

As Amended by House Committee

Session of 2026

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 the Friday~~ preceding such election. If the county election
28 officer so provides, applications for advance voting ballots transmitted to
29 the voter in person in the office of the county election officer also may be
30 filed on the Saturday ~~and Sunday~~ preceding the election ~~during such~~
31 ~~times as prescribed by the county election officer but not later than~~
32 ~~12:00 p.m. on the Sunday~~ preceding such election. If a county election
33 officer provides for the acceptance of such applications for advance
34 voting ballots on the Saturday or Sunday preceding such election,
35 such county election officer shall provide notice of the dates and times
36 such applications shall be accepted at least three weeks prior to such
37 election by publishing such notice on such county's website and
38 maintaining such publication through the date of such election. Upon
39 receipt of any such properly executed application, the county election
40 officer shall deliver to the voter such ballots and instructions as are
41 provided for in this act.

42 (2) An application for an advance voting ballot filed by a voter who
43 has a temporary illness or disability or who is not proficient in reading the

1 English language or by a person rendering assistance to such voter may be
2 filed during the regular advance ballot application periods until the close
3 of the polls on election day.

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

10 (h) Any person having a permanent disability or an illness that has
11 been diagnosed as a permanent illness is hereby authorized to make an
12 application for permanent advance voting status. Applications for
13 permanent advance voting status shall be in the form and contain such
14 information as is required for application for advance voting ballots and
15 also shall contain information that establishes the voter's right to
16 permanent advance voting status.

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

41 (j) If a person on the permanent advance voting list fails to vote in
42 four consecutive general elections, the county election officer may mail a
43 notice to such voter. The notice shall inform the voter that the voter's name

1 will be removed from the permanent advance voting list unless the voter
2 renews the application for permanent advance voting status within 30 days
3 after the notice is mailed. If the voter fails to renew such application, the
4 county election officer shall remove the voter's name from the permanent
5 advance voting list. Failure to renew the application for permanent
6 advance voting status shall not result in removal of the voter's name from
7 the voter registration list.

8 (k) (1) Any person who solicits by mail a registered voter to file an
9 application for an advance voting ballot and includes an application for an
10 advance voting ballot in such mailing shall include on a page in such
11 mailing a clear and conspicuous label in 10-point font or larger that
12 includes:

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

15 (B) the address of such individual or organization; and

16 (C) the following statement: "Disclosure: This is not a government
17 mailing. It is from a private individual or organization."

18 (2) The application for an advance voting ballot included in such
19 mailing shall be the official application for advance ballot by mail
20 provided by the secretary of state or the appropriate county election office.
21 No portion of such application shall be completed prior to mailing such
22 application to the registered voter, except that the date of the election may
23 be printed on the application.

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

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

29 (A) The secretary of state or any election official or county election
30 office; or

31 (B) the official protection and advocacy for voting access agency for
32 this state as designated pursuant to the federal help America vote act of
33 2002, public law 107-252, or any other entity required to provide
34 information concerning elections and voting procedures by federal law.

35 (5) A violation of this subsection is a class C nonperson
36 misdemeanor.

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

40 (2) Any individual may file a complaint in writing with the attorney
41 general alleging a violation of this subsection. Such complaint shall
42 include the name of the person alleged to have violated this subsection and
43 any other information as required by the attorney general. Upon receipt of

1 a complaint, the attorney general shall investigate and may file an action
2 against any person found to have violated this subsection.

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

7 (m) A county election officer shall not mail a ballot to a voter unless
8 such voter has submitted an application for an advance voting ballot,
9 except that a ballot may be mailed to a voter if such voter has permanent
10 advance voting ballot status pursuant to subsection (h) or if the election is
11 conducted pursuant to the mail ballot election act, K.S.A. 25-431 et seq.,
12 and amendments thereto.

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

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

1 within two business days of the receipt of such voter's application by the
2 election officer or the commencement of such ~~20-day~~ 22-day period. In
3 primary elections required to be conducted on a partisan basis, the election
4 officer shall deliver to such voter the ballot of the political party of the
5 applicant.

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

11 (c) The county election officer shall compare the driver's license
12 number, nondriver's identification card number or copy of other valid
13 identification provided by a voter to the voter registration list verified by
14 the division of vehicles in accordance with federal law. If no identification
15 information was provided by the voter or if such information does not
16 match the information on the voter registration list, the county election
17 officer shall transmit a provisional advance voting ballot.

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

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

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

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

42 (b) In counties where voting machines, optical scanning systems or
43 electronic or electromechanical voting systems are used, the county

1 election officer shall appoint a special election board consisting of at least
2 three members. Such members shall be registered voters of the county. The
3 special election board shall meet in the office of the county election officer
4 on election day or at such time before election day as the county election
5 officer deems necessary, or as provided by rules and regulations adopted
6 by the secretary of state ~~as authorized by K.S.A. 25-1132(b), and
7 amendments thereto.~~

8 Sec. 5. K.S.A. 25-1134 is hereby amended to read as follows: 25-
9 1134. (a) The county election officer in counties ~~which~~ *that* have a special
10 election board established under K.S.A. 25-1133, and amendments thereto,
11 shall deliver all advance voting ballots to the special election board when
12 the special election board convenes; and thereafter as advance voting
13 ballots are received during election day, until the time for closing of the
14 polls, or as provided by rules and regulations adopted by the secretary of
15 state ~~as authorized by K.S.A. 25-1132(b), and amendments thereto.~~

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

19 Sec. 6. K.S.A. 25-1136 is hereby amended to read as follows: 25-
20 1136. (a) The vote of any advance voting voter may be challenged in the
21 same manner as other votes are challenged, as nearly as may be, and the
22 judges of the special election board shall determine the validity of each
23 advance voting ballot. Whenever the judges determine that the form
24 accompanying an advance voting ballot is insufficient, or that the voter is
25 not a registered voter, or the challenge is otherwise sustained, the advance
26 voting ballot envelope shall not be opened. In all such cases, the judges
27 shall endorse on the back of the envelope the word "provisional" and state
28 the reason for sustaining the challenge.

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

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

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

1 (e) Void, provisional and objected to advance voting ballots shall be
2 transmitted to the county election officer in the same manner as personally
3 cast provisional ballots are transmitted but shall be placed in separate
4 envelopes or sacks, appropriately labeled and sealed. Votes contained in
5 void and provisional advance voting ballots shall not be included in the
6 total of votes certified by the special election board. Void, provisional and
7 objected to advance voting ballots shall be reviewed by the board of
8 county canvassers, and the board shall finally determine the acceptance or
9 rejection of each void, provisional or objected to ballot.

10 (f) ~~Procedures for canvassing and challenging advance voting ballots~~
11 ~~received by mail after the closing of the polls pursuant to K.S.A. 25-~~
12 ~~1132(b), and amendments thereto, shall be as set forth in rules and~~
13 ~~regulations adopted by the secretary of state as authorized by K.S.A. 25-~~
14 ~~1132(b), and amendments thereto.~~

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

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

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

26 (3) the-20-23 25 days preceding the day of primary and general
27 elections;

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

31 (5) the-20-23 25 days preceding the day of any election other than one
32 specified in this subsection; and

33 (6) the day of any primary or general election or any question
34 submitted election.

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

38 (c) The secretary of state shall notify every county election officer of
39 the dates when registration shall be closed preceding primary and general
40 elections. The days so specified by the secretary of state shall be
41 conclusive. Such notice shall be given by the secretary of state by mail at
42 least 60 days preceding every primary and general election.

43 (d) The last days before closing of registration books as directed by

1 the secretary of state under subsection (c), county election officers shall
2 provide for registration of voters during regular business hours, during the
3 noon hours and at other than regular business hours upon such days as the
4 county election officers deem necessary. The last three business days
5 before closing of registration books prior to primary and general elections,
6 county election officers may provide for registration of voters until 99:00
7 p.m. in any city.

8 (e) (1) Except as provided in paragraph (2), county election officers
9 shall accept and process applications received by voter registration
10 agencies and the division of motor vehicles not later than the ~~24st-23rd~~ ~~25th~~
11 day preceding the date of any election or mailed voter registration
12 applications that are postmarked not later than the ~~21st-23rd~~ ~~25th~~
13 preceding the date of any election except, if the postmark is illegible or
14 missing, mailed voter registration applications received in the mail not
15 later than the ninth day preceding the day of any election.

16 (2) For any presidential preference primary election held pursuant to
17 K.S.A. 25-4501a, and amendments thereto, county election officers shall
18 accept and process applications received by voter registration agencies and
19 the division of motor vehicles not later than the ~~31st~~ ~~25th~~ day preceding the
20 date of such election or mailed voter registration applications that are
21 postmarked not later than the ~~31st~~ ~~25th~~ day preceding such election except,
22 if the postmark is illegible or missing, mailed voter registration
23 applications received in the mail not later than the 19th day preceding the
24 day of such election.

25 (f) The secretary of state may adopt rules and regulations interpreting
26 the provisions of this section and specifying the days when registration
27 shall be open, days when registration shall be closed, and days when it is
28 optional with the county election officer for registration to be open or
29 closed.

30 (g) Before each primary and general election held in even-numbered
31 and odd-numbered years, and at times and in a form prescribed by the
32 secretary of state, each county election officer shall certify to the secretary
33 of state the number of registered voters in each precinct of the county as
34 shown by the registration books in the office of such county election
35 officer.

36 Sec. 8. K.S.A. 2025 Supp. 25-3107 is hereby amended to read as
37 follows: 25-3107. (a) At the time of commencement of any canvass by the
38 county board of canvassers, the county election officer shall present to the
39 county board of canvassers the preliminary abstracts of election returns,
40 together with the ballots and records returned by the election boards ~~and~~,
41 ~~as provided by rules and regulations adopted by the secretary of state as~~
42 ~~authorized by K.S.A. 25-1132(b), and amendments thereto, advance voting~~
43 ~~ballots received after the closing of the polls pursuant to K.S.A. 25-~~

1 ~~1132(b), and amendments thereto.~~ The county board of canvassers shall
2 inspect and check the records presented by the county election officer and
3 shall hear any questions ~~which that~~ the county election officer believes
4 appropriate for determination of the board. The county board of canvassers
5 shall do what is necessary to obtain an accurate and just canvass of the
6 election and shall finalize the preliminary abstract of election returns by
7 making any needed changes; and certifying ~~its~~ that authenticity and
8 accuracy *of such abstract*. The certification of the county board of
9 canvassers shall be attested by the county election officer. Neither the
10 county board of canvassers nor the county election officer shall open or
11 unseal sacks or envelopes of ballots, except as is required by K.S.A. 25-
12 409; and 25-1136 and 25-1337, and amendments thereto, or other specific
13 provision of law or as is authorized to carry out a recount under subsection
14 (b), or as authorized under subsection (e).

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

1 which voting areas are to be recounted. The county election officer shall
2 immediately notify any candidate involved in the election for which the
3 recount is requested; or—~~shall~~ notify the county chairperson of each
4 candidate's party. Any recount shall be initiated not later than the following
5 day and shall be completed not later than ~~55:00~~ p.m. on the fifth day
6 following the filing of the request for a recount, including Saturdays,
7 Sundays and holidays. Upon completion of any recount under this
8 subsection, the election board shall package and reseal the ballots as
9 provided by law and the county board of canvassers shall complete its
10 canvass. The members of the special election board shall be paid as
11 prescribed in K.S.A. 25-2811, and amendments thereto, for time actually
12 spent making the recount.

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

- 15 (A) Any state or national office elected on a statewide basis;
- 16 (B) the office of president or vice president of the United States;
- 17 (C) the office of members of the United States house of
18 representatives;
- 19 (D) the office of members of the state senate or *the* house of
20 representatives whose district is located in two or more counties;
- 21 (E) the office of members of the state board of education; and
- 22 (F) a constitutional amendment.

23 (2) Any candidate may request a recount in one or more counties.
24 Any registered elector who cast a ballot in an election for a constitutional
25 amendment submitted may request a recount in one or more counties. Any
26 such recount shall be requested in writing and filed with the secretary of
27 state not later than ~~55:00~~ p.m. on the day following the last meeting of the
28 county board of canvassers canvassing votes in the election for which the
29 recount is requested. The request shall specify which counties or precincts
30 are to be recounted. If a recount is required in a county that uses optical
31 scanning equipment, as defined in K.S.A. 25-4601, and amendments
32 thereto, or electronic or electromechanical voting systems, as defined in
33 K.S.A. 25-4401, and amendments thereto, the method of conducting the
34 recount shall be at the discretion of the person requesting the recount.
35 Except as provided by this subsection and subsection (d), the person
36 requesting the recount shall file, contemporaneously with a request for a
37 recount, a bond with the secretary of state, with security to be approved by
38 the secretary of state, conditioned to pay all costs incurred by the counties
39 and the secretary of state in making the recount. The amount of the bond
40 shall be determined by the secretary of state. A candidate described in
41 subsection (c)(1)(D) and (E) may post a bond as provided by subsection
42 (b) in lieu of the bond required by this subsection. In the event that the
43 candidate requesting the recount is declared the winner of the election as a

1 result of the recount, no action shall be taken on the candidate's bond and
2 the counties shall bear the costs incurred for the recount.

3 (3) The secretary of state immediately shall notify each county
4 election officer affected by the recount and any candidate involved in the
5 election for which the recount is requested. If the candidate cannot be
6 reached, then the secretary of state shall notify the state chairperson of
7 such candidate's party. Any such recount shall be conducted under the
8 supervision of the county election officers at the direction of the secretary
9 of state, and shall be initiated not later than the following day and shall be
10 completed not later than 55:00 p.m. on the fifth day following the filing of
11 the request for a recount, including Saturdays, Sundays and holidays. Each
12 county election officer involved in the recount shall appoint a special
13 election board to recount the ballots. The members of the special election
14 board shall be paid as prescribed in K.S.A. 25-2811, and amendments
15 thereto, for time actually spent making the recount. Upon completion of
16 any recount under this subsection, the special election board in each
17 county shall package and reseal the ballots as provided by law and the
18 county board of canvassers shall complete its canvass. The county election
19 officer in each county immediately shall certify the results of the recount
20 to the secretary of state.

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

23 (A) Any state or national office elected on a statewide basis;
24 (B) the office of president or vice president of the United States;
25 (C) the office of members of the United States house of
26 representatives;
27 (D) the office of members of *the* state senate or *the* house of
28 representatives; and
29 (E) the office of members of the state board of education.

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

35 (3) Not later than 60 days following a recount conducted pursuant to
36 this subsection, the board of county commissioners of each county in
37 which the recount occurred shall certify to the secretary of state the
38 amount of all necessary direct expenses incurred by the county. Payment
39 for such expenses shall be made to the county treasurer of the county upon
40 warrants of the director of accounts and reports pursuant to vouchers
41 approved by the secretary of state. Upon receipt of such payment and
42 reimbursements, the county treasurer shall deposit the entire amount
43 thereof in the county election fund; if there is one, and if there is not ~~none~~

1 then to the county general fund.

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

6 ~~(e) Procedures for canvassing and challenging advance voting ballots
7 received by mail after the closing of the polls pursuant to K.S.A. 25-
8 1132(b), and amendments thereto, shall be as set forth in rules and
9 regulations adopted by the secretary of state as authorized by K.S.A. 25-
10 1132(b), and amendments thereto.~~

11 Sec. 9. K.S.A. 25-1123, 25-1133, 25-1134 and 25-1136 and K.S.A.
12 2025 Supp. 25-1122, 25-1132, 25-2311 and 25-3107 are hereby repealed.

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