

SESSION OF 2019

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR SENATE
BILL NO. 130**

As Amended by House Committee on Elections

Brief*

Sub. for SB 130, as amended, would amend law concerning advance ballots, associated signature requirements, and polling places.

The bill would require county election officers to make an attempt to contact each voter who submitted an advance voting ballot without a signature or with a signature that does not match the signature on file and allow the voter to correct the deficiency before the commencement of the final county canvass.

The bill would also allow all voters in a county to vote at any polling place on election day, at the discretion of the county election official.

Background

Sub. for SB 130, as amended by the House Committee on Elections, includes the provisions of Sub. for SB 130 and SB 129, regarding polling places.

Sub. for SB 130

SB 130 was introduced by the Senate Committee on Ethics, Elections and Local Government at the request of Senator Faust-Goudeau.

*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>

During the Senate Committee hearing, Senator Faust-Goudeau, a representative for the Kansas County Clerks and Election Officials Association (KCCEOA), and the Sedgwick County Election Commissioner provided proponent testimony stating the bill would allow voters to correct deficiencies on advance voting ballots and would allow county election officials to count more votes.

Neutral testimony was provided by a representative of the Board of Sedgwick County Commissioners.

No opponent testimony was provided.

The Senate Committee amended the bill to include language requiring county election officers to make an attempt to contact (rather than contact) each voter and to specify the commencement of the final county canvass as the deadline for correcting signature deficiencies on advance voting ballots. At the request of the revisor, the Senate Committee also amended the bill to place the provisions into a different statute and voted to place the amended contents into a substitute bill.

In the House Committee on Elections hearing, proponent testimony was provided by Senator Faust-Goudeau, a representative of the KCCEOA, the Sedgwick County Election Commissioner, a representative of the American Civil Liberties Union, a representative of the Sedgwick County Commissioners, and a representative of the MainStream Coalition.

No other testimony was provided.

The House Committee amended the bill by including the provisions of SB 129, which would allow all voters in a county to vote at any polling place on election day, at the discretion of the county election official.

According to the fiscal note prepared by the Division of the Budget on SB 130, as introduced, the Office of the

Secretary of State (Office) indicates enactment of the bill would have a minor fiscal effect on the agency as training and educational materials would need to be updated or created to implement the new law. In addition, the law would need to be explained and publicized to ensure awareness and prevent confusion on the part of the voters. These expenditures could be managed within existing resources. The Office also indicates enactment of the bill, as introduced, could have a minor fiscal effect on Kansas counties depending on the size of the county and the number of voters that would need to be contacted to comply with the provisions of the bill, and the timing of the contact by the election office. Costs would vary by election and by county and would be an ongoing cost for every election. Any fiscal effect associated with enactment of the bill, as introduced, is not reflected in *The FY 2020 Governor's Budget Report*. The Kansas Association of Counties reported there could be a fiscal effect on Kansas counties if county elections offices are required to mail out duplicate ballots, but the effect is not expected to be significant.

SB 129

SB 129 was introduced by the Senate Committee on Ethics, Elections and Local Government at the request of Senator Faust-Goudeau.

During the Senate Committee hearing, Senator Faust-Goudeau, the Sedgwick County Election Commissioner, and a representative of the Board of Sedgwick County Commissioners provided proponent testimony, stating the bill would reduce the number of provisional ballots and make voting more convenient for voters.

No neutral or opponent testimony was provided.

According to the fiscal note prepared by the Division of the Budget, the Secretary indicates enactment of SB 129, as introduced, would have a minor effect as that office would

need to update and create new training and educational materials to implement the provisions of the new law. In addition, the law would need to be explained and publicized to ensure voter awareness and prevent confusion. While some of the costs may be absorbed into existing resources, the Secretary indicates the public education campaign is not currently in the Secretary's budget but does not provide an estimate of those costs. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2020 Governor's Budget Report*.

The Kansas Association of Counties (KAC) states enactment of the bill could cause significant costs to Kansas counties with regard to the administrative and technical costs of overseeing an election. However, the KAC is unable to estimate those costs.