

SESSION OF 2002

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 468**

As Amended by Senate Committee on  
Elections and Local Government

**Brief\***

SB 468 makes several amendments to the Kansas election laws dealing with cancellation of voter registration, temporary appointments to the County Board of Canvassers, and qualifications of persons who circulate petitions.

The bill, as introduced, clarifies the circumstances under which a voter's registration may be cancelled by the county election officer only if evidence exists that the voter moved out of the county. This amendment brings KSA 25-2316c into technical compliance with the 1993 National Voter Registration Act.

The bill updates the statute to allow for the temporary appointment of more than two persons to act as county canvasser to fill multiple vacancies on the board. Current law only allows for the appointment of two persons. The Committee amended the bill to delete the provision of the county election officer involvement in appointments.

The bill changes the statutory qualifications of persons who circulate gubernatorial candidate petitions. Persons only would have to be residents and be a qualified elector of the State of Kansas and not have to be a registered voter or resident of the election district where they circulate petitions. This amendment would bring this statute into compliance with the U.S. Supreme Court decision in *Buckley vs American Constitutional Law Foundation*.

The Committee amended the bill to make it effective on its publication in the *Kansas Register*.

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\*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.accesskansas.org/legislature/>

## **Background**

SB 468 was sponsored by the Secretary of State's Office. A representative of the Office testified that the amendment of compliance with the National Voter Registration Act (NVRA) is a technical amendment and would not change current practice among county election officers because they have been informed of the proper procedures and trained to conduct their confirmation mailings in accordance with the NVRA. The appointment of more than two persons to act as a county canvasser was made because current language in the bill assumed there were only three commissioners, but now some counties have five or more commissioners, so the statute has to be upgraded to allow for temporary appointment of canvassers to fill multiple vacancies on a board. The representative said that last year's SB 125 was intended to make the change, but the word "two" was inadvertently left in the statute which made the statute confusing and appeared to unnecessarily limit the appointment authority. He said the change in the qualifications of persons who circulate gubernatorial candidate petitions should have been included in 2001 SB 127, but was inadvertently omitted.

The Division of Budget fiscal note indicates no fiscal effect on the Secretary of State's Office