

# Provisional Ballot Survey

## *Kansas*

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Provisional Ballots Cast: 45,535  
Provisional Ballots Counted: 32,079  
Percent Counted: 70.4%  
Percent of Vote: 2.7%

### **DESIGN**

#### **Who designs the provisional ballot, the state or county?**

The state provides counties with ballot formats, but each county is responsible for printing and distributing its own ballots. Provisional ballot forms are the same as regular ballots.

#### **Is the entity responsible for designing the provisional ballot designated by statute or rule?**

The state law prescribes ballot formats, but does not provide anything in particular for provisional ballots.

#### **Does Kansas have a provisional ballot that also serves as a voter registration application?**

In order to vote a provisional ballot the voter must first complete a new voter registration application, which is attached to the envelope containing the voted ballot.

#### **Is Kansas's provisional ballot visually distinguishable from a regular ballot?**

Provisional ballots and regular ballots have the same form. The only difference is provisional ballots are put in envelopes and set aside until their validity is determined before being counted.

### **AVAILABILITY AND STANDARDS**

#### **Is there a required number of provisional ballots at polling places?**

No, there is not a required number of ballots for each polling place. Individual county election officers determine the number of ballots for each polling place.

#### **What to do poll workers do if the polling place runs out of provisional ballots?**

Poll workers send voters to the central office to vote while waiting for delivery of additional ballots from the central office.

**Are provisional ballots tracked through distribution to polling sites through counting?**

Provisional ballots are put into envelopes with certain required information written on the envelopes as well as the voter registration application form completed by the voter before voting the provisional ballot.

**COUNTING PROVISIONAL BALLOTS**

**Who determines whether or not a provisional ballot is valid?**

The county board of canvassers, which is by law the board of county commissioners.

**What is the time frame for counting provisional ballots?**

According to state law, eligibility is determined at the county canvass, which is held on Friday or Monday following the Election Day. County election office personnel research each ballot between Election Day and the county canvass and present their findings to the canvassers, but office personnel do not make the final determination as to validity.

**What is the process for determining the eligibility of a provisional ballot?**

The county election office staff researches each provisional ballot and presents the information along with the ballots, still sealed in their envelopes, to the county canvassers.

**Who can observe the process?**

The county canvass is conducted in open meeting of the board of county commissioners and is open to the public. The research done by election staff is done in the office. Each county determines whether office procedures are open to the public. Members of the public may ask questions of election staff and may request to observe the activities in the office, but whether they are completely open to the public is up to the county.

**Is a provisional ballot counted if it is cast in the wrong precinct?**

If cast within the correct county, a provisional ballot cast at the wrong precinct will be counted in the races for which the voter is eligible to vote. If cast outside the correct county, the ballot would only be counted in the following two circumstances: (1) the ballot is cast only for the Presidential race, or (2) the voter has moved within the state in the last 30 days and was previously registered to vote in the given precinct.

**What information must voters provide on the provisional ballot?**

The voter must provide the information on the voter registration application, which includes a signature on an affidavit stating that the person is qualified to vote.

**May a voter remedy a provisional ballot that may be rejected?**

If a voter fails to bring proper identification, the voter has until the county canvass to provide identification. In general, voters cannot remedy ballots once cast, unless counties have instituted this process on their own.

**What can voters do if they failed to bring ID to the polls?**

A voter can provide identification until the county canvass.

**NOTIFICATION SYSTEM**

**What is the state's Free Notification System to inform voters whether their provisional ballot was counted?**

Individual counties administer their own notification systems. Most use the telephone, but email, regular mail, or website inquiry may also be used.

**Who administers the Free Notification System?**

Counties administer the Free Notification System.

**What is the timeline for posting information to the Free Notification System?**

The timeline is not specified by the state.