

SESSION OF 2007

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 160**

As Amended by Senate Committee on  
Elections and Local Government

**Brief\***

SB 160 would update the laws dealing with direct recording electronic (DRE) voting systems and repeal laws that provided for lever machines and punch card ballots. A partial list follows:

- Delete a provision authorizing a county's voters to petition and vote on whether to adopt a system using electronic or electromechanical voting systems in the county. Elimination of this provision would leave the decision to the board of county commissioners and county election officer.
- Clarify that the Secretary of State's examination of electronic voting systems is to include operating systems, firmware and software, and that the Secretary of State must certify such a system before it is used at any election.
- Clarify the exception to the requirement that voting in absolute secrecy be provided, in relation to such voting systems, to indicate the exception applies to persons who request assistance due to temporary illness or disability or a lack of proficiency in reading the English language.
- Require that electronic or electromechanical voting systems approved by the Secretary of State comply with the federal Help America Vote Act of 2002 (HAVA) and other related federal law.
- Authorize the Secretary of State to acquire electronic voting systems only to assist counties in meeting the HAVA requirement that each polling place have at least one voting device accessible to individuals with disabilities.
- Update the definition of "electronic or electromechanical voting system fraud."

---

\*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>

- Repeal Chapter 25, Article 13, which provides for lever machines and punch card ballots.

## **Background**

A representative from the Secretary of State's Office testified in favor of the bill. No opponents testified.

The Senate Committee made a technical amendment.

The fiscal note indicated passage of SB 160 would result in no fiscal impact.