

February 18, 2020

The Honorable Bill Sutton, Chairperson
House Committee on Elections
Statehouse, Room 274C-W
Topeka, Kansas 66612

Dear Representative Sutton:

SUBJECT: Fiscal Note for HB 2687 by House Committee on Elections

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2687 is respectfully submitted to your committee.

HB 2687 would amend existing law concerning advance ballots to prohibit anyone, other than a family member or caregiver of a voter, from delivering the voter's advance ballot to the county election officer or polling place. Under the provisions of the bill, no person could deliver more than six advance ballots for any election. Any person who knowingly violates these prohibitions would be guilty of a severity level 9, nonperson felony. The bill would also make a number of technical corrections to align current law with these provisions.

Enactment of HB 2687 has the potential for increasing litigation in the courts because of the new crime created by the bill. If it does, the Office of Judicial Administration indicates that there would be a fiscal effect on the operations of the court system. However, it is not possible to estimate the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a fiscal effect cannot be determined. In any case, the fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional resources. According to the Secretary of State, enactment of HB 2687 would require the agency to update training materials for county election officers and update informational materials provided to the general public concerning voting requirements. Both updates could be done in conjunction with an annual review of existing materials and would have no fiscal effect on agency operations. Any fiscal effect associated with HB 2687 is not reflected in *The FY 2021 Governor's Budget Report*.

The Kansas Association of Counties states that it assumes the provisions of this bill would be violated only on rare occasions, given that elections happen infrequently. Unless a rash of these violations occurred, the Association expects that enactment of the bill would have very little fiscal effect on Kansas counties.

Sincerely,

A handwritten signature in cursive script that reads "L. L. Campbell". The signature is written in black ink and is positioned above the printed name and title.

Larry L. Campbell
Director of the Budget

cc: Sandy Tompkins, Office of the Secretary of State
Jay Hall, Association of Counties
Mary Rinehart, Judiciary