

As Amended by Senate Committee

As Amended by House Committee

Session of 2017

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.
4

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 ~~all races except: (1) Races~~
19 ~~involving judges; (2) uncontested races; and (3) races where the~~
20 ~~margin was more than 30%. Only one local race shall be selected for~~
21 ~~audit in even-numbered year elections one contested race for federal~~
22 ~~office and one contested race for Kansas legislative office.~~ The office
23 offices will be randomly selected and the selection shall take place after
24 the election.

shall

and the board of county commissioners may order additional audits by the county election officer of contested races for state, county or municipal offices by passage of a resolution

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

30 (d) The results of the audit shall be compared to the unofficial
31 election night returns and a report shall be submitted to the county election
32 office and to the secretary of state's office prior to the meeting of the
33 county board of canvassers. If a discrepancy is reported between the audit
34 and the unofficial returns and cannot be resolved, the county election