

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: Chairman Olson  
Members of the Senate Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: February 14, 2022

Subject: SB 351 – Amendments regarding electronic voting systems.

Senate Bill No. 351 (SB 351) would make various amendments to the statutes governing the acquisition and use of electronic and electromechanical voting systems under K.S.A. 25-4401 et seq. Such voting systems are currently defined in statute as systems for casting votes and tabulating ballots using automatic tabulating equipment or data processing equipment. Current law provides for how county election officials may acquire and use such systems, including testing prior to an election, and the criteria for the Secretary of State when approving such systems for use in elections.

First, SB 351 would add the term "electronic poll book" to these statutes so that the acquisition and use of electronic poll books would be governed by the same statutory provisions that apply to electronic and electromechanical voting systems. An "electronic poll book" is defined as an electronic list of the registered voters for a particular precinct or polling location that may be transported to such location and signed by the voters. No electronic poll books may be acquired unless the model of such electronic poll book has been certified by the Secretary and is operated so that the network connectivity meets the Secretary's security standards.

Second, SB 351 would add a new restriction to the use of electronic or electromechanical voting systems. Such systems cannot have any component that has the capability of connecting to the Internet or any other computer network, or to any wireless network or communications device.

Third, SB 351 would require that notice of the pre-election testing of electronic or electromechanical voting systems and optical scanning equipment be published on the county's

website, if any. Current law requires that the test be repeated after the canvass of the votes. The bill would require such subsequent tests be conducted within five days after the canvass of votes.

If enacted, SB 351 would become effective on July 1, 2022.