

HOUSE BILL No. 2333

By Committee on Elections

2-9

1 AN ACT concerning elections; relating to audits; amending K.S.A. 2016
2 Supp. 25-3104, 25-4403 and 25-4406 and repealing the existing
3 sections.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) After an election and prior to the meeting of the
7 county board of canvassers to certify the official election results for any
8 election in which the canvassers certify the results, the county election
9 officer shall conduct a manual audit or tally of each vote cast, regardless of
10 the method of voting, in 1% of all precincts, with a minimum of one
11 precinct located within the county. The precinct or precincts shall be
12 randomly selected and the selection shall take place after the election.

13 (b) The audit shall be performed manually and shall review all paper
14 ballots selected pursuant to subsection (a). The audit shall be performed by
15 a sworn election board consisting of bipartisan trained board members.
16 The county election officer will determine the members of the sworn
17 election board who will conduct the audit. ~~The audit will review one office~~
18 ~~that appears on each ballot within the precinct. The office will be randomly~~
19 ~~selected and the selection shall take place after the election.~~

20 (c) At least five days prior to the audit, notice of the time and location
21 of the audit shall be provided to the public on the official county website.
22 The audit shall be conducted in a public setting. Any candidate or entity
23 who is authorized to appoint a poll agent may appoint a poll agent for the
24 audit.

25 (d) The results of the audit shall be compared to the unofficial
26 election night returns and a report shall be submitted to the county election
27 office and to the secretary of state's office prior to the meeting of the
28 county board of canvassers. If a discrepancy is reported between the audit
29 and the unofficial returns and cannot be resolved, the county election
30 officer or the secretary of state may require audits of additional precincts.
31 Once the audit has been completed, the results of the audit shall be used by
32 the county board of canvassers when certifying the official election results.

33 (e) The secretary of state shall adopt rules and regulations governing
34 the conduct and procedure of the audit, including the random selection of
35 the precincts and offices involved in the audit.

36 (f) The provisions of this section shall apply to all counties for

all races except: (1) Races involving judges; (2) uncontested races;
and (3) races where the margin was more than 30%. Only one local
race shall be selected for audit

offices