

January 22, 2020

The Honorable Elaine Bowers, Chairperson  
Senate Committee on Ethics, Elections and Local Government  
Statehouse, Room 223A-E  
Topeka, Kansas 66612

Dear Senator Bowers:

**SUBJECT:** Fiscal Note for SB 260 by Senate Committee on Ethics, Elections and Local Government

In accordance with KSA 75-3715a, the following fiscal note concerning SB 260 is respectfully submitted to your committee.

Current law establishes the procedures to be followed with regard to election recounts for any state or national office elected on a statewide basis, the office of President or Vice President of the United States, the offices of members of the United States House of Representatives, the office of members of the Kansas Legislature when the member's district is located in two or more counties, and the office of members of the State Board of Education. The costs of an election recount are required to be borne by the party requesting the recount if there is no change to the outcome of the election. If the party requesting the recount was a candidate for office and is declared the winner as a result of the recount, the county bears the costs. SB 260 would amend existing law to include candidates in general elections for the office of any Kansas municipality and, if a candidate in a municipal election is defeated by one half of 1.0 percent or less of all ballots cast in one or more counties and requests a recount, the bill would require the state to cover the cost of the recount. The bill also makes several technical corrections.

The Secretary of State reports that enactment of SB 260 would add over 1,000 eligible jurisdictions that could potentially have an election where a candidate would be defeated by one half of 1.0 percent of all ballots cast. The agency would be required to review any bills submitted for reimbursement, and although it is unable to estimate the number of elections that would result in costs being paid by the state, it reports that any reviews could be accomplished within existing resources.

The bill only requires reimbursement of direct expenses, so local jurisdictions would be required to pay for anything not authorized by the Department of Administration. The Kansas Association of Counties is unable to estimate what the fiscal effect of enactment of the bill on the counties might be. Any fiscal effect associated with SB 260 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

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

Larry L. Campbell  
Division of the Budget

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