

HOUSE BILL No. 2016

By Committee on Elections

Requested by Representative Waggoner

1-16

1 AN ACT concerning elections; relating to voter registration; including
2 private online obituary notices as sufficient grounds for removal of a
3 deceased voter from the voter registration books; amending K.S.A.
4 2024 Supp. 25-2316c and repealing the existing section.

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

7 Section 1. K.S.A. 2024 Supp. 25-2316c is hereby amended to read as
8 follows: 25-2316c. (a) When a registered voter changes name by marriage,
9 divorce or legal proceeding, if the voter is otherwise qualified to vote at
10 such voting place the voter shall be allowed to vote a provisional ballot at
11 any election, or apply for an advance voting ballot, on the condition that
12 the voter first completes the application for registration prescribed by
13 K.S.A. 25-2309, and amendments thereto. Completion of the application
14 shall authorize the county election officer to update the registration
15 records, if appropriate, for voting in future elections. The county election
16 officer shall send, by nonforwardable mail, a notice of disposition to any
17 voter completing such application.

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

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

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

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

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

5 (2) (A) (i) has failed to respond to the notice described in subsection
6 (e)(1) through (e)(4); or (ii) the notice described in subsection (e)(5) is
7 returned as undeliverable; and (B) has not appeared to vote in an election
8 during the period beginning on the date of the notice and ending on the
9 day after the date of the second federal general election that occurs after
10 the date of the notice.

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

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

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

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

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

24 (5) if the registrant has no election-related activity for any four-
25 calendar-year period. No election-related activity means that the elector
26 has not voted, attempted to vote, requested or submitted an advance ballot
27 application, filed an updated voter registration card, signed a petition,
28 which is required by law to be verified by the county election officer or the
29 secretary of state, or responded to any official election mailing transmitted
30 by the county election office.

31 The confirmation notice shall be sent by forwardable mail and shall
32 include a postage prepaid and preaddressed return card in a form
33 prescribed by the chief state election official.

34 (f) (1) Except as otherwise provided by law, when a voter dies or is
35 disqualified for voting, the registration of the voter shall be void, and the
36 county election officer shall remove such voter's name from the
37 registration books and the party affiliation lists.

38 ~~Whenever (1)(2)~~ *The county election officer shall remove the name of*
39 *a registered voter from the registration books and the party affiliation lists*
40 *in such officer's office when:*

41 (A) An obituary notice appears in a newspaper having general
42 circulation in the county reports the death of ~~a such registered voter; or (2)~~
43 a;

1 (B) *an obituary notice published online by a funeral home located in*
2 *the county reports the death of such registered voter;*

3 (C) *such registered voter requests in writing that such voter's name be*
4 *removed from registration,*~~or (3);~~

5 (D) *a court of competent jurisdiction orders removal of the name of a*
6 *such registered voter from registration lists,*~~or (4); or~~

7 (E) *the name of a such registered voter appears on a list of deceased*
8 *residents compiled by the secretary of health and environment as provided*
9 *in K.S.A. 65-2422, and amendments thereto,*~~or appears on a copy of a~~
10 *death certificate provided by the secretary of health and environment; or*
11 *appears in information provided by the social security administration,*~~the~~
12 ~~county election officer shall remove from the registration books and the~~
13 ~~party affiliation lists in such officer's office the name of any person shown~~
14 ~~by such list or death certificate to be deceased.~~

15 (3) *The county election officer shall not use or permit the use of such*
16 *any lists of deceased residents or copies of such lists for any other purpose*
17 *than as provided in this section.*

18 (g) *When the chief state election official receives written notice of a*
19 *felony conviction in a United States district court, such official shall notify*
20 *within five days the county election officer of the jurisdiction in which the*
21 *offender resides. Upon notification of a felony conviction from the chief*
22 *state election official, or from a county or district attorney or a Kansas*
23 *district court, the county election officer shall remove the name of the*
24 *offender from the registration records.*

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

28 Sec. 2. *K.S.A. 2024 Supp. 25-2316c is hereby repealed.*

29 Sec. 3. *This act shall take effect and be in force from and after its*
30 *publication in the ~~statute book~~ **Kansas register**.*