

SESSION OF 2020

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2687

As Amended by House Committee on Elections

Brief*

HB 2687, as amended, would amend election law to create a new prohibition relating to advance ballots.

The bill would prohibit individuals from delivering an advance voting ballot to county election officers or polling places on behalf of any voter unless they are a family member or caregiver of the voter or is otherwise authorized by law.

The bill would state any knowing violation of the new prohibition created by the bill would constitute a severity level 9, nonperson felony.

Background

The bill was introduced in the House Committee on Elections by Representative Sutton.

In the House Committee hearing, Representative Sutton testified as a proponent, stating the bill was introduced based on the issue of undue influence of voters as investigated in other states. A representative of the Disability Rights Center of Kansas testified as an opponent, stating the bill could adversely affect individuals with disabilities who are unable to find transportation to voting polls. No neutral testimony was provided.

*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>

The House Committee amended the bill to remove a provision prohibiting individuals from delivering more than six ballots per election.

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Office of Judicial Administration (Office) indicates enactment of the bill has the potential to increase litigation in the courts as a new crime is created in the bill. The Office is unable to estimate the number of court cases that would arise and cannot determine a fiscal effect, but estimates any fiscal effect could be accommodated within the existing schedule of court cases and would not require additional resources. The Office of the Secretary of State (Secretary) indicates enactment of the bill would require an update to agency training materials for county election officers and information materials for the general public concerning voter requirements. The Secretary indicates any update could be done as part of an annual review of existing materials and would have no fiscal effect on agency operations. The Kansas Association of Counties indicated enactment of the bill would likely lead to rare violations of the new crime created but expects such violations to have very little fiscal effect on Kansas counties. Any fiscal effect associated with the bill is not reflected in *The FY 2021 Governor's Budget Report*.