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

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

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

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

Sec. 2. K.S.A. 2018 Supp. 25-1128 is hereby amended to read as follows: 25-1128. (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 collect, intercept, interfere with, or delay the transmission of advance voting ballots, voted or unvoted, 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. Upon written
designation by the voter, a person other than the voter may return the
advance voting ballot by personal delivery or mail, 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 that such person
has not exercised undue influence on the voting decisions of the voter and
agrees to deliver the ballot as directed by the voter.

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

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 K.S.A. 2018 Supp. 25-1128 is hereby repealed.

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