



## Frequently Asked Questions

### Kansas – General Election 2022

*Last Updated: 10/18/2022*

**Disclaimer:** This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Election Protection Coalition does not warrant any information contained in this guide, nor does the Coalition suggest that the information in this guide should be used as a basis to pursue legal advice or decision-making.

**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

### 1. **ELIGIBILITY:** Can I register to vote?

To be eligible to register to vote in Kansas, a voter must:

- 1. be a U.S. citizen and a resident of the state of Kansas
  - 2. have reached the age of 18 years before the next election
  - 3. have received final discharge from imprisonment, parole, or conditional release if convicted of a felony
  - 4. have abandoned your former residence and/or name.<sup>1</sup>
2. **PRIMARY ELECTION:** Can I vote in the primary election? Do I have to be a member of a party to vote in its primary?

A person registered as affiliated with the Republican Party 21 days prior to the election can vote a Republican ballot in the primary election.

A person registered as affiliated with the Democratic Party 21 days prior to the election can vote a Democratic ballot in the primary election.

A person affiliated with one of the minor political parties recognized in Kansas (Libertarian) 21 days prior to the election is not eligible to vote in the August Democratic or Republican primary for any candidate, but is eligible to vote only on non-partisan questions if any are on the ballot.

Not Affiliated –An unaffiliated registered voter may affiliate with a recognized political party at any time. A person registered to vote but not affiliated with any political party 21 days prior to the primary may, on election day, choose to affiliate with the Republican Party and vote a Republican ballot in the primary election, or to affiliate with the Democratic Party and vote a Democratic ballot in the primary election. A person affiliates by completing a voter registration application and checking “Republican” or “Democratic” as the case may be. A person registered to vote but not affiliated with any political party

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<sup>1</sup> See <https://www.kssos.org/forms/elections/voterregistration.pdf>

21 days prior to the election may choose to remain unaffiliated, and is eligible to vote only on non-partisan questions if any are on the ballot.<sup>2</sup>

3. **STATUS:** [Am I registered to vote?](#)

You can confirm whether a voter is registered to vote by checking the Kansas Secretary of State's website <https://myvoteinfo.voteks.org/VoterView>. Voters may also directly contact their local election authority which updates the rolls.

4. **HOW:** [How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?](#)

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)

5. **IDENTIFICATION:** [What ID is required to register to vote?](#)

A Kansas Driver's License or ID card is needed to register online. If registering on the paper form, the voter should enter the number of their current Kansas driver's license number or nondriver's identification card number. If the voter has neither, then 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.

6. **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. The deadline to register to vote for the November 2022 General Election is October 18, 2022. Voters must deliver or ensure that an application is postmarked by that date.

There are some circumstances where Kansas residents may register with a different deadline:

- Uniform and Overseas Citizens Absentee Voting Act (UOCAVA) allows for overseas voting, or federal services voting, for active duty military and family members and individuals living abroad. To qualify, voters must meet the criteria set out in the Federal Uniformed and Overseas Citizens Absentee Voting Act. Absentee voters who qualify under this act should apply for a ballot in the county election office in the Kansas County where their residence is located. It is not necessary for qualifying individuals to be registered to vote in the county in which they vote.<sup>3</sup>

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<sup>2</sup> [https://www.sos.ks.gov/forms/elections/Voting\\_Rules\\_for\\_Primary\\_Elections2014.pdf](https://www.sos.ks.gov/forms/elections/Voting_Rules_for_Primary_Elections2014.pdf)

<sup>3</sup> K.S.A. 25-1215

- The Federal Voting Assistance Program (FVAP) provides a ballot application called the Federal Post Card Application (FPCA). Voters who file the application before a primary election will automatically receive a ballot for the general election that year. Although there is no statutory deadline for applications to be submitted, they must be submitted with enough time to allow transmittal time to and from the voter.<sup>4</sup>
- How to Participate:
  - i. Submit a ballot application to the county election office that you consider your residence.
  - ii. Complete your ballot. Starting 45 days prior to an election, ballots will be sent to all voters with an active federal post card application.
  - iii. Return your ballot to the county election office by mail, fax, or email.
  - iv. Verify your ballot was received and counted by contacting your county election office.<sup>5</sup>

**7. SAME DAY:** [Does my state have Same Day Registration? If so, what is the process?](#)

Kansas does not have same day voter registration.

**8. 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>6</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</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>10</sup></p>

<sup>4</sup> K.S.A. 25-1216(a)

<sup>5</sup> <https://sos.ks.gov/elections/federal-services-voters.html>

<sup>6</sup> Kan. Stat. Ann. §25-2316c(b).

<sup>10</sup> Kan. Const. Art. 5 Sec. 1; Kan. Stat. Ann. § 25-3702.

<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>7</sup></p>	<p>has not yet voted in the election.<sup>8</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>9</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>11</sup></p>
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Note: If a voter goes to the wrong polling location, they can fill out a provisional ballot. If the polls are likely to close at the correct location before a voter can get there, they should vote provisionally at the incorrect polling place.

**9. TEMPORARY MOVE: I have moved temporarily. How 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>12</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.

**10. 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.

**11. LIVING ABROAD: I am living abroad and/or 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

<sup>7</sup> Kan. Stat. Ann. §§ 25-2353, 25-409, 25-414(b).  
<sup>8</sup> Kan. Const. Art. 5 Sec. 1; Kan. Stat. Ann. § 25-3702.  
<sup>9</sup> Kan. Stat. Ann. §§ 25-2353, 25-409, 25-414(b).  
<sup>11</sup> Kan. Stat. Ann. §§ 25-3702, 25-2316c(b).  
<sup>12</sup> Kan. Stat. Ann. § 25-407

accompanying them.<sup>13</sup> Eligible individuals may apply for absentee ballots via mail, fax, email, or any other method authorized by the Secretary of State.<sup>14</sup> The completed absentee ballot must be received by the county election officer before polls close on Election Day.<sup>15</sup>

**12. CRIMINAL CONVICTION: I have a criminal conviction. Can I register to 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>16</sup> This includes paying off any outstanding fines, fees, and restitution. 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>17</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>18</sup>

**13. INCARCERATED: I am currently incarcerated. Can I register to 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>19</sup> Individuals who are incarcerated pre-trial in local jails are allowed to register to vote.

## HOW TO VOTE: ELECTION DAY

**14. HOURS: When do the polls open/close on Election Day?**

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>20</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>21</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>22</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>23</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.

<sup>13</sup> Kan. Stat. Ann. § 25-1214(b), 25-1215.

<sup>14</sup> Kan. Stat. Ann. § 25-1216.

<sup>15</sup> Kan. Stat. Ann. § 25-1221.

<sup>16</sup> Kan. Stat. Ann. § 25-2316c(g); *See Am I eligible to vote?*, VOTE KANSAS <https://sos.ks.gov/elections/elections-faq.html>

<sup>17</sup> Kan. Stat. Ann. § 25-2316c(g)-(h).

<sup>18</sup> *Am I eligible to vote?*, VOTE KANSAS, <https://sos.ks.gov/elections/elections-faq.html> \

<sup>19</sup> *O'Brien v. Skinner*, 414 U.S. 524 (1974)

<sup>20</sup> Kan. Stat. Ann. § 25-106(a)-(b); Kan. Admin. Regs. §7-20-1.

<sup>21</sup> Kan. Stat. Ann. § 25-106(a)-(b).

<sup>22</sup> Kan. Stat. Ann. § 25-106(a).

<sup>23</sup> Kan. Stat. Ann. § 25-106(b); Kan. Admin. Regs. §7-20-1.

15. **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 #7 and #8

Individuals registered to vote can find their polling place at <https://myvoteinfo.voteks.org/VoterView>

16. **CLOSING:** *What if the polls close when I am already in line?*

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>24</sup>

**\*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.

17. **IDENTIFICATION:** *What identification is required to vote?*

To vote, a Kansas voter must show a valid form of photo identification.<sup>25</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>26</sup>

If the photo ID has an expiration date on it, the ID must not have expired at the time of voting. An acceptable photo ID does not have to have an expiration date on the document in order to be valid. Acceptable forms of photo ID include:

- A driver's license or nondriver's identification card issued by Kansas or by another state or district of the United States;
- A 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;
- A United States passport;
- An employee badge or identification document issued by a municipal, county, state, or federal government office;
- A military identification document issued by the United States;
- A student identification card issued by an accredited postsecondary institution of education in the state of Kansas;
- A public assistance identification card issued by a municipal, county, state or federal government office; and
- An identification card issued by an Indian tribe

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<sup>24</sup> See *When and where do I vote?*, VOTE KANSAS, <http://www.voteks.org/when-you-vote/where-and-when.html>.

<sup>25</sup> Kan. Stat. Ann. § 25-2908(b)(4) & (h).

<sup>26</sup> Kan. Stat. Ann. § 25-2908(i).

Exemptions exist for individuals 65 years of age or older who may use expired photo IDs or individuals whose religious beliefs prohibit photographic identification. Voters with religious objections may sign an affidavit before the election or at the poll on election day to be exempt.

**18. NO IDENTIFICATION:** *Can I vote without providing identification?*

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>27</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>28</sup>

**19. NOT ON ROLLS AT MY POLLING PLACE:** *I am at my polling place but am not showing up on the voter registration roll. Can I vote where I am?*

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>29</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>30</sup>

**20. PROVISIONAL BALLOT:** *If I don't have an ID, can I request a provisional ballot? My name is not on the rolls at my polling place, can I request a provisional ballot?*

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>31</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

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<sup>27</sup> Kan. Stat. Ann. §§ 25-2908(d).

<sup>28</sup> Kan. Stat. Ann. §§ 25-2908(d); 25-3104. Kan. Admin. Regs. § 7-46-1.

<sup>29</sup> Kan. Stat. Ann. §§ 25-2908(d).

<sup>30</sup> Kan. Stat. Ann. §§ 25-2908(d); 25-3104. Kan. Admin. Regs. § 7-46-1.

<sup>31</sup> Kan. Stat. Ann. §§ 25-2908(d).

board of canvassers determines that the voter's identification is valid and the provisional ballot was properly cast, the ballot will be counted).<sup>32</sup>

Note that you can take steps to help to 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](#))
- 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, or people who have multiple family members with the same name (i.e, juniors and seniors) which sometimes trip up databases) in the registration lookup tool. (see [Question 1](#))
- When/where did the voter register to vote? Was that before the deadline?

## **HOW TO VOTE: EARLY VOTING** **(in some states called "in-person absentee")**

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

Any registered voter is eligible to vote early (i.e., by "advance voting ballot") in Kansas.<sup>33</sup> Voters may cast their advance vote in person or by mail.<sup>34</sup>

To vote by mail, you must complete an application for an advance ballot and include your driver's license number or a copy of your photo identification. The deadline to submit advance voting applications to your county election official is 5:00 p.m. November 1, 2022, for the 2022 general election. Ballots will be mailed to those who apply beginning 20 days before the November 8, 2022 general election.<sup>35</sup> All ballots MUST be postmarked on or before election day and received in the county election office by the close of business on the Friday following the election. Advance vote by mail ballots may also be dropped off at drop boxes at voting locations. Each county will have the information on where drop boxes are located in that county.

Kansas allows voters to advance vote in person at county election offices or satellite voting locations up to 20 days before an election. The deadline for in-person advance voting is 12:00 p.m. November 7, 2022 for the general election.<sup>36</sup> Voters are encouraged to contact their local election office to confirm advance

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<sup>32</sup> Kan. Stat. Ann. §§ 25-2908(d); 25-3104. Kan. Admin. Regs. § 7-46-1.

<sup>33</sup> Kan. Stat. Ann. § 25-1119.

<sup>34</sup> Kan. Stat. Ann. § 25-1122(a).

<sup>35</sup> Kan. Stat. Ann. § 25-1123(a).

<sup>36</sup> Kan. Stat. Ann. §§ 25-1122(g) & 1122c.

voting dates and locations for their respective county. Hours and location vary by county. The Secretary of State's office will also provide this information in October prior to each election.

Individuals who vote in person at the county election office or at a satellite location must show photographic identification. If an advance voter does not provide identification, or if the information is not valid, the county election officer may issue a provisional ballot to the voter. The provisional ballot will not be considered valid until the voter submits their photographic identification before the county canvass.

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

No reason is required.

**23. WHEN: When does early voting begin/end?**

To vote by mail, you must complete an application for an advance ballot and include your driver's license number or a copy of your photo identification. The deadline to submit advance voting applications to your county election official is 5:00 p.m. November 1, for the 2022 general election. Ballots will be mailed to those who apply beginning 20 days before the November 8, 2022 general election.<sup>37</sup>

All ballots MUST be postmarked on or before election day and received in the county election office by the close of business on the Friday following the election.

Kansas allows voters to advance vote in person at county election offices or satellite voting locations up to 20 days before an election. The deadline for in-person advance voting is 12:00 p.m. November 7, 2022 for the general election.<sup>38</sup> Voters are encouraged to contact their local election office to confirm advance voting dates and locations for their respective county. The Secretary of State's office will also provide this information in October prior to each election.

Individuals who vote in person at the county election office or at a satellite location must show photographic identification. If an advance voter does not provide identification, or if the information is not valid, the county election officer may issue a provisional ballot to the voter. The provisional ballot will not be considered valid until the voter submits their photographic identification before the county canvass.

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

See Questions 21 and 23.

**25. IDENTIFICATION: What identification is required for early voting? What if I don't have an ID?**

State law requires voters to show photographic identification when casting a vote in person. Thus, the requirements for photo ID for in person voting are the same as Question 17.

For Mail in Ballots, K.S.A.25-1122(e)(1) requires county election offices to compare the signature on the advance by mail ballot application with the signature on voter registration records to verify the voter,

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<sup>37</sup> Kan. Stat. Ann. § 25-1123(a).

<sup>38</sup> Kan. Stat. Ann. §§ 25-1122(g) & 1122c.

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.

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, K.S.A. 25-1122(c) states the applicant must provide a copy of an acceptable form of photographic identification.

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.

## HOW TO VOTE: VOTE BY MAIL

**26. AUTOMATIC MAIL BALLOT:** Will I automatically be sent a ballot in the mail?

Kansas does not have a vote-by-mail option, only absentee or "advanced" voting. Advanced mail ballots are not sent automatically. They must be requested as set forth in Question 14.

**27. ELIGIBILITY:** Do I need a specific reason to vote by mail?

Any registered voter may vote in advance by mail, as set forth in Question 21-23.

**28. APPLICATION DEADLINE:** What is the deadline for requesting a mail-in ballot?

See advanced voting by mail, Question 21-23.

**29. APPLICATION RETURN:** How do I submit my mail-in ballot application? Can someone return it for me? Does it have to be postmarked by a specific date?

See advanced voting by mail, Questions 21-23.

**30. IDENTIFICATION:** Are there identification requirements when I return my absentee ballot application and/or ballot?

See Question 25.

**31. RECEIVING MAIL BALLOT:** Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don't have a home address or my address is a PO Box?

Registering to vote in Kansas requires both a residential and a mailing address, though these do not have to be the same address.<sup>39</sup> Voters can also have their ballot sent to their temporary residential address or to a medical care facility where the voter resides. These restrictions do not apply to a voter who has an illness, disability, or who lacks proficiency in the English Language.<sup>40</sup>

**32. MISSED THE APPLICATION DEADLINE:** [What if I have not requested a mail-in 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.

**33. STATUS OF APPLICATION AND/OR BALLOT:** [How can I check the status of my application and/or mail-in ballot?](#)

<https://myvoteinfo.voteks.org/voterview>

**34. APPLICATION OR BALLOT REJECTED:** [I learned my mail-in ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?](#)

A person may vote in person by provisional ballot if they requested, but did not vote, their vote by mail ballot.

**35. COMPLETING BALLOT:** [How do I complete the mail-in ballot?](#)

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. Although a person may designate another in writing to return their ballot, no single person may return more than 10 advance ballots.

**36. ASSISTANCE COMPLETING BALLOT:** [Can someone assist me in filling out my ballot?](#)

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. Although a person may designate another in writing to return their ballot, no single person may return more than 10 advance ballots.

**37. DEADLINE TO RETURN BALLOT:** [What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop 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 (the Friday after the election) if so postmarked.<sup>41</sup> Ballots may also be returned by drop off before the close of the polls on election day. The locations vary by county.

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<sup>39</sup> <https://nationalhomeless.org/wp-content/uploads/2020/10/Know-Your-Voting-Rights-Guide-2020-General-Election.pdf>

<sup>40</sup> <https://www.kssos.org/forms/elections/AV1.pdf>

<sup>41</sup> Kan.Stat.Ann. § 25-1132.

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

Locations vary by County. Many counties have drop boxes. Check the county election authority's website for more information on the location of any drop boxes in that county.

**39. ASSISTANCE DROPPING OFF BALLOT:** Can someone else drop off my completed ballot for me?

A designated bearer may drop off a completed ballot. Written designation is required.<sup>42</sup>

**40. LOST OR SPOILED BALLOT:** What if I lost my mail-in ballot, made a mistake on it (spoiled it), or I received an incorrect ballot?

A person may vote in person by provisional ballot if they requested but did not vote their vote by mail ballot, for whatever reason—not having received it or having spoiled the ballot. The provisional ballot will be counted if the vote by mail ballot is not also voted and received by the election authority.

**41. NON-RECEIPT OF BALLOT:** What if I requested a mail-in ballot but have not received it? What are my options for voting?

A person may vote in person by provisional ballot if they requested but did not vote their vote by mail ballot, for whatever reason—not having received it or having spoiled the ballot. The provisional ballot will be counted if the vote by mail ballot is not also voted and received by the election authority.

**42. IN PERSON OPTION:** What if I requested or received a mail-in ballot but I want to vote in person on Election Day?

A person may vote in person by provisional ballot if they requested but did not vote their vote by mail ballot, for whatever reason—not having received it or having spoiled the ballot. The provisional ballot will be counted if the vote by mail ballot is not also voted and received by the election authority.

For in-person absentee voting, please see Questions 21-23.

## **HOW TO VOTE: ABSENTEE**

**43. ELIGIBILITY:** Am I eligible to request an absentee ballot?

Any registered voter may vote in advance by mail, as set forth in Question 21-23.

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

See advanced voting by mail, Question 21-23

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<sup>42</sup> Kan. Stat. Ann. §25-1128

**45. IDENTIFICATION:** Are there any identification requirements?

See Question 25.

**46. EMERGENCY:** Is there an emergency absentee ballot? If so, am I eligible?

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.

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

See advanced voting by mail, Questions 21-23.

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

<https://myvoteinfo.voteks.org/voterview>

**49. APPLICATION OR BALLOT REJECTED:** I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?

A person may vote in person by provisional ballot if they requested but did not vote by mail ballot.

**50. COMPLETING BALLOT:** How do I complete the absentee ballot?

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. Although a person may designate another in writing to return their ballot, no single person may return more than 10 advance ballots.

**51. ASSISTANCE COMPLETING BALLOT:** Can someone assist me filling out the ballot?

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. Although a person may designate another in writing to return their ballot, no single person may return more than 10 advance ballots.

**52. 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 (the Friday after the election) if so postmarked.<sup>43</sup> Ballots may also be returned by drop off before the close of the polls on election day. The locations vary by county.

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<sup>43</sup> Kan.Stat.Ann. § 25-1132.

**53. BALLOT DROP OFF LOCATIONS:** *Where can I drop off a ballot (instead of mailing it)?*

Locations vary by County. Many counties have drop boxes. Check the county election authority's website for more information on the location of any drop boxes in that county.

**54. ASSISTANCE DROPPING OFF:** *Can someone else drop off my completed ballot for me?*

A designated bearer may drop off a completed ballot. Written designation is required.<sup>44</sup>

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

A person may vote in person by provisional ballot if they requested but did not vote by mail ballot, for whatever reason—not having received it or having spoiled the ballot. The provisional ballot will be counted if the vote by mail ballot is not also voted and received by the election authority.

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

A person may vote in person by provisional ballot if they requested but did not vote by mail ballot, for whatever reason—not having received it or having spoiled the ballot. The provisional ballot will be counted if the vote by mail ballot is not also voted and received by the election authority.

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

A person may vote in person by provisional ballot if they requested but did not vote by mail ballot, for whatever reason—not having received it or having spoiled the ballot. The provisional ballot will be counted if the vote by mail ballot is not also voted and received by the election authority.

**58. IN PERSON ABSENTEE:** *Where do I vote in-person absentee? When can I do this?*

See Questions 21-23.

## POLLING PLACE ISSUES

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

**\*Note to hotline volunteer:** If you learn of a polling place not opening on time or is closed (or that the accessible entrance is not open), notify your hotline captain immediately.

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

See Questions 14 and 16 for answers if voters are in line when polls are closing.

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<sup>44</sup> Kan. Stat. Ann. §25-1128

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

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

If you can still vote on equipment at your polling place without an issue, please do so. If no equipment is functional, and you can wait at your polling place until it is fixed, please do so. If the polls are about to close, do not leave the polls, stay in line until the issue is fixed. At other times of the day, if you can return to the polls at a later time, that is an option for the voter.

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

62. **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. The instructions may include either printed materials or demonstration by election board workers. 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.

63. **PHYSICAL DISABILITY:** I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?

Yes. All polling places must be accessible by either permanent or temporary means to any voter who has a disability.<sup>45</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.

NOTE: Any issues with ADA access should be escalated to the captain.

64. **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>46</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>47</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>48</sup>

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<sup>45</sup> Kan. Stat. Ann. § 25-2710.

<sup>46</sup> Kan. Stat. Ann. § 25-2909(a).

<sup>47</sup> Kan. Stat. Ann. § 25-2909(b); 52 U.S.C. § 10508.

<sup>48</sup> Kan. Stat. Ann. § 25-2909(b).

65. **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 opposition to a question submitted for election. Electioneering does not include bumper stickers on a motor vehicle used to transport voters.<sup>49</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>50</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>51</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>52</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>53</sup>

66. **CHALLENGE:** Someone is formally challenging my vote. What should 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>54</sup>

#### **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;

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<sup>49</sup> Kan. Stat. Ann. § 25-2430.

<sup>50</sup> Kan. Attorney General Op. No. 2018-15.

<sup>51</sup> Kan. Stat. Ann. § 25-3005a.

<sup>52</sup> Kan. Stat. Ann. § 25-2415.

<sup>53</sup> Kan. Stat. Ann. § 25-2413.

<sup>54</sup> Kan. Stat. Ann. § 25-414(a).

- 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>55</sup>

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

The county board of canvassers determines the acceptance or rejection of a provisional ballot.<sup>56</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>57</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>58</sup>

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

Police may be doing regular work. If there are any aspects of electioneering or intimidation involved, see question 49. 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.

68. **THOUGHT WAS REGISTERED:** My name isn't on the voter registration roll but I thought I was registered. What should 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>59</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>60</sup>

Note that you can take steps to help to determine why a voter's name is not popping up on the list of registered voters:

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<sup>55</sup> Kan. Stat. Ann. § 25-409(b).

<sup>56</sup> Kan. Stat. Ann. § 25-409(b).

<sup>57</sup> Kan. Stat. Ann. § 25-216.

<sup>58</sup> Kan. Stat. Ann. § 25-216.

<sup>59</sup> Kan. Stat. Ann. § 25-2316c(d)-(g).

<sup>60</sup> Kan. Stat. Ann. § 25-2316c(h).

- 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 [Questions 8–9](#))
- 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, or people who have multiple family members with the same name (i.e, juniors and seniors) which sometimes trip up databases) in the registration lookup tool. (see [Question 1](#))
- When/where did the voter register to vote? Was that before the deadline?

69. **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 8. If it is because they do not have voter ID, please see question 20, and have the voter follow the instructions to prove identity later so that the ballot will be counted. 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 canvass.

## ACCESSIBILITY/ASSISTANCE

70. **LANGUAGE ACCESS:** I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?

Check with your local election authority in advance of Election Day to verify if bilingual voting materials will be available. See Question 48.

71. **CURBSIDE VOTING:** Is curbside voting available? How do I request it?

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>61</sup>  
Note: Please escalate any issues regarding ADA access to the captain.

72. **VOTER GUIDE:** Can I bring a voting guide or reference notes with me into the voting booth?

You can bring your notes, a voter’s guide, or a sample ballot into the voting booth.

## QUESTIONS

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<sup>61</sup> Kan. Stat. Ann. § 25-2909(d).

73. **QUESTIONS:** Who should I contact if I have questions about any of the above?

Concerns regarding any of the above can be escalated to your hotline supervisor. The Kansas Election Protection Team has established protocols for escalating tickets and undertaking advocating and/or litigation with election authorities.