

HOUSE BILL No. 2090

By Representatives Clayton, Amyx, Benson, Carlin, Gartner, Highberger, Hodge, Kuether, Lusk, Moore, Neighbor, Parker, Probst, S. Ruiz, Stogsdill, Ward, Warfield, Weigel, Whipple, Wolfe Moore, Woodard and Xu

1-29

1 AN ACT concerning elections; relating to voter registration; amending
2 K.S.A. 2018 Supp. 22-3722 and 25-2416 and repealing the existing
3 sections.
4

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

6 New Section 1. (a) The secretary of state shall develop a voter
7 registration program to offer voter registration services through the
8 following state agencies:

- 9 (1) The department for children and families;
10 (2) the department for aging and disability services; and
11 (3) the department of labor.

12 (b) At the time of making an application for assistance or benefits
13 with the department for children and families, the department for aging
14 and disability services or the department of labor, the applicant shall be
15 offered the opportunity to register to vote.

16 (c) If proof of citizenship was not required for the service applied for,
17 the applicant shall be informed that proof of citizenship will be necessary
18 to complete the process of registration to vote.

19 (d) Voter registration applications shall be submitted to the secretary
20 of state and the county election officers as provided by rules and
21 regulations adopted by the secretary of state.

22 New Sec. 2. (a) The secretary of state, in cooperation with the state
23 board of education, shall develop a voter registration program to offer
24 voter registration services at each accredited high school. Students who are
25 17 years of age or older shall be offered the opportunity to register to vote.

26 (b) Voter registration applications shall be submitted to the secretary
27 of state and the county election officers as provided by rules and
28 regulations adopted by the secretary of state.

29 Sec. 3. K.S.A. 2018 Supp. 22-3722 is hereby amended to read as
30 follows: 22-3722. (a) The period served on parole or conditional release
31 shall be deemed service of the term of confinement, and, subject to the
32 provisions contained in K.S.A. 75-5217, and amendments thereto, relating
33 to an inmate who is a fugitive from or has fled from justice, the total time
34 served may not exceed the maximum term or sentence. The period served

1 on postrelease supervision shall vest in and be subject to the provisions
2 contained in K.S.A. 75-5217, and amendments thereto, relating to an
3 inmate who is a fugitive from or has fled from justice. The total time
4 served shall not exceed the postrelease supervision period established at
5 sentencing.

6 (b) When an inmate on parole or conditional release has performed
7 the obligations of the release for such time as shall satisfy the prisoner
8 review board that final release is not incompatible with the best interest of
9 society and the welfare of the individual, the board may make a final order
10 of discharge and issue a certificate of discharge to the inmate but no such
11 order of discharge shall be made in any case within a period of less than
12 one year after the date of release except where the sentence expires earlier
13 thereto.

14 (c) When an inmate has reached the end of the postrelease
15 supervision period, the board shall issue a certificate of discharge to the
16 releasee. Such discharge, and the discharge of an inmate who has served
17 the inmate's term of imprisonment, shall have the effect of restoring all
18 civil rights lost by operation of law upon commitment, and the
19 certification of discharge shall so state. Nothing herein contained shall be
20 held to impair the power of the governor to grant a pardon or commutation
21 of sentence in any case.

22 (d) *At the time of discharge, the inmate shall be offered the*
23 *opportunity to register to vote. If proof of citizenship of the inmate is not*
24 *available, the inmate shall be informed that proof of citizenship shall be*
25 *required to complete the voter registration application.*

26 Sec. 4. K.S.A. 2018 Supp. 25-2416 is hereby amended to read as
27 follows: 25-2416. (a) Voting without being qualified is knowingly voting
28 or attempting to vote without being qualified:

29 (1) In any election district when not a lawfully registered voter in
30 such election district; or

31 (2) at any election by a person who is not a citizen of the United
32 States or who does not otherwise meet the qualifications of an elector.

33 (b) Voting without being qualified or attempting to vote without being
34 qualified is a severity level 7, nonperson felony.

35 (c) *A person who is ineligible to vote and who becomes registered to*
36 *vote under section 1, and amendments thereto, in the absence of willful*
37 *misrepresentation, shall be presumed to be not at fault and not subject to*
38 *criminal prosecution.*

39 (d) The provisions of K.S.A. 2018 Supp. 21-5301(c), and
40 amendments thereto, shall not apply to a violation of attempting to vote
41 without being qualified pursuant to this section.

42 Sec. 5. K.S.A. 2018 Supp. 22-3722 and 25-2416 are hereby repealed.

43 Sec. 6. This act shall take effect and be in force from and after its

- 1 publication in the statute book.