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**Note:** This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter's contact information should follow-up be necessary.

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## REGISTERING TO VOTE

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### 1. STATUS: Am I registered to vote?

You can determine whether a voter is registered to vote by checking the Kansas Secretary of State's "Vote Kansas" website (<https://myvoteinfo.voteks.org/VoterView/RegistrantSearch.do>).

### 2. HOW: How do I register to vote? What if I don't have access to a computer and/or printer?

Voters with a Kansas Driver's license or Kansas ID may register to vote on line at: <https://www.kdor.ks.gov/apps/voterreg/default.aspx> Those without such documents may fill out this form, which must be sent into the election official listed for the County of residence, and must be postmarked by the deadline to register to vote <https://www.kssos.org/forms/elections/voterregistration.pdf>

The KS secretary of state has a number for questions regarding voter registration: 1-800-262-VOTE(8683)

### 3. IDENTIFICATION: What ID is required to register to vote?

A Kansas Driver's License or ID card is needed to register on line. If registering on the paper form as set forth in Question 2, the should enter the number of their current Kansas driver's license number or nondriver's identification card number. If the voter has neither, the enter the last four digits of your Social Security number. If the voter does not have any of these numbers, write "none" in the box asking for an Identification number.

### 4. DEADLINES: When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?

The deadline to register to vote for any election in Kansas is 21 days prior to that election.<sup>i</sup> The deadline to register to vote for the November 2020 General Election is **October 13, 2020**. Voters must deliver or ensure that an application is postmarked by that date.

Certain recently discharged military personnel and their spouses and dependents may be able to register after this deadline if their discharge occurred too late for them to be able to meet the voter registration deadline.<sup>ii</sup> See [Question #16](#) on absentee voting by military and overseas voters.

### 5. SAME DAY: Does my state have Same Day Registration (i.e. I can register to vote the same day I vote)? If so, what is the process?

Kansas does not have same day registration.

**6. PERMANENT MOVE: I have moved permanently and I didn't update my voter registration, can I vote?**

If a voter has moved to a new address, the voter should update their registration information with the Office of the Secretary of State through mail, online (<https://www.kdor.ks.gov/Apps/VoterReg/Default.aspx>), or automatically when their driver's license information is changed. If a voter did not update their registration information, the answer to this question depends on where the voter moved. Refer to the table below:

<b>Moved within the same precinct</b>	<b>Moved to a different precinct but within the same county</b>	<b>Moved to a different county</b>
<p>A voter who moved to a new address within the same precinct should update their registration information as soon as possible.</p> <p>A voter who moved within the same precinct within 30 days of the election should vote at the polling place associated with their old address. Voters will be required to complete a new voter registration card at the polling place.<sup>iii</sup></p> <p>A voter who moved within the same precinct more than 30 days before the election, to a different address from that shown in the registration book may vote a provisional ballot at the polling place for the voter's current address or at a central location determined by the county election official, after completing a new registration card.<sup>iv</sup></p>	<p>A voter who moved to a new precinct within the same county should update their registration information as soon as possible.</p> <p>A voter who moved less than 30 days before the election may vote in the precinct of their old residence upon making an affidavit stating the voter's old and new addresses, the date of the move, and that the voter has not yet voted in the election.<sup>v</sup></p> <p>A voter who moved within the same county, more than 30 days before the election, to a different address from that shown in the registration book may vote a provisional ballot at the voter's new polling place or at a central location determined by the chief county election official, after completing a new registration card.<sup>vi</sup></p>	<p>A voter who moved to a different county should update their registration information as soon as possible.</p> <p>A voter who moved less than 30 days before the election may vote in the precinct of his or her old residence upon making an affidavit stating the voter's old and new addresses, the date of the move, and that the voter has not yet voted in the election.<sup>vii</sup></p> <p>A voter who moved to a different county more than 30 days before the election without re-registering will not have their vote counted. Kansas protocol is to issue a provisional ballot to such a voter, in reliance on the general provision governing voters whose names do not appear in the registration book, but provisional ballots cast in this circumstance are not counted.<sup>viii</sup></p>

**7. TEMPORARY MOVE: I have moved temporarily due to Covid-19 or some other reason. Where can I vote?**

"Residence" for voting in Kansas, means the place adopted by a person as such person's place of habitation, and to which, whenever such person is absent, such person has the intention of returning.<sup>ix</sup> Thus, if the move is temporary and the voter intends to return to their permanent residence, they may vote at the location of their permanent residence.

**8. STUDENT: I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?**

Students can register to vote at either their school address or permanent address in their home state, but not both. If you attend school in Kansas, you can establish residency and vote in Kansas if you have adopted it as your place of habitation, and, whenever you leave, you have the intention of returning to Kansas.<sup>x</sup>

**9. LIVING ABROAD: I am living abroad and/or am serving in the military. How can I register and/or vote?**

**Federal Services Absentee Voting**

While any duly registered Kansas voter can cast an advance voting ballot, certain individuals in federal service and their families have additional rights. Absentee voting is available for eligible persons in federal services, including active duty members of the armed forces of the United States, members of the United States Merchant Marine, and for United States citizens living outside the territorial limits of the United States and the District of Columbia and their spouses and dependents residing with or accompanying them.<sup>xi</sup> Eligible individuals may apply for absentee ballots via mail, fax, email, or any other method authorized by the Secretary of State.<sup>xii</sup> The completed absentee ballot must be received by the county election officer before polls close on Election Day.<sup>xiii</sup>

**10. CRIMINAL CONVICTION: I have a criminal conviction. Can I vote?**

Conviction of a state or federal felony results in the loss of voting rights until the person completes the terms of the sentence. If the person is granted probation or parole, the terms of the sentence are not completed until the probation or parole is finished.<sup>xiv</sup> A person with a felony conviction who loses voting rights must re-register to vote after the sentence, including probation or parole, is completed.<sup>xv</sup> The person will not be required to submit proof of their final discharge when re-registering to vote. The registration application will contain an affidavit they must sign attesting that their rights have been restored.<sup>xvi</sup>

**11. INCARCERATED: I am currently in jail. Can I vote?**

A person is ineligible to vote upon conviction of a felony, but retains voting rights if incarcerated if the person has not yet been convicted, or was convicted of a misdemeanor.<sup>xvii</sup>

**12. NOT ON ROLLS AT POLLING PLACE: I am at my polling place and am not on the voter registration roll. Can I vote where I am?**

If a voter's name is missing from the registration book, a poll worker is required to print the name and address of the person in the registration book or poll book.<sup>xviii</sup> The voter must sign the registration book beside their printed name.<sup>xix</sup> By statute, the election judge must challenge such person's vote, but the person may then vote by provisional ballot.<sup>xx</sup> This provisional ballot will be counted only if the county board of canvassers later determines that the provisional ballot was a valid, properly cast vote (i.e., if it is determined that the voter is qualified, duly registered, and voted at a polling place that matches the address of registration or is otherwise authorized).<sup>xxi</sup>

Take these steps to help determine why a voter's name is not popping up on the list of registered voters:

- Check the voter's registration status using the registration lookup tool to make sure they are registered to vote and at the right place. (See [Question #1](#).)
- Has the voter moved recently? Could they be registered at an old address? Check that address in the registration lookup tool. (See [Question #1](#) and [Question #6](#).)
- Did the voter provide documentary proof of citizenship when the voter registered to vote? Although this previously impacted registration, documentary proof of citizenship is no longer required for a voter to become registered.<sup>xxii</sup>
- Has the voter changed their name recently, or could they be registered under a different name? Check that name (and any variations of the voter's name, especially for hyphenated names, which sometimes trip up databases) in the registration lookup tool. (See [Question #1](#).)

When did the voter register to vote? Was it before the deadline? (See [Question #4](#).)

**13. THOUGHT WAS REGISTERED: My name isn't on the voter registration roll but I thought I was registered. Could it have been removed? What do I do?**

A voter's name may be removed from the registration books if the voter dies, is convicted of a felony, re-registers at a different place, or the relevant county election official receives information that the voter has moved, the voter fails to respond to a notice to confirm the voter's address and the voter thereafter fails to vote in two consecutive federal general elections.<sup>xxiii</sup>

Any voter whose name was removed from the voter registration list on the basis of a determination of ineligibility who subsequently becomes eligible to vote must re-register.<sup>xxiv</sup>

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## HOW TO VOTE: EARLY VOTING

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### **14. AVAILABILITY: Is there early voting in my state (whether called early voting or in person absentee voting)? When is it?**

#### **Early Voting**

Any registered voter is eligible to vote early (i.e., by “advance voting ballot”) in Kansas.<sup>xxv</sup> Applications for an advance voting ballot can be returned by mail, by fax, or in person.<sup>xxvi</sup> County election officials will send advance voting ballots to voters who request them not more than twenty days before the election.<sup>xxvii</sup> The voter may receive the advance voting ballot via mail or in person at the county election officer’s office or a satellite advance voting site.<sup>xxviii</sup> For the first time in 2020, voters can track the status of their advance by mail ballot application and advance by mail ballot online [here](#). A voter who mails in an advance voting ballot must ensure its receipt in the county election office before the close of polls on election day. Early in-person voting begins in every county no later than the Tuesday before Election Day and ends at noon the day before Election Day<sup>xxix</sup>, but some counties may begin in-person voting earlier if the county election office designates an earlier date.<sup>xxx</sup> Early voting locations can be found [here](#) (under “Advance Voting – In Person”).

For the General Election, advance voting by person and by mail may begin on **October 14<sup>th</sup>, 2020**. The deadline for voters to apply for advance ballots by mail is **October 27<sup>th</sup>, 2020**.<sup>xxxi</sup>

#### **Absentee Ballots**

##### **Federal Services Absentee Voting**

While any duly registered Kansas voter can cast an advance voting ballot, certain individuals in federal service and their families have additional rights. Absentee voting is available for eligible persons in federal services, including active duty members of the armed forces of the United States, members of the United States Merchant Marine, and for United States citizens living outside the territorial limits of the United States and the District of Columbia and their spouses and dependents residing with or accompanying them.<sup>xxxii</sup> Eligible individuals may apply for absentee ballots via mail, fax, email, or any other method authorized by the Secretary of State.<sup>xxxiii</sup> The completed absentee ballot must be received by the county election officer before polls close on Election Day.<sup>xxxiv</sup>

### **15. ELIGIBILITY: Do I have to have a reason to vote early?**

No reason is needed to vote early in Kansas.

### **16. WHEN: When do the polls open/close during early voting?**

See Question 14

**17. WHERE: Where do I vote during early voting?**

Early voting locations can be found [here](#) (under "Advance Voting – In Person").

**18. IDENTIFICATION: What identification is required for early voting? Can I vote without providing identification?**

Early in person voting requires the same identification as required for in person voting on election day. See Question 36.

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## HOW TO VOTE: ABSENTEE AND/OR VOTE BY MAIL

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**19. AUTOMATIC: Do I have to request an absentee ballot or will my state mail me one automatically? How do I request one?**

Ballots are not sent automatically. They must be requested as set forth in Question 14.

**20. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?**

Early in-person voting begins in every county no later than the Tuesday before Election Day and ends at noon the day before Election Day<sup>xxxv</sup>, but some counties may begin in-person voting earlier if the county election office designates an earlier date.<sup>xxxvi</sup>

For the General Election, advance voting by person and by mail may begin on **October 14<sup>th</sup>, 2020**. The deadline for voters to apply for advance ballots by mail is **October 27<sup>th</sup>, 2020**.<sup>xxxvii</sup>

**21. APPLICATION RETURN: Where and/or how can I return my absentee ballot application? Can someone return it for me?**

Any registered voter is eligible to vote early (i.e., by “advance voting ballot”) in Kansas.<sup>xxxviii</sup> Applications for an advance voting ballot can be returned by mail, by fax, or in person.<sup>xxxix</sup> County election officials will send advance voting ballots to voters who request them not more than twenty days before the election.<sup>xl</sup> The voter may receive the advance voting ballot via mail or in person at the county election officer’s office or a satellite advance voting site.<sup>xli</sup>

**22. DIDN’T REQUEST IN TIME: What if I have not requested an absentee ballot by the deadline?**

If an advance voting ballot by mail was not requested in time, the voter may vote in person on election day or vote by advance in-person voting. Advance in person voting begins in every county no later than the Tuesday before Election Day and ends at noon the day before Election Day<sup>xlii</sup>, but some counties may begin in-person voting earlier if the county election office designates an earlier date.<sup>xliii</sup>

**23. ELIGIBILITY: Do I have to have a specific reason for requesting to vote by absentee ballot?**

No reason is needed for advanced voting by mail or in person in Kansas.

**24. STATUS OF APPLICATION AND/OR BALLOT: How can I check the status of my application and/or absentee ballot?**

Voters can call their local election office to check on the status of their advance by mail ballot application and/or ballot. In addition, for the first time, voters can track the status of their advance by mail ballot application and advance by mail ballot online at [myvoteinfo.voteks.org](http://myvoteinfo.voteks.org) for the 2020 elections.

**25. APPLICATION AND/OR BALLOT REJECTED: I learned my absentee ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?**

In Kansas, county election offices are required compare the signature on the advance by mail ballot application with the signature on voter registration records to verify the voter, and not a third party, requested the advance by mail ballot. If the signatures do not match, the signature may be challenged, and the county election office will contact the voter to verify the signature.<sup>xliv</sup>

Voters must provide the number of their photo identification (e.g., driver's license) on the advance by mail ballot application. In the event identification information cannot be verified, the applicant must provide a copy of an acceptable form of photographic identification.<sup>xlv</sup>

When a voter has completed their advance by mail ballot, they must sign the outside of the ballot envelope. That signature is then reviewed with voter registration records. If the signatures do not match, the signature may be challenged, and the county election office will contact the voter to verify the signature.

**26. COMPLETING BALLOT: How do I complete the absentee ballot? Are there any identification requirements?**

In Kansas, county election offices are required compare the signature on the advance by mail ballot application with the signature on voter registration records to verify the voter, and not a third party, requested the advance by mail ballot. If the signatures do not match, the signature may be challenged, and the county election office will contact the voter to verify the signature.<sup>xlvi</sup>

Voters must provide the number of their photo identification (e.g., driver's license) on the advance by mail ballot application. In the event identification information cannot be verified, the applicant must provide a copy of an acceptable form of photographic identification.<sup>xlvii</sup>

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When a voter has completed their advance by mail ballot, they must sign the outside of the ballot envelope. That signature is then reviewed with voter registration records. If the signatures do not match, the signature may be challenged, and the county election office will contact the voter to verify the signature.

**27. LOST OR SPOILED: What if I lost my absentee ballot or it is spoiled or I received an incorrect one?**

Voters who requested an advance by mail ballot but choose to cast their ballot in person will be given a provisional ballot to ensure they only vote once.

**28. NON-RECEIPT OF BALLOT: What if I requested an absentee ballot but have not received it? Can I do anything?**

You can track the status of your ballot application [myvoteinfo.voteks.org](http://myvoteinfo.voteks.org) for the 2020 elections. A person may vote in person by provisional ballot if they requested but did not vote their vote by mail ballot.

**29. IN PERSON OPTION: What if I requested an absentee ballot but I want to vote in person on Election Day?**

Voters who requested an advance by mail ballot but choose to cast their ballot in person will be given a provisional ballot to ensure they only vote once.

**30. BALLOT DEADLINES: What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?**

Early voting ballots that are mailed in must be postmarked before the close of the polls on Election Day and must be received within three days after the election if so postmarked.<sup>xlviii</sup> Ballots may also be returned by drop off before the close of the polls on election day. The locations vary by county.

**31. BALLOT DROP OFF LOCATIONS: What are the locations for dropping off a completed ballot (instead of mailing it)?**

Check the local election authority's website for drop off locations. It varies by county.

**32. IN PERSON ABSENTEE: Where do I vote in-person absentee?**

Early voting locations can be found [here](#) (under "Advance Voting – In Person").

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## HOW TO VOTE: ELECTION DAY

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### 34. HOURS: When do the polls open and close on Election Day? What if the polls are closing but I'm in line?

**\*Note to hotline volunteer:** If you learn that a polling place prohibits those who were in line by the time the polls closed from voting, advise voters to stay at the polling location and contact your hotline captain immediately.

The polls must be open from 7:00 a.m. to 7:00 p.m. (in the Central Time Zone) or 6:00 a.m. to 6:00 p.m. (in the Mountain Time Zone) on Election Day.<sup>xlix</sup> Different hours for the opening and closing of polling places may be set and publicly announced by county election officials pursuant to rules and regulations set by the Secretary of State, so long as the polls are open for at least 12 continuous hours.<sup>i</sup> For Central Time Zone counties, the polls may not open earlier than 6:00 a.m., close earlier than 7:00 p.m., or close later than 8:00 p.m.<sup>ii</sup> For Mountain Time Zone counties, the polls may not open earlier than 5:00 a.m., close earlier than 6:00 p.m., or close later than 7:00 p.m.<sup>iii</sup>

If you are a hotline volunteer or field volunteer and a polling place is not open at 7:00 a.m. (Central Time Zone) or 6:00 a.m. (Mountain Time Zone), advise voters to stay at the polling location and contact your hotline captain/command center.

A voter who is in line when the polls close (by 7:00 p.m. Central Time Zone or 6:00 p.m. Mountain Time Zone) must be allowed to vote.<sup>liii</sup> If you are a hotline volunteer or a field volunteer and a polling place prohibits those who were waiting in line at poll-closing time from voting, advise voters to stay at the polling location and contact your hotline captain/command center.

### 35. POLLING LOCATION: Where do I vote on Election Day?

If a voter has moved recently and has not updated their voter registration, refer to [Questions #6 and 7](#).

**\*Note to hotline volunteer:** Due to the COVID-19 Pandemic, many polling places have been moved or consolidated. Voters should be advised to check the polling place listed on the Voter Notification Card they received from the local election authority a few days before the election.

### 36. IDENTIFICATION: What identification is required to vote on Election Day? Can I vote without providing identification?

To vote, a Kansas voter must show a valid form of photo identification.<sup>liv</sup> Exceptions include: (1) persons with a permanent physical disability that makes it impossible to travel to a county or state office to obtain a qualifying form of identification and who have qualified for permanent advance voting status; (2) members of active duty uniformed service, merchant marine, or their spouses or dependents, who by reason of such active duty or service, are absent from the country on election day; and (3) any voter who transmits a declaration to the chief county election official or Secretary of State stating that their religious beliefs prohibit photographic identification.<sup>lv</sup>

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Valid forms of identification include:

- Driver's license or state ID card issued by Kansas or another state or district of the United States;
- Concealed carry of handgun license issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the United States;
- US passport;
- Employee badge or ID document issued by a municipal, county, state, or federal government office or agency;
- US military ID document;
- Student ID card issued by accredited postsecondary education institution in Kansas;
- Public assistance ID card issued by a municipal, county, state, or federal government office or agency; or
- Indian tribe ID card.<sup>lvi</sup>

An ID listed above is **valid** if it contains the **name and photograph** of the voter and **has not expired**. However, expired documents are valid for voters who are 65 years of age or older.<sup>lvii</sup>

- **Extension for Expired ID:** Due to COVID-19, The Kansas Department of Revenue extended the deadline to renew driver's licenses and state-issued identification cards. Those driver's license and ID cards expiring on or after **March 12** now have a January 26, 2021 deadline to renew. Thus, pursuant to Executive Order 20-66, voters may use driver's licenses or identification cards that have expired on or after March 12, 2020 in the **2020 General Election**.<sup>lviii</sup>

If the voter is unable or refuses to provide current and valid photo identification, or if the voter's name and address do not match the voter's name and address on the registration book or poll book, the voter may vote by provisional ballot.<sup>lix</sup> The voter is then required to provide a valid form of identification to the county election officer in person or provide a copy by mail or electronic means to the county election office in the county where the voter is registered before the meeting of the county board of canvassers, which is generally held on the morning of the Monday following the election. (At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that the voter's identification is valid and the provisional ballot was properly cast, the ballot will be counted).<sup>lx</sup>

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## POLLING PLACE ISSUES

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### **37. POLLING PLACE NOT OPEN: The polling place is not open. What do I do?**

**\*Note to hotline volunteer:** If you learn of a polling place not opening on time or is closed, notify your hotline captain immediately.

Determine the cause, if possible—there may be an election official present that can't get in the building etc. If the voter can wait, have them wait. If they cannot wait, encourage them to return to vote later in the day.

### **38. LONG LINES: There are long lines at the polling place. What do I do? What if the polls are closing while I'm in line?**

See Question 34 for answer if voter is in line when polls are closing. Encourage the voter to stay in line and vote if it is at the end of the day—and tell them not to leave the line if it is close to poll closing time. If it is earlier in the day, the voter may consider returning at a later time, but encourage the voter to wait.

**\*Note to hotline volunteer:** If you learn of long lines, notify your hotline captain immediately.

### **39. EQUIPMENT FAILURE: What should I do if there are equipment problems at my precinct?**

Voters should immediately notify the poll workers if the voting equipment breaks down while the polls are open.

If you are a hotline volunteer and learn of equipment not working properly at a polling place, notify your hotline captain or command center staff, who will in turn notify the relevant county election official(s).

If you are a field volunteer at a polling place and the equipment is not working properly, notify the command center, which will in turn notify the relevant county election official(s).

**\*Note to hotline volunteer:** If you learn of equipment not working properly at a polling place, notify your hotline captain immediately.

### **40. NO PPE/COVID: What if my polling place is not enforcing COVID-19 precautions or has run out of supplies?**

Report the issue; encourage the voter to wear their own mask and engage in safe practices. Notify your hotline captain immediately if a poll worker is not wearing a mask.

**41. EQUIPMENT ASSISTANCE: I don't know how to use the voting equipment. Can I get help?**

Yes. All polling places must provide instructions to voters on how to operate the voting machines.<sup>lxi</sup> The instructions may include either printed materials or demonstration by election board workers.<sup>lxii</sup> In case any voter after entering the voting booth needs further instruction, two election board members of opposite political parties shall give such instructions, but no judge or other election officer or person assisting an elector shall in any manner request, suggest, or seek to persuade or induce any such elector to vote any particular ticket, or for any particular candidate, or for or against any particular amendment, question, or proposition.<sup>lxiii</sup>

**42. PHYSICAL DISABILITY: I have a physical disability and need assistance. Will my polling place be accessible?**

Yes. All polling places must be accessible by either permanent or temporary means to any voter who has a disability.<sup>lxiv</sup> Because they are public accommodations, polling places also must meet the requirements of the Americans with Disabilities Act. This includes ramps and handrails, voting booths at wheelchair height, and doorways wide enough for wheelchairs. Additionally, there should be voting equipment at every polling place to accommodate voters with disabilities.

A voter with a disability may request that their ballot be brought to the entrance to the polling place, or outside the polling place within 250 feet of its entrance, for the purpose of allowing the person to vote. Two members of the election board of different political parties will take a ballot to the voter so requesting and remain with the voter while they vote. In polling places where paper ballots are used, such board members shall deposit such voter's ballot in the ballot box. In polling places where voting machines are used, such voter shall vote on an electronic voting machine or advance voting ballot.<sup>lxv</sup>

**43. READING/LANGUAGE ASSISTANCE: I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?**

Yes. Any voter who is 65 or older, or is unable to mark their ballot due to temporary illness, disability, or lack of proficiency in reading English, may request assistance in voting.<sup>lxvi</sup> Upon such request, the voter shall be accompanied to the voting booth by a person of the voter's choice, other than the voter's employer, an agent of the employer, or an officer or agent of the voter's union, who shall mark the voter's choices or assist the voter in marking their choices on the ballot.<sup>lxvii</sup> If the voter does not choose their own assistant, two members of the election board of different political parties shall provide assistance by marking the ballot as the voter directs.<sup>lxviii</sup>

**44. CURBSIDE VOTING: When can I request curbside voting?**

A voter with a disability may request that their ballot be brought to the entrance to the polling place, or outside the polling place within 250 feet of its entrance, for the purpose of allowing the person to vote. Two members of the election board of different political parties will take a ballot to the voter so requesting and remain with the voter while they vote. In polling places where paper ballots are used, such board members shall deposit such voter's ballot in the ballot box. In polling places where voting machines are used, such voter shall vote on an electronic voting machine or advance voting ballot.<sup>lxix</sup>

**45. CAMPAIGNING: What rules apply to people campaigning or “hanging around” my polling place? Can people approach me?**

**Electioneering**

Kansas prohibits electioneering, or otherwise attempting to persuade or influence eligible voters, within 250 feet from the entrance of any polling place on Election Day or advance voting site during the permitted time period for advance voting. Electioneering includes wearing, exhibiting, or distributing labels, signs, posters, stickers, or other materials that clearly identify a candidate in the election or indicate support or oppositions to a question submitted for election. Electioneering does not include bumper stickers on a motor vehicle used to transport voters.<sup>lxx</sup> However, the mere presence of a person offering non-partisan voter assistance, or signage advertising the same, within 250 feet of the entrance to a polling place does not constitute electioneering.<sup>lxxi</sup>

**People permitted within 250 feet of the poll**

Kansas law also allows candidates, party chairs, and other politically affiliated individuals to appoint one “poll agent” (often called a “poll watcher”) to observe the voting process from within the polling place and to observe canvassing. Such poll agents may not handle ballots or hinder or obstruct voters. They must wear badges that contain the word “Observer” in large print, and they must carry and, upon request of an election official, present authorization or other official identification.<sup>lxxii</sup>

**Intimidation**

Intimidation of voters is prohibited. Intimidation of a voter includes interfering or attempting to interfere with a person's right to vote and choice of who to vote for through intimidation, a threat, or coercion. Intimidation also includes mailing, publishing, broadcasting, telephoning, or transmitting by any means false information intended to keep a voter from casting a ballot or applying for or returning an advance ballot.<sup>lxxiii</sup>

**Other Disorderly Election Conduct**

Disturbing the peace at any polling place on Election Day is prohibited. Also, approaching or remaining within 3 feet of a voting booth, voting machine, or table for any reason other than voting is prohibited. Additionally, a voter may not leave a voting place in possession of any ballot.<sup>lxxiv</sup>

**46. CHALLENGES: Someone is formally challenging my vote. What do I do?**

**Who may challenge?**

The judge of election may challenge any person that the judge knows or suspects to not be a qualified elector.<sup>lxxv</sup>

CONTINUED ON NEXT PAGE

### **What are the challenged voter's rights?**

When a voter is challenged, the following steps should occur:

- Challenged voter should fill out an application for registration;
- Challenged voter should mark their ballot;
- Challenged voter should fill out an affirmation in front of the election board;
- Challenged voter's ballot should be placed in a sealed envelope;
- Two judges should attach the challenged voter's application for registration to the envelope and write the following information on the envelope:
  - the word "provisional";
  - statement describing the reason for the challenge;
  - statement that the ballot in the envelope is the same ballot that was challenged; and
  - the number that corresponds to the provisional voter's name in the registration or roll book;
- The judges should give the challenged voter written information explaining how to find out if the challenged voter's ballot was counted or why it was not counted.<sup>lxxvi</sup>

### **Who decides the result of the challenge?**

The county board of canvassers determines the acceptance or rejection of a provisional ballot.<sup>lxxvii</sup>

### **What if a voter is challenged in a primary?**

Any elector may challenge a person in the manner described above for a primary election.<sup>lxxviii</sup>

Additionally, a voter can be challenged as unqualified because the voter is not an affiliate of the party announced by the voter. If a voter is challenged based on party affiliation, the voter should fill out an affidavit stating their party affiliation and give it to the election board.<sup>lxxix</sup>

#### **47. POLICE/MILITARY PRESENCE: There are police/members of the military at the polling place. Is this okay? What do I do?**

Police may be doing regular work. If there are any aspects of electioneering or intimidation involved, see question 45. Encourage the voter to just stay in line and vote, but escalate the issue to the captain.

**\*Note to hotline volunteer:** If you learn of police/members of the military at the polling place, notify your hotline captain immediately.

#### **48. PROVISIONAL BALLOT: I have been offered a provisional ballot. What should I do?**

Determine the reason they were given a provisional ballot. If it is because there is an issue with their name not being on the voting rolls, see question 6. If it is because they do not have voter ID, please see question 36, and have the voter follow the instructions to prove identity later so that the ballot will count. If it is a provisional ballot because the person also received a mail ballot, if the mail ballot is not returned, the provisional ballot will be counted at the time of the canvas.

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## QUESTIONS

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**49. Who should I contact if I have questions about any of the above?**

Questions may be directed to the local election authority, which can be found here [https://www.sos.ks.gov/elections/county\\_election\\_officers.aspx](https://www.sos.ks.gov/elections/county_election_officers.aspx).

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- i Kan. Stat. Ann. § 25-2311(e).
  - ii Kan. Stat. Ann. § 25-2302d.
  - iii Kan. Stat. Ann. §25-2316c(b).
  - iv Kan. Stat. Ann. §§ 25-2353, 25-409, 25-414(b).
  - v Kan. Const. Art. 5 Sec. 1; Kan. Stat. Ann. § 25-3702.
  - vi Kan. Stat. Ann. §§ 25-2353, 25-409, 25-414(b).
  - vii Kan. Const. Art. 5 Sec. 1; Kan. Stat. Ann. § 25-3702.
  - viii Kan. Stat. Ann. §§ 25-3702, 25-2316c(b).
  - ix Kan. Stat. Ann. § 25-407
  - x Kan. Stat. Ann. § 25-407.
  - xi Kan. Stat. Ann. § 25-1214(b), 25-1215.
  - xii Kan. Stat. Ann. § 25-1216.
  - xiii Kan. Stat. Ann. § 25-1221.
  - xiv Kan. Stat. Ann. § 25-2316c(g); *See Am I eligible to vote?*, VOTE KANSAS <https://sos.ks.gov/elections/elections-faq.html>
  - xv Kan. Stat. Ann. § 25-2316c(g)-(h).
  - xvi *Am I eligible to vote?*, VOTE KANSAS, <https://sos.ks.gov/elections/elections-faq.html> \
  - xvii *O'Brien v. Skinner*, 414 U.S. 524 (1974)
  - xviii Kan. Stat. Ann. § 25-2908(e).
  - xix *Id.*
  - xx Kan. Stat. Ann. §§ 25-2908(e); 25-414(b); 25-409(b).
  - xxi Kan. Stat. Ann. § 25-409(b).
  - xxii *See Fish v. Kobach*, 840 F. Supp. 3d 710 (D. Kan. 2018) (holding that K.S.A. 25-2309(I) and K.A.R. 7-23-15 that require documentary proof of citizenship to register to vote violate the National Voting Rights Act and infringe on the right to vote under the Fourteenth Amendment).
  - xxiii Kan. Stat. Ann. § 25-2316c(d)-(g).
  - xxiv Kan. Stat. Ann. § 25-2316c(h).
  - xxv Kan. Stat. Ann. § 25-1119.
  - xxvi Kan. Stat. Ann. § 25-1122(a).
  - xxvii Kan. Stat. Ann. § 25-1123(a).
  - xxviii Kan. Stat. Ann. § 25-1123(a).
  - xxix Kan. Stat. Ann. §§ 25-1122(g) & 1122c.
  - xxx *Id.*
  - xxxi *Elections*, KANSAS SECRETARY OF STATE, <https://sos.ks.gov/elections/elections.html>.
  - xxxii Kan. Stat. Ann. § 25-1214(b), 25-1215.
  - xxxiii Kan. Stat. Ann. § 25-1216.
  - xxxiv Kan. Stat. Ann. § 25-1221.
  - xxxv Kan. Stat. Ann. §§ 25-1122(g) & 1122c.
  - xxxvi *Id.*
  - xxxvii *Elections*, KANSAS SECRETARY OF STATE, <https://sos.ks.gov/elections/elections.html>.
  - xxxviii Kan. Stat. Ann. § 25-1119.
  - xxxix Kan. Stat. Ann. § 25-1122(a).
  - xl Kan. Stat. Ann. § 25-1123(a).
  - xli Kan. Stat. Ann. § 25-1123(a).
  - xlii Kan. Stat. Ann. §§ 25-1122(g) & 1122c.
  - xliii *Id.*
  - xliv Kan. Stat. Ann. §25-1122(e)(1)
  - xlv Kan. Stat. Ann. § 25-1122(c)
  - xlvi Kan. Stat. Ann. §25-1122(e)(1)
  - xlvii Kan. Stat. Ann. § 25-1122(c)
  - xlviii Kan.Stat.Ann. § 25-1132.

- xlx Kan. Stat. Ann. § 25-106(a)-(b); Kan. Admin. Regs. §7-20-1.
- l Kan. Stat. Ann. § 25-106(a)-(b).
- li Kan. Stat. Ann. § 25-106(a).
- lii Kan. Stat. Ann. § 25-106(b); Kan. Admin. Regs. §7-20-1.
- liii *See When and where do I vote?*, VOTE KANSAS, <http://www.voteks.org/when-you-vote/where-and-when.html>.
- liv Kan. Stat. Ann. § 25-2908(b)(4) & (h).
- lv Kan. Stat. Ann. § 25-2908(i).
- lvi Kan. Stat. Ann. § 25-2908(h).
- lvii Kan. Stat. Ann. § 25-2908(h)(1).
- lviii *Elections: Photo ID*, KANSAS SECRETARY OF STATE, <https://sos.ks.gov/elections/photo-id.html>.  
<https://governor.kansas.gov/wp-content/uploads/2020/09/EO-20-66-Amended-Divers-License-Executed.pdf>
- lix Kan. Stat. Ann. §§ 25-2908(d).
- lx Kan. Stat. Ann. §§ 25-2908(d); 25-3104. Kan. Admin. Regs. § 7-46-1.
- lxi Kan. Stat. Ann. § 25-4406(j); Kan. Stat. Ann. § 25-4410(c).
- lxii Kan. Stat. Ann. § 25-4406(j).
- lxiii Kan. Stat. Ann. § 25-4410(c).
- lxiv Kan. Stat. Ann. § 25-2710.
- lxv Kan. Stat. Ann. § 25-2909(d).
- lxvi Kan. Stat. Ann. § 25-2909(a).
- lxvii Kan. Stat. Ann. § 25-2909(b); 52 U.S.C. § 10508.
- lxviii Kan. Stat. Ann. § 25-2909(b).
- lxix Kan. Stat. Ann. § 25-2909(d).
- lxx Kan. Stat. Ann. § 25-2430.
- lxxi Kan. Attorney General Op. No. 2018-15.
- lxxii Kan. Stat. Ann. § 25-3005a.
- lxxiii Kan. Stat. Ann. § 25-2415.
- lxxiv Kan. Stat. Ann. § 25-2413.
- lxxv Kan. Stat. Ann. § 25-414(a).
- lxxvi Kan. Stat. Ann. § 25-409(b).
- lxxvii Kan. Stat. Ann. § 25-409(b).
- lxxviii Kan. Stat. Ann. § 25-216.
- lxxix Kan. Stat. Ann. § 25-216.