

SESSION OF 2005

**SUPPLEMENTAL NOTE ON  
HOUSE CONCURRENT RESOLUTION NO. 5004**

As Amended by Senate Committee on  
Elections and Local Government

**Brief\***

HCR 5004 would urge the United States Congress to amend the National Voter Registration Act of 1993 (NVRA). Specifically, it would:

- ! Urge Congress to simplify the procedure by which voters whose names are to be deleted from the voter registration list are notified, once they have failed to vote in the two preceding two-year general elections. The new procedure would entail two general public notices—one issued two weeks before and the second one week before the date of the election—stating the voter must vote in the next general election or his/her name will be deleted from the voter registration list.
- ! Urge Congress to allow removal of a person's name from the voter registration list if that person fails to vote in the preceding three consecutive two-year general elections for federal office and has failed to be in contact otherwise with the appropriate county election officer.

The House Committee of the Whole amended the bill by changing the word "most" to "least," to clarify that a person's name may be removed if the person has failed to vote "at least" in three consecutive general elections.

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

- ! Change the wording related to "at least" three consecutive general

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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>

elections to now read “the preceding” three consecutive general elections, to further clarify the intent.

- ! Clarify that the language related to “three consecutive general elections for federal office” refers to a time frame and not specifically to voting only in federal elections. This would be accomplished by adding a phrase indicating that, in addition to not voting in the preceding three consecutive federal general elections, the voter has failed to be in contact otherwise with the county election officer.

## **Background**

The NVRA prohibits “the removal of the name of any person from the official list of voters registered to vote in an election for Federal office by reason of the person’s failure to vote.” The federal act allows voters to be removed from the registration rolls only at their request, because of criminal convictions, death or mental incapacity, or due to a change of address (provided that particular safeguards are followed). The safeguards surrounding removal due to address change include the requirement that (a) the voter has failed to respond when notified, and (b) the voter has failed to vote in two federal elections (one occurring before and one after the attempt at notification).

Representative Frank Miller and others introduced the resolution. Also testifying as proponents of HCR 5004 were a representative of the Secretary of State and the Johnson County Election Commissioner.

A fiscal note was not issued on the resolution.