

HOUSE BILL No. 2453

By Committee on Elections

Requested by Representative Pickert

1-15

1 AN ACT concerning elections; relating to advance voting ballots;
2 requiring applications for such ballots be filed by the 12th day prior to
3 election day; requiring advance voting in person to be completed prior
4 to the week of the election; extending the time for transmittal of such
5 ballots to 22 days prior to an election; ending the time for voter
6 registration at 25 days prior to election day; amending K.S.A. 25-1123,
7 25-1133, 25-1134 and 25-1136 and K.S.A. 2025 Supp. 25-1122, 25-
8 1132, 25-2311 and 25-3107 and repealing the existing sections.
9

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

11 Section 1. K.S.A. 2025 Supp. 25-1122 is hereby amended to read as
12 follows: 25-1122. (a) Any registered voter may file with the county
13 election officer where such person is a resident, or where such person is
14 authorized by law to vote as a former precinct resident, an application for
15 an advance voting ballot. The signed application shall be transmitted only
16 to the county election officer by personal delivery, mail, facsimile or as
17 otherwise provided by law.

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

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

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

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

30 (2) the name and address of the voter provided on the application for
31 an advance voting ballot do not match the voter's name and address on the
32 registration book. The voter shall provide a valid form of identification as
33 defined in K.S.A. 25-2908, and amendments thereto, to the county election
34 officer in person or provide a copy by mail or electronic means before the
35 meeting of the county board of canvassers. At the meeting of the county

1 board of canvassers the county election officer shall present copies of
2 identification received from provisional voters and the corresponding
3 provisional ballots. If the county board of canvassers determines that a
4 voter's identification is valid and the provisional ballot was properly cast,
5 the ballot shall be counted.

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

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

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

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

39 (A) For the primary election occurring on the first Tuesday in August
40 in both even-numbered and odd-numbered years, between April 1 of such
41 year and the ~~Tuesday of the week preceding~~ *14th day before* such primary
42 election;

43 (B) for the general election occurring on the Tuesday following the

1 first Monday in November in both even-numbered and odd-numbered
2 years, between 90 days prior to such election and the ~~Tuesday of the week~~
3 ~~preeeding 14th day before~~ such general election;

4 (C) for the presidential preference primary election held pursuant to
5 K.S.A. 25-4501a, and amendments thereto, between January 1 of the year
6 in which such election is held and 30 days prior to the day of such
7 election;

8 (D) for question submitted elections occurring on the date of a
9 primary or general election, the same as is provided for ballots for election
10 of officers at such election;

11 (E) for question submitted elections not occurring on the date of a
12 primary or general election, between the time of the first published notice
13 thereof and the ~~Tuesday of the week preeeding 14th day before~~ such
14 question submitted election, ~~except that if the question submitted election~~
15 ~~is held on a day other than a Tuesday, the final date for mailing of advance~~
16 ~~voting ballots shall be one week before such election;~~ and

17 (F) for any special election of officers, at such time as is specified by
18 the secretary of state.

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

23 (g) (1) Unless an earlier date is designated by the county election
24 office, applications for advance voting ballots transmitted to the voter in
25 person shall be filed on the Tuesday next preceding the election and on
26 each subsequent business day until no later than 12:00~~noon~~ p.m. on the
27 ~~day~~ Sunday preceding such election. If the county election officer so
28 provides, applications for advance voting ballots transmitted to the voter in
29 person in the office of the county election officer also may be filed on the
30 Saturday preceding the election. Upon receipt of any such properly
31 executed application, the county election officer shall deliver to the voter
32 such ballots and 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, the county election officer may mail a
34 notice to such voter. The notice shall inform the voter that the voter's name
35 will be removed from the permanent advance voting list unless the voter
36 renews the application for permanent advance voting status within 30 days
37 after the notice is mailed. If the voter fails to renew such application, the
38 county election officer shall remove the voter's name from the permanent
39 advance voting list. Failure to renew the application for permanent
40 advance voting status shall not result in removal of the voter's name from
41 the voter registration list.

42 (k) (1) Any person who solicits by mail a registered voter to file an
43 application for an advance voting ballot and includes an application for an

1 advance voting ballot in such mailing shall include on a page in such
2 mailing a clear and conspicuous label in 10-point font or larger that
3 includes:

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

6 (B) the address of such individual or organization; and
7 (C) the following statement: "Disclosure: This is not a government
8 mailing. It is from a private individual or organization."

9 (2) The application for an advance voting ballot included in such
10 mailing shall be the official application for advance ballot by mail
11 provided by the secretary of state or the appropriate county election office.
12 No portion of such application shall be completed prior to mailing such
13 application to the registered voter, except that the date of the election may
14 be printed on the application.

15 (3) An application for an advance voting ballot shall include
16 information on how to mail such application to the appropriate county
17 election office. In no case shall the person who mails the application to the
18 voter direct that the completed application be returned to such person.

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

20 (A) The secretary of state or any election official or county election
21 office; or

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

26 (5) A violation of this subsection is a class C nonperson
27 misdemeanor.

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

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

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

41 (m) A county election officer shall not mail a ballot to a voter unless
42 such voter has submitted an application for an advance voting ballot,
43 except that a ballot may be mailed to a voter if such voter has permanent

1 advance voting ballot status pursuant to subsection (h) or if the election is
2 conducted pursuant to the mail ballot election act, K.S.A. 25-431 et seq.,
3 and amendments thereto.

4 (n) The secretary of state may adopt rules and regulations in order to
5 implement the provisions of this section and to define valid forms of
6 identification.

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

40 (b) The restrictions in subsection (a) relating to where a county
41 election officer may transmit an advance voting ballot shall not apply to an
42 advance voting ballot requested pursuant to an application for an advance
43 voting ballot filed by a voter who has a temporary illness or disability or

1 who is not proficient in reading the English language.

2 (c) The county election officer shall compare the driver's license
3 number, nondriver's identification card number or copy of other valid
4 identification provided by a voter to the voter registration list verified by
5 the division of vehicles in accordance with federal law. If no identification
6 information was provided by the voter or if such information does not
7 match the information on the voter registration list, the county election
8 officer shall transmit a provisional advance voting ballot.

9 Sec. 3. K.S.A. 2025 Supp. 25-1132 is hereby amended to read as
10 follows: 25-1132. (a) All advance voting ballots that are received in the
11 office of the county election officer or any polling place within the county
12 not later than the hour for closing of the polls on the date of any election
13 specified in K.S.A. 25-1122(f), and amendments thereto, shall be delivered
14 by the county election officer to the appropriate special election board
15 provided for in K.S.A. 25-1133, and amendments thereto.

16 (b) The deadline for the receipt by mail of the advance voting ballots
17 by the office of the county election officer shall be 7:00 p.m. ~~on the date of~~
18 ~~the election the close of polls on election day.~~

19 (e) ~~The secretary of state shall adopt rules and regulations to~~
20 ~~implement this section.~~

21 Sec. 4. K.S.A. 25-1133 is hereby amended to read as follows: 25-
22 1133. (a) The county election officer of every county, ~~which~~ *that* does not
23 use voting machines, optical scanning systems or electronic or
24 electromechanical voting systems, shall establish a special election board.
25 The special election board shall consist of the election board members in
26 the precinct ~~in which is located~~ *where* the office of the county election
27 officer or the members of such additional election boards of the county, as
28 the county election officer may designate, *are located*. The special election
29 board shall meet at the voting place in the precinct ~~in which is located~~
30 *where* the office of the county election officer on election day *is located*, or
31 as provided by rules and regulations adopted by the secretary of state ~~as~~
32 ~~authorized by K.S.A. 25-1132(b), and amendments thereto.~~

33 (b) In counties where voting machines, optical scanning systems or
34 electronic or electromechanical voting systems are used, the county
35 election officer shall appoint a special election board consisting of at least
36 three members. Such members shall be registered voters of the county. The
37 special election board shall meet in the office of the county election officer
38 on election day or at such time before election day as the county election
39 officer deems necessary, or as provided by rules and regulations adopted
40 by the secretary of state ~~as authorized by K.S.A. 25-1132(b), and~~
41 ~~amendments thereto.~~

42 Sec. 5. K.S.A. 25-1134 is hereby amended to read as follows: 25-
43 1134. (a) The county election officer in counties ~~which~~ *that* have a special

1 election board established under K.S.A. 25-1133, and amendments thereto,
2 shall deliver all advance voting ballots to the special election board when
3 the special election board convenes; and thereafter as advance voting
4 ballots are received during election day, until the time for closing of the
5 polls, or as provided by rules and regulations adopted by the secretary of
6 state as authorized by K.S.A. 25-1132(b), and amendments thereto.

7 (b) The special election board may conduct the original canvass of
8 advance voting ballots when the board convenes; but shall not complete
9 final tabulation prior to election day.

10 Sec. 6. K.S.A. 25-1136 is hereby amended to read as follows: 25-
11 1136. (a) The vote of any advance voting voter may be challenged in the
12 same manner as other votes are challenged, as nearly as may be, and the
13 judges of the special election board shall determine the validity of each
14 advance voting ballot. Whenever the judges determine that the form
15 accompanying an advance voting ballot is insufficient, or that the voter is
16 not a registered voter, or the challenge is otherwise sustained, the advance
17 voting ballot envelope shall not be opened. In all such cases, the judges
18 shall endorse on the back of the envelope the word "provisional" and state
19 the reason for sustaining the challenge.

20 (b) Any advance voting ballot envelope ~~which~~ *that* has not been
21 signed shall not be opened, and no vote on the ballot therein shall be
22 counted. The envelope or ballot shall be challenged in the same manner in
23 which other votes are challenged.

24 (c) Whenever it shall be made to appear to the judges of a special
25 election board by sufficient proof that an advance voting voter has died,
26 the envelope containing the advance voting ballot of the deceased voter
27 shall not be opened. In all such cases, the judges shall endorse on the back
28 of the envelope the word "provisional" and the reason for sustaining the
29 challenge.

30 (d) If objection is made to an advance voting ballot because of form,
31 condition; or marking thereof, the ballot shall be marked "void" if the
32 judges uphold the objection to the entire ballot; and otherwise shall be
33 marked on the back thereof, "objected to" with a statement of the
34 substance of the objection.

35 (e) Void, provisional and objected to advance voting ballots shall be
36 transmitted to the county election officer in the same manner as personally
37 cast provisional ballots are transmitted but shall be placed in separate
38 envelopes or sacks, appropriately labeled and sealed. Votes contained in
39 void and provisional advance voting ballots shall not be included in the
40 total of votes certified by the special election board. Void, provisional and
41 objected to advance voting ballots shall be reviewed by the board of
42 county canvassers, and the board shall finally determine the acceptance or
43 rejection of each void, provisional or objected to ballot.

1 (f) ~~Procedures for canvassing and challenging advance voting ballots~~
2 ~~received by mail after the closing of the polls pursuant to K.S.A. 25-~~
3 ~~1132(b), and amendments thereto, shall be as set forth in rules and~~
4 ~~regulations adopted by the secretary of state as authorized by K.S.A. 25-~~
5 ~~1132(b), and amendments thereto.~~

6 Sec. 7. K.S.A. 2025 Supp. 25-2311 is hereby amended to read as
7 follows: 25-2311. (a) County election officers shall provide for the
8 registration of voters at one or more places on all days except the
9 following:

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

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

17 (3) the~~—20~~ 23 days preceding the day of primary and general
18 elections;

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

22 (5) the~~—20~~ 23 days preceding the day of any election other than one
23 specified in this subsection; and

24 (6) the day of any primary or general election or any question
25 submitted election.

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

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

34 (d) The last days before closing of registration books as directed by
35 the secretary of state under subsection (c), county election officers shall
36 provide for registration of voters during regular business hours, during the
37 noon hours and at other than regular business hours upon such days as the
38 county election officers deem necessary. The last three business days
39 before closing of registration books prior to primary and general elections,
40 county election officers may provide for registration of voters until 99:00
41 p.m. in any city.

42 (e) (1) Except as provided in paragraph (2), county election officers
43 shall accept and process applications received by voter registration

1 agencies and the division of motor vehicles not later than the 24st 23rd day
2 preceding the date of any election or mailed voter registration applications
3 that are postmarked not later than the 24st 23rd day preceding the date of
4 any election except, if the postmark is illegible or missing, mailed voter
5 registration applications received in the mail not later than the ninth day
6 preceding the day of any election.

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

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

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

27 Sec. 8. K.S.A. 2025 Supp. 25-3107 is hereby amended to read as
28 follows: 25-3107. (a) At the time of commencement of any canvass by the
29 county board of canvassers, the county election officer shall present to the
30 county board of canvassers the preliminary abstracts of election returns,
31 together with the ballots and records returned by the election boards ~~and~~,
32 ~~as provided by rules and regulations adopted by the secretary of state as~~
~~authorized by K.S.A. 25-1132(b), and amendments thereto, advance voting~~
~~ballots received after the closing of the polls pursuant to K.S.A. 25-~~
~~1132(b), and amendments thereto.~~ The county board of canvassers shall
33 inspect and check the records presented by the county election officer and
34 shall hear any questions ~~which~~ that the county election officer believes
35 appropriate for determination of the board. The county board of canvassers
36 shall do what is necessary to obtain an accurate and just canvass of the
37 election and shall finalize the preliminary abstract of election returns by
38 making any needed changes; and certifying ~~its~~ that authenticity and
39 accuracy *of such abstract*. The certification of the county board of
40 canvassers shall be attested by the county election officer. Neither the
41

1 county board of canvassers nor the county election officer shall open or
2 unseal sacks or envelopes of ballots, except as is required by K.S.A. 25-
3 409, and 25-1136 and 25-1337, and amendments thereto, or other specific
4 provision of law or as is authorized to carry out a recount under subsection
5 (b), or as authorized under subsection (e).

6 (b) If a majority of the members of the county board of canvassers
7 shall determine that there are manifest errors appearing on the face of the
8 poll books of any election board, ~~which that~~ might make a difference in
9 the result of any election, ~~or~~ if any candidate shall request the recount of
10 the ballots cast in all or in only specified voting areas for the office for
11 which the person is a candidate; or if any registered elector who cast a
12 ballot in a question submitted election requests a recount in all or only
13 specified voting areas to determine the result of the election, the county
14 board of canvassers shall cause a special election board appointed by the
15 county election officer to meet under the supervision of the county election
16 officer and recount the ballots with respect to any office or question
17 submitted specified by the county board of canvassers or requested by the
18 candidate or elector. If a recount is required in a county that uses optical
19 scanning systems as defined in K.S.A. 25-4601 et seq., and amendments
20 thereto, or electronic or electromechanical voting systems, as defined in
21 K.S.A. 25-4401, and amendments thereto, the method of conducting the
22 recount shall be at the discretion of the person requesting the recount. The
23 county election officer shall not be a member of the special election board.
24 Before the special election board meets to recount the ballots upon a
25 properly filed request, the party who makes the request shall file with the
26 county election officer a bond, with security to be approved by the county
27 or district attorney, conditioned to pay all costs incurred by the county in
28 making the recount. In the event that the candidate requesting the recount
29 is declared the winner of the election as a result of the recount, or if as a
30 result of the recount a question submitted is overturned, no action shall be
31 taken on the person's bond and the county shall bear the costs incurred for
32 the recount. Any recount must be requested in writing and filed with the
33 county election officer not later than 55:00 p.m. on the day following the
34 last meeting of the county board of canvassers. The request shall specify
35 which voting areas are to be recounted. The county election officer shall
36 immediately notify any candidate involved in the election for which the
37 recount is requested; or~~—~~ shall notify the county chairperson of each
38 candidate's party. Any recount shall be initiated not later than the following
39 day and shall be completed not later than 55:00 p.m. on the fifth day
40 following the filing of the request for a recount, including Saturdays,
41 Sundays and holidays. Upon completion of any recount under this
42 subsection, the election board shall package and reseal the ballots as
43 provided by law and the county board of canvassers shall complete its

1 canvass. The members of the special election board shall be paid as
2 prescribed in K.S.A. 25-2811, and amendments thereto, for time actually
3 spent making the recount.

4 (c) (1) The provisions of this subsection shall apply to any election
5 for:

- 6 (A) Any state or national office elected on a statewide basis;
- 7 (B) the office of president or vice president of the United States;
- 8 (C) the office of members of the United States house of
9 representatives;
- 10 (D) the office of members of the state senate or *the* house of
representatives whose district is located in two or more counties;
- 11 (E) the office of members of the state board of education; and
- 12 (F) a constitutional amendment.

13 (2) Any candidate may request a recount in one or more counties.
14 Any registered elector who cast a ballot in an election for a constitutional
15 amendment submitted may request a recount in one or more counties. Any
16 such recount shall be requested in writing and filed with the secretary of
17 state not later than 55:00 p.m. on the day following the last meeting of the
18 county board of canvassers canvassing votes in the election for which the
19 recount is requested. The request shall specify which counties or precincts
20 are to be recounted. If a recount is required in a county that uses optical
21 scanning equipment, as defined in K.S.A. 25-4601, and amendments
22 thereto, or electronic or electromechanical voting systems, as defined in
23 K.S.A. 25-4401, and amendments thereto, the method of conducting the
24 recount shall be at the discretion of the person requesting the recount.
25 Except as provided by this subsection and subsection (d), the person
26 requesting the recount shall file, contemporaneously with a request for a
27 recount, a bond with the secretary of state, with security to be approved by
28 the secretary of state, conditioned to pay all costs incurred by the counties
29 and the secretary of state in making the recount. The amount of the bond
30 shall be determined by the secretary of state. A candidate described in
31 subsection (c)(1)(D) and (E) may post a bond as provided by subsection
32 (b) in lieu of the bond required by this subsection. In the event that the
33 candidate requesting the recount is declared the winner of the election as a
34 result of the recount, no action shall be taken on the candidate's bond and
35 the counties shall bear the costs incurred for the recount.

36 (3) The secretary of state immediately shall notify each county
37 election officer affected by the recount and any candidate involved in the
38 election for which the recount is requested. If the candidate cannot be
39 reached, then the secretary of state shall notify the state chairperson of
40 such candidate's party. Any such recount shall be conducted under the
41 supervision of the county election officers at the direction of the secretary
42 of state, and shall be initiated not later than the following day and shall be

1 completed not later than 55:00 p.m. on the fifth day following the filing of
2 the request for a recount, including Saturdays, Sundays and holidays. Each
3 county election officer involved in the recount shall appoint a special
4 election board to recount the ballots. The members of the special election
5 board shall be paid as prescribed in K.S.A. 25-2811, and amendments
6 thereto, for time actually spent making the recount. Upon completion of
7 any recount under this subsection, the special election board in each
8 county shall package and reseal the ballots as provided by law and the
9 county board of canvassers shall complete its canvass. The county election
10 officer in each county immediately shall certify the results of the recount
11 to the secretary of state.

12 (d) (1) The provisions of this subsection shall apply to any general
13 elections for:

- 14 (A) Any state or national office elected on a statewide basis;
- 15 (B) the office of president or vice president of the United States;
- 16 (C) the office of members of the United States house of
17 representatives;
- 18 (D) the office of members of *the* state senate or *the* house of
19 representatives; and
- 20 (E) the office of members of the state board of education.

21 (2) Whenever the election returns reflect that a candidate for office
22 was defeated by $\frac{1}{2}$ of 1% or less of the total number of votes cast and if
23 the candidate requests a recount in one or more counties, no bond shall be
24 required and the state shall bear the cost of any recount performed using
25 the method by which the ballots were counted originally.

26 (3) Not later than 60 days following a recount conducted pursuant to
27 this subsection, the board of county commissioners of each county in
28 which the recount occurred shall certify to the secretary of state the
29 amount of all necessary direct expenses incurred by the county. Payment
30 for such expenses shall be made to the county treasurer of the county upon
31 warrants of the director of accounts and reports pursuant to vouchers
32 approved by the secretary of state. Upon receipt of such payment and
33 reimbursements, the county treasurer shall deposit the entire amount
34 thereof in the county election fund; if there is one, and if there is ~~not~~ *none*
35 then to the county general fund.

36 (4) The secretary of state, with the advice of the director of accounts
37 and reports, shall determine the correctness of each amount certified under
38 this section and adjust any discrepancies discovered before approving
39 vouchers for payment to any county.

40 (e) ~~Procedures for canvassing and challenging advance voting ballots
41 received by mail after the closing of the polls pursuant to K.S.A. 25-
42 1132(b), and amendments thereto, shall be as set forth in rules and
43 regulations adopted by the secretary of state as authorized by K.S.A. 25-~~

1 ~~1132(b), and amendments thereto.~~

2 Sec. 9. K.S.A. 25-1123, 25-1133, 25-1134 and 25-1136 and K.S.A.
3 2025 Supp. 25-1122, 25-1132, 25-2311 and 25-3107 are hereby repealed.

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