

SENATE BILL No. 260

By Committee on Federal and State Affairs

2-16

1 AN ACT concerning elections; prohibiting remote ballot boxes; providing
2 for transmission of election-related materials from county election
3 officers to the secretary of state for posting on the secretary's website;
4 allowing a leave of absence from work for advance voting; limiting
5 applications for advance voting ballots to be transmitted by mail to
6 persons who are temporarily or permanently disabled or have been
7 diagnosed as temporarily or permanently ill; requiring a delivery
8 receipt for advance voting ballots delivered by mail and that such
9 ballots be received by the county election officer by 7:00 p.m. on the
10 date of the election; extending the time for applications for advance
11 voting ballots to be transmitted by mail and transmitted in person by
12 three days; requiring that advance voting ballots and ballots voted in
13 person be canvassed by 12:00 a.m. on the day following the day of the
14 election and the results immediately reported to the county election
15 officer; providing that county election officers ensure adequate staffing
16 of election boards; limiting the size of precincts to not more than 1,000
17 persons; requiring that persons vote in the precinct of their residence;
18 making the day of the general election a state holiday; providing that
19 signatures of voters on affidavits for federal services absentee ballots
20 shall be notarized and such ballots shall be mailed by the voter three
21 weeks prior to the election; prohibiting communications to the public of
22 preliminary and final vote counts by election boards, county election
23 officers and the secretary of state until the secretary of state has
24 published the results from all precincts on the secretary's website;
25 providing for the security of voting places by the sheriff; requiring that
26 all applications for advance voting ballots be in writing; removing the
27 requirement that electronic or electromechanical voting systems
28 comply with federal law; making certain election crimes felonies;
29 amending K.S.A. 25-418, 25-1119, 25-1122, 25-1123, 25-1128, 25-
30 1132, 25-1135, 25-1136, 25-1219, 25-1221, 25-26a02, 25-26a03, 25-
31 26a05, 25-2701, 25-2702, 25-2702a, 25-3006 and 35-107 and K.S.A.
32 2022 Supp. 25-4406 and repealing the existing sections.

33

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

35 New Section 1. (a) No remote ballot box shall be used by any county
36 election office.

1 (b) As used in this section, "remote ballot box" means any form of
2 ballot box designated by the county election officer as available for use for
3 depositing advance voting ballots. "Remote ballot box" does not include
4 any ballot boxes located in a county election office.

5 New Sec. 2. (a) (1) After each general election held in even-
6 numbered years, the secretary of state shall be provided election-related
7 materials by county election officers as provided by paragraph (2). Upon
8 receipt of such materials from county election officers, the secretary shall
9 organize and post such election-related materials on the secretary's website
10 in a manner and format that is readily accessible by the public. The
11 secretary shall ensure that the privacy and confidentiality of voters as
12 required by law shall be maintained. All election-related materials shall be
13 made available to the public for inspection either in person or
14 electronically on the secretary's website at least 72 hours prior to
15 certification of any election.

16 (2) Each county election officer shall obtain election-related materials
17 from all precincts within the county for submission to the secretary of
18 state. Such election-related materials shall be submitted to the county
19 election officer by election judges as directed by the county election
20 officer promptly following the completion of the canvass and the
21 transmittal of election results to the county election officer. Election-
22 related materials shall be submitted to the county election officer in
23 electronic format where possible. The county election officer shall
24 promptly organize and prepare such material as necessary and shall
25 transmit the materials to the secretary of state in the manner and format as
26 directed by the secretary of state.

27 (b) The county election officer shall make available for inspection by
28 the public applications for voting registration.

29 (c) For purposes of this section, "election-related materials" means
30 election-related documents and materials including, but not limited to,
31 copies of all chain-of-custody documents, ballots, absentee ballot envelope
32 images, ballot-definition files, system log files, cast-vote records, ballot
33 images, chain-of-custody documents for all parts of the voting process and
34 any surveillance videos of dropboxes, election offices, collection of
35 ballots, counting of ballots or storing of ballots.

36 New Sec. 3. (a) Judges or members of an election board or special
37 election board shall not communicate or reveal preliminary or final vote
38 counts of a primary or general election to any person, group or
39 organization except an authorized poll agent as otherwise permitted by
40 law, the county election officer, the secretary of state or an agent of the
41 secretary of state, until final results of the initial canvass have been
42 transmitted by the election board or special election board to the county
43 election officer or the secretary of state and the secretary of state has

1 published the unofficial results of the election on the secretary of state's
2 website.

3 (b) No authorized poll agent, county election officer, the secretary of
4 state or an agent of the secretary of state shall communicate or reveal a
5 preliminary or final vote count for any primary or general election to any
6 person, except a candidate for office in the election, until the final results
7 of the initial canvass from all precincts have been reported to the secretary
8 of state and the secretary of state has published the unofficial results of the
9 election on the secretary of state's website.

10 (c) Upon receiving results of the initial canvass of a primary or
11 general election from all precincts in the state, the secretary of state shall
12 promptly publish the results of the election on the secretary's website. No
13 results shall be published until the final vote count of the initial canvass
14 from all precincts in the state have been reported to the secretary of state.

15 New Sec. 4. For purposes of legislative oversight of state and local
16 elections with reference to this section, "approval by the legislature"
17 means that the secretary of state shall advise the legislature and the
18 chairperson and members of the legislative coordinating council of the
19 proposed adoption of a rule or regulation. The chairperson of the
20 legislative coordinating council shall call a meeting of the council for
21 purposes of reviewing the proposed rule or regulation of the secretary of
22 state and shall advise the legislature of the results of the council's review.
23 The rule or regulation may be revoked at any time by concurrent
24 resolution of the legislature or, when the legislature is not in session or is
25 adjourned during session for three or more calendar days, the rule or
26 regulation may be approved or revoked by the legislative coordinating
27 council with the affirmative vote of the members thereof.

28 Sec. 5. K.S.A. 25-418 is hereby amended to read as follows: 25-418.

29 (a) (1) Any person entitled to vote at an election conducted by a county
30 election officer in this state shall, on the day of such election, be entitled to
31 ~~absent himself a leave of absence~~ from any service or employment ~~in~~
32 ~~which he~~ *that the person* is then engaged or employed for a period of not
33 to exceed two ~~(2)~~ consecutive hours between the time of opening and
34 closing of polls: ~~Provided, That~~. If the polls are open before commencing
35 work or after terminating work but the period of time the polls are so open
36 is less than two ~~(2)~~ consecutive hours, ~~he~~ *the person* shall only be entitled
37 to ~~absent himself~~ *the leaver of absence* from such service or employment
38 for such a period of time ~~which that~~, when added to the period of time the
39 polls are so open, will not exceed two hours; ~~and~~. Such voter shall not
40 because of ~~so absents himself~~ *the voter's absence* be liable to any
41 penalty, ~~nor shall~~ *but deductions may* be made, on account of such
42 absence, from ~~his~~ *the voter's* usual salary or wages *not to exceed such*
43 *wages payable for the actual time absent.*

1 (2) The employer may specify the particular time during the day
 2 ~~which said when the employee may absent himself as aforesaid take such~~
 3 *leave of absence except that such specified time shall not include any time*
 4 *during the employee's regular lunch period.*

5 (b) (1) *At the option of any person entitled to vote at an election*
 6 *conducted by a county election officer in this state, and as an alternative*
 7 *voting privilege to the voting privilege provided by subsection (a), such*
 8 *person shall, during the period of time when advance voting ballot*
 9 *applications for such election may be filed in person with the county*
 10 *election officer and voted ballots for such election may be transmitted in*
 11 *person to the county election officer for such election as provided by law,*
 12 *be entitled to a leave of absence from any service or employment that the*
 13 *person is then engaged or employed for a period of time not to exceed two*
 14 *consecutive hours for the purpose of filing an application for an advance*
 15 *voting ballot with the county election officer or transmitting a voted ballot*
 16 *to the county election officer. If the county election officer will accept the*
 17 *filing of an application for an advance voting ballot and accept the*
 18 *transmittal of a voted ballot during a period of time before commencing*
 19 *work or after terminating work but such period of time is less than two*
 20 *consecutive hours, the person shall only be entitled to a leave of absence*
 21 *from such service or employment for such a period of time that, when*
 22 *added to the period of time the county election officer will accept the filing*
 23 *of an application for an advance voting ballot and the transmittal of a*
 24 *voted ballot, will not exceed two hours. A voter shall not because of taking*
 25 *such leave of absence be liable to any penalty but deductions may be*
 26 *made, on account of such absence, from the voter's usual salary or wages,*
 27 *not to exceed such wages payable for the actual time absent.*

28 (2) *Subject to the provisions of subsection (b)(1), the employer shall*
 29 *provide such leave of absence on the day and at the time reasonably*
 30 *requested by the employee.*

31 (c) (1) *Obstruction of voting privilege is:*

32 ~~(a)~~(A) *Intentionally obstructing an employee in—his or her such*
 33 *employee's exercise of voting privilege; or*
 34 ~~(b)~~(B) *imposing a penalty upon an employee exercising—his or her*
 35 *such employee's voting privilege under this section.*

36 (2) *Obstruction of voting privilege is a class A misdemeanor severity*
 37 *level 3, nonperson felony.*

38 Sec. 6. K.S.A. 25-1119 is hereby amended to read as follows: 25-
 39 1119. (a) Any registered voter is eligible to vote by advance voting ballot
 40 *to be transmitted by the voter in person* on all offices and to vote by
 41 *advance voting ballot to be transmitted in person* on questions submitted
 42 on which such elector would otherwise be entitled to vote.

43 (b) *Any registered voter who has a permanent or temporary disability*

1 *or an illness that has been diagnosed as a permanent or temporary illness*
2 *is eligible to vote by advance voting ballot to be transmitted by mail on all*
3 *offices and to vote by advance voting ballot to be transmitted by mail on*
4 *questions submitted on which such elector would otherwise be entitled to*
5 *vote.*

6 *(c) All applications for advance voting ballots shall be made in writing*
7 *by the voter except as otherwise permitted by law, be notarized and*
8 *otherwise comply with the provisions of K.S.A. 25-1122, and amendments*
9 *thereto.*

10 *(d) The votes of such electors shall be cast and received and*
11 *canvassed as provided in this act.*

12 Sec. 7. K.S.A. 25-1122 is hereby amended to read as follows: 25-
13 1122. (a) Any registered voter, *as authorized by K.S.A. 25-1119, and*
14 *amendments thereto*, may file with the county election officer where the
15 person is a resident, ~~or where the person is authorized by law to vote as a~~
16 ~~former precinct resident~~, an application for an advance voting ballot. The
17 signed *and notarized* application shall be transmitted only to the county
18 election officer by personal delivery, mail, facsimile or as otherwise
19 provided by law.

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

23 (c) If the registered voter is applying for an advance voting ballot to
24 be transmitted by mail, the voter shall provide with the application for an
25 advance voting ballot:

26 (1) The voter's current and valid Kansas driver's license number,
27 nondriver's identification card number or a photocopy of any other
28 identification provided by K.S.A. 25-2908, and amendments thereto; *and*

29 (2) *a statement by the person, or by an individual rendering*
30 *assistance to the person as provided by law, that the person has been*
31 *diagnosed with a permanent or temporary illness or has a permanent or*
32 *temporary disability that prevents them from voting in person.*

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

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

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

1 identification received from provisional voters and the corresponding
2 provisional ballots. If the county board of canvassers determines that a
3 voter's identification is valid *in accordance with state law* and the
4 provisional ballot was properly cast, the ballot shall be counted.

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

8 (1) *The person, or an individual rendering assistance to the person*
9 *as provided by law, states that the person has been diagnosed with a*
10 *permanent or temporary illness or has a permanent or temporary*
11 *disability. The signature of the person, or the signature of an individual*
12 *rendering assistance to the person as provided by law, shall be notarized;*

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

26 ~~(2)~~(3) the person provides such person's full Kansas driver's license
27 number, Kansas nondriver's identification card number issued by the
28 division of vehicles, or submits such person's application for an advance
29 voting ballot and a copy of identification provided by K.S.A. 25-2908, and
30 amendments thereto, to the county election officer for verification. If a
31 person applies for an advance voting ballot to be transmitted by mail but
32 fails to provide identification pursuant to this subsection or the
33 identification of the person cannot be verified by the county election
34 officer, the county election officer shall provide information to the person
35 regarding the voter rights provisions of subsection (d) and shall provide
36 the person an opportunity to provide identification pursuant to this
37 subsection. For the purposes of this act, Kansas state offices and offices of
38 any subdivision of the state will allow any person seeking to vote by an
39 advance voting ballot the use of a photocopying device to make one
40 photocopy of an identification document at no cost.

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

43 (1) For the primary election occurring on the first Tuesday in August

1 in both even-numbered and odd-numbered years, between April 1 of such
2 year and the Tuesday of the week preceding such primary election.

3 (2) For the general election occurring on the Tuesday following the
4 first Monday in November in both even-numbered and odd-numbered
5 years, between ~~90~~ 93 days prior to such election and the Tuesday of the
6 week preceding such general election.

7 (3) For question submitted elections occurring on the date of a
8 primary or general election, the same as is provided for ballots for election
9 of officers at such election.

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

16 (5) For any special election of officers, at such time as is specified by
17 the secretary of state.

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

22 (g) Unless an earlier date is designated by the county election office,
23 applications for advance voting ballots transmitted to the voter in person in
24 the office of the county election officer shall be filed ~~on the Tuesday next~~
25 ~~preceding the election and on each subsequent business day until no later~~
26 ~~than between 10 days prior to such election and 12 noon on the day~~
27 ~~preceding such election. If the county election officer so provides,~~
28 ~~applications for advance voting ballots transmitted to the voter in person in~~
29 ~~the office of the county election officer also may be filed on the Saturday~~
30 ~~preceding the election.~~ Upon receipt of any such properly executed
31 application, the county election officer shall deliver to the voter such
32 ballots and instructions as are provided for in this act.

33 An application for an advance voting ballot filed by a voter who has a
34 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 ~~The county election officer may designate places other than the central~~
39 ~~county election office as satellite advance voting sites. At any satellite~~
40 ~~advance voting site, a registered voter may obtain an application for~~
41 ~~advance voting ballots. Ballots and instructions shall be delivered to the~~
42 ~~voter in the same manner and subject to the same limitations as otherwise~~
43 ~~provided by this subsection.~~

1 (h) Any person having a permanent disability *that prevents the*
2 *person from voting in person at the voting place* or an illness that has been
3 diagnosed as a permanent illness is hereby authorized to make an
4 application for permanent advance voting status. Applications for
5 permanent advance voting status shall be in the form and contain such
6 information as is required for application for advance voting ballots and
7 also shall contain information that establishes the voter's right to
8 permanent advance voting status. *With respect to a person having a*
9 *permanent disability, such information shall include a written statement*
10 *from a physician attesting to the person's disability and that such*
11 *disability prevents the person from voting in person.*

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

36 (j) If a person on the permanent advance voting list fails to vote in
37 ~~four~~ two consecutive general elections held on the Tuesday succeeding the
38 first Monday in November of each even-numbered and odd-numbered
39 year, the county election officer may mail a notice to such voter. The
40 notice shall inform the voter that the voter's name will be removed from
41 the permanent advance voting list unless the voter renews the application
42 for permanent advance voting status within 30 days after the notice is
43 mailed. If the voter fails to renew such application, the county election

1 officer shall remove the voter's name from the permanent advance voting
 2 list. Failure to renew the application for permanent advance voting status
 3 shall ~~not~~ result in removal of the voter's name from the voter registration
 4 list.

5 (k) (1) Any person who solicits by mail a registered voter to file an
 6 application for an advance voting ballot and includes an application for an
 7 advance voting ballot in such mailing shall include on the exterior of such
 8 mailing, and on each page contained therein, except the application, a clear
 9 and conspicuous label in 14-point font or larger that includes:

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

12 (B) if an organization, the name of the president, chief executive
 13 officer or executive director of such organization;

14 (C) the address of such individual or organization; and

15 (D) the following statement: "Disclosure: This is not a government
 16 mailing. It is from a private individual or organization. *This application*
 17 *for an advance voting ballot must be submitted in person at the office of*
 18 *the county election officer, except that a person submitting this application*
 19 *who has been diagnosed as permanently or temporarily ill or is*
 20 *permanently or temporarily disabled may submit this application by mail."*

21 (2) The application for an advance voting ballot included in such
 22 mailing shall be the official application for advance ballot by mail
 23 provided by the secretary of state. No portion of such application shall be
 24 completed prior to mailing such application to the registered voter.

25 (3) An application for an advance voting ballot shall include an
 26 envelope addressed to the appropriate county election office for the
 27 mailing of such application. In no case shall the person who mails the
 28 application to the voter direct that the completed application be returned to
 29 such person.

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

31 ~~(A) the secretary of state or any election official or county election~~
 32 ~~office; or~~

33 ~~(B) the official protection and advocacy for voting access agency for~~
 34 ~~this state as designated pursuant to the federal help America vote act of~~
 35 ~~2002, public law 107-252, or any other entity required to provide~~
 36 ~~information concerning elections and voting procedures by federal law.~~

37 (5) A violation of this subsection is a ~~class C severity level 3,~~
 38 ~~nonperson misdemeanor or felony.~~

39 (l) (1) No person shall mail or cause to be mailed an application for
 40 an advance voting ballot, unless such person is a resident of this state or is
 41 otherwise domiciled in this state *and the person has been diagnosed as*
 42 *permanently or temporarily ill or is permanently or temporarily disabled.*
 43 *A person who is permanently or temporarily disabled shall provide a*

1 *written statement from a physician attesting to the person's disability and*
2 *that such disability prevents the person from voting in person .*

3 (2) Any individual may file a complaint in writing with the attorney
4 general alleging a violation of this subsection. Such complaint shall
5 include the name of the person alleged to have violated this subsection and
6 any other information as required by the attorney general. Upon receipt of
7 a complaint, the attorney general shall investigate and ~~may~~ *shall* file an
8 action against any person found to have violated this subsection.

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

13 (m) The secretary of state *with approval of the legislature as*
14 *provided by section 4, and amendments thereto,* may adopt rules and
15 regulations in order to implement the provisions of this section and to
16 define valid forms of identification.

17 Sec. 8. K.S.A. 25-1123 is hereby amended to read as follows: 25-
18 1123. (a) When an application for an advance voting ballot has been filed
19 *and approved* in accordance with K.S.A. 25-1122, and amendments
20 thereto, the county election officer shall transmit to the voter applying
21 therefor one each of the appropriate ballots. Unless an advance voting
22 ballot is transmitted in person pursuant to this subsection, the county
23 election officer shall transmit the advance voting ballots to the voter at one
24 of the following addresses as specified by the voter on such application:

25 (1) The voter's residential address or mailing address as indicated on the
26 registration list; (2) the voter's temporary residential address; or (3) a
27 medical care facility as defined in K.S.A. 65-425, and amendments
28 thereto, psychiatric hospital, hospice or adult care home where the voter
29 resides. No advance voting ballot shall be transmitted by the county
30 election officer by any means prior to the ~~20th~~ 23rd day before the election
31 for which an application for an advance voting ballot has been received by
32 such county election officer. If the advance voting ballot is transmitted by
33 mail, such ballot shall be transmitted with printed instructions prescribed
34 by the secretary of state and a ballot envelope bearing upon the outside a
35 printed form as described in K.S.A. 25-1120, and amendments thereto, and
36 the same number as the number of the ballot. If the advance voting ballot
37 is transmitted to the applicant in person in the office of the county election
38 officer or at a satellite advance voting site, such advance voting ballot and
39 printed instructions shall be transmitted in an advance voting ballot
40 envelope bearing upon the outside a printed form as described in K.S.A.
41 25-1120, and amendments thereto, and the same number as the number of
42 the ballot unless the voter elects to deposit the advance voting ballot into a
43 locked ballot box without an envelope. All ballots shall be transmitted to

1 the advance voting voter not more than ~~20~~ 23 days before the election but
2 within two business days of the receipt of such voter's application by the
3 election officer or the commencement of such ~~20-day~~ 23-day period. In
4 primary elections required to be conducted on a partisan basis, the election
5 officer shall deliver to such voter the ballot of the political party of the
6 applicant.

7 ~~(b) The restrictions in subsection (a) relating to where a county~~
8 ~~election officer may transmit an advance voting ballot shall not apply to an~~
9 ~~advance voting ballot requested pursuant to~~ An application for an advance
10 voting ballot filed by a voter who has a temporary illness or disability or
11 ~~who is not proficient in reading the English language shall require an~~
12 ~~official stamp or signature of the election officer signifying approval of the~~
13 ~~application. A record of each application and approval by the county~~
14 ~~election officer shall be maintained and made available for inspection by~~
15 ~~the public.~~

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

23 Sec. 9. K.S.A. 25-1128 is hereby amended to read as follows: 25-
24 1128. (a) No voter shall knowingly mark or transmit to the county election
25 officer more than one advance voting ballot, or set of one of each kind of
26 ballot, if the voter is entitled to vote more than one such ballot at a
27 particular election.

28 (b) Except as provided in K.S.A. 25-1124, and amendments thereto,
29 no person shall knowingly interfere with or delay the transmission of any
30 advance voting ballot application from a voter to the county election
31 officer, nor shall any person mail, fax or otherwise cause the application to
32 be sent to a place other than the county election office. Any person or
33 group engaged in the distribution of advance voting ballot applications
34 shall mail, fax or otherwise deliver any application signed by a voter to the
35 county election office within two days after such application is signed by
36 the applicant *or the application shall be void.*

37 (c) Except as otherwise provided by law, no person other than the
38 voter, shall knowingly mark, sign or transmit to the county election officer
39 any advance voting ballot or advance voting ballot envelope.

40 (d) Except as otherwise provided by law, no person shall knowingly
41 sign an application for an advance voting ballot for another person. This
42 provision shall not apply if a voter has a disability preventing the voter
43 from signing an application or if an immediate family member signs an

1 application on behalf of another immediate family member with proper
2 authorization being given.

3 (e) No person, unless authorized by K.S.A. 25-1122 or 25-1124, and
4 amendments thereto, shall knowingly intercept, interfere with, or delay the
5 transmission of advance voting ballots from the county election officer to
6 the voter.

7 (f) No person shall knowingly and falsely affirm, declare or subscribe
8 to any material fact in an affirmation form for an advance voting ballot or
9 set of advance voting ballots.

10 (g) A voter may return such voter's advance voting ballot to the
11 county election officer by personal delivery or by mail. *If returning an*
12 *advance voting ballot by mail, a voter, or person rendering assistance to*
13 *such voter as provided by law, shall mail such ballot using the United*
14 *States postal service or any other delivery service that provides a receipt*
15 *indicating that the ballot was mailed and allowing the voter to verify that*
16 *the ballot was delivered.* Subject to the provisions of K.S.A. 25-2437, and
17 amendments thereto, a person other than the voter may return the advance
18 voting ballot by personal delivery or mail if authorized by the voter in
19 writing as provided in K.S.A. 25-2437, and amendments thereto, except
20 that a written designation shall not be required from a voter who has a
21 disability preventing the voter from writing or signing a written
22 designation. Any such person designated by the voter shall sign a
23 statement in accordance with K.S.A. 25-2437, and amendments thereto.

24 (h) Except as otherwise provided by federal law, no person shall
25 knowingly backdate or otherwise alter a postmark or other official
26 indication of the date of mailing of an advance voting ballot returned to the
27 county election officer by mail for the purpose of indicating a date of
28 mailing other than the actual date of mailing by the voter or the voter's
29 designee.

30 (i) Violation of any provision of this section is a severity level-9 3,
31 nonperson felony.

32 Sec. 10. K.S.A. 25-1132 is hereby amended to read as follows: 25-
33 1132. (a) All advance voting ballots that are received in the office of the
34 county election officer or any polling place within the county not later than
35 the hour for closing of the polls on the date of any election specified in
36 K.S.A. 25-1122(f), and amendments thereto, shall be delivered by the
37 county election officer to the appropriate special election board provided
38 for in K.S.A. 25-1133, and amendments thereto.

39 ~~(b) Subject to the deadline for receipt by the office of the county~~
40 ~~election officer as set forth in this subsection, all advance voting ballots~~
41 ~~received by mail by the office of the county election officer after the~~
42 ~~closing of the polls on the date of any election specified in K.S.A. 25-~~
43 ~~1122(f), and amendments thereto, and which are postmarked or are~~

1 otherwise indicated by the United States postal service to have been
2 mailed on or before the close of the polls on the date of the election, shall
3 be delivered by the county election officer to a special election board or
4 the county board of canvassers, as determined by the secretary of state, for
5 canvassing in a manner consistent, as nearly as may be, with other advance
6 voting ballots. The deadline for the receipt by mail of the advance voting
7 ballots by the office of the county election officer shall be the last delivery
8 of mail by the United States postal service 7:00 p.m. on the third day
9 following the date of the election. The secretary of state shall adopt rules
10 and regulations *with legislative approval as provided by section 4, and*
11 *amendments thereto*, to implement this subsection.

12 Sec. 11. K.S.A. 25-1135 is hereby amended to read as follows: 25-
13 1135. (a) The special election boards established under K.S.A. 25-1133,
14 and amendments thereto, shall canvass advance voting ballots as is
15 provided by law for the original canvass of ballots at voting places, except
16 as is otherwise provided in this section and K.S.A. 25-1136, and
17 amendments thereto. The supervising judge of the special election board
18 shall announce in a clear and distinct voice the names of the advance
19 voting voters whose ballots have been received, and thereupon, the clerk
20 of the election board shall check the names of such voters upon the
21 advance voting voter list prescribed by K.S.A. 25-1126, and amendments
22 thereto. If a ballot has been received from a voter whose name is not on
23 such list, the name shall be entered on the advance voting poll book. One
24 of the judges shall open each ballot envelope without defacing the form
25 printed thereon and without mutilating the enclosed ballot or ballots. Such
26 ballots shall then be disposed of as if the advance voting voters were
27 present. One of the judges shall clip the numbers from the ballots and
28 deposit them in the proper ballot boxes without unfolding them. Until the
29 closing of the polls, at least 25 ballots shall remain uncounted in each
30 ballot box.

31 (b) *The canvass shall be completed prior to 12:00 a.m. on the day*
32 *following the day of the election. The results of the canvass shall be*
33 *reported to the county election officer at 12:00 a.m. on the day following*
34 *the day of the election or as soon thereafter as possible, as provided by*
35 *K.S.A. 25-3006, and amendments thereto. The secretary of state and the*
36 *county election officer shall ensure that special election boards are*
37 *sufficiently staffed to enable the timely completion of the canvass.*

38 (c) *The special election board shall not reveal or communicate any*
39 *preliminary or final vote count to any person, except an authorized poll*
40 *agent as otherwise permitted by law, the county election officer, the*
41 *secretary of state or an agent of the secretary of state, until the initial*
42 *canvass is completed by the special election board and the results of the*
43 *election have been published by the secretary of state on the secretary's*

1 *website.*

2 Sec. 12. K.S.A. 25-1136 is hereby amended to read as follows: 25-
3 1136. (a) The vote of any advance voting voter may be challenged in the
4 same manner as other votes are challenged, as nearly as may be, and the
5 judges of the special election board shall determine the validity of each
6 advance voting ballot. Whenever the judges determine that the form
7 accompanying an advance voting ballot is insufficient, or that the voter is
8 not a registered voter, or the challenge is otherwise sustained, the advance
9 voting ballot envelope shall not be opened. In all such cases, the judges
10 shall endorse on the back of the envelope the word "provisional" and state
11 the reason for sustaining the challenge.

12 (b) Any advance voting ballot envelope which has not been signed
13 shall not be opened, and no vote on the ballot therein shall be counted. The
14 envelope or ballot shall be challenged in the same manner in which other
15 votes are challenged.

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

22 (d) If objection is made to an advance voting ballot because of form,
23 condition, or marking thereof, the ballot shall be marked "void" if the
24 judges uphold the objection to the entire ballot, and otherwise shall be
25 marked on the back thereof, "objected to" with a statement of the
26 substance of the objection.

27 (e) Void, provisional and objected to advance voting ballots shall be
28 transmitted to the county election officer in the same manner as personally
29 cast provisional ballots are transmitted but shall be placed in separate
30 envelopes or sacks, appropriately labeled and sealed. Votes contained in
31 void and provisional advance voting ballots shall not be included in the
32 total of votes certified by the special election board. Void, provisional and
33 objected to advance voting ballots shall be reviewed by the board of
34 county canvassers, and the board shall finally determine the acceptance or
35 rejection of each void, provisional or objected to ballot.

36 ~~(f) Procedures for canvassing and challenging advance voting ballots~~
37 ~~received by mail after the closing of the polls pursuant to K.S.A. 25-~~
38 ~~1132(b), and amendments thereto, shall be as set forth in rules and~~
39 ~~regulations adopted by the secretary of state as authorized by K.S.A. 25-~~
40 ~~1132(b), and amendments thereto.~~ *County election officers shall produce a*
41 *report providing a full accounting of the number of advance ballots*
42 *mailed, received, accepted, rejected, missing and destroyed for each*
43 *election. Such report shall be accompanied by a declaration signed by the*

1 *county election official attesting to the accuracy of the report.*

2 Sec. 13. K.S.A. 25-1219 is hereby amended to read as follows: 25-
3 1219. (a) The secretary of state shall cause to be prepared, printed, and
4 transmitted to the county election officers an appropriate number of
5 official envelopes for use in connection with such official federal services
6 absentee ballots, including envelopes for mailing ballots to applicants
7 therefor, and envelopes for the return of such ballots by the voters, which
8 shall conform and be subject to the provisions of the federal act referred to
9 in K.S.A. 25-1214, ~~as amended~~ *and amendments thereto.*

10 (b) The secretary of state shall prescribe and furnish to the county
11 election officers the form for printed instructions to voters of federal
12 services absentee ballots, and the form for ballot envelopes and the
13 affidavit which shall be printed upon the ballot envelopes. Such affidavit
14 shall state the place of residence of the voter, his post office or mailing
15 address at the time of election, that he has not voted by any other form of
16 absentee ballot at such election, that he personally has marked the ballot,
17 placed it in the ballot envelope and sealed the envelope, and that no other
18 person placed any mark upon ~~said~~ *such* ballot. *The affidavit form shall*
19 *provide for notarization of the voter's signature.*

20 Sec. 14. K.S.A. 25-1221 is hereby amended to read as follows: 25-
21 1221. (a) After such voter has marked the official federal services absentee
22 ballot, ~~he or she~~ *the voter* shall place it in the official ballot envelope and
23 ~~secretly seal the same~~ *seal the envelope*. Such voter shall then fill out in
24 full the form printed upon the official ballot envelope and sign the same.
25 *The voter's signature shall be notarized.* Such ballot envelope shall then be
26 placed in the envelope provided for such purpose and mailed by the voter
27 to the county election officer of the county of the voter's residence. *The*
28 *ballot shall be mailed on or before the Tuesday that is three weeks prior to*
29 *the election. The voter shall mail such ballot using a postal service or any*
30 *other delivery service that provides the voter with a receipt indicating the*
31 *date that the ballot was mailed and allowing the voter to verify that the*
32 *ballot was delivered.*

33 (b) All such ballots which reach the county election officer not later
34 than the hour for closing of the polls on the date of any such election shall
35 be delivered by the county election officer to the special election boards
36 provided for in K.S.A. 25-1133, *and amendments thereto*, at the time
37 prescribed by K.S.A. 25-1134, *and amendments thereto*, for delivery of
38 absentee ballots. Such special election board shall canvass the ballots
39 delivered to it under the provisions of this act in the same manner and
40 subject to the same provisions of law as are applicable to an original
41 canvass of ballots by an election board as is provided by law for absentee
42 ballots, except that the names of such voters shall be entered upon one or
43 ~~more federal services absentee~~ *poll books designated for voters who have*

1 *submitted federal services absentee ballots if required by federal law.*

2 Sec. 15. K.S.A. 25-26a02 is hereby amended to read as follows: 25-
3 26a02. Election precincts in all counties of the state shall be established or
4 changed by county election officers in such a manner that:

5 (a) Except as otherwise provided in this section, each election
6 precinct shall be composed of contiguous and compact areas having
7 clearly observable boundaries using visible ground features which meet
8 the requirements of the federal bureau of the census and which coincide
9 with census block boundaries as established by the federal bureau of the
10 census and shall be wholly contained within any larger district from which
11 any municipal, township or county officers are elected;

12 (b) election precincts for election purposes shall be designated
13 consecutively in the county by number or name, or a combination of name
14 and number;

15 (c) any municipal exclave or township enclave shall be a separate
16 precinct and designated by a separate number or name, or combination of
17 name and number, and shall not be identified with or as a part of any other
18 municipal or township precinct;

19 (d) from and after the time that the legislature has been redistricted in
20 1992, precincts shall be arranged so that no precinct lies in more than one
21 legislative district;

22 (e) a street or other roadway which has been platted but not graded is
23 not a visible or observable feature for the purposes of this section; ~~and~~

24 (f) where a legislative district boundary coincides with a municipal
25 boundary which is changed by reason of annexation, such legislative
26 district boundary shall be maintained as a precinct boundary until the next
27 legislative redistricting regardless of whether such a legislative district
28 boundary uses a visible ground feature or coincides with a census block
29 boundary; *and*

30 (g) *no precinct shall contain more than 1,000 persons, as determined*
31 *pursuant to the most recent data published by the federal bureau of the*
32 *census.*

33 Sec. 16. K.S.A. 25-26a03 is hereby amended to read as follows: 25-
34 26a03. (a) Notwithstanding any other law or provisions to the contrary, no
35 election precinct shall be created, divided, abolished or consolidated or the
36 boundaries thereof changed during the period four months prior to each
37 primary election and the succeeding general election or between January 1
38 of a year the last digit of which is 8 and December 1 of a year the last digit
39 of which is 0, ~~and from and after January 1, 1993,~~ between January 1 of a
40 year the last digit of which is 7 and the time when the legislature has been
41 redistricted in a year the last digit of which is 2 except in the following
42 cases:

43 (a)-(1) If required by the creation of a political subdivision, new

1 precincts may be created.

2 (2) If there is an alteration of a political subdivision by annexation,
3 new precincts may be created.

4 (3) If a political subdivision annexes an area adjacent to the political
5 subdivision boundary, the annexed area may be included in a precinct
6 immediately adjacent to it, if the annexed area is in the same legislative
7 district.

8 (4) A municipality or county election officer may establish new
9 election precincts lying entirely within the boundaries of any existing
10 precinct and shall designate the new precincts by name or number, or a
11 combination of name and number, which shall include the designated
12 name or number of the former precinct.

13 (5) If required to conform and coincide with a federal census block
14 boundary established by the federal bureau of the census, a county election
15 officer may change precinct boundaries.

16 (6) *If required to maintain the population within a precinct to not*
17 *more than 1,000 persons, a county election officer may create a new*
18 *precinct, including a new precinct entirely within the boundaries of any*
19 *existing precinct, or change the boundaries of a precinct.*

20 (b) When necessary to comply with the provisions of this act, not less
21 than 45 days after the legislature has been redistricted, or by June 10 in a
22 year the last digit of which is 2–(, whichever occurs first), precinct
23 boundaries shall be reestablished.

24 Sec. 17. K.S.A. 25-26a05 is hereby amended to read as follows: 25-
25 26a05. (a) The secretary of state shall promptly review all precinct maps
26 submitted pursuant to K.S.A. 25-26a04, and amendments thereto, for
27 compliance with the provisions of this act. The secretary of state shall
28 promptly notify the appropriate county election officer as to whether or not
29 such precinct maps are in compliance with the provisions of this act. Those
30 precinct maps determined not to be in compliance with this act shall be
31 rejected and returned to the appropriate county election officer with a
32 written statement of noncompliance setting forth those instances where the
33 map is in default. The appropriate county or city officials shall be notified
34 forthwith of the rejection by the county election officer and shall make the
35 required adjustments and resubmit the corrected precinct map or maps
36 within 30 days after receiving notice of noncompliance. Notwithstanding
37 other law to the contrary, changes in precinct boundaries shall not be
38 effective and shall not be used for the conduct of any election until the
39 secretary of state has determined the precinct maps are in compliance with
40 the provisions of this act.

41 (b) If the initial or corrected precinct maps as required in this act are
42 not filed by the deadlines set forth in this act, the secretary of state is
43 hereby authorized and required to establish where necessary appropriate

1 precinct boundaries in compliance with the provisions of this act,
2 notwithstanding other law to the contrary providing or establishing
3 authority for any county or city official to establish precinct boundaries.
4 *Precinct boundaries shall be established such that no precinct shall*
5 *contain more than 1,000 persons, as determined pursuant to the most*
6 *recent data published by the federal bureau of the census.* The secretary of
7 state will notify the appropriate county election officer of any precincts
8 established under the provisions of this subsection, and the county election
9 officer immediately shall notify the appropriate city or county officials
10 who shall forthwith adopt as the official precincts those precincts
11 established by the secretary of state.

12 Sec. 18. K.S.A. 25-2701 is hereby amended to read as follows: 25-
13 2701. (a) (1) The county election officer shall determine the area to be
14 served by each voting place at every election and shall provide notice of
15 such voting places as required by law. ~~At the discretion of the county~~
16 ~~election officer, all voters within a county may be allowed to vote at any~~
17 ~~polling location on election day, provided all rules and regulations are~~
18 ~~followed as established by the secretary of state for such purpose~~ *A voting*
19 *place serving a precinct shall be located within the boundaries of that*
20 *precinct. Except as provided by subsections (a)(2) and (b), no voting place*
21 *shall serve more than one precinct. A voter shall only be permitted to vote*
22 *at a voting place located within the precinct of such person's residence,*
23 *except as provided by subsections (a)(2) and (b) and as otherwise*
24 *provided by K.S.A 25-3701 and 25-3702, and amendments thereto.*

25 (2) Any precinct having ~~less~~ *fewer* than 20 registered voters shall be
26 included with an adjacent precinct or precincts in a single area to be served
27 by a common voting place. The location of voting places shall be
28 designated by the county election officer as provided by K.S.A. 25-2703,
29 and amendments thereto.

30 (b) ~~For any election to which this section is applicable, wherever a~~
31 ~~city is located in two counties, the county election officer of the county in~~
32 ~~which the greater population of the city is located may designate a voting~~
33 ~~place located in a portion of the city in the other county to serve an area~~
34 ~~within that portion of the city within the county in which the greater~~
35 ~~population of the city is located.~~

36 (e) ~~At voting places serving two or more precincts, one or more of~~
37 ~~which have less~~ *fewer* than 20 registered voters, all ballots which are
38 identical shall be deposited in the same ballot box or boxes and such votes
39 shall be counted and canvassed in a manner as to minimize the possibility
40 of identifying the ballots cast by any voter.

41 (d)(c) (1) The county election officer may not change a voting place
42 prior to an election without providing mailed notice to the voters affected
43 at least 30 days prior to the election. If an emergency is declared by the

1 ~~county election officer~~ *sheriff*, the mailed notice requirement shall be
2 waived.

3 (2) Failure to receive notice of a change in the voting place shall not
4 give rise to a cause of action challenging the results of the election.

5 (d) *The county election officer shall provide for the security of voting*
6 *places each election by arranging with the sheriff for an appropriate*
7 *presence of sheriff's deputies at each voting place on the day of the*
8 *election. The sheriff shall have sole law enforcement jurisdiction over the*
9 *voting place and shall consult with the county election officer with regard*
10 *to the provision of such security. The sheriff shall provide for the presence*
11 *of at least one sheriff's deputy at each voting place during the period of*
12 *voting on election day and until any initial canvass conducted at the*
13 *voting place has been completed.*

14 Sec. 19. K.S.A. 25-2702 is hereby amended to read as follows: 25-
15 2702. The county election officer may establish more than one precinct in
16 any township or divide any township into precincts. Such division shall be
17 made by a declaration made at least ~~ninety~~ (90) days before any county or
18 state primary or general election, and notice of such division, showing the
19 boundaries of each precinct, shall be published once each week for three
20 (3) consecutive weeks in a newspaper of general circulation in the county
21 in which such township is located. A division once made shall remain the
22 same until changed by subsequent declaration and publication notice as
23 ~~herein~~ required by this section. Upon making such division into precincts,
24 the county election officer shall designate the boundaries of each precinct.
25 A voter shall not be eligible to vote at any national, state, county or
26 township election in any ~~voting area~~ precinct other than the one in which
27 ~~he or she~~ the voter resides. A precinct shall not contain more than 1,000
28 persons, as determined pursuant to the most recent data published by the
29 federal bureau of the census.

30 Sec. 20. K.S.A. 25-2702a is hereby amended to read as follows: 25-
31 2702a. Whenever a ward or township is not divided into more than one
32 voting precinct, the entire undivided ward or township shall constitute a
33 "precinct" as that term is used in all laws relating to elections. A precinct
34 shall not contain more than 1,000 persons, as determined pursuant to the
35 most recent data published by the federal bureau of the census.

36 Sec. 21. K.S.A. 25-3006 is hereby amended to read as follows: 25-
37 3006. (a) When the election board completes its canvass, it shall make
38 three abstracts of the vote cast for all candidates whose names are printed
39 on the ballot, all write-in votes cast and all votes cast on questions
40 submitted. Such abstracts shall be made under the direction of the
41 supervising judge upon forms provided by the county election officer.
42 Each of such three abstracts shall bear a certificate of the validity thereof
43 and each certificate shall be signed by all of the clerks and judges at the

1 voting place.

2 (b) In voting places where voting machines equipped with printed
3 election returns mechanisms are used, the counter compartment shall not
4 be opened and the original and duplicate originals of the printed return
5 sheets of the votes cast on questions submitted and for candidates whose
6 names are printed on the official ballot labels, together with the tabulation
7 and inclusion of any write-in votes appearing on the paper roll shall
8 constitute the official abstract for the votes cast on that machine, when
9 coupled with the other originals and duplicate originals of other machines
10 in the voting place and certified as abstracts of the vote cast at such voting
11 place, upon forms and in the manner prescribed by the county election
12 officer.

13 (c) *The election board shall complete its canvass prior to 12:00 a.m.*
14 *on the day following the day of the election. Upon completion of the*
15 *canvass, the election board shall certify the abstracts of the votes cast. The*
16 *certified abstracts shall be transmitted to the county election officer by*
17 *12:00 a.m. on the day following the day of the election or as soon*
18 *thereafter as possible. The secretary of state and the county election*
19 *officer shall ensure that election boards are sufficiently staffed to enable*
20 *the timely completion of the canvass.*

21 (d) *The election board shall not reveal or communicate any*
22 *preliminary or final vote count to any person, except an authorized poll*
23 *agent as otherwise permitted by law, the county election officer, the*
24 *secretary of state or an agent of the secretary of state, until the initial*
25 *canvass is completed by the special election board and the results of the*
26 *election have been published by the secretary of state on the secretary's*
27 *website.*

28 (e) *The secretary of state with legislative approval provided by*
29 *section 4, and amendments thereto, may adopt rules and regulations*
30 *prescribing procedures and forms to be used in carrying out the provisions*
31 *of this section and K.S.A. 25-1338, as amended and amendments thereto.*

32 Sec. 22. K.S.A. 2022 Supp. 25-4406 is hereby amended to read as
33 follows: 25-4406. Electronic or electromechanical voting systems
34 approved by the secretary of state shall:

35 (a) ~~shall~~ Provide for voting for the candidates for nomination or
36 election of all political parties officially recognized pursuant to K.S.A. 25-
37 302a, and amendments thereto;

38 (b) ~~shall~~ permit a voter to vote for any independent candidate for any
39 office;

40 (c) ~~shall~~ provide for voting on constitutional amendments or other
41 questions submitted;

42 (d) ~~shall~~ be so constructed that, as to primaries where candidates are
43 nominated by political parties, the voter can vote only for the candidates

1 for whom the voter is qualified to vote according to articles 2 and 33 of
 2 chapter 25 of the Kansas Statutes Annotated, and amendments thereto;

3 (e) ~~shall~~ afford the voter an opportunity to vote for any or all
 4 candidates for an office for whom the voter is by law entitled to vote and
 5 no more, and at the same time shall prevent the voter from voting for the
 6 same candidate twice for the same office;

7 (f) ~~shall~~ be so constructed that in presidential elections the
 8 presidential electors of any political party may be voted for by one action;

9 (g) ~~shall~~ provide for "write-in" votes;

10 (h) ~~shall~~ provide for voting in absolute secrecy, except as to persons
 11 who request assistance due to temporary illness or disability or a lack of
 12 proficiency in reading the English language;

13 (i) ~~shall~~ reject all votes for an office or upon a question submitted
 14 when the voter has cast more votes for such office or upon such question
 15 than the voter is entitled to cast;

16 (j) ~~shall~~ provide for instruction of voters on the operation of voting
 17 machines, illustrating the manner of voting by the use of such systems.
 18 The instruction may include printed materials or demonstration by election
 19 board workers;

20 (k) ~~shall~~ provide a paper record of each vote cast, produced at the
 21 time the vote is cast;

22 (l) ~~shall~~ have the ability to be tested both before an election and prior
 23 to the date of canvass. The test shall include the ability to match the paper
 24 records of such machines to the vote totals contained in the machines; *and*

25 (m) ~~shall meet the requirements of the help America vote act of 2002~~
 26 ~~and other federal statutes and regulations governing voting equipment; and~~

27 ~~(n) shall~~ not have the capability nor shall any component of an
 28 electronic or electromechanical voting system have the capability to be
 29 connected to the internet or to any other communications or computer
 30 network, including, but not limited to, a local area network, wireless
 31 network, cellular network or satellite network, or to use bluetooth or any
 32 other wireless communications technology.

33 Sec. 23. K.S.A. 35-107 is hereby amended to read as follows: 35-107.

34 (a) ~~On and after January 1, 2006,~~ The following days are declared to be
 35 legal public holidays and are to be observed as such:

36 (1) New Year's Day, January 1;

37 (2) Martin Luther King, Jr. Day, the third Monday in January;

38 (3) President's Day, the third Monday in February;

39 (4) Memorial Day, the last Monday in May;

40 (5) Independence Day, July 4;

41 (6) Labor Day, the first Monday in September;

42 ~~Columbus Day, the second Monday in October;~~

43 (7) *General Election Voting Day, the Tuesday succeeding the first*

1 *Monday in November;*

2 (8) Veterans' Day, the eleventh day in November;

3 (9) Thanksgiving Day, the fourth Thursday in November; *and*

4 (10) Christmas Day, December 25.

5 (b) Any reference in the laws of this state concerning observance of
6 legal holidays shall ~~on and after January 1, 2006~~, be considered as a
7 reference to the day or days prescribed in subsection (a) for the observance
8 of such legal holiday or holidays.

9 Sec. 24. K.S.A. 25-418, 25-1119, 25-1122, 25-1123, 25-1128, 25-
10 1132, 25-1135, 25-1136, 25-1219, 25-1221, 25-26a02, 25-26a03, 25-
11 26a05, 25-2701, 25-2702, 25-2702a, 25-3006 and 35-107 and K.S.A. 2022
12 Supp. 25-4406 are hereby repealed.

13 Sec. 25. This act shall take effect and be in force from and after its
14 publication in the Kansas register.