempt to contact the person and shall offer the person  
4 another opportunity to ~~mail in~~ such person's signature for the purposes  
5 of verifying the person's identity. If the county election officer is unable  
6 to reach the person, the county election officer may transmit a  
7 provisional ballot, however, such provisional ballot may not be counted  
8 unless a signature is included therewith that can be verified; and

provide

9 (2) the person provides such person's full Kansas driver's license  
10 number, Kansas nondriver's identification card number issued by the  
11 division of vehicles, or submits such person's application for an advance  
12 voting ballot and a copy of identification provided by K.S.A. 25-2908,  
13 and amendments thereto, to the county election officer for verification. If  
14 a person applies for an advance voting ballot to be transmitted by mail  
15 but fails to provide identification pursuant to this subsection or the  
16 identification of such person cannot be verified by the county election  
17 officer, the county election officer shall provide information to such  
18 person regarding the voter rights provisions of subsection (d) and shall  
19 provide such person an opportunity to provide identification pursuant to  
20 this subsection. For the purposes of this act, Kansas state offices and  
21 offices of any subdivision of the state will allow any person seeking to  
22 vote by an advance voting ballot the use a photocopying device to make  
23 one photocopy of an identification document at no cost.

24 ~~(e)~~(f) Applications for advance voting ballots to be transmitted to the  
25 voter by mail shall be filed only at the following times:

26 (1) For the primary election occurring on the first Tuesday in August  
27 in even-numbered years, between April 1 of such year and the last  
28 business day of the week preceding such primary election.

29 (2) For the general election occurring on the Tuesday succeeding the  
30 first Monday in November in even-numbered years, between 90 days  
31 prior to such election and the last business day of the week preceding  
32 such general election.

33 (3) For the primary election held five weeks preceding the first  
34 Tuesday in April, between January 1 of the year of such election and the  
35 last business day of the week preceding such primary election.

36 (4) For the general election occurring on the first Tuesday in April,  
37 between January 1 of the year of such election and the last business day  
38 of the week preceding such general election.

39 (5) For question submitted elections occurring on the date of a  
40 primary or general election, the same as is provided for ballots for  
41 election of officers at such election.

42 (6) For question submitted elections not occurring on the date of a  
43 primary or general election, between the time of the first published notice

1 *implement the provisions of this section and to define defining* valid  
2 forms of identification.

3 Sec. 3. K.S.A. 2010 Supp. 25-1122d is hereby amended to read as  
4 follows: 25-1122d. (a) The application for an advance voting ballot to be  
5 transmitted by mail shall be accompanied by an affirmation in substance  
6 as follows:

7 Affirmation of an Elector of the County of \_\_\_\_\_ and State  
8 of Kansas Desiring to Vote an Advance Voting Ballot

9 State of \_\_\_\_\_, County of \_\_\_\_\_, ss:

10 I,

11 \_\_\_\_\_  
12 \_\_\_\_\_  
13 (Please print name)

14  
15 do solemnly affirm under penalty of perjury that I am a qualified elector  
16 of the \_\_\_\_\_ precinct of the \_\_\_\_\_ ward, residing at number  
17 \_\_\_\_\_ on \_\_\_\_\_ street, city of \_\_\_\_\_, or in the township  
18 of \_\_\_\_\_, county of \_\_\_\_\_, and state of Kansas. My date of  
19 birth is \_\_\_\_\_ (month/day/year).

20 I understand that ~~if I have not previously voted in any election in this~~  
21 ~~county and I have not previously submitted valid identification, a current~~  
22 ~~and valid Kansas driver's license number or Kansas nondriver's~~  
23 ~~identification card number must be provided in order to receive a ballot.~~  
24 ~~If I do not have a current and valid Kansas driver's license number or~~  
25 ~~Kansas nondriver's identification card number, I must provide one of the~~  
26 ~~following forms of identification with this application in order to receive~~  
27 ~~a ballot:~~

28 (1) ~~A current and valid Kansas driver's license number or nondriver's~~  
29 ~~identification card number, or~~ A copy of any one of the following types of  
30 photographic identification: a driver's license issued by Kansas or by  
31 another state or district of the United States, a state identification card  
32 issued by Kansas or by another state or district of the United States, a  
33 ~~concealed carry of~~ ~~weapon~~ license issued by Kansas or ~~by another state~~  
34 ~~or district of the United States, a United States passport, an employee~~  
35 ~~badge or identification document issued by a municipal, county, state, or~~  
36 ~~federal government office or agency, a military identification document~~  
37 ~~issued by the United States, a student identification card issued by a~~  
38 ~~public post secondary institution in the state of Kansas, or a public~~  
39 ~~assistance identification card issued by a municipal, county, state, or~~  
40 ~~federal government office or agency, and~~

41 ~~(2) the last four digits of my social security number, or a copy of~~  
42 ~~any one of the following types of proof of current address: a utility bill,~~  
43 ~~bank statement, paycheck, government check, or other government~~

a concealed carry of handgun  
or weapon license issued

handgun

an accredited

of education

Stricken language on lines 41-43

~~document that shows my name and address.~~

Stricken language on line 1

~~(3) a copy of a current and valid Kansas driver's license or nondriver's identification card, utility bill, bank statement, paycheck, government check, or other government document that shows my name and address.~~

I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on \_\_\_\_\_ (date).

My political party is \_\_\_\_\_ (to be filled in only when requesting primary election ballots). I desire my ballots to be sent to the following address:

Signature of voter.

Note: False statement on this affirmation is a severity level 9, nonperson felony.

(b) The application for an advance voting ballot to be transmitted in person shall be accompanied by an affirmation in substance as follows:

Affirmation of an Elector of the County of \_\_\_\_\_ and State of Kansas Desiring to Vote an Advance Voting Ballot

State of \_\_\_\_\_, County of \_\_\_\_\_, ss:

I, \_\_\_\_\_  
(Please print name)

do solemnly affirm under penalty of perjury that I am a qualified elector of the \_\_\_\_\_ precinct of the \_\_\_\_\_ ward, residing at number \_\_\_\_\_ on \_\_\_\_\_ street, city of \_\_\_\_\_, or in the township of \_\_\_\_\_, county of \_\_\_\_\_, and state of Kansas. My date of birth is \_\_\_\_\_ (month/day/year).

~~I understand that if I have not previously voted in any election in this county and I have not previously submitted valid identification, a current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot.~~

~~If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide one of the following forms of identification with this application in order to receive a ballot:~~

Stricken language on lines 28-35, 38-43

(1) A current and valid Kansas driver's license number or nondriver's identification card utility bill, bank statement, paycheck, government check or other government document that shows my name and address. A copy of any one of the following types of photographic identification: a driver's license issued by Kansas or by another state or district of the United States, a state identification card issued by Kansas or by another state or district of the United States, a concealed carry of weapon license issued by Kansas or by another state or district of the United States, a

Stricken language on lines 1-9

~~1 United States passport, an employee badge or identification document~~  
~~2 issued by a municipal, county, state, or federal government office or~~  
~~3 agency, a military identification document issued by the United States, a~~  
~~4 student identification card issued by a public post secondary institution~~  
~~5 in the state of Kansas, or a public assistance identification card issued by~~  
~~6 a municipal, county, state, or federal government office or agency, and~~  
~~7 (2) a copy of any one of the following types of proof of current~~  
~~8 address: a utility bill, bank statement, paycheck, government check, or~~  
~~9 other government document that shows my name and address.~~

I am entitled to vote an advance voting ballot and I have not voted and  
 will not otherwise vote at the election to be held on \_\_\_\_\_ (date).  
 My political party is \_\_\_\_\_ (to be filled in only when requesting  
 primary election ballots).

\_\_\_\_\_  
 Signature of voter.

Note: False statement on this affirmation is a severity level 9,  
 nonperson felony.

(c) An application for permanent advance voting status shall be on a  
 form prescribed by the secretary of state for this purpose. Such  
 application shall contain an affirmation concerning substantially the same  
 information required in subsection (a) and in addition thereto a statement  
 regarding the permanent character of such illness or disability.

(d) Any application by a former precinct resident shall state both the  
 former and present residence, address, precinct and county of such former  
 precinct resident and the date of change of residence.

(e) The secretary of state may adopt rules and regulations in order  
 to implement the provisions of this section.

Sec. 4. K.S.A. 2010 Supp. 25-1123 is hereby amended to read as  
 follows: 25-1123. (a) When an application for an advance voting ballot  
 has been filed in accordance with K.S.A. 25-1122, and amendments  
 thereto, the county election officer shall transmit to the voter applying  
 therefor one each of the appropriate ballots. ~~Except as provided by~~  
~~subsection (b) Unless an advance voting ballot is transmitted in person~~  
~~pursuant to this subsection,~~ the county election officer shall transmit the  
 advance voting ballots to the voter at one of the following addresses as  
 specified by the voter on such application: (1) The voter's residential  
 address or mailing address as indicated on the registration list; (2) the  
 voter's temporary residential address; or (3) a medical care facility as  
 defined in K.S.A. 65-425, and amendments thereto, psychiatric hospital,  
 hospice or adult care home where the voter resides. No advance voting



1 ballot shall be transmitted by the county election officer by any means  
2 prior to the 20th day before the election for which an application for an  
3 advance voting ballot has been received by such county election officer.  
4 If the advance voting ballot is transmitted by mail, such ballot shall be  
5 transmitted with printed instructions prescribed by the secretary of state  
6 and a ballot envelope bearing upon the outside a printed form as  
7 described in K.S.A. 25-1120, and amendments thereto, and the same  
8 number as the number of the ballot. If the advance voting ballot is  
9 transmitted to the applicant in person in the office of the county election  
10 officer or at a satellite advance voting site, such advance voting ballot and  
11 printed instructions shall be transmitted in an advance voting ballot  
12 envelope bearing upon the outside a printed form as described in K.S.A.  
13 25-1120, and amendments thereto, and the same number as the number of  
14 the ballot unless the voter elects to deposit the advance voting ballot into  
15 a locked ballot box without an envelope. All ballots shall be transmitted  
16 to the advance voting voter not more than 20 days before the election but  
17 within two business days of the receipt of such voter's application by the  
18 election officer or the commencement of such 20-day period. In primary  
19 elections required to be conducted on a partisan basis, the election officer  
20 shall deliver to such voter the ballot of the political party of the applicant.

21 (b) The restrictions in subsection (a) relating to where a county  
22 election officer may transmit an advance voting ballot shall not apply to  
23 an advance voting ballot requested pursuant to an application for an  
24 advance voting ballot filed by a voter who has a temporary illness or  
25 disability or who is not proficient in reading the English language.

26 (c) The county election officer shall compare the driver's license  
27 number, nondriver's identification card number, ~~social security number~~ or  
28 copy of other valid identification provided by a ~~first-time~~ voter to the  
29 voter registration list verified by the division of ~~motor~~ vehicles in  
30 accordance with federal law. If no identification information was  
31 provided by the ~~first-time~~ voter, or if such information does not match the  
32 information on the voter registration list, the county election officer shall  
33 ~~not transmit an~~ advance voting ballot.

a provisional

34 Sec. 5. K.S.A. 2010 Supp. 25-1124 is hereby amended to read as  
35 follows: 25-1124. (a) Upon receipt of the advance voting ballot, the voter  
36 shall cast such voter's vote as follows: The voter shall make a cross or  
37 check mark in the square or parentheses opposite the name of each  
38 candidate or question for whom the voter desires to vote. The voter shall  
39 make no other mark, and shall allow no other person to make any mark,  
40 upon such ballot. If the advance voting ballot was transmitted by mail, the  
41 voter personally shall place the ballot in the ballot envelope bearing the  
42 same number as the ballot and seal the envelope. The voter shall  
43 complete the form on the ballot envelope and shall sign the same. Except

1 ballot at a particular election.

2 (b) Except as provided in K.S.A. 25-1124, and amendments thereto,  
3 no person shall *knowingly* interfere with or delay the transmission of any  
4 advance voting ballot application from a voter to the county election  
5 officer, nor shall any person mail, fax or otherwise cause the application  
6 to be sent to a place other than the county election office. Any person or  
7 group engaged in the distribution of advance voting ballot applications  
8 shall mail, fax or otherwise deliver any application signed by a voter to  
9 the county election office within two days after such application is signed  
10 by the applicant.

11 (c) Except as otherwise provided by law, no person other than the  
12 voter, shall *knowingly* mark, sign or transmit to the county election officer  
13 any advance voting ballot or advance voting ballot envelope.

14 (d) *Except as otherwise provided by law, no person shall knowingly*  
15 *sign an application for an advance voting ballot for another person. This*  
16 *provision shall not apply if a voter has a disability preventing the voter*  
17 *from signing an application or if an immediate family member signs an*  
18 *application on behalf of another immediate family member with proper*  
19 *authorization being given.*

20 ~~(d)(e)~~ (e) No person, unless authorized by K.S.A. 25-1122 or K.S.A. 25-  
21 1124, and amendments thereto, shall *knowingly* intercept, interfere with,  
22 or delay the transmission of advance voting ballots from the county  
23 election officer to the voter.

24 ~~(e)(f)~~ (f) No person shall *knowingly willfully* and falsely affirm, declare  
25 or subscribe to any material fact in an affirmation form for an advance  
26 voting ballot; or set of advance voting ballots. ~~if the voter is entitled to~~  
27 ~~vote more than one kind of advance voting ballot at a particular election;~~  
28 ~~or in a declaration form on an advance voting ballot envelope.~~

29 ~~(f) Nothing in this section shall be construed to prohibit any person~~  
30 ~~from mailing, carrying or otherwise conveying advance voting ballots or~~  
31 ~~sets of advance voting ballots to the county election officer upon request~~  
32 ~~of advance voting voters.~~

33 (g) *A voter may return such voter's advance voting ballot to the*  
34 *county election officer by personal delivery or by mail. Upon written*  
35 *designation by the voter, a person other than the voter may return the*  
36 *advance voting ballot by personal delivery or mail. Any such person*  
37 *designated by the voter shall sign a statement that such person has not*  
38 *exercised undue influence on the voting decisions of the voter and agrees*  
39 *to deliver the ballot as directed by the voter.*

40 ~~(g) (h)~~ (h) Violation of any provision of this section is a ~~class C~~  
41 ~~misdemeanor, severity level 9, nonperson felony.~~

42 Sec. 7. K.S.A. 2010 Supp. 25-2309 is hereby amended to read as  
43 follows: 25-2309. (a) Any person may apply in person, by mail, through a

Sec. 7. K.S.A. 25-2203 is hereby amended as follows:  
25-2203. (a) There is hereby established the state election  
board, the members of which shall be the lieutenant  
governor, the secretary of state and the attorney general.  
The state election board shall meet on the call of the  
secretary of state.

(b) The state election board shall:

(1) Adopt rules and regulations for determination of  
apportionment of election expenses among the  
subdivisions of government. Such rules and regulations  
shall identify and define the election expenses which are  
direct and those which are indirect, or shall define  
sufficient means of making determination thereof;;

(2) *assess information provided by any applicant for*  
*voter registration as evidence of citizenship pursuant to*  
*K.S.A. 25-2309(m), and amendments thereto; and*

(3) ~~The state election board shall~~ make such additional  
rules and regulations as it deems advisable relating to  
payment of election expenses.

1 voter registration agency, or by other delivery to a county election officer  
 2 to be registered. Such application shall be made on: (1) A form approved  
 3 by the secretary of state, which shall be provided by a county election  
 4 officer or chief state election official upon request in person, by telephone  
 5 or in writing; or (2) the mail voter registration application prescribed by  
 6 the federal law election commission. Such application shall be signed by  
 7 the applicant under penalty of perjury and shall contain the original  
 8 signature of the applicant or the computerized, electronic or digitized  
 9 transmitted signature of the applicant. A signature may be made by mark,  
 10 initials, typewriter, print, stamp, symbol or any other manner if by  
 11 placing the signature on the document the person intends the signature to  
 12 be binding. A signature may be made by another person at the voter's  
 13 direction if the signature reflects such voter's intention.  
 14 (b) Applications made under this section shall give voter eligibility  
 15 requirements and such information as is necessary to prevent duplicative  
 16 voter registrations and enable the relevant election officer to assess the  
 17 eligibility of the applicant and to administer voter registration, identify  
 18 the applicant and to determine the qualifications of the applicant as an  
 19 elector and the facts authorizing such person to be registered, including,  
 20 but not limited to, the following data to be kept by the relevant election  
 21 officer as provided by law:  
 22 (1) Name;  
 23 (2) place of residence, including specific address or location, and  
 24 mailing address if the residence address is not a permissible postal  
 25 address;  
 26 (3) date of birth;  
 27 (4) sex;  
 28 (5) the last four digits of the person's social security number or the  
 29 person's full driver's license or nondriver's identification card number;  
 30 (6) telephone number, if available;  
 31 (7) naturalization data (if applicable);  
 32 (8) if applicant has previously registered or voted elsewhere,  
 33 residence at time of last registration or voting;  
 34 (9) when present residence established;  
 35 (10) name under which applicant last registered or voted, if different  
 36 from present name;  
 37 (11) an attestation that the applicant meets each eligibility  
 38 requirement;  
 39 (12) a statement that the penalty for submission of a false voter  
 40 registration application is a maximum presumptive sentence of 17 months  
 41 in prison;  
 42 (13) a statement that, if an applicant declines to register to vote, the  
 43 fact that the applicant has declined to register will remain confidential

1 safety. Upon receipt of such a request, the county election officer shall  
 2 take appropriate steps to ensure that such person's residence address is not  
 3 publicly disclosed. Nothing in this subsection shall be construed as  
 4 requiring or authorizing the secretary of state to include on the voter  
 5 registration application form a space or other provision on the form that  
 6 would allow the applicant to request that such applicant's residence  
 7 address be concealed from public inspection.

8 (j) No application for voter registration shall be made available for  
 9 public inspection or copying unless the information required by  
 10 paragraph (5) of subsection (b) has been removed or otherwise rendered  
 11 unreadable.

12 (k) If an applicant fails to answer the question prescribed in  
 13 paragraph (15) of subsection (b), the county election officer shall send the  
 14 application to the applicant at the postal delivery address given on the  
 15 application, by nonforwardable mail, with a notice of incompleteness.  
 16 The notice shall specify a period of time during which the applicant may  
 17 complete the application in accordance with K.S.A. 25-2311, and  
 18 amendments thereto, and be eligible to vote in the next election.

19 (l) ~~The county election officer or secretary of state's office shall~~  
 20 ~~reject any application for registration that is not accompanied by~~  
 21 ~~satisfactory evidence of United States citizenship.~~ Evidence of United  
 22 States citizenship as required in this section will be satisfied by  
 23 presenting one of the documents listed in paragraphs (1) through (6) of  
 24 subsection (l) in person at the time of filing the application for  
 25 registration or by including a photocopy of one of the following  
 26 documents with a mailed registration application. After a person has  
 27 submitted satisfactory evidence of citizenship, the county election officer  
 28 shall indicate this information in the person's permanent voter file.  
 29 Evidence of United States citizenship shall be satisfied by providing one  
 30 of the following, or a legible photocopy of one of the following  
 31 documents:

32 (1) ~~The applicant's driver's license or nondriver's identification card~~  
 33 ~~originally issued after April 20, 2007, by the division of vehicles or the~~  
 34 ~~equivalent governmental agency of another state within the United States~~  
 35 ~~if the agency indicates on the applicant's driver's license or nondriver's~~  
 36 ~~identification card that the person has provided satisfactory proof of~~  
 37 ~~United States citizenship;~~

38 (2) the applicant's birth certificate that verifies United States  
 39 citizenship to the satisfaction of the county election officer or secretary of  
 40 state;

41 (3) pertinent pages of the applicant's United States valid or expired  
 42 passport identifying the applicant and the applicant's passport number,  
 43 or presentation to the county election officer of the applicant's United

accept any completed application  
 for registration, but an applicant  
 shall not be registered until the  
 applicant has provided satisfactory  
 evidence of United States  
 citizenship

(13)

1 States passport;

2 (4) the applicant's United States naturalization documents or the  
3 number of the certificate of naturalization. If only the number of the  
4 certificate of naturalization is provided, the applicant shall not be  
5 included in the registration rolls until the number of the certificate of  
6 naturalization is verified with the United States bureau of citizenship and  
7 immigration services by the county election officer or the secretary of  
8 state, pursuant to 8 U.S.C. § 1373(c);

9 (5) other documents or methods of proof of United States citizenship  
10 issued by the federal government pursuant to the immigration and  
11 nationality act of 1952, and amendments thereto; or

12 (6) the applicant's bureau of Indian affairs card number, tribal  
13 treaty card number or tribal enrollment number.

14 ~~(m)~~ Any person who is registered in this state on the effective date of  
15 this amendment to this section is deemed to have provided satisfactory  
16 evidence of citizenship and shall not be required to resubmit evidence of  
17 citizenship.

18 ~~(n)~~ For purposes of this section, proof of voter registration from  
19 another state is not satisfactory evidence of United States citizenship.

20 ~~(o)~~ A registered Kansas voter who moves from one residence to  
21 another within the state of Kansas or who modifies such voter's  
22 registration records for any other reason shall not be required to submit  
23 evidence of United States citizenship.

24 ~~(p)~~ All documents submitted as evidence of citizenship shall be kept  
25 confidential by the county election officer or the secretary of state and  
26 maintained as provided by Kansas record retention laws. The provisions  
27 of this subsection shall expire on July 1, 2016, unless the legislature  
28 reviews and reenacts this provision pursuant to K.S.A. 45-229, and  
29 amendments thereto, prior to July 1, 2016.

30 ~~(q)~~ The secretary of state may adopt rules and regulations to in  
31 order to implement the provisions of this section.

32 ~~Sec. 8.~~ K.S.A. 25-2411 is hereby amended to read as follows: 25-  
33 2411. Election perjury is intentionally and knowingly falsely swearing,  
34 affirming, declaring or subscribing to any of the following: (a) Statements  
35 in answer to questions put to a person who has been challenged as  
36 unqualified to vote.

37 (b) Statements in answer to questions put to a witness concerning  
38 the qualifications of any person to vote.

39 (c) Statements contained in any affidavit or declaration which is  
40 prescribed by chapter 25 of the Kansas Statutes Annotated or any other  
41 election law of the state, or which is prescribed in any manner by the  
42 secretary of state or any county election officer under the election laws of  
43 this state.

Please refer to Attachment 1. Subsection (l) of K.S.A. 2010 Supp. 25-2309 continues with paragraphs (7) through (13) and a new subsection (m) with paragraphs (1) through (6) are added. This block of text will be inserted on this page beginning on line 14.

(s) Nothing in this section shall prohibit an applicant from providing, or the secretary of state or county election officer from obtaining satisfactory evidence of United States citizenship, as described in subsection (l), at a different time or in a different manner than an application for registration is provided, as long as the applicant's eligibility can be adequately assessed by the secretary of state or county election officer as required by this section.

Please refer to Attachment 2. K.S.A. 25-2352 will be brought in as an amended section, section 9. This block of text will be inserted on this page beginning on line 32.

1-12

(7) the applicant's consular report of birth abroad of a citizen of the United States of America;

(8) the applicant's certificate of citizenship issued by the United States citizenship and immigration services;

(9) the applicant's certification of report of birth issued by the United States department of state;

(10) the applicant's American Indian card, with KIC classification, issued by the United States department of homeland security;

(11) the applicant's final adoption decree showing the applicant's name and United States birthplace;

(12) the applicant's official United States military record of service showing the applicant's place of birth in the United States; or

(13) an extract from a United States hospital record of birth created at the time of the applicant's birth indicating the applicant's place of birth in the United States.

(m) If an applicant is a United States citizen but does not have any of the documentation listed in this section as satisfactory evidence of United States citizenship, such applicant may submit any evidence that such applicant believes demonstrates the applicant's United States citizenship.

(1) Any applicant seeking an assessment of evidence under this subsection may directly contact the elections division of the secretary of state by submitting a voter registration application or form as described by this section and any supporting evidence of United States citizenship. Upon receipt of this information, the secretary of state shall notify the state election board, as established under K.S.A. 25-2203, and amendments thereto, that such application is pending.

(2) The state election board shall give the applicant an opportunity for a hearing and an opportunity to present any additional evidence to the state election board. Notice of such hearing shall be given to the applicant at least five days prior to the hearing date. An applicant shall have the opportunity to be represented by counsel at such hearing.

(3) The state election board shall assess the evidence provided by the applicant to determine whether the applicant has provided satisfactory evidence of United States citizenship. A decision of the state election board shall be determined by a majority vote of the election board.

(4) If an applicant submits an application and any supporting evidence prior to the close of registration for an election cycle, a determination by the state election board shall be issued at least five days before such election date.

(5) If the state election board finds that the evidence presented by such applicant constitutes satisfactory evidence of United States citizenship, such applicant will have met the requirements under this section to provide satisfactory evidence of United States citizenship.

(6) If the state election board finds that the evidence presented by an applicant does not constitute satisfactory evidence of United States citizenship, such applicant shall have the right to appeal such determination by the state election board by instituting an action under 8 U.S.C. § 1503, and amendments thereto. Any negative assessment of an applicant's eligibility by the state election board shall be reversed if the applicant obtains a declaratory judgment pursuant to 8 U.S.C. § 1503, and amendments thereto, demonstrating that such applicant is a national of the United States.

ATTACHMENT 1

This is a continuation of subsection (l) of K.S.A. 2010 Supp. 25-2309.

- Paragraphs (7) through (13) are added
- New subsection (m) is added, with paragraphs (1) through (6)
- Entire block of text will be placed on page 18, line 14 of HB 2067

Sec. 9. K.S.A. 25-2352 is hereby amended to read as follows: 25-2352. (a)(1) Each Kansas division of motor vehicles driver's license application and nondriver identification card application (including any renewal application) submitted to a division of motor vehicles office in Kansas shall serve as an application for voter registration unless the applicant fails to sign the voter registration application. An individual who completes the application for voter registration and is otherwise eligible shall be registered to vote in accordance with the information supplied by the individual.

(2) An application for voter registration submitted under subsection (a)(1) shall be considered as updating any previous voter registration by the applicant.

(b) The voter registration section of the application:

(1) May require a second signature or other information that duplicates, or is in addition to, information in the driver's license or nondriver's identification card section of the application to prevent duplicate voter registrations, and to enable Kansas election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(2) shall include a statement that specifies each eligibility requirement for voting, contains an attestation that the applicant meets each such requirement, including citizenship, and requires the signature of the applicant, under penalty of perjury;

(3) shall include a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes;

(4) shall include a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes;

(5) shall be made available by the division of vehicles (as submitted by the applicant, or in machine-readable or other format) to the secretary of state and county election officers, as provided by rules and regulations adopted by the secretary of state; and

(6) shall be transmitted to the county election officer not later than five days after the date of acceptance.

(c) The motor vehicle driver's license and nondriver identification card form used for change of residence address shall also serve as a notification of change of residence address for voter registration for elections, unless the registrant states on the form that the change is not for voter registration purposes.

(d) The voter registration portion of the motor vehicle driver's license and nondriver identification card applications and change of address forms used shall be subject to approval by the secretary of state for purposes of voter registration under this section.

(e) Following the line fixed for the signature of the applicant on the application for voter registration, a statement shall be printed stating that the penalty for submission of a false voter registration application is a maximum presumptive sentence of 17 months in prison.

*(f) The department of revenue or an employee of the department of revenue acting within the scope of the employee's employment shall not be liable for any damages resulting from any claim based on the department of revenue's transfer of any motor vehicle record information to the secretary of state that is required or permitted by law.*

~~(f)~~(g) The secretary of state is hereby authorized to adopt such rules and regulations in the manner prescribed by law as may be necessary for the administration of the provisions of this section.

ATTACHMENT 2

This is an amended section, K.S.A. 25-2352, that is being brought in as section 9 on page 18, line 32 of HB 2067.

1 (d) Statements in answer to questions put by a county election  
2 officer or deputy county election officer relating to application for voter  
3 registration of any person.

4 (e) Statements in answer to questions put by an election board  
5 member to a person asking for voter assistance because of age, visual  
6 handicap, lack of proficiency in reading the English language or physical  
7 disability.

8 (f) Statements of any witness at an election contest.

9 Election perjury is a severity level 98, nonperson felony.

10 Sec. ~~9~~ K.S.A. 25-2416 is hereby amended to read as follows: 25-

11 2416. (a) ~~Voting without being qualified is knowingly and willfully:~~  
12 (a)

11

13 (1) Voting or attempting to vote ~~at~~ in any election district when not a  
14 lawfully registered voter in such election district; or

15 (2) voting or attempting to vote at any election by a person who is  
16 not a citizen of the United States or who does not otherwise meet the  
17 qualifications of an elector.

18 (b) ~~Voting or offering to vote more than once at the same election.~~

19 (c) ~~Inducing or aiding any person to vote more than once at the same  
20 election.~~

21 (b) Voting without being qualified is a severity level 8, nonperson  
22 felony. ~~class A misdemeanor.~~

23 Sec. ~~10~~ K.S.A. 25-2423 is hereby amended to read as follows: 25-  
24 2423.

12

25 (a) Election tampering is, while being charged with no election duty,  
26 making or changing any election record.

27 (b) Election tampering is a severity level 87, nonperson felony.

28 Sec. ~~11~~ K.S.A. 25-2431 is hereby amended to read as follows: 25-  
29 2431.

13

30 (a) False impersonation of a voter is representing oneself as another  
31 person whether real or fictitious and ~~thereas~~thereby voting or attempting  
32 to vote.

33 (b) False impersonation of a voter is a severity level 98, nonperson  
34 felony.

35 Sec. ~~12~~ K.S.A. 2010 Supp. 25-2908 is hereby amended to read as  
36 follows: 25-2908. (a) Each polling place shall use either: (1) A  
37 registration book and a poll book, as defined in K.S.A. 25-2507(a) and  
38 K.S.A. 25-2507(b)(1), and amendments thereto; or (2) a registration  
39 book, as defined in K.S.A. 25-2507(b)(2), and amendments thereto. The  
40 county election officer shall determine which books are used in each  
41 county, and which book voters shall sign.

14

42 (b) A person desiring to vote shall provide to the election board: (1)  
43 The voter's name; (2) if required, the voter's address; ~~and~~ (3) the voter's



1 signature on the registration or poll book; and (4) a valid form of  
 2 identification listed in subsection (h). A signature may be made by mark,  
 3 initials, typewriter, print, stamp, symbol or any other manner if by placing  
 4 the signature on the document the person intends the signature to be  
 5 binding. A signature may be made by another person at the voter's  
 6 direction if the signature reflects such voter's intention.

7 (c) A member of the election board shall:

8 (1) Announce the voter's name in a loud and distinct tone of voice,  
 9 and, if the name is in the registration books, the member of the election  
 10 board having the registration record shall repeat the name;

11 (2) request the voter's signature on the registration or poll book;

12 (3) provide the required signature at the request of and on behalf of  
 13 any voter who is unable to personally affix a signature by reason of  
 14 temporary illness or disability, or lack of proficiency in reading the  
 15 English language;

16 (4) ~~if the voter is a first-time voter as described in subsection (h) of~~  
 17 ~~this section, request valid identification from the voter unless such voter~~  
 18 ~~has previously submitted current and valid identification in the county~~  
 19 ~~where registered; request a valid form of identification from the voter. If~~  
 20 ~~the member of the election board is satisfied that the voter is the person~~  
 21 ~~depicted in the identification and that the identification provided is one of~~  
 22 ~~the valid forms of identification listed in subsection (h), the member of~~  
 23 ~~the election board shall place such member's initials in the space~~  
 24 ~~provided and allow the voter to vote;~~

25 (5) give the voter one ballot, on the upper right-hand corner of  
 26 which shall be written the number corresponding to the voter's number in  
 27 the registration book or poll book; and

28 (6) mark the voter's name in the registration book and party  
 29 affiliation list.

30 ~~(d) A first-time voter shall provide to the election board a form of~~  
 31 ~~valid identification such as a current and valid Kansas driver's license,~~  
 32 ~~nondriver's identification card, utility bill, bank statement, paycheck,~~  
 33 ~~government check or other government document unless such voter has~~  
 34 ~~previously submitted current and valid identification in the county where~~  
 35 ~~registered. The document provided in accordance with this section shall~~  
 36 ~~contain the voter's current name and address as indicated on the~~  
 37 ~~registration book or poll book.~~

38 ~~(e)(d)~~ If a first-time voter is unable or refuses to provide current and  
 39 ~~valid identification at the polling place, or if the name and address do not~~  
 40 match the voter's name and address on the registration book or poll book,  
 41 the voter may vote a provisional ballot according to K.S.A. 25-409, and  
 42 amendments thereto. The voter shall provide a valid form of  
 43 identification as defined in subsection (d)(h) of this section to the county

, the voter may vote a provisional ballot  
 pursuant to K.S.A. 25-409, and  
 amendments thereto. If

voter's

1 election officer in person or provide a copy by mail or electronic means  
 2 before the meeting of the county board of canvassers. At the meeting of  
 3 the county board of canvassers the county election officer shall present  
 4 copies of identification received from provisional voters and the  
 5 corresponding provisional ballots. If the county board of canvassers  
 6 determines that a voter's identification is valid and the provisional ballot  
 7 was properly cast, the ballot shall be counted.

8 ~~(f)~~(e) If the name of any person desiring to vote at an election is not  
 9 in the registration books, an election board member shall print the name  
 10 and address of the person appearing to vote in the registration book or  
 11 poll book. The person appearing to vote shall add such person's signature  
 12 to the registration book or poll book beside such person's printed name, as  
 13 listed in the registration book or poll book, and the election board judge  
 14 shall challenge such person's vote pursuant to K.S.A. 25-414, and  
 15 amendments thereto. During the pendency of a challenge other voters  
 16 shall be given ballots and be permitted to vote.

17 ~~(g)~~ (f) A voter who has received an advance voting ballot may vote a  
 18 provisional ballot on election day at the precinct polling place where the  
 19 voter resides. If the voter returns the advance voting ballot to a judge or  
 20 clerk at the precinct polling place, the judge or clerk shall void such  
 21 advance voting ballot. Any such provisional ballot shall be counted only  
 22 if the county board of canvassers determines that the provisional ballot  
 23 was properly cast and the voter has not otherwise voted at such election.

24 ~~(h) For the purposes of this section, "first-time voter" means a~~  
 25 ~~registered voter who has not previously voted in any election in the~~  
 26 ~~county in which the voter desires to vote. First-time voter includes a~~  
 27 ~~person whose name was removed from the county registration list in~~  
 28 ~~accordance with K.S.A. 25-2316c, and amendments thereto, and has re-~~  
 29 ~~registered.~~

30 ~~(i)~~ (g) The secretary of state may adopt rules and regulations in  
 31 order to implement the provisions of this section and ~~defined~~ defining valid  
 32 forms of identification with greater specificity, however the requirement  
 33 that a voter must provide a form of identification that complies with the  
 34 subsection (h) may not be altered.

35 (h) (1) The following forms of identification shall be valid if the  
 36 identification contains the name and photograph of the ~~applicant~~ and has  
 37 not expired. Expired documents shall be valid if the bearer of the  
 38 document is 65 years of age or older:

39 (A) A driver's license issued by Kansas or by another state or  
 40 district of the United States;

41 (B) a state identification card issued by Kansas or by another state  
 42 or district of the United States;

43 (C) a concealed carry of handgun license issued by Kansas or by

voter

a concealed carry of handgun  
or weapon license issued

1 another state or district of the United States;

2 (D) a United States passport;

3 (E) an employee badge or identification document issued by a  
4 municipal, county, state, or federal government office or agency;

5 (F) a military identification document issued by the United States;

an accredited

6 (G) a student identification card issued by a public postsecondary  
7 institution in the state of Kansas; or

8 (H) a public assistance identification card issued by a municipal,  
9 county, state, or federal government office or agency.

of education

10 ~~(2) If the address on the submitted form of identification is not~~  
11 ~~current, the person may submit any one of the following documents in~~

12 ~~addition to the identification above to establish the person's current~~  
13 ~~address: a utility bill, bank statement, paycheck, government check or~~

14 ~~other government document. Documents provided in accordance with this~~  
15 ~~section shall contain the voter's current name and address as indicated~~

16 ~~on the registration book or poll book.~~

17 ~~(3) If the person fails to furnish the identification required by this~~  
18 ~~subsection, the person shall be allowed to vote a provisional ballot. The~~

19 ~~canvassing board shall determine the validity of the ballot pursuant to~~  
20 ~~K.S.A. 25-3002, and amendments thereto.~~

21 (i) The following persons are exempt from the photographic  
22 identification document requirements of this section:

23 (1) Persons with a permanent physical disability that makes it  
24 impossible for such persons to travel to a county or state office to obtain

25 a qualifying form of identification and ~~are~~ qualified for permanent  
26 advance voting status under K.S.A. 25-1124, and amendments thereto;

27 (2) members of the uniformed service on active duty who, by reason  
28 of such active duty, are absent from the county on election day;

29 (3) members of the merchant marine who, by reason of service in  
30 the merchant marine, are absent from the county on election day;

31 (4) the spouse or dependent of a member referred to in paragraph  
32 (2) or (3), who, by reason of the active duty or service of the member, is  
33 absent from the county on election day; and

34 (5) any voter whose religious beliefs prohibit photographic  
35 identification. Any person seeking an exemption under this provision

36 must complete and transmit a declaration concerning such religious  
37 beliefs to the county election officer or the Kansas secretary of state. The

38 declaration form shall be available on the official website of the Kansas  
39 secretary of state.

40 Sec. ~~42~~ K.S.A. 2010 Supp. 25-3002 is hereby amended to read as  
41 follows: 25-3002. (a) The rules prescribed in this section shall apply to:

- 42 (1) The original canvass by election boards.  
43 (2) Intermediate and final canvasses by county boards of canvassers.

Stricken language on lines 10-16

(2)

have

15

1 statewide basis other than offices subject to paragraph (4) shall not be  
2 counted unless the candidate has filed an affidavit of candidacy pursuant  
3 to K.S.A. 25-305, and amendments thereto.

4 (7) Any advance voting or mail ballot whose envelope containing  
5 the voter's written declaration is unsigned, shall be wholly void and no  
6 vote thereon shall be counted.

7 (8) No ballot cast by a first-time voter as defined by K.S.A. 25-1122,  
8 ~~and amendments thereto, or K.S.A. 25-2908, and amendments thereto,~~  
9 shall be counted if the voter fails to provide valid identification as  
10 *defined by K.S.A. 25-2908, and amendments thereto.*

11 ~~Sec. 44.~~ K.S.A. 2010 Supp. 65-2418 is hereby amended to read as  
12 follows: 65-2418. (a) (1) The secretary shall fix and charge by rules and  
13 regulations the fees to be paid for certified copies or abstracts of  
14 certificates or for search of the files for birth, death, fetal death, marriage  
15 or divorce records when no certified copy or abstract is made. Except as  
16 otherwise provided in this section, the secretary shall remit all moneys  
17 received by or for the secretary from fees, charges or penalties, under the  
18 uniform vital statistics act, and amendments thereto, to the state treasurer  
19 in accordance with the provisions of K.S.A. 75-4215, and amendments  
20 thereto. Upon receipt of each such remittance, the state treasurer shall  
21 deposit the entire amount in the state treasury to the credit of the civil  
22 registration and health statistics fee fund created by K.S.A. 2010 Supp.  
23 65-2418e, and amendments thereto.

16

24 (2) The secretary shall not charge any fee for a certified copy of a  
25 certificate or abstract or for a search of the files or records if the  
26 certificate, abstract or search is requested by a person who exhibits  
27 correspondence from the United States department of veterans affairs or  
28 the Kansas commission on veterans' affairs which indicates that the  
29 person is applying for benefits from the United States department of  
30 veterans affairs and that such person needs the requested information to  
31 obtain such benefits, except that, for a second or subsequent certified  
32 copy of a certificate, abstract or search of the files requested by the  
33 person, the usual fee shall be charged. The secretary may provide by rules  
34 and regulations for exemptions from such fees.

35 (3) *The secretary shall not charge any fee for a certified copy of a*  
36 *birth certificate if the certificate is requested by any person who is 18*  
37 *years of age or older for purposes of meeting the voter registration*  
38 *requirements of K.S.A. 25-2309, and amendments thereto. Such person*  
39 *shall sign an affidavit to be submitted to the secretary stating that such*  
40 *person plans to register to vote and that the person receives:*

41 (A) *Food assistance, general assistance, supplemental security*  
42 *income (SSI), temporary assistance for families, medicaid assistance,*  
43 *united tribes food distribution program, bureau of Indian affairs general*

1 the national office of vital statistics unless so authorized by the state  
2 registrar of vital statistics.

17

3 New Sec. ~~15~~ (a) The duty and independent authority to appear in  
4 any court having jurisdiction within the state of Kansas and prosecute or  
5 defend on behalf of the people all actions and proceedings, civil or  
6 criminal, ~~which involve an election crime, attempted election crime or~~  
7 ~~violation~~ related to any election law shall be vested in:

8 (1) The district or county attorney of the county where such  
9 violations occurred;

10 (2) the Kansas attorney general; or

11 (3) the Kansas secretary of state.

a prosecution

12 (b) If one of the officers listed in section (a) has commenced ~~an~~  
13 ~~action or proceeding which involves an election crime, attempted election~~  
14 ~~crime or violation~~ related to any election law, the other officers listed in  
15 section (a) may provide assistance to the prosecuting officer but may not  
16 commence a separate prosecution.

or proceeding

17 New Sec. ~~16~~ (a) Voting more than once is knowingly:

18 (1) Voting or offering to vote more than once at the same election; or

19 (2) inducing or aiding any person to vote more than once at the same  
20 election.

21 (b) Voting more than once is a severity level 8, nonperson felony.

22 Sec. ~~17~~. If any provision of this act is held to be unconstitutional  
23 under the United States or Kansas constitutions, that provision shall be  
24 severed from the act, and the other provisions of this act shall remain  
25 valid and in effect.

18

25-2203, 25-2352,

26 Sec. ~~18~~. K.S.A. 25-2411, 25-2416, 25-2423 and 25-2431 and K.S.A.  
27 2010 Supp. 8-1324, 25-1122, 25-1122d, 25-1123, 25-1124, 25-1128, 25-  
28 2309, 25-2908, 25-3002 and 65-2418 are hereby repealed.

21

29 Sec. ~~19~~. This act shall take effect and be in force from and after  
30 January 1, 2012, and its publication in the statute book.

19

20

document that shows my name and address.

~~(3) a copy of a current and valid Kansas driver's license or nondriver's identification card, utility bill, bank statement, paycheck, government check, or other government document that shows my name and address.~~

I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on \_\_\_\_\_ (date). My political party is \_\_\_\_\_ (to be filled in only when requesting primary election ballots). I desire my ballots to be sent to the following address:

Signature of voter.

Note: False statement on this affirmation is a severity level 9, nonperson felony.

(b) The application for an advance voting ballot to be transmitted in person shall be accompanied by an affirmation in substance as follows:

Affirmation of an Elector of the County of \_\_\_\_\_ and State of Kansas Desiring to Vote an Advance Voting Ballot

State of \_\_\_\_\_, County of \_\_\_\_\_, ss:

I, \_\_\_\_\_  
(Please print name)

do solemnly affirm under penalty of perjury that I am a qualified elector of the \_\_\_\_\_ precinct of the \_\_\_\_\_ ward, residing at number \_\_\_\_\_ on \_\_\_\_\_ street, city of \_\_\_\_\_, or in the township of \_\_\_\_\_, county of \_\_\_\_\_, and state of Kansas. My date of birth is \_\_\_\_\_ (month/day/year).

I understand that if I have not previously voted in any election in this county and I have not previously submitted valid identification, a current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot. If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide one of the following forms of identification with this application in order to receive a ballot:

~~(1) A current and valid Kansas driver's license number or nondriver's identification card utility bill, bank statement, paycheck, government check or other government document that shows my name and address. A copy of any one of the following types of photographic identification: a driver's license issued by Kansas or by another state or district of the United States, a state identification card issued by Kansas or by another state or district of the United States, a concealed carry of weapon license issued by Kansas or by another state or district of the United States, a~~

HOUSE ELECTIONS  
DATE: 2-21-11  
ATTACHMENT: 2

Insertion of two "signature" lines

**25-1122d. Advance voting; application for ballot, form; identification, form of.** (a) The application for an advance voting ballot to be transmitted by mail shall be accompanied by an affirmation in substance as follows:

Affirmation of an Elector of the County of \_\_\_\_\_ and State of Kansas Desiring to Vote an Advance Voting Ballot State of \_\_\_\_\_, County of \_\_\_\_\_, ss:

I, \_\_\_\_\_  
(Please print name)  
do solemnly affirm under penalty of perjury that I am a qualified elector of the \_\_\_\_\_ precinct of the \_\_\_\_\_ ward, residing at number \_\_\_\_\_ on \_\_\_\_\_ street, city of \_\_\_\_\_, or in the township of \_\_\_\_\_, county of \_\_\_\_\_, and state of Kansas. My date of birth is \_\_\_\_\_ (month/day/year).

I understand that if I have not previously voted in any election in this county and I have not previously submitted valid identification, I must provide one of the following forms of identification with this application in order to receive a ballot:

(1) A current and valid Kansas driver's license number or nondriver's identification card number; or  
(2) the last four digits of my social security number; or  
(3) a copy of a current and valid Kansas driver's license or nondriver's identification card, utility bill, bank statement, paycheck, government check, or other government document that shows my name and address.

I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on \_\_\_\_\_ (date). My political party is \_\_\_\_\_ (to be filled in only when requesting primary election ballots). I desire my ballots to be sent to the following address

Signature of voter.

Note: False statement on this affirmation is a severity level 9, nonperson felony.

Proposed Balloon Amendments to HB 2067  
BALLOON #4: Technical Amendments  
For Committee on Elections  
February 21, 2011  
Prepared By: Katherine McBride  
Office of Revisor of Statutes

1 States passport;

2 (4) the applicant's United States naturalization documents or the  
3 number of the certificate of naturalization. If only the number of the  
4 certificate of naturalization is provided, the applicant shall not be  
5 included in the registration rolls until the number of the certificate of  
6 naturalization is verified with the United States bureau of citizenship and  
7 immigration services by the county election officer or the secretary of  
8 state, pursuant to 8 U.S.C. § 1373(c);

9 (5) other documents or methods of proof of United States citizenship  
10 issued by the federal government pursuant to the immigration and  
11 nationality act of 1952, and amendments thereto; or

12 (6) the applicant's bureau of Indian affairs card number, tribal  
13 treaty card number or tribal enrollment number.

14 (m) Any person who is registered in this state on the effective date of  
15 this amendment to this section is deemed to have provided satisfactory  
16 evidence of citizenship and shall not be required to resubmit evidence of  
17 citizenship.

18 (n) For purposes of this section, proof of voter registration from  
19 another state is not satisfactory evidence of United States citizenship.

20 (o) A registered Kansas voter who moves from one residence to  
21 another within the state of Kansas or who modifies such voter's  
22 registration records for any other reason shall not be required to submit  
23 evidence of United States citizenship.

24 (p) All documents submitted as evidence of citizenship shall be kept  
25 confidential by the county election officer or the secretary of state and  
26 maintained as provided by Kansas record retention laws. The provisions  
27 of this subsection shall expire on July 1, 2016, unless the legislature  
28 reviews and reenacts this provision pursuant to K.S.A. 45-229, and  
29 amendments thereto, prior to July 1, 2016.

30 (q) The secretary of state may adopt rules and regulations ~~to~~ in  
31 order to implement the provisions of this section.

Line 30: Deletion of the word "to"

32 Sec. 8. K.S.A. 25-2411 is hereby amended to read as follows: 25-  
33 2411. Election perjury is intentionally and knowingly falsely swearing,  
34 affirming, declaring or subscribing to any of the following: (a) Statements  
35 in answer to questions put to a person who has been challenged as  
36 unqualified to vote.

37 (b) Statements in answer to questions put to a witness concerning  
38 the qualifications of any person to vote.

39 (c) Statements contained in any affidavit or declaration which is  
40 prescribed by chapter 25 of the Kansas Statutes Annotated or any other  
41 election law of the state, or which is prescribed in any manner by the  
42 secretary of state or any county election officer under the election laws of  
3 this state.