

2023 Kansas Statutes

- 25-1128. Advance voting; return of ballots to county election officer; procedures for voters needing assistance; unlawful acts and penalties.** (a) No voter shall knowingly mark or transmit to the county election officer more than one advance voting ballot, or set of one of each kind of ballot, if the voter is entitled to vote more than one such ballot at a particular election.
- (b) Except as provided in K.S.A. 25-1124, and amendments thereto, no person shall knowingly interfere with or delay the transmission of any advance voting ballot application from a voter to the county election officer, nor shall any person mail, fax or otherwise cause the application to be sent to a place other than the county election office. Any person or group engaged in the distribution of advance voting ballot applications shall mail, fax or otherwise deliver any application signed by a voter to the county election office within two days after such application is signed by the applicant.
- (c) Except as otherwise provided by law, no person other than the voter, shall knowingly mark, sign or transmit to the county election officer any advance voting ballot or advance voting ballot envelope.
- (d) Except as otherwise provided by law, no person shall knowingly sign an application for an advance voting ballot for another person. This provision shall not apply if a voter has a disability preventing the voter from signing an application or if an immediate family member signs an application on behalf of another immediate family member with proper authorization being given.
- (e) No person, unless authorized by K.S.A. 25-1122 or 25-1124, and amendments thereto, shall knowingly intercept, interfere with, or delay the transmission of advance voting ballots from the county election officer to the voter.
- (f) No person shall knowingly and falsely affirm, declare or subscribe to any material fact in an affirmation form for an advance voting ballot or set of advance voting ballots.
- (g) A voter may return such voter's advance voting ballot to the county election officer by personal delivery or by mail. Subject to the provisions of K.S.A. 25-2437, and amendments thereto, a person other than the voter may return the advance voting ballot by personal delivery or mail if authorized by the voter in writing as provided in K.S.A. 25-2437, and amendments thereto, except that a written designation shall not be required from a voter who has a disability preventing the voter from writing or signing a written designation. Any such person designated by the voter shall sign a statement in accordance with K.S.A. 25-2437, and amendments thereto.
- (h) Except as otherwise provided by federal law, no person shall knowingly backdate or otherwise alter a postmark or other official indication of the date of mailing of an advance voting ballot returned to the county election officer by mail for the purpose of indicating a date of mailing other than the actual date of mailing by the voter or the voter's designee.
- (i) Violation of any provision of this section is a severity level 9, nonperson felony.
- History:** L. 1967, ch. 208, § 15; L. 1978, ch. 140, § 7; L. 1980, ch. 110, § 3; L. 1995, ch. 192, § 31; L. 1997, ch. 124, § 4; L. 2000, ch. 151, § 2; L. 2001, ch. 125, § 4; L. 2011, ch. 56, § 6; L. 2015, ch. 87, § 3; L. 2018, ch. 116, § 4; L. 2021, ch. 96, § 6; July 1.