

You have the Right to VOTE!
Rocky Nichols, M.P.A., Executive Director
Disability Rights Center of Kansas
1-877-776-1541 (toll free); info@drckansas.org;
www.drckansas.org

- 1. Your right to Vote is protected by the Kansas Constitution.**
- 2. Article 5 of the Kansas Constitution guarantees that “every citizen of the United States who has attained the age of 18 years and who resides in the voting area in which he or she seeks to vote shall be deemed a qualified elector.” Kansas Constitution, Article 5, Section One.**
- 3. Article 5 also grants certain voter privileges and a few restrictions on who can vote.**
- 4. Kansas Constitution, Art. 5, sec 2 does allow legislature to exclude persons from voting because of mental illness or commitment to jail or penal institution. Thankfully, no action to be taken by Legislature on this for people with mental illness.**

I. YOUR RIGHT TO VOTE:

- A. 18 Years Old
- B. U.S. Citizen
- C. Resident Of Kansas (means you live and reside in Kansas and there is no “waiting period.” You can move to Kansas at 8 am and register to vote at 8:01 am)
- D. Must Register 15 Days Before The Election
- E. Must Be A Resident At Time Of Election

***** You can STILL VOTE even if you have a**

Guardianship / Conservatorship, Durable Power Of Attorney, or involuntary civil commitment

II. Disqualified from voting

A. Death

B. State or federal felony conviction & haven't discharged sentence (so, if you are not on probation or parole, then you can register and vote).

C. Kansas court order

D. If move out of state – name is removed from list

E. If move within Kansas – name is removed from previous county, added to new county with new registration or by filling out driver's license change of address form

F. You can always file a written request with your county to have your name removed from list

III. If felony conviction

A. Law prohibits voting, holding public office, serving on a jury, until you have completed your sentence

B. However, upon completion of sentence – probation, parole included – may re-register to vote; must sign affidavit that sentence is complete. So, you can have a felony, and if you are off of probation or parole, then you can register and vote!

IV. How to register to vote

A. Must fill out voter registration card

B. Can get them at your county election office or download the form from the secretary of state website

C. Voter registration is available throughout Kansas – at banks, grocery stores, libraries, and other places as designated by county election officials

D. After completing the form – return to your county election office

E. Make sure to check the citizen box, provide your address and birth date, -your form will be returned if you don't

F. Can't change your party affiliation 15 days before election

G. Applications received 15 days before election will be accepted

H. October 20 – deadline to register to vote

I. October 31 – deadline to apply for an advance ballot to be mailed

J. **Nov 4th** – general election day

K. County election office will mail you a certificate of registering after processing your application

L. If any info is incorrect – you must contact your county election office ASAP

M. If info correct –sign the card and carry it with you

V. Voter registration must be up-to-date: 2 ways to do this

A. Change your info on your driver's license – automatically updates your voter registration

B. Complete new registration form and return to your county election office or the secretary of state office

C. If move within county – do ASAP

D. BUT, even if you don't get re-registered to vote and you move within the county, ALWAYS show up at your NEW polling place and request to vote a "Provisional Ballot." Good idea to bring a utility bill and ID to show that you live at your new address. Then, if they confirm that you do live at your new address, your vote can count.

VI. First time voters must show ID at one of 4 points

A. At time of registration

B. After registration & before election day

C. On election day

D. After election day and before county canvass

E. **ID may be:** driver's license, nondriver's id card, bank statement, pay stub, government check, utility bill, other government document, military id, student id, passport

VII. Rights of voting

A. May request a ballot in your county:

- 1) Us citizen
- 2) 18 or older
- 3) Kansas resident
- 4) Registered to vote

B. Vote a provisional ballot – if your name isn't on voter registration list or if there's a question about your right to vote. When in doubt, ALWAYS cast a provisional ballot.

C. Vote in an accessible place, and request assistance if needed

D. Review a sample ballot before voting

E. Mark ballot in private without coercion

F. Receive ballot if in line at times polls close

G. Two replacement ballots if your original is mis-marked or spoiled

H. Vote curbside if due to a disability or illness you prefer that accommodation

I. To sign your name by mark, initials, type, print, stamp, symbol or other means and may be made by another individual at your direction

J. Vote in your own home, if you prefer that

K. File formal complaint or grievance if you believe your rights under state or federal have been violated

L. To have representation in your complaint or grievance

M. To have your vote count

VIII. Where to vote:

- A. Polling places opened 7 a.m. to 7 p.m. day of election
- B. Your voter registration certificate will tell you where to vote
- C. If using advance ballot – deadline is 12:00 p.m. day before election – Nov 3rd.**

IX. How do you vote

- A. Check in – state name
- B. Sign poll book – may request assistance
- C. Provide valid id if requested
- D. Mark your ballot –
- E. Make sure ballot complete and correct
- F. Cast your ballot
- G. Exit polling place

X. “Voting at Home” - Advanced voting

- A. Makes voting more easier and accessible to voters
- B. Request form from county election office or secretary of state
- C. Complete form and return to county election office
- D. Advance ballots can be mailed to you up to 20 days before election
- E. Complete the form and return to county election office
- F. May advance vote in person at county election office – starting either Tuesday before election or 20 days prior – depending on your county –**
- G. All advance ballots must be received by the close of polls on election day
- H. You may request assistance in applying for and casting an advance ballot

XI. Two types of advance ballot voting (Voting at Home)

A. Regular advance voting – any registered voter may request for any reason to cast their ballot in advance by mail or person

B. **Permanent advance voting** – a person with a **permanent illness or disability** may apply at any time to the county election officer for permanent advance voting status. This means that you can vote at home and advance vote in EVERY election.

C. Once a voter obtains permanent status, the county election officer automatically sends the voter **an advance ballot every election *without* the voter having to renew the application each time.**

D. Application requires the person to **specify the nature of the permanent physical disability** or illness that makes it **difficult or impossible** for the voter to go to the regular polling place to cast a ballot. However, it is believed that it is sufficient to put on the form “I have a permanent disability or illness that makes me eligible to advance vote permanently.”

E. Not required to provide doctor records or signature.

F. Voter must sign an affirmation on the form.

G. Why should you sign up for permanent advance voting? It allows you to vote in the privacy of your own home. You will not miss an election (even special elections) because they have to mail you the ballot.

XII. File complaint: laws that prohibit discrimination against persons with disabilities in the voting process

A. Help America Vote Act of 2002 – (HAVA): passed congress after 2000 presidential election problems.

Addresses: access to voting by Americans with disabilities, polling place access, accessible voting systems, provisional

balloting, protection and advocacy for voting rights and other issues critical to the disability community.

B. Title ii of HAVA provides funding to states to implement HAVA and requires the states apply for funds to certify compliance with a variety of laws that prohibit discrimination.

C. Title iii of HAVA addresses non-discrimination in the voting systems used by states and the use of provisional ballots. HAVA also requires that each state implement a complaint/grievance procedure to address alleged violations of title iii. Complaint forms available from the secretary of state.

XIII. Americans with disabilities act of 1990 (title ii)

- The ADA requires that all state and local government entities ensure that their programs and services (voting included) be accessible to and usable by persons with disabilities.
- Persons with disabilities have a right to be reasonably accommodated when voting
- The ADA provides for remedies if a person with a disability has been discriminated against in any federal, state or local program or service.

Kansas voting laws

- All polling places must be accessible to voters with disabilities on the day of election either by permanent or temporary means.
- Voters with disabilities may use whatever method you normally use to sign your name including directing another person to sign your name for you
- Assistance in completing your ballot can be provided by a person you choose to help you

- Voters with disabilities may choose to use “curb side” voting to accommodate your disability. Please note, poll workers can not require persons with disabilities to vote at the curbside.

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