

SESSION OF 2026

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2437

As Amended by Senate Committee on Federal
and State Affairs

Brief*

HB 2437, as amended, would add and amend provisions of election law concerning the maintenance of voter registration records.

SAVE Database (New Sections 1–6)

Definitions

The bill would define these terms:

- “SAVE” would mean the Systematic Alien Verification for Entitlements database administered by the U.S. Department of Homeland Security;
- “Statewide voter registration system” would mean the centralized electronic voter registration database maintained by the Secretary of State (Secretary); and
- “Election official” would mean the Secretary of State and any county election officials.

Voter Registration System Checks

The bill would require the Secretary to:

*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 <https://klrd.gov/>

- Conduct two checks each calendar year to compare the statewide voter registration system against SAVE;
- Ensure that one check is completed no later than 180 days before a regularly scheduled federal general election; and
- Transmit any potential noncitizen matches to the appropriate county election official for immediate review.

Upon receipt of such information from the Secretary, the bill would require the county election officer to:

- Notify the voter pursuant to National Voter Registration Act requirements before any voter registration cancellation occurs;
- Place the voter in challenged or pending verification status until resolution;
- Require confirmation of the identified voter's citizenship status; and
- Remove any individual confirmed to be ineligible from the voter registration rolls.

Annual Report

The bill would require the Secretary in conjunction with county election officials to submit an annual report on the outcomes of the periodic voter registration system checks to the House Committee on Elections and the Senate Committee on Federal and State Affairs by January 31 of each year. The bill would require the report to include:

- The number of records checked against SAVE during the prior year;

- The number of voters flagged as potential noncitizens;
- The number of voters identified as potentially deceased;
- The number of voters ultimately removed from the statewide voter registration system first identified in the SAVE verification process; and
- Any recommendations for statutory or administrative improvements to ensure voter roll accuracy.

Data Protection

The bill would require all SAVE data and related voter information to be processed in a secure environment consistent with state and federal data protection standards. The bill would prohibit personally identifiable information from being disclosed publicly, except as required by law.

Severability

The bill would declare any provision of the bill concerning SAVE severable from the other provisions in the event one or more provisions are held to be invalid.

Conditional Effectiveness

If at any time SAVE stops allowing batch uploads or database searches by driver's license number or Social Security number, the bill would require the Secretary to publish a notice of such change in the *Kansas Register*, and, upon publication of such notice, the SAVE provisions would no longer have force and effect.

Changes to Voter Registration (Section 7)

Confirmation Notices

Current law requires a county election officer to send a confirmation notice, upon which a registrant may state their current address, within 45 days of certain events. The bill would:

- Provide for the Secretary to notify the appropriate county election officer to send a confirmation notice when:
 - The change of address information supplied by the National Change of Address Program identifies a registrant whose address may have changed; or
 - It appears from information provided by the Director of Vehicles (Director), Division of Vehicles, Department of Revenue, that a registrant has moved to a different residence address outside of the county in which the registrant is currently registered; and
- Remove the change of address trigger from the list of events after which a county election officer would automatically send a confirmation notice.

Removing Voters from Registration Books and Party Affiliation Lists

Deceased persons. Upon the occurrence of certain events specified in state law, a county election officer is required to remove the name of a registered voter from the registration books and party affiliation lists in such officer's office. The bill would add additional events triggering the removal of the name of a voter from the registration book and party affiliation lists:

- When reliable means have been utilized to verify a registered voter's name appearing on a list of deceased individuals provided by the Social Security Administration; or
- When a registered voter is declared deceased in a notarized attestation of such declaration in a form as prescribed by the Secretary and executed by such voter's spouse, grandparent, parent, child, grandchild, or sibling.

Felony convictions. Current law requires the removal of a voter's name upon notice of a felony conviction. The bill would clarify a requirement that the Secretary, upon receiving notice of a conviction, notify the appropriate county election officer within five business days rather than five days. Further, the bill would add a time limit to a requirement for county election officers to remove the names of offenders from the registration records, to specify within five business days of receiving notice of a felony conviction from the specified channels.

Additional Resources to Verify Voter Registration Records (Section 7)

To ensure effective and continuous maintenance of voter registration records, the bill would require the Secretary to obtain the following information and provide it to the appropriate county election officer:

- At least twice per year, the results of any duplicate voter registration checks performed on state voter registration records; and
- At least once per quarter, a list which must be provided by the Director at such times prescribed by the Secretary of all changes in residency for the immediately preceding quarter.

The bill would also require the Secretary to request a list of deceased residents of Kansas provided by the Social Security Administration at least once each year and provide such information to the appropriate county election officer.

The bill would permit the Secretary to obtain the following information and provide it to the appropriate county election officer:

- Any change of residency information provided by a state or federal agency; and
- Comparisons of voter registration records held and maintained by other jurisdictions.

Kansas Open Records Act

The bill would keep all information obtained by the Secretary confidential and would not allow disclosure pursuant to the Kansas Open Records Act (KORA), except that information could be released to county election officers as prescribed above. This exception would expire on July 1, 2031, unless the Legislature reviews and reenacts it pursuant to KORA.

Driver's Licenses Report (Section 8)

Driver's Licenses Issued to Noncitizens

Current law directs the Director to quarterly provide the Secretary a list of all permanent and temporary driver's licenses issued to non-citizens. The list of non-citizens must contain the names, addresses, phone numbers, Social Security numbers, alien registration numbers, dates of birth, temporary driver's license numbers, and the expiration dates of such licenses. The bill would specify that the report must contain all available addresses.

Driver's Licenses Issued in Another Jurisdiction

The bill would require the Director, every quarter, to provide the Secretary a list of all permanent and temporary driver's licenses issued to persons who have subsequently been issued a driver's license by another jurisdiction. The bill would require the list to contain the names, all available addresses, phone numbers, dates of birth, driver's license numbers, and expiration dates of such driver's licenses.

The bill would direct the Secretary to compare the list provided by the Director with voter registration rolls. After an investigation that indicates a voter may no longer intend to be a registered voter in Kansas, the bill would require the Secretary to direct county election officers to send a confirmation notice to both the registrant's address on the voter registration rolls and to the current address on the new driver's license, upon which a registrant may state their permanent address. Within 45 days after sending the confirmation notice, if the registrant does not respond or confirms their intent to no longer be registered to vote in Kansas, the county election officer would be required to remove the names of such persons from the voter registration rolls within five business days. The bill would require county election officers to notify any person removed from the voter registration rolls that such person may be reinstated on the voter registration rolls by providing proof of residency in Kansas.

Technical Amendments

The bill would also make technical amendments.

Background

The bill was introduced by the House Committee on Elections at the request of Representative Waggoner.

House Committee on Elections

In the House Committee hearing, **proponent** testimony was provided by a representative of the Office of the Secretary of State, who stated that federal law mandates voter roll maintenance, and the bill would improve voter roll maintenance procedures and ensure voter privacy.

Opponent testimony was provided by a representative of Loud Light Civic Action, who expressed concerns that the bill would allow the Secretary to obtain residency information from a nongovernmental entity.

Written-only opponent testimony was provided by representatives of the ACLU of Kansas and the Campaign Legal Center.

The House Committee amended the bill to:

- Add the SAVE Database provisions [*Note*: Similar provisions are contained in HB 2640.];
- Change the frequency at which the Director would provide a list of all changes in residency from monthly to quarterly;
- Remove a provision requiring the Secretary to request a list of individuals who are noncitizens but may be registered to vote from the U.S. Citizenship and Immigration Services; and
- Add the driver's licenses report provisions. [*Note*: Similar provisions are contained in HB 2449.]

Senate Committee on Federal and State Affairs

In the Senate Committee hearing, **proponent** testimony was provided by a representative of the Office of the Secretary of State, who stated the bill would make

improvements to the statute that governs voter roll maintenance by introducing new tools to help county election officers identify voters who have changed residence or are deceased.

Written-only proponent testimony was provided by a representative of FGA Action and a private citizen.

Opponent testimony was provided by a representative of the ACLU of Kansas, who stated the bill would increase the risk of eligible Kansas voters being incorrectly removed from the voter rolls, undermining due process protections.

Written-only opponent testimony was provided by representatives of the Campaign Legal Center, Kansas Appleseed Center for Law and Justice, and League of Women Voters of Kansas.

No other testimony was provided.

The Senate Committee amended the bill to:

- Clarify that the Secretary, in conjunction with county election officials, would be required to submit an annual report on the outcomes of voter registration checks to the House Committee on Elections and Senate Committee on Federal and State Affairs and specify the information to be included in the report, including the number of voters identified as potentially deceased;
- Require the Secretary to notify the appropriate county election officer to send a confirmation notice within 45 days of receipt of change-of-address information;
- Remove a provision to allow the Secretary to use any change of residency provided by a nongovernmental entity from the list of information

that could be provided to the county election officer to maintain voter registration records;

- Specify the Director must include, in the lists of all driver's licenses issued to noncitizens and of individuals who were issued a driver's license by another jurisdiction, "all available" addresses or other identifying information named in the bill;
- Clarify that the Secretary's investigation of a voter record must indicate that the voter may no longer intend to be a registered voter in Kansas before directing the county election officer to take action;
- Require, upon notification from the Secretary after investigation, county election officers to send a confirmation notice to both a registrant's address on the voter registration rolls and to the current address on the registrant's new driver's license, and, if the registrant does not respond within 45 days, remove the registrant from the voter rolls; and
- Make technical corrections.

Fiscal Information

HB 2437 (Voter Registration List Maintenance)

According to the fiscal note prepared by the Division of the Budget on HB 2437, as introduced, the Office of the Secretary of State indicates it would use existing resources to update training materials for local election officials and update educational and promotional materials for the public regarding provisions of the bill.

The Department of Revenue indicates that it would require \$11,400 from the State General Fund in FY 2027 to develop and test processes to retrieve information and to

match that data to produce a monthly report to the Secretary that would detail any changes in residency that occurred for the previous month. Any fiscal effect associated with enactment of HB 2437 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties indicates enactment of the bill could increase costs for counties that would need to hire additional staff to utilize additional means of removing voters from registration books and party affiliations; however, the Association is unable to estimate a precise fiscal effect. The League of Kansas Municipalities indicates passage of the bill would not have a fiscal effect on cities.

HB 2449 (Driver's License Reports)

According to the fiscal note prepared by the Division of the Budget on HB 2449, the Office of the Secretary of State indicates it would use existing resources to carry out the requirements of the bill. The Kansas Department of Revenue states it would need a list of registered voters and in addition, would require \$5,000 from the State General Fund in FY 2027 to develop and test processes to retrieve information and match that data to produce a report to the Secretary of State that would detail any changes in residency that occurred for the previous quarter. Any fiscal effect associated with HB 2449 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties states HB 2449 would increase county costs associated with removing names from the voter rolls; however, the Association is unable to estimate the fiscal effect.

HB 2640 (SAVE Database Provisions)

According to the fiscal note prepared by the Division of the Budget on HB 2640, the Office of the Secretary of State indicates it would use existing resources to update training materials for local election officials and update educational and promotional materials for the public regarding the provisions of HB 2640. Any fiscal effect associated with enactment of HB 2640 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties states HB 2640 would increase county staff time to verify potential matches and submit the annual report. The Association is unable to estimate the fiscal effect.

Elections; voter registration; Secretary of State; Kansas Open Records Act; Division of Vehicles