

SESSION OF 2023

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2053

As Amended by House Committee of the Whole

Brief*

HB 2053, as amended, would require the Office of the Secretary of State, after consulting with county election officers, to adopt rules and regulations for the use of remote ballot boxes by county election officers for the return of advance voting ballots by January 1, 2024. The bill would require the rules and regulations to include:

- The dates, times, and locations for the use of remote ballot boxes; and
- Any other requirements the Secretary of State (Secretary) deems necessary to preserve the integrity of the ballots, the remote ballot boxes, and the election process.

The bill would define “remote ballot boxes” to mean any form of locked ballot boxes designated by the county election officer as available for the use of depositing advance voting ballots. The definition would not include any ballot boxes located in a county election office or satellite advance voting site.

Background

The bill was introduced by the House Committee on Elections at the request of Representative Waggoner.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

House Committee on Elections

In the House Committee hearing on the bill, **proponent** testimony was provided by representatives of the Kansas County Clerks and Election Officials Association, League of Women Voters of Kansas, and Office of the Secretary of State. The proponents stated the bill would permit the Secretary of State to issue rules and regulations on the use of remote ballot boxes, ensure all counties have standard practices and security measures, and assure voters their ballots are received by the election office.

Written-only proponent testimony was provided by a representative of the Opportunity Solutions Project.

Opponent testimony was provided by representatives of the Disability Rights Center of Kansas and Loud Light Civic Action. The opponents stated the bill would have an unknown impact that could restrict access and hours to ballot boxes, making voting more difficult.

Written-only opponent testimony was provided by representatives of the American Civil Liberties Union of Kansas and the Health Forward Foundation.

Neutral testimony was provided by a representative of the Kansas Appleseed Center for Law and Justice.

House Committee of the Whole

The House Committee of the Whole amended the bill to add a requirement that the Secretary consult with county election officers before adopting rules and regulations and such rules and regulations must include requirements the Secretary deems necessary to preserve the integrity of remote ballot boxes.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Office of the Secretary of State indicates it would use existing resources to draft and adopt new rules and regulations, provide training and update manuals for county election officials, and update the agency's website and public documents to ensure knowledge of the new rules and regulations. Any fiscal effect associated with the bill is not reflected in *The FY 2024 Governor's Budget Report*.

Elections; Secretary of State; rules and regulations; county election officers; advance voting ballots; remote ballot boxes