

HOUSE BILL No. 2437

By Committee on Elections

Requested by Representative Waggoner

1-14

1 AN ACT concerning elections; relating to voter registration; authorizing
2 the use of additional resources for verifying voter registration records;
3 removing individuals disqualified for voting from voter registration
4 records; providing an open records exemption for certain information
5 related to voter registration; amending K.S.A. 2025 Supp. 25-2316c
6 and repealing the existing section.

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

9 Section 1. K.S.A. 2025 Supp. 25-2316c is hereby amended to read as
10 follows: 25-2316c. (a) When a registered voter changes name by marriage,
11 divorce or legal proceeding, if the voter is otherwise qualified to vote at
12 such voting place, the voter shall be allowed to vote a provisional ballot at
13 any election, or apply for an advance voting ballot, on the condition that
14 the voter first completes the application for registration prescribed by
15 K.S.A. 25-2309, and amendments thereto. Completion of the application
16 shall authorize the county election officer to update the registration
17 records, if appropriate, for voting in future elections. The county election
18 officer shall send, by nonforwardable mail, a notice of disposition to any
19 voter completing such application.

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

35 (c) Every application for registration completed under this section

1 shall be returned to the county election officer with the registration books.

2 (d) A registrant shall not be removed from the registration list on the
3 ground that the registrant has changed residence unless the registrant:

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

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

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

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

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

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

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

26 (5) *if it appears from information provided by the director of the*
27 *division of motor vehicles that a registrant has moved to a different*
28 *residence address outside the county in which the registrant is currently*
29 *registered; or*

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

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

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

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

4 (A) An obituary notice appears in a newspaper having general
5 circulation in the county reports the death of such registered voter;

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

8 (C) such registered voter requests in writing that such voter's name be
9 removed from registration;

10 (D) a court of competent jurisdiction orders removal of the name of
11 such registered voter from registration lists; ~~or~~

12 (E) the name of such registered voter appears on a list of deceased
13 residents compiled by the secretary of health and environment as provided
14 in K.S.A. 65-2422, and amendments thereto, ~~appears or~~ on a copy of a
15 death certificate provided by the secretary of health and environment ~~or~~;

16 (F) ~~the name of such registered voter appears in information on a list~~
17 ~~of deceased individuals~~ provided by the social security administration ~~that~~
18 ~~has been verified by other reliable means; or~~

19 (G) ~~the registered voter is declared deceased in a notarized~~
20 ~~attestation of such declaration in such form as prescribed by the secretary~~
21 ~~of state and executed by such voter's spouse, grandparent, parent, child,~~
22 ~~grandchild or sibling.~~

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

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

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

36 (i) *To ensure effective and continuous maintenance of voter*
37 *registration records through the use of all available and reliable sources*
38 *of information, the secretary of state:*

39 (1) *Shall obtain the following information at the times prescribed and*
40 *provide such information to the appropriate county election officer:*

41 (A) *At least twice each year, the results of any duplicate voter*
42 *registration checks performed on state voter registration records; and*

43 (B) *at least once each month, a list provided by the director of the*

1 *division of motor vehicles of all changes in residency for the immediately*
2 *preceding month;*

3 *(2) shall request the following information at least once each year*
4 *and provide such information to the appropriate county election officer:*

5 *(A) A list of deceased residents of this state provided by the social*
6 *security administration; and*

7 *(B) a list of individuals who are noncitizens but may be registered to*
8 *vote provided by the United States citizenship and immigration services;*
9 *and*

10 *(3) may obtain the following information at any time and provide*
11 *such information to the appropriate county election officer:*

12 *(A) Any change of residency information provided by a state or*
13 *federal agency;*

14 *(B) any change of residency information provided by a*
15 *nongovernmental entity; and*

16 *(C) comparisons of voter registration records held and maintained by*
17 *other jurisdictions.*

18 *(j) All information obtained by the secretary of state pursuant to*
19 *subsection (i) shall be confidential and shall not be disclosed pursuant to*
20 *the open records act, K.S.A. 45-215 et seq., and amendments thereto,*
21 *except that such information may be released to county election officers as*
22 *authorized under subsection (i). The provisions of this section shall expire*
23 *on July 1, 2031, unless the legislature reviews and reenacts this provision*
24 *pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2031.*

25 Sec. 2. K.S.A. 2025 Supp. 25-2316c is hereby repealed.

26 Sec. 3. This act shall take effect and be in force from and after its
27 publication in the statute book.