

HOUSE BILL No. 2437

By Committee on Elections

1-12

1 AN ACT concerning elections; relating to voting; changing effective date
2 of United States citizenship requirements; amending K.S.A. 2011 Supp.
3 25-2309, 25-2908 and 65-2418 and repealing the existing ~~seeten-~~
4 ~~sections.~~
5

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

6 Section 1. K.S.A. 2011 Supp. 25-2309 is hereby amended to read as
7 follows: 25-2309. (a) Any person may apply in person, by mail, through a
8 voter registration agency, or by other delivery to a county election officer
9 to be registered. Such application shall be made on: (1) A form approved
10 by the secretary of state, which shall be provided by a county election
11 officer or chief state election official upon request in person, by telephone
12 or in writing; or (2) the national mail voter registration form issued
13 pursuant to federal law. Such application shall be signed by the applicant
14 under penalty of perjury and shall contain the original signature of the
15 applicant or the computerized, electronic or digitized transmitted signature
16 of the applicant. A signature may be made by mark, initials, typewriter,
17 print, stamp, symbol or any other manner if by placing the signature on the
18 document the person intends the signature to be binding. A signature may
19 be made by another person at the voter's direction if the signature reflects
20 such voter's intention.
21

22 (b) Applications made under this section shall give voter eligibility
23 requirements and such information as is necessary to prevent duplicative
24 voter registrations and enable the relevant election officer to assess the
25 eligibility of the applicant and to administer voter registration, including,
26 but not limited to, the following data to be kept by the relevant election
27 officer as provided by law:

- 28 (1) Name;
- 29 (2) place of residence, including specific address or location, and
30 mailing address if the residence address is not a permissible postal address;
- 31 (3) date of birth;
- 32 (4) sex;
- 33 (5) the last four digits of the person's social security number or the
34 person's full driver's license or nondriver's identification card number;
- 35 (6) telephone number, if available;
- 36 (7) naturalization data (if applicable);

1 or sex provided on the application for registration, such applicant may sign
2 an affidavit:

3 (1) Stating the inconsistency or inconsistencies related to the name or
4 sex, and the reason therefor; and

5 (2) swearing under oath that, despite the inconsistency, the applicant
6 is the individual reflected in the document provided as evidence of
7 citizenship. However, there shall be no inconsistency between the date of
8 birth on the document provided as evidence of citizenship and the date of
9 birth provided on the application for registration. If such an affidavit is
10 submitted by the applicant, the county election officer or secretary of state
11 shall assess the eligibility of the applicant without regard to any
12 inconsistency stated in the affidavit.

13 (r) All documents submitted as evidence of citizenship shall be kept
14 confidential by the county election officer or the secretary of state and
15 maintained as provided by Kansas record retention laws. The provisions of
16 this subsection shall expire on July 1, 2016, unless the legislature reviews
17 and reenacts this provision pursuant to K.S.A. 45-229, and amendments
18 thereto, prior to July 1, 2016.

19 (s) The secretary of state may adopt rules and regulations to in order
20 to implement the provisions of this section.

21 (t) Nothing in this section shall prohibit an applicant from providing,
22 or the secretary of state or county election officer from obtaining
23 satisfactory evidence of United States citizenship, as described in
24 subsection (1), at a different time or in a different manner than an
25 application for registration is provided, as long as the applicant's eligibility
26 can be adequately assessed by the secretary of state or county election
27 officer as required by this section.

28 (u) The proof of citizenship requirements of this section shall not
29 become effective until ~~January 1, 2013~~ June 15, 2012.

30 Sec. 2. K.S.A. 2011 Supp. 25-2908 is hereby amended to read as
31 follows: 25-2908. (a) Each polling place shall use either: (1) A
32 registration book and a poll book, as defined in K.S.A. 25-2507(a) and
33 K.S.A. 25-2507(b)(1), and amendments thereto; or (2) a registration
34 book, as defined in K.S.A. 25-2507(b)(2), and amendments thereto.
35 The county election officer shall determine which books are used in
36 each county, and which book voters shall sign.

37 (b) A person desiring to vote shall provide to the election board:
38 (1) The voter's name; (2) if required, the voter's address; (3) the
39 voter's signature on the registration or poll book; and (4) a valid form
40 of identification listed in subsection (h). A signature may be made by
41 mark, initials, typewriter, print, stamp, symbol or any other manner if
42 by placing the signature on the document the person intends the
43 signature to be binding. A signature may be made by another person

New subsection (v):

During the period beginning June 15, 2012 and
ending December 31, 2012, the assessment of
evidence of United States citizenship as required
by K.S.A. 25-2309 shall be satisfied by the receipt
of any qualifying document by the secretary of state,
the state election board, a county election office,
the Division of Motor Vehicles, or a voter registration
agency as defined by 42 USC 1973gg-1(5).
During the period beginning June 15, 2012, and
ending December 31, 2012, such receipt shall be
reported to the county election officer or the
secretary of state and the applicant shall be deemed
to have provided satisfactory evidence of United
States citizenship. All such documents shall be
transmitted to the county election officer or the
secretary of state's office no later than December 31, 2012.