

SESSION OF 2002

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2996**

As Amended by Senate Committee of the Whole

**Brief\***

HB 2996 amends the state election laws dealing with the time of canvassing and recounts of elections by the county board of canvassers.

The bill authorizes the county election officer to move the canvass to the Monday next following an election held on Tuesday if a notice is published prior to the canvass in a newspaper with general circulation in the county. Requests for recounts must be filed no later than 5:00 p.m. on Tuesday next following the election if the canvass is held on Monday. Recounts must be completed not later than 5:00 p.m. the next following Monday if the recount request is made on Tuesday.

Current law requires the canvass to be completed by Friday next following an election held on Tuesday, requests for recounts to be made before 12:00 noon Monday next following the Friday canvass deadline, and recounts completed not later than 5:00 p.m. on Friday of the same week.

**Background**

HB 2996 was requested by the Kansas County Clerks and Election Officials Association. The Sedgwick County Election Commissioner and the Johnson County Election Commissioner testified in support of the bill. They testified that more time is needed to process provisional ballots, especially in the two large counties, and that HB 2996 would provide that extra time.

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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.kslegislature.org/cgi-bin/fulltext/bills.cgi>

The Division of Budget's fiscal note indicates that counties would incur additional costs for publishing notice of the canvass in the local newspaper. The cost of publication would vary from county to county.

The Senate Committee of the Whole made an amendment which clarified the timing of recounts in one or more counties.