

HOUSE BILL No. 2616

By Committee on Elections

Requested by Kim Borchers

1-29

1 AN ACT concerning elections; relating to the qualifications of poll
2 workers; prohibiting the disqualification of certain individuals as poll
3 workers on the basis of residency or registered voter status.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) Neither the secretary of state nor any county election
7 officer shall disqualify an individual from serving as a poll worker at any
8 election on the basis of residency or registered voter status if such
9 individual is an active military member, the spouse or other dependent of
10 an active military member or is enrolled on a full-time basis in any public
11 or private postsecondary educational institution located in this state.

12 (b) Nothing in this section shall be construed to limit or otherwise
13 restrict any poll worker qualifications based on the age of the individual.

14 (c) As used in this section:

15 (1) "Active military member" means any person with full-time duty
16 status in the armed forces of the United States, including members of the
17 national guard and reserve; and

18 (2) "postsecondary educational institution" means the same as defined
19 in K.S.A. 74-3201b, and amendments thereto.

20 Sec. 2. This act shall take effect and be in force from and after its
21 publication in the statute book.

2023 Kansas Statutes

25-2803. Recommendations by county chairmen; appointment of supervising judge; area located in two counties. (a) The county chairman of each of the central committees of the political parties that polled the largest and second largest number of votes in the state at the last state election for the office of governor shall recommend, excluding the supervising judge, one-half of the persons required for judges of each election board and one-half of the persons required for clerks of each election board. In the event that the election board is to have three members, each such county chairman shall recommend one person for each board. Such recommendations shall be made in writing and shall be delivered to the county election officer, if practicable, not less than thirty (30) days prior to the day of any primary or general election to which they apply and not less than fifteen (15) days prior to the day of any special election.

(b) The county election officer shall appoint the persons recommended as provided in this section if such persons can qualify and if such recommendations are timely.

(c) The supervising judge or one other judge shall be appointed by the county election officer upon his independent selection.

(d) The county election officer shall designate and appoint one judge to be the supervising judge at each voting place. The supervising judge shall be appointed from among, and not in addition to, those judges appointed to each election board.

(e) Recommendations made under subsection (a) of this section and appointments in accordance therewith shall, in the case of any area which includes a city divided by a county line, specify at least one person from that portion of the area located within each such county to serve upon the election board of the voting place serving that area, if such persons are available to be recommended. In such cases the county election officer of the county in which the smaller portion of any such city is located shall designate those persons to be so appointed from the portion of the city in his county. Such designation shall be transmitted to the county election officer conducting elections and shall be appointed by him. In the event of any dispute arising under this subsection, the same may be submitted by either county election officer to the secretary of state for determination, and such determination shall be final. The provisions of this subsection shall apply to all elections conducted by any county election officer.

History: L. 1968, ch. 406, § 11; L. 1969, ch. 193, § 3; L. 1970, ch. 145, § 1; March 21.

2023 Kansas Statutes

25-2804. Qualifications of judges and clerks; pool of trained judges and clerks; voting by judge or clerk. (a) Each person recommended as provided in K.S.A. 25-2803(a), and amendments thereto, shall be a resident of the area served by the voting place in which such person is to be a judge or clerk.

(b) Except as otherwise provided by this subsection, all judges and clerks shall have the qualifications of an elector in the election at which they serve, and no judge or clerk shall be a candidate for any office, other than the office of precinct committeeman or precinct committeewoman, to be elected at such election. The county election officer may appoint persons who are at least 16 years of age to serve as election judges or clerks if such persons meet all other requirements for qualification of an elector and have a letter of recommendation from a school teacher, counselor or administrator. No more than 1/3 of the persons appointed to each election board may be under the age of 18.

(c) The county election officer may establish a pool of trained judges and clerks who shall be recommended by the county chairpersons specified in K.S.A. 25-2803(a), and amendments thereto. Judges and clerks in such pool may serve at voting places other than their own if:

- (1) The chairpersons specified in K.S.A. 25-2803(a), and amendments thereto, or either of them, have failed to make appropriate recommendations;
 - (2) it is impossible to obtain judges and clerks for a voting place in any other way; or
 - (3) voting machines are used, in which case the third judge, who shall be trained in the use of voting machines, need not necessarily live in the area of the voting place.
- (d) Any judge or clerk serving in a voting place not located in the area in which such judge or clerk resides or serving on a special election board established under K.S.A. 25-1133(c), and amendments thereto, shall be allowed to vote an advance voting ballot in accordance with the provisions of K.S.A. 25-1119, and amendments thereto, or shall be excused from duties as such judge or clerk to vote at the voting place in the area where such judge or clerk resides.

History: L. 1968, ch. 406, § 12; L. 1973, ch. 170, § 1; L. 1976, ch. 181, § 11; L. 1981, ch. 167, § 2; L. 1995, ch. 192, § 45; L. 2000, ch. 50, § 1; L. 2015, ch. 88, § 60; July 1.