

SESSION OF 2004

**SUPPLEMENTAL NOTE ON HOUSE SUBSTITUTE
FOR SENATE BILL NO. 166**

As Recommended by House Committee on
Ethics and Elections

Brief*

House Sub. for SB 166 would make a number of changes related to 2004 SB 479 (the Help America Vote Act, or HAVA, bill) as passed by the House Committee on Ethics and Elections. Specifically, the bill would:

- ! Eliminate the requirement (currently contained in 2004 SB 479) that first-time voters show identification – when voting either in person at the polls or by advance mail ballot – if they provided identification at the time they registered to vote.
- ! Define “disability” as it relates to HAVA requirements, and revise related terms used in SB 479 accordingly. “Disability” would mean (a) a physical or mental impairment that substantially limits one or more major life activities; (b) a record of such impairment; or (c) being regarded as having such an impairment.
- ! Require, with no exceptions or stated standards, that all voting places be made accessible, either by permanent or temporary means. This requirement would replace current law, which, in addition to specifying accessibility standards, allows exceptions to the accessibility requirement if (a) no acceptable and accessible voting place is available in the precinct or other designated voting area, or (b) it is anticipated the voting place will be brought into compliance with the standards in the foreseeable future or temporarily made to comply during an election.
- ! Specify what constitutes a signature when a person is registering to vote. A signature may be made by mark, initials, type, print,

*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>

stamp, symbol, or other means, and may be made by another individual at the voter's direction.

Background

During hearings on 2004 SB 479, two general issues were raised. First, concerns were identified with regard to disabled individuals' ability to register and vote. Second, it was noted that SB 479 would require first-time voters to show identification twice – when registering and when voting. House Sub. for SB 166 was devised as a “trailer bill” to SB 479 to address these issues.

A fiscal note on the amended bill was not available at the time of passage by the Committee.