

HOUSE BILL No. 2189

By Representative Parker

2-7

1 AN ACT concerning elections; regarding voting; amending K.S.A. 25-
2 2353 and K.S.A. 2018 Supp. 25-414 and 25-2316c and repealing the
3 existing sections.
4

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

6 Section 1. K.S.A. 2018 Supp. 25-414 is hereby amended to read as
7 follows: 25-414. (a) It shall be the duty of each judge of election to
8 challenge any person offering to vote, whom the judge shall know or
9 suspect not to be qualified as an elector.

10 (b) A person who: (1) Has moved from an address in the registration
11 book to another address in the same county; ~~or~~ (2) *has moved to a different*
12 *county in Kansas; or* (3) has not moved, but the registration list indicates
13 otherwise, is a qualified elector, but shall be challenged by an election
14 judge and entitled to cast only a provisional ballot pursuant to K.S.A. 25-
15 409, and amendments thereto.

16 (c) Any person who votes after the polling place hours prescribed in
17 K.S.A. 25-106, and amendments thereto, pursuant to a court or other order
18 is entitled to cast only a provisional ballot pursuant to K.S.A. 25-409, and
19 amendments thereto.

20 (d) The application shall be delivered to the election judges and
21 attached to the provisional ballot envelope. Such application and ballot
22 envelope containing the ballot shall be transmitted to the county election
23 officer with election returns and supplies.

24 (e) Following the determination of acceptance or rejection of any
25 provisional ballot by the county board of canvassers, the county election
26 officer shall update the registration record, if appropriate, for voting in
27 future elections, and send, by nonforwardable first-class mail, to the
28 address specified on the application, notice of disposition of the
29 application. The registrant's name shall not be removed from the official
30 list of eligible voters by reason of such a change of address except as
31 provided in K.S.A. 25-2316c, and amendments thereto.

32 Sec. 2. K.S.A. 2018 Supp. 25-2316c is hereby amended to read as
33 follows: 25-2316c. (a) When a registered voter changes name by marriage,
34 divorce or legal proceeding, if such voter is otherwise qualified to vote at
35 such voting place such voter shall be allowed to vote a provisional ballot at
36 any election, or apply for an advance voting ballot, on the condition that

1 such voter first completes the application for registration prescribed by
2 K.S.A. 25-2309, and amendments thereto. Completion of the application
3 shall authorize the county election officer to update the registration
4 records, if appropriate, for voting in future elections. The county election
5 officer shall send, by nonforwardable mail, a notice of disposition to any
6 voter completing such application.

7 (b) When a registered voter changes residence, ~~such~~ *the* voter shall
8 reregister in order to be eligible to vote, except that when a registrant has
9 moved from an address on the registration book to another address within
10 the county *or within another county in Kansas* and has not reregistered,
11 such registrant shall be allowed to vote a provisional ballot at any election,
12 or to apply for an advance voting ballot, on the condition that ~~such~~ *the*
13 registrant first completes the application for registration prescribed by
14 K.S.A. 25-2309, and amendments thereto. Completion of the application
15 shall authorize the county election officer to update the registration record,
16 if appropriate, for voting in future elections. The county election officer
17 shall send, by nonforwardable mail, a notice of disposition to any such
18 voter. Whenever the county election officer receives from any other
19 election officer a notice of registration of a voter in a different place than
20 that shown in the records of the county election officer, such officer shall
21 remove the name of such voter from the registration book and party
22 affiliation list. *Whenever the county election officer reregisters a*
23 *registered voter from a different county, such county election officer shall*
24 *notify the county election officer of the county where the person was*
25 *previously registered, so the person's name shall be deleted from that*
26 *county's registration book.*

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

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

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

34 (2) has failed to respond to the notice described in subsection (e)(4)
35 and has not appeared to vote in an election during the period beginning on
36 the date of the notice and ending on the day after the date of the second
37 federal general election that occurs after the date of the notice.

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

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

43 (2) change of address information supplied by the national change of

1 address program identifies a registrant whose address may have changed;

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

5 (4) if it appears from information provided by the postal service that a
6 registrant has moved to a different residence address outside the county in
7 which the registrant is currently registered.

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

11 (f) Except as otherwise provided by law, when a voter dies or is
12 disqualified for voting, the registration of the voter shall be void, and the
13 county election officer shall remove such voter's name from the
14 registration books and the party affiliation lists. Whenever:

15 (1) An obituary notice appears in a newspaper having general
16 circulation in the county reports the death of a registered voter~~;~~ or;

17 (2) a registered voter requests in writing that such voter's name be
18 removed from registration~~;~~ or;

19 (3) a court of competent jurisdiction orders removal of the name of a
20 registered voter from registration lists~~;~~ or

21 (4) the name of a registered voter appears on a list of deceased
22 residents compiled by the secretary of health and environment as provided
23 in K.S.A. 65-2422, and amendments thereto, or appears on a copy of a
24 death certificate provided by the secretary of health and environment, or
25 appears in information provided by the social security administration, the
26 county election officer shall remove from the registration books and the
27 party affiliation lists in such officer's office the name of any person shown
28 by such list or death certificate to be deceased. The county election officer
29 shall not use or permit the use of such lists of deceased residents or copies
30 for any other purpose than provided in this section.

31 (g) When the chief state election official receives written notice of a
32 felony conviction in a United States district court, such official shall notify
33 within five days the county election officer of the jurisdiction in which the
34 offender resides. Upon notification of a felony conviction from the chief
35 state election official, or from a county or district attorney or a Kansas
36 district court, the county election officer shall remove the name of the
37 offender from the registration records.

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

41 Sec. 3. K.S.A. 25-2353 is hereby amended to read as follows: 25-
42 2353. A registrant who has moved to a new address in the same county *or*
43 *a different county in Kansas* shall be permitted to update the voter's

1 registration record and vote a provisional ballot at the registrant's new
2 polling place, or at a central location determined by the county election
3 officer.

4 Sec. 4. K.S.A. 25-2353 and K.S.A. 2018 Supp. 25-414 and 25-2316c
5 are hereby repealed.

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