

# STATE OF KANSAS

DIVISION OF THE BUDGET  
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GOVERNOR JEFF COLYER, M.D.  
LARRY L. CAMPBELL, CHIEF BUDGET OFFICER

March 8, 2018

The Honorable Keith Esau, Chairperson  
House Committee on Elections  
Statehouse, Room 151-S  
Topeka, Kansas 66612

Dear Representative Esau:

**SUBJECT:** Fiscal Note for HB 2538 by Representatives Parker and Good

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2538 is respectfully submitted to your committee.

HB 2538 would amend existing law and the provisions of the amended law would be known as the Free State Election Act. Current law requires county election officers to prepare advance voting ballots and envelopes no later than 20 days prior to any primary, general or question election and to transmit those ballots to advance voting voters no more than 20 days prior to the election. HB 2538 would require that preparation to be no later than 28 days prior to an election and transmittal to be no more than 28 days prior to an election. According to the provisions of the bill, the application for an advance voting ballot would also be the application for a permanent advance voting ballot, and the application must contain a clear means for an applicant to specify which voting status is being requested. This application must give voter eligibility requirements and the information necessary to identify the applicant and determine the qualifications of the applicant as an elector, as well as the facts authorizing the person to be registered.

County election officers would be required to provide for the registration of voters at the county election office, and these voters would be permitted to register and vote immediately by regular ballots and would not use provisional ballots unless otherwise required by law. County election officers would be required to provide for registration of voters at any satellite advance voting sites and at all polling places the day of an election. Any person who appears on an election day at the polling place for the precinct in which the person resides or at a satellite advance voting site and who is not registered but is otherwise qualified to vote, would be allowed to register and vote a provisional ballot which would be counted, unless determined that it was not properly cast or that the person had otherwise voted at the election. The bill provides the means by which a

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person can register to vote. The bill would also eliminate existing requirements for proof of United States citizenship to register and vote.

According to the Kansas Association of Counties, enactment of HB 2538 could require counties to hire some additional labor on election days, however, the Association is unable to make an estimate of that cost.

The Kansas Secretary of State has been contacted regarding the fiscal effect HB 2538. At this time, the agency has not responded to the request for information. However, the Division of the Budget estimates that any additional responsibilities resulting from enactment of HB 2538 could be performed within existing budget resources. If further information regarding the fiscal effect of the bill is received by the Division of the Budget, a revised fiscal note will be issued. Any fiscal effect associated with HB 2538 is not reflected in *The FY 2019 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Campbell", written in a cursive style.

Larry L. Campbell  
Chief Budget Officer

cc: Linda Borrer, Office of the Secretary of State  
Melissa Wangemann, Association of Counties