

**SENATE BILL No. 321**

By Committee on Federal and State Affairs

3-21

1 AN ACT concerning elections; providing for a presidential preference  
2 primary election; establishing voter registration and voting procedures  
3 for such election; amending K.S.A. 25-1122, 25-1123, 25-2311, 25-  
4 4501a, 25-4502, 25-4503 and 25-4505 and K.S.A. 2022 Supp. 25-3009  
5 and repealing the existing sections.  
6

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

8 Section 1. K.S.A. 25-1122 is hereby amended to read as follows: 25-  
9 1122. (a) Any registered voter may file with the county election officer  
10 where the person is a resident, or where the person is authorized by law to  
11 vote as a former precinct resident, an application for an advance voting  
12 ballot. The signed application shall be transmitted only to the county  
13 election officer by personal delivery, mail, facsimile or as otherwise  
14 provided by law.

15 (b) If the registered voter is applying for an advance voting ballot to  
16 be transmitted in person, the voter shall provide identification pursuant to  
17 K.S.A. 25-2908, and amendments thereto.

18 (c) If the registered voter is applying for an advance voting ballot to  
19 be transmitted by mail, the voter shall provide with the application for an  
20 advance voting ballot the voter's current and valid Kansas driver's license  
21 number, nondriver's identification card number or a photocopy of any  
22 other identification provided by K.S.A. 25-2908, and amendments thereto.

23 (d) A voter may vote a provisional ballot according to K.S.A. 25-409,  
24 and amendments thereto, if:

25 (1) The voter is unable or refuses to provide current and valid  
26 identification; or

27 (2) the name and address of the voter provided on the application for  
28 an advance voting ballot do not match the voter's name and address on the  
29 registration book. The voter shall provide a valid form of identification as  
30 defined in K.S.A. 25-2908, and amendments thereto, to the county election  
31 officer in person or provide a copy by mail or electronic means before the  
32 meeting of the county board of canvassers. At the meeting of the county  
33 board of canvassers the county election officer shall present copies of  
34 identification received from provisional voters and the corresponding  
35 provisional ballots. If the county board of canvassers determines that a  
36 voter's identification is valid and the provisional ballot was properly cast,

1 the ballot shall be counted.

2 (e) No county election officer shall provide an advance voting ballot  
3 to a person who is requesting an advance voting ballot to be transmitted by  
4 mail unless:

5 (1) The county election official verifies that the signature of the  
6 person matches that on file in the county voter registration records, except  
7 that verification of the voter's signature shall not be required if a voter has  
8 a disability preventing the voter from signing. Signature verification may  
9 occur by electronic device or by human inspection. In the event that the  
10 signature of a person who is requesting an advance voting ballot does not  
11 match that on file, the county election officer shall attempt to contact the  
12 person and shall offer the person another opportunity to provide the  
13 person's signature for the purposes of verifying the person's identity. If the  
14 county election officer is unable to reach the person, the county election  
15 officer may transmit a provisional ballot, however, such provisional ballot  
16 may not be counted unless a signature is included therewith that can be  
17 verified; and

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

33 (f) (1) Applications for advance voting ballots to be transmitted to the  
34 voter by mail shall be filed only at the following times:

35 ~~(1)~~(A) For the primary election occurring on the first Tuesday in  
36 August in both even-numbered and odd-numbered years, between April 1  
37 of such year and the Tuesday of the week preceding such primary  
38 election;:

39 ~~(2)~~(B) for the general election occurring on the Tuesday following the  
40 first Monday in November in both even-numbered and odd-numbered  
41 years, between 90 days prior to such election and the Tuesday of the week  
42 preceding such general election;:

43 ~~(3)~~(C) *for the presidential preference primary election held pursuant*

1 to K.S.A. 25-4501a, and amendments thereto, between January 1 of the  
2 year in which such election is held and 30 days prior to the day of such  
3 election;

4 (D) for question submitted elections occurring on the date of a  
5 primary or general election, the same as is provided for ballots for election  
6 of officers at such election-;

7 ~~(4)~~(E) for question submitted elections not occurring on the date of a  
8 primary or general election, between the time of the first published notice  
9 thereof and the Tuesday of the week preceding such question submitted  
10 election, except that if the question submitted election is held on a day  
11 other than a Tuesday, the final date for mailing of advance voting ballots  
12 shall be one week before such election-; and

13 ~~(5)~~(F) for any special election of officers, at such time as is specified  
14 by the secretary of state.

15 (2) The county election officer of any county may receive  
16 applications prior to the time specified in this subsection and hold such  
17 applications until the beginning of the prescribed application period. Such  
18 applications shall be treated as filed on that date.

19 (g) (1) Unless an earlier date is designated by the county election  
20 office, applications for advance voting ballots transmitted to the voter in  
21 person in the office of the county election officer shall be filed on the  
22 Tuesday next preceding the election and on each subsequent business day  
23 until no later than 12 noon on the day preceding such election. *For any*  
24 *presidential preference primary election held pursuant to K.S.A. 25-4501a,*  
25 *and amendments thereto, the county election office shall not designate any*  
26 *date earlier than the Tuesday next preceding such election for the filing of*  
27 *such application.* If the county election officer so provides, applications  
28 for advance voting ballots transmitted to the voter in person in the office of  
29 the county election officer also may be filed on the Saturday preceding the  
30 election. Upon receipt of any such properly executed application, the  
31 county election officer shall deliver to the voter such ballots and  
32 instructions as are provided for in this act.

33 (2) An application for an advance voting ballot filed by a voter who  
34 has a temporary illness or disability or who is not proficient in reading the  
35 English language or by a person rendering assistance to such voter may be  
36 filed during the regular advance ballot application periods until the close  
37 of the polls on election day.

38 (3) The county election officer may designate places other than the  
39 central county election office as satellite advance voting sites. At any  
40 satellite advance voting site, a registered voter may obtain an application  
41 for advance voting ballots. Ballots and instructions shall be delivered to  
42 the voter in the same manner and subject to the same limitations as  
43 otherwise provided by this subsection.

1 (h) Any person having a permanent disability or an illness that has  
2 been diagnosed as a permanent illness is hereby authorized to make an  
3 application for permanent advance voting status. Applications for  
4 permanent advance voting status shall be in the form and contain such  
5 information as is required for application for advance voting ballots and  
6 also shall contain information that establishes the voter's right to  
7 permanent advance voting status.

8 (i) On receipt of any application filed under the provisions of this  
9 section, the county election officer shall prepare and maintain in such  
10 officer's office a list of the names of all persons who have filed such  
11 applications, together with their correct post office address and the  
12 precinct, ward, township or voting area in which the persons claim to be  
13 registered voters or to be authorized by law to vote as former precinct  
14 residents and the present resident address of each applicant. Names and  
15 addresses shall remain so listed until the day of such election. The county  
16 election officer shall maintain a separate listing of the names and addresses  
17 of persons qualifying for permanent advance voting status. All such lists  
18 shall be available for inspection upon request in compliance with this  
19 subsection by any registered voter during regular business hours. The  
20 county election officer upon receipt of the applications shall enter upon a  
21 record kept by such officer the name and address of each applicant, which  
22 record shall conform to the list above required. Before inspection of any  
23 advance voting ballot application list, the person desiring to make the  
24 inspection shall provide to the county election officer identification in the  
25 form of driver's license or other reliable identification and shall sign a log  
26 book or application form maintained by the officer stating the person's  
27 name and address and showing the date and time of inspection. All records  
28 made by the county election officer shall be subject to public inspection,  
29 except that the voter identification information required by subsections (b)  
30 and (c) and the identifying number on ballots and ballot envelopes and  
31 records of such numbers shall not be made public.

32 (j) If a person on the permanent advance voting list fails to vote in  
33 four consecutive general elections held on the Tuesday succeeding the first  
34 Monday in November of each even-numbered and odd-numbered year, the  
35 county election officer may mail a notice to such voter. The notice shall  
36 inform the voter that the voter's name will be removed from the permanent  
37 advance voting list unless the voter renews the application for permanent  
38 advance voting status within 30 days after the notice is mailed. If the voter  
39 fails to renew such application, the county election officer shall remove the  
40 voter's name from the permanent advance voting list. Failure to renew the  
41 application for permanent advance voting status shall not result in removal  
42 of the voter's name from the voter registration list.

43 (k) (1) Any person who solicits by mail a registered voter to file an

1 application for an advance voting ballot and includes an application for an  
2 advance voting ballot in such mailing shall include on the exterior of such  
3 mailing, and on each page contained therein, except the application, a clear  
4 and conspicuous label in 14-point font or larger that includes:

5 (A) The name of the individual or organization that caused such  
6 solicitation to be mailed;

7 (B) if an organization, the name of the president, chief executive  
8 officer or executive director of such organization;

9 (C) the address of such individual or organization; and

10 (D) the following statement: "Disclosure: This is not a government  
11 mailing. It is from a private individual or organization."

12 (2) The application for an advance voting ballot included in such  
13 mailing shall be the official application for advance ballot by mail  
14 provided by the secretary of state. No portion of such application shall be  
15 completed prior to mailing such application to the registered voter.

16 (3) An application for an advance voting ballot shall include an  
17 envelope addressed to the appropriate county election office for the  
18 mailing of such application. In no case shall the person who mails the  
19 application to the voter direct that the completed application be returned to  
20 such person.

21 (4) The provisions of this subsection shall not apply to:

22 (A) The secretary of state or any election official or county election  
23 office; or

24 (B) the official protection and advocacy for voting access agency for  
25 this state as designated pursuant to the federal help America vote act of  
26 2002, public law 107-252, or any other entity required to provide  
27 information concerning elections and voting procedures by federal law.

28 (5) A violation of this subsection is a class C nonperson  
29 misdemeanor.

30 (1) (1) No person shall mail or cause to be mailed an application for  
31 an advance voting ballot, unless such person is a resident of this state or is  
32 otherwise domiciled in this state.

33 (2) Any individual may file a complaint in writing with the attorney  
34 general alleging a violation of this subsection. Such complaint shall  
35 include the name of the person alleged to have violated this subsection and  
36 any other information as required by the attorney general. Upon receipt of  
37 a complaint, the attorney general shall investigate and may file an action  
38 against any person found to have violated this subsection.

39 (3) Any person who violates the provisions of this subsection is  
40 subject to a civil penalty of \$20. Each instance in which a person mails an  
41 application for an advance voting ballot in violation of this section shall  
42 constitute a separate violation.

43 (m) The secretary of state may adopt rules and regulations in order to

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

3 Sec. 2. K.S.A. 25-1123 is hereby amended to read as follows: 25-  
4 1123. (a) When an application for an advance voting ballot has been filed  
5 in accordance with K.S.A. 25-1122, and amendments thereto, the county  
6 election officer shall transmit to the voter applying therefor one each of the  
7 appropriate ballots. Unless an advance voting ballot is transmitted in  
8 person pursuant to this subsection, the county election officer shall  
9 transmit the advance voting ballots to the voter at one of the following  
10 addresses as specified by the voter on such application: (1) The voter's  
11 residential address or mailing address as indicated on the registration list;  
12 (2) the voter's temporary residential address; or (3) a medical care facility  
13 as defined in K.S.A. 65-425, and amendments thereto, psychiatric hospital,  
14 hospice or adult care home where the voter resides. *Except as provided in*  
15 *K.S.A. 25-4503, and amendments thereto, for presidential preference*  
16 *primary elections*, no advance voting ballot shall be transmitted by the  
17 county election officer by any means prior to the 20<sup>th</sup> day before the  
18 election for which an application for an advance voting ballot has been  
19 received by such county election officer. If the advance voting ballot is  
20 transmitted by mail, such ballot shall be transmitted with printed  
21 instructions prescribed by the secretary of state and a ballot envelope  
22 bearing upon the outside a printed form as described in K.S.A. 25-1120,  
23 and amendments thereto, and the same number as the number of the ballot.  
24 If the advance voting ballot is transmitted to the applicant in person in  
25 the office of the county election officer or at a satellite advance voting site,  
26 such advance voting ballot and printed instructions shall be transmitted in  
27 an advance voting ballot envelope bearing upon the outside a printed form  
28 as described in K.S.A. 25-1120, and amendments thereto, and the same  
29 number as the number of the ballot unless the voter elects to deposit the  
30 advance voting ballot into a locked ballot box without an envelope. All  
31 ballots shall be transmitted to the advance voting voter not more than 20  
32 days before the election but within two business days of the receipt of such  
33 voter's application by the election officer or the commencement of such  
34 20-day period. In primary elections required to be conducted on a partisan  
35 basis, the election officer shall deliver to such voter the ballot of the  
36 political party of the applicant.

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

42 (c) The county election officer shall compare the driver's license  
43 number, nondriver's identification card number or copy of other valid

1 identification provided by a voter to the voter registration list verified by  
2 the division of vehicles in accordance with federal law. If no identification  
3 information was provided by the voter or if such information does not  
4 match the information on the voter registration list, the county election  
5 officer shall transmit a provisional advance voting ballot.

6 Sec. 3. K.S.A. 25-2311 is hereby amended to read as follows: 25-  
7 2311. (a) County election officers shall provide for the registration of  
8 voters at one or more places on all days except the following:

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

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

16 (3) the 20 days preceding the day of primary and general elections;

17 (4) *the 30 days preceding the day of any presidential preference*  
18 *primary election held pursuant to K.S.A. 25-4501a, and amendments*  
19 *thereto;*

20 (5) the 20 days preceding the day of any election other than one  
21 specified in this subsection; and

22 ~~(5)~~(6) the day of any primary or general election or any question  
23 submitted election.

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

27 (c) The secretary of state shall notify every county election officer of  
28 the dates when registration shall be closed preceding primary and general  
29 elections. The days so specified by the secretary of state shall be  
30 conclusive. Such notice shall be given by the secretary of state by mail at  
31 least 60 days preceding every primary and general election.

32 (d) The last days before closing of registration books as directed by  
33 the secretary of state under subsection (c), county election officers shall  
34 provide for registration of voters during regular business hours, during the  
35 noon hours and at other than regular business hours upon such days as the  
36 county election officers deem necessary. The last three business days  
37 before closing of registration books prior to primary and general elections,  
38 county election officers may provide for registration of voters until 9 p.m.  
39 in any city.

40 (e) (1) *Except as provided in paragraph (2),* county election officers  
41 shall accept and process applications received by voter registration  
42 agencies and the division of motor vehicles not later than the 21<sup>st</sup> day  
43 preceding the date of any election; *or* mailed voter registration

1 applications that are postmarked not later than the 21<sup>st</sup> day preceding the  
2 date of any election; ~~or except~~, if the postmark is illegible or missing, ~~is~~  
3 *mailed voter registration applications* received in the mail not later than  
4 the ninth day preceding the day of any election.

5 (2) *For any presidential preference primary election held pursuant to*  
6 *K.S.A. 25-4501a, and amendments thereto, county election officers shall*  
7 *accept and process applications received by voter registration agencies*  
8 *and the division of motor vehicles not later than the 31<sup>st</sup> day preceding the*  
9 *date of such election or mailed voter registration applications that are*  
10 *postmarked not later than the 31<sup>st</sup> day preceding such election except, if*  
11 *the postmark is illegible or missing, mailed voter registration applications*  
12 *received in the mail not later than the 19<sup>th</sup> day preceding the day of such*  
13 *election.*

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

19 (g) Before each primary and general election held in even-numbered  
20 and odd-numbered years, and at times and in a form prescribed by the  
21 secretary of state, each county election officer shall certify to the secretary  
22 of state the number of registered voters in each precinct of the county as  
23 shown by the registration books in the office of such county election  
24 officer.

25 Sec. 4. K.S.A. 2022 Supp. 25-3009 is hereby amended to read as  
26 follows: 25-3009. (a) After an election and prior to the meeting of the  
27 county board of canvassers to certify the official election results for any  
28 election in which the canvassers certify the results, the county election  
29 officer shall conduct a manual audit or tally of each vote cast, regardless of  
30 the method of voting, in 1% of all precincts, with a minimum of one  
31 precinct located within the county. The precinct or precincts shall be  
32 randomly selected and the selection shall take place after the election.

33 (b) (1) The audit shall be performed manually and shall review all  
34 paper ballots selected pursuant to subsection (a). The audit shall be  
35 performed by a sworn election board consisting of bipartisan trained board  
36 members. The county election officer shall determine the members of the  
37 sworn election board who will conduct the audit.

38 (2) The audit shall review contested races as follows:

39 (A) In presidential election years:

- 40 (i) One federal race;  
41 (ii) one state legislative race; and  
42 (iii) one county race.

43 (B) In even-numbered, non-presidential election years:

- 1 (i) One federal race;
- 2 (ii) one statewide race;
- 3 (iii) one state legislative race; and
- 4 (iv) one county race.

5 (C) In even-numbered election years, any federal, statewide or state  
6 legislative race that is within 1% of the total number of votes cast tallied  
7 on election night, as determined by the secretary of state, shall be audited.  
8 The county election officer shall conduct the audit in the manner set forth  
9 in subsection (a) in 10% of all county precincts in the specified race, with  
10 a minimum of one precinct in the county. The precincts audited pursuant to  
11 this subsection shall be in addition to the precincts audited under  
12 subsections (2)(A) and (B).

13 (D) In odd-numbered election years, two local races will be randomly  
14 selected, and the selection shall take place after the election.

15 (c) At least five days prior to the audit, notice of the time and location  
16 of the audit shall be provided to the public on the official county website.  
17 The audit shall be conducted in a public setting. Any candidate or entity  
18 who is authorized to appoint a poll agent may appoint a poll agent for the  
19 audit.

20 (d) The results of the audit shall be compared to the unofficial  
21 election night returns and a report shall be submitted to the county election  
22 office and to the secretary of state's office prior to the meeting of the  
23 county board of canvassers. If a discrepancy is reported between the audit  
24 and the unofficial returns and cannot be resolved, the county election  
25 officer or the secretary of state may require audits of additional precincts.  
26 Once the audit has been completed, the results of the audit shall be used by  
27 the county board of canvassers when certifying the official election results.

28 (e) Upon publication of the notice of the audit pursuant to subsection  
29 (c), the signed and certified official abstracts required by K.S.A. 25-3006,  
30 and amendments thereto, shall be made available by the county election  
31 office for review by any authorized poll agent. Such abstracts shall be  
32 from all precincts and shall not be limited to those precincts that are  
33 subject to the audit. The abstracts shall be available for review until  
34 commencement of the original canvass.

35 (f) *The provisions of this section shall not apply to any presidential*  
36 *preference primary election held pursuant to K.S.A. 25-4501a, and*  
37 *amendments thereto.*

38 (g) The secretary of state shall adopt rules and regulations governing  
39 the conduct and procedure of the audit, including the random selection of  
40 the precincts and offices involved in the audit.

41 Sec. 5. K.S.A. 25-4501a is hereby amended to read as follows: 25-  
42 4501a. (a) *Except as otherwise provided, each political party which that is*  
43 *a recognized political party in accordance with K.S.A. 25-302a, and*

1 amendments thereto, shall have procedures to select a presidential  
2 nominee and shall select a presidential nominee in accordance with such  
3 party procedures for the 2016 presidential election, and every fourth year  
4 thereafter.

5 (b) (1) *On March 19, 2024, for each political party that is a*  
6 *recognized political party in accordance with K.S.A. 25-302a, and*  
7 *amendments thereto, there shall be held a presidential preference primary*  
8 *election for the purpose of electing the preferred nominee of a political*  
9 *party for the office of president and vice president. Except as otherwise*  
10 *provided, the provisions of all applicable statutes concerning elections*  
11 *shall apply to such election.*

12 (2) *The provisions of this subsection shall not apply to any political*  
13 *party that is subject to K.S.A. 25-202(b), and amendments thereto, or that*  
14 *has submitted written notice to the secretary of state on or before*  
15 *December 1, 2023, that such political party has elected to not participate*  
16 *in the presidential preference primary election.*

17 Sec. 6. K.S.A. 25-4502 is hereby amended to read as follows: 25-  
18 4502. (a) Every registered ~~elector~~ voter who has declared such ~~elector's~~  
19 voter's party affiliation with a political party eligible to participate in a  
20 state primary election shall have the opportunity to vote one vote at a  
21 presidential preference primary election for such ~~elector's~~ voter's  
22 preference for one person to be the candidate for nomination by such  
23 candidate's party for president of the United States or for "none of the  
24 names shown." Any registered ~~elector~~ voter who has not declared such  
25 candidate's party affiliation prior to the ~~election~~ may make such a  
26 declaration at the polling place, and thereupon shall be permitted likewise  
27 the opportunity to vote one date specified for the closing of registration  
28 for such election in K.S.A. 25-2311, and amendments thereto, shall not be  
29 permitted to vote at the presidential preference primary. A vote for "none  
30 of the names shown" shall express the preference for an uncommitted  
31 delegation from Kansas to the national convention of that ~~elector's~~ voter's  
32 party. Preference shall be indicated by marking with a cross or check mark  
33 inside a voting square or a darkened oval on the ballot at the left of the  
34 voter's choice, or by voting by using a voting machine.

35 (b) The name of any candidate for a political party nomination for  
36 president of the United States shall be printed on the ballots only if; *such*  
37 *candidate has filed the appropriate registration information with the*  
38 *federal election commission to become a candidate for president of the*  
39 *United States and one of the following is filed with the secretary of state*  
40 *not later than 12 noon; on the date which precedes by seven weeks that is*  
41 *60 days prior to the date of the presidential preference primary or, if such*  
42 *date falls on Saturday, Sunday or a holiday, not later than 12 noon the*  
43 *following day that is not a Saturday, Sunday or holiday:*

1       (1) ~~The candidate files with the secretary of state~~ A declaration of  
 2 intent to become a candidate *filed by the candidate and* accompanied by a  
 3 fee of ~~\$100~~\$10,000; or

4       (2) ~~there is filed in the office of secretary of state~~ a petition in the  
 5 form prescribed by K.S.A. 25-205, and amendments thereto, signed by not  
 6 less than 1,000 registered ~~electors~~, *voters* who are affiliated with the  
 7 political party of such candidate as shown by the party affiliation list. The  
 8 secretary of state shall determine the sufficiency of each such petition, and  
 9 such determination shall be final.

10       Sec. 7. K.S.A. 25-4503 is hereby amended to read as follows: 25-  
 11 4503. (a) The names of the candidates for nomination for president of the  
 12 United States by a political party eligible to participate in a state primary  
 13 election shall be printed on the official ballots for the presidential  
 14 preference primary elections of their respective parties along with the  
 15 choice of "none of the names shown." The ballots shall be marked,  
 16 returned and canvassed in the same manner and under the same conditions,  
 17 so far as the same are applicable, as in the case of the primary election of  
 18 candidates for nomination for state offices.

19       (b) The official presidential preference primary election ballots shall  
 20 be printed in a single column and shall have the following heading:

21                                   OFFICIAL PRESIDENTIAL  
 22                                   PREFERENCE PRIMARY  
 23                                   ELECTION BALLOT  
 24                                   \_\_\_\_\_ Party

25  
 26       To vote for a person whose name is printed on the ballot make a cross  
 27 or check mark in the square, or darken the oval, to the left of the name of  
 28 the person for whom you desire to vote. To vote for "none of the names  
 29 shown" make a cross or check mark in the square, or darken the oval, to  
 30 the left of such words.

31       This shall be followed by the names of the candidates for president of  
 32 the United States of such party in the manner and order certified by the  
 33 secretary of state.

34       (c) As soon as possible after the candidate filing deadline, the  
 35 secretary of state shall certify to each county election officer the name of  
 36 each person who is a candidate for nomination to be president of the  
 37 United States of each party authorized to participate in the presidential  
 38 preference primary election. The secretary of state shall publish, not less  
 39 than ~~24~~ 31 days prior to the presidential preference primary, a notice in one  
 40 newspaper in each county of the state where a newspaper is published, that  
 41 the official list of candidates and the date of the election can be acquired in  
 42 the office of the secretary of state or the office of the county election  
 43 officer.

1 (d) When a party participating in the presidential preference primary  
 2 election has more than one candidate, the secretary of state shall determine  
 3 by lot the order in which the candidates' names will appear on the ballot.  
 4 The order of names, as established by the secretary of state, shall be  
 5 uniform in each county throughout the state.

6 (e) (1) *All advance voting ballots for a presidential preference*  
 7 *primary election shall be transmitted by the county election officer not*  
 8 *earlier than the 14<sup>th</sup> day preceding the date of such election.*

9 (2) *Advance voting in person shall be conducted no earlier than eight*  
 10 *days prior to such election.*

11 (3) *All such ballots that are received in the office of the county*  
 12 *election officer or any polling place by the following times shall be*  
 13 *delivered by the county election officer to the county board of canvassers*  
 14 *for canvassing:*

15 (A) *For advance voting ballots transmitted in person, 12 noon on the*  
 16 *day preceding such election; and*

17 (B) *for advance voting ballots transmitted by mail, the closing of the*  
 18 *polls on the date of such election.*

19 (4) *An advance voting ballot shall not be counted if such ballot is*  
 20 *received by the county election office or any polling place after the closing*  
 21 *time of the polls on the date of such election.*

22 Sec. 8. K.S.A. 25-4505 is hereby amended to read as follows: 25-  
 23 4505. (a) The county board of canvassers of each county shall meet at the  
 24 office of the county election officer, unless another place is agreed upon  
 25 and announced as provided in K.S.A. 25-3105, and amendments thereto, at  
 26 any time ~~between 8:00 and 10:00 o'clock a.m.~~ on the Friday following the  
 27 day a presidential preference primary election is held and canvass the vote  
 28 of such preference primary. The county election officer may move the  
 29 canvass to the Monday next following the election if notice of such change  
 30 is published prior to the canvass in a newspaper of general circulation  
 31 within the county. Upon completion of such canvass, the county election  
 32 officer of each county shall prepare an abstract of the vote of the  
 33 presidential preference primary election in ~~his or her~~ *such* county as such  
 34 vote is determined by the county board of canvassers and shall promptly  
 35 transmit ~~the same~~ *such abstract* to the secretary of state no later than the  
 36 tenth day after the day of the election. Each county election officer shall  
 37 also post a copy of such abstract in a public place in the courthouse of ~~his~~  
 38 ~~or her~~ *such* county.

39 (b) Every such transmittal shall be made by first class mail or by a  
 40 messenger. If the secretary of state fails to receive the abstract of the  
 41 canvass from any county within 14 days next after the election, ~~he or she~~  
 42 *the secretary* shall dispatch a special messenger to obtain a copy of ~~the~~  
 43 ~~same~~ *such abstract*, and the county election officer shall immediately, on

1 demand of such messenger, make out and deliver to such messenger the  
2 copy required. ~~Thereupon,~~ The messenger shall deliver such copy to the  
3 secretary of state, and the secretary of state shall be reimbursed for the  
4 expenses of such messenger by such county.

5 Sec. 9. K.S.A. 25-1122, 25-1123, 25-2311, 25-4501a, 25-4502, 25-  
6 4503 and 25-4505 and K.S.A. 2022 Supp. 25-3009 are hereby repealed.

7 Sec. 10. This act shall take effect and be in force from and after its  
8 publication in the statute book.