

SESSION OF 2005

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 142**

As Amended by House Committee on  
Governmental Organization and Elections

**Brief\***

SB 142 would revise statutes relating to advance voting ballots. The bill would:

- ! Conform language regarding voters with disabilities to be consistent with amendments passed in 2004.
- ! Revise voter security measures as follows:
  - " Prohibit anyone other than the actual voter to sign an application for an advance voting ballot, except as otherwise provided by law.
  - " Eliminate the authority of persons to mail or bring multiple advance voting ballots to the county election officer upon request of advance voters. In its place, the bill would grant the voter authority to return the voter's own advance voting ballot either by personal delivery or by mail. In addition, the bill would clarify that a person other than the voter may return the voter's advance voting ballot, by personal delivery or mail, only upon written designation by the voter. The person so designated would be required to sign a statement that he or she has agreed to deliver the ballot as directed and has exercised no undue influence on the voter's voting decisions.

**Background**

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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>

A representative of the Secretary of State testified in favor of the original bill, stating the bill was proposed as an advance voting ballot security bill. Representatives of the Disability Rights Center of Kansas, the Topeka Independent Living Resource Center, and the Kansas Association for the Blind and Visually Impaired, Inc., provided testimony in opposition to or stating concerns about SB 142. The concerns focused generally on the bill's reliance on voter signature comparison with respect to disabled individuals, whose signatures might change frequently.

The Senate Committee on Elections and Local Government amended the bill to:

- ! Require an advance voter to designate in writing, as opposed to simply requesting that, someone other than the voter may deliver the voter's advance ballot.
- ! Expand the list of those who may deliver an advance voter's ballot from only the voter's family to anyone so designated by the voter in writing.
- ! Require the person, designated by the voter to deliver the advance ballot, sign a statement that he or she has not attempted to influence the voter.
- ! Require the county election officer, who would be required by the original bill to compare voter's advance ballot signature with the same voter's registration application signature, to attempt to verify the authenticity of a voter's signature, if that signature did not match the voter's registration application signature.

The bill has no fiscal impact at the state level, but the fiscal note indicated county election offices could realize additional administrative expenses associated with SB 142.

The House Committee amended the bill to remove (a) the requirement that the county election officer compare an advance voter's signature on the ballot envelope with that voter's registration application signature, and (b) the requirement that an advance ballot be challenged when the signatures do not match.