

**HOUSE BILL No. 2176**

By Committee on Elections

2-7

1 AN ACT concerning elections; relating to collection of ballots; amending  
2 K.S.A. 2018 Supp. 25-1128 and repealing the existing section.

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

5 New Section 1. (a) No person, unless otherwise authorized by law,  
6 shall knowingly collect voted or unvoted ballots or otherwise be in  
7 possession of such ballots.

8 (b) A violation of this section is a severity level 9, nonperson felony.

9 Sec. 2. K.S.A. 2018 Supp. 25-1128 is hereby amended to read as  
10 follows: 25-1128. (a) No voter shall knowingly mark or transmit to the  
11 county election officer more than one advance voting ballot, or set of one  
12 of each kind of ballot, if the voter is entitled to vote more than one such  
13 ballot at a particular election.

14 (b) Except as provided in K.S.A. 25-1124, and amendments thereto,  
15 no person shall knowingly interfere with or delay the transmission of any  
16 advance voting ballot application from a voter to the county election  
17 officer, nor shall any person mail, fax or otherwise cause the application to  
18 be sent to a place other than the county election office. Any person or  
19 group engaged in the distribution of advance voting ballot applications  
20 shall mail, fax or otherwise deliver any application signed by a voter to the  
21 county election office within two days after such application is signed by  
22 the applicant.

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

26 (d) Except as otherwise provided by law, no person shall knowingly  
27 sign an application for an advance voting ballot for another person. This  
28 provision shall not apply if a voter has a disability preventing the voter  
29 from signing an application or if an immediate family member signs an  
30 application on behalf of another immediate family member with proper  
31 authorization being given.

32 (e) No person, unless authorized by K.S.A. 25-1122 or 25-1124, and  
33 amendments thereto, shall knowingly *collect*, intercept, interfere with, or  
34 delay the transmission of advance voting ballots, *voted or unvoted*, from  
35 the county election officer to the voter.

36 (f) No person shall knowingly and falsely affirm, declare or subscribe

1 to any material fact in an affirmation form for an advance voting ballot or  
2 set of advance voting ballots.

3 (g) A voter may return such voter's advance voting ballot to the  
4 county election officer by personal delivery or by mail. Upon written  
5 designation by the voter, a person other than the voter may return the  
6 advance voting ballot by personal delivery or mail, except that a written  
7 designation shall not be required from a voter who has a disability  
8 preventing the voter from writing or signing a written designation. Any  
9 such person designated by the voter shall sign a statement that such person  
10 has not exercised undue influence on the voting decisions of the voter and  
11 agrees to deliver the ballot as directed by the voter.

12 (h) Violation of any provision of this section is a severity level 9,  
13 nonperson felony.

14 Sec. 3. K.S.A. 2018 Supp. 25-1128 is hereby repealed.

15 Sec. 4. This act shall take effect and be in force from and after its  
16 publication in the statute book.