

SENATE BILL No. 159

By Senator Faust-Goudeau

2-13

1 AN ACT concerning voter registration; relating to registration through
2 division of motor vehicle license applications; amending K.S.A. 2018
3 Supp. 25-2352 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2018 Supp. 25-2352 is hereby amended to read as
7 follows: 25-2352. (a) (1) Each Kansas division of motor vehicles driver's
8 license application and nondriver identification card application—(
9 including any renewal application), submitted to a division of motor
10 vehicles office in Kansas shall serve as an application for voter registration
11 unless the applicant ~~fails to sign the checks the box on the application~~
12 *indicating that the individual declines to use the application as a voter*
13 *registration application. An individual who completes the application for*
14 ~~voter registration~~ and is otherwise eligible shall be registered to vote in
15 accordance with the information supplied by the individual.

16 (2) An application ~~for voter registration~~ submitted under subsection
17 (a)(1) shall be considered as updating any previous voter registration by
18 the applicant.

19 (b) ~~The voter registration section of the A motor vehicle driver's~~
20 ~~license or nondriver identification card application:~~

21 (1) ~~May Shall require a second signature or other information that~~
22 ~~duplicates, or is in addition to, information in the driver's license or~~
23 ~~nondriver's identification card section of the application to prevent~~
24 ~~duplicate voter registrations, and to enable Kansas election officials to~~
25 ~~assess the eligibility of the applicant and to administer voter registration~~
26 ~~and other parts of the election process, except that additional information~~
27 ~~shall not be required when the applicant declines to use the application as~~
28 ~~a voter registration application by checking the box so indicating;~~

29 (2) shall include a statement that specifies each eligibility
30 requirement for voting, ~~contains contain a statement that failing to decline~~
31 ~~to register is an attestation that the applicant meets each such requirement,~~
32 ~~including citizenship, and requires require the signature of the applicant,~~
33 ~~under penalty of perjury, except that no more than one signature shall be~~
34 ~~required;~~

35 (3) shall include a statement that, if an applicant declines to register
36 to vote, the fact that the applicant has declined to register will remain

1 confidential and will be used only for voter registration purposes;

2 (4) shall include a statement that ~~if an applicant does register to vote,~~
3 ~~the office at which~~ *where* the applicant submits a voter registration ~~an~~
4 application will remain confidential and will be used only for *driver's*
5 *license, nondriver identification card and* voter registration purposes;

6 (5) shall be made available by the division of vehicles ~~(, as submitted~~
7 by the applicant, or in machine-readable or other format), to the secretary
8 of state and county election officers, as provided by rules and regulations
9 adopted by the secretary of state; and

10 (6) shall be transmitted to the county election officer not later than
11 five days after the date of acceptance, *except the application shall not*
12 *transmitted when the applicant has indicated that the applicant declines to*
13 *be registered.*

14 (c) The motor vehicle driver's license and nondriver identification
15 card form used for change of residence address shall also serve as a
16 notification of change of residence address for voter registration for
17 elections, unless the registrant states on the form that the change is not for
18 voter registration purposes.

19 (d) ~~The voter registration portion of the~~ motor vehicle driver's license
20 and nondriver identification card applications and change of address forms
21 used shall be subject to approval by the secretary of state for purposes of
22 voter registration under this section.

23 (e) Following the line fixed for the signature of the applicant on the
24 ~~application for voter registration~~ *motor vehicle driver's license and*
25 *nondriver identification card applications*, a statement shall be printed
26 stating that the penalty for submission of a false voter registration
27 application is a maximum presumptive sentence of 17 months in prison.

28 (f) The department of revenue or an employee of the department of
29 revenue acting within the scope of the employee's employment shall not be
30 liable for any damages resulting from any claim based on the department
31 of revenue's transfer of any motor vehicle record information to the
32 secretary of state that is required or permitted by law.

33 (g) The secretary of state is hereby authorized to adopt such rules and
34 regulations in the manner prescribed by law as may be necessary for the
35 administration of the provisions of this section.

36 (h) *The secretary of state shall take appropriate measures to educate*
37 *the public about voter registration through applications for motor vehicle*
38 *driver's licenses and nondriver identification cards.*

39 (i) *A person who is not eligible to register to vote and who otherwise*
40 *accurately and truthfully completes the application shall not be considered*
41 *to have made a false statement, committed perjury or submitted a false*
42 *voter registration application merely by the person's unintentional failure*
43 *to decline to register on a motor vehicle driver's license or nondriver*

1 *identification card application.*

2 Sec. 2. K.S.A. 2018 Supp. 25-2352 is hereby repealed.

3 Sec. 3. This act shall take effect and be in force from and after its

4 publication in the statute book.