



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

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CURT T. SCHNEIDER
ATTORNEY GENERAL

November 22, 1978

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ATTORNEY GENERAL OPINION NO. 78-370

Mr. William Bradish
Election Commissioner
Wyandotte County Courthouse
Kansas City, Kansas 66101

Re: Elections--Voting Machines--Private Uses

Synopsis: Voting machines acquired by the county pursuant to article 25, ch. 13, K.S.A., may not be used for the conduct of private, nonpublic elections.

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Dear Mr. Bradish:

You inquire whether you are authorized to rent or lease voting machines held in your custody under K.S.A. 25-1317 for use by private, nonpublic uses, and specifically, to be used for the casting of ballots in the conduct of an election held by or for a labor union. I have reviewed an opinion of Attorney General John Anderson, Jr., dated December 24, 1958, who concluded, after careful consideration of the applicable statutes, that voting machines acquired by a county pursuant to K.S.A. 25-1315 could not be used for private, nonpublic purposes. In 1969, Attorney General Londerholm reviewed the same question, and reached the same conclusion in an opinion dated February 2, 1967, to Mr. Keith Sanborn, then County Attorney of Sedgwick County. There has been no change in the statutes governing the use of voting machines since that time, ch. 25, article 13, K.S.A., and I can only reaffirm the earlier referenced opinions, that voting machines acquired by the county may not be used for private, nonpublic purposes.

Yours truly,

A handwritten signature in cursive script that reads "Curt T. Schneider".

CURT T. SCHNEIDER
Attorney General