AN ACT concerning elections; dealing with the uniformed and overseas citizens absentee voting act; amending K.S.A. 25-1214 and K.S.A. 2014 Supp. 25-1216 and repealing the existing sections.

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

Section 1. K.S.A. 25-1214 is hereby amended to read as follows: 25-1214. As used in this act: (a) "Federal act" means the uniformed and overseas citizens absentee voting act (42 U.S.C. § 1973ff et seq.).
(b) "Persons in federal services" means: (1) Members of the armed forces of the United States, while in the active service, and their spouses and dependents; (2) members of the merchant marine of the United States and their spouses and dependents; and (3) citizens of the United States residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them; and (4) students attending colleges or universities located outside the state of Kansas.

Persons in federal service does not include any person who has failed to respond to a selective service call as certified by the local draft board to the county election officer or who is a deserter from any United States military service.

Sec. 2. K.S.A. 2014 Supp. 25-1216 is hereby amended to read as follows: 25-1216. (a) Every person who is qualified and eligible to vote by federal services absentee ballot under the provisions of this act may make application for such ballot to the county election officer of the county of such the voter's residence or to the secretary of state. Such The application shall be made by postcard application provided for and prescribed in the federal act or on a form to be prescribed by the secretary of state. Any such application shall be valid for any election at which—such the voter otherwise is entitled to vote between the date of the application through the end of the calendar year.
(b) If the voter is residing outside the United States, or is a student attending a college or university located outside the state of Kansas or is a member of the United States armed forces or a spouse or dependent of a member of the armed forces and a qualified elector and cannot vote timely by mail, the voter may apply for registration and an absentee ballot by facsimile, electronic mail or other electronic method authorized by the
secretary of state. The voter may also request that the county election
officer transmit to such the voter by facsimile, electronic mail or other
electronic method authorized by the secretary of state, a ballot, or a second
ballot, as the case may be. The voter may transmit such the voter's ballot
back to the county election officer by mail, facsimile, electronic mail or
other electronic method authorized by the secretary of state.

  If the voter chooses to transmit the voted ballot to the county election
officer by facsimile, electronic mail or other electronic method authorized
by the secretary of state the transmittal shall contain the following
statement: "I understand that by faxing, emailing or electronically
transmitting my voted ballot I am voluntarily waiving my right to a secret
ballot." This statement shall be followed by the voter's signature and the
date. Upon receipt of the transmittal, the county election officer shall place
the voted ballot along with the signed statement and affidavit in an
appropriately marked envelope and seal it. The county election officer and
such officer's staff shall take the steps necessary to keep the voted ballots
received by facsimile, electronic mail or other electronic method
authorized by the secretary of state as confidential as practicable.

  Sec. 3. K.S.A. 25-1214 and K.S.A. 2014 Supp. 25-1216 are hereby
repealed.

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