

# OFFICE OF THE SECRETARY OF STATE

## FY 2021 – FY 2023 BUDGET ANALYSIS

FIGURE 1  
**BUDGET OVERVIEW, FY 2021 – FY 2023**

	Actual FY 2021	Agency FY 2022	Governor FY 2022	Agency FY 2023	Governor FY 2023
<b>Operating Expenditures:</b>					
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	6,867,135	1,550,000	1,550,000	1,200,000	1,200,000
All Other Funds	4,056,466	4,422,992	4,422,992	4,428,699	4,428,699
<i>Subtotal</i>	<u>\$ 10,923,601</u>	<u>\$ 5,972,992</u>	<u>\$ 5,972,992</u>	<u>\$ 5,628,699</u>	<u>\$ 5,628,699</u>
<b>Capital Improvements:</b>					
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	-	-	-	-	-
All Other Funds	-	-	-	-	-
<i>Subtotal</i>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<b>TOTAL</b>	<u><b>\$ 10,923,601</b></u>	<u><b>\$ 5,972,992</b></u>	<u><b>\$ 5,972,992</b></u>	<u><b>\$ 5,628,699</b></u>	<u><b>\$ 5,628,699</b></u>
<b>Percentage Change:</b>					
State General Fund	-- %	-- %	-- %	-- %	-- %
All Funds	94.7 %	(45.3) %	(45.3) %	(5.8) %	(5.8) %
FTE Positions	37.0	41.5	41.5	41.5	41.5

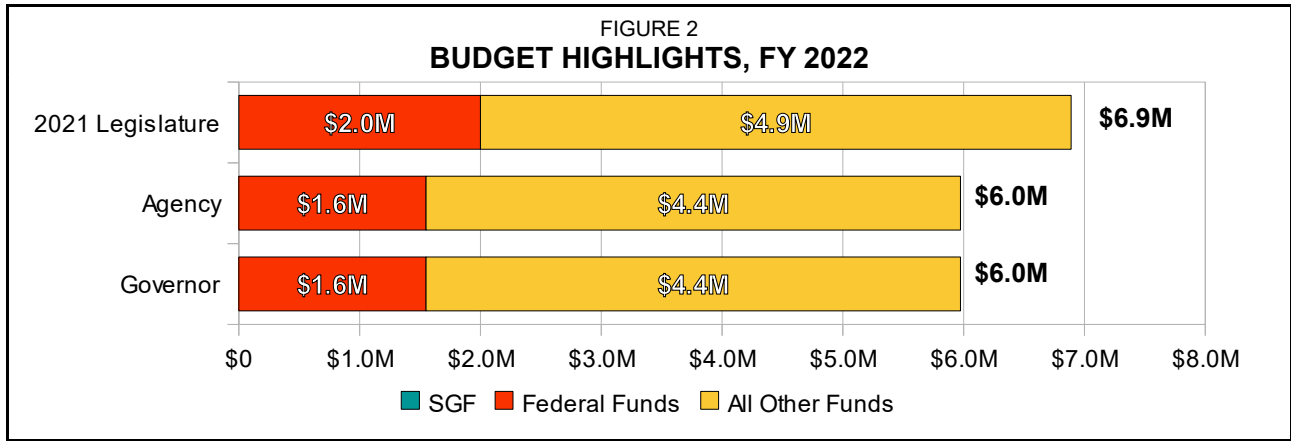
For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.

The Secretary of State is an elected official who serves as the custodian of official government documents for the State of Kansas. The Secretary administers the laws relating to business entities, elections and legislative matters, and the Uniform Commercial Code, and performs other executive duties. The *Kansas Constitution* requires the Secretary of State to countersign commissions of the Governor, file declarations of candidacies, file and index charter ordinances, and publish regulations for constitutional amendments. The Secretary of State also is responsible for the distribution of the *Kansas Statutes Annotated* (KSA) and its supplements, *Session Laws of Kansas*, *Kansas Administrative Regulations* (KAR), and the *Kansas Register*.

To carry out its duties, the Office of the Secretary of State is organized into the three following divisions: Administration, Business Services (including the Uniform Commercial Code), and Elections and Legislative Matters. In addition, the Secretary of State is charged with the implementation of the federal Help America Vote Act (HAVA) of 2002.

### EXECUTIVE SUMMARY

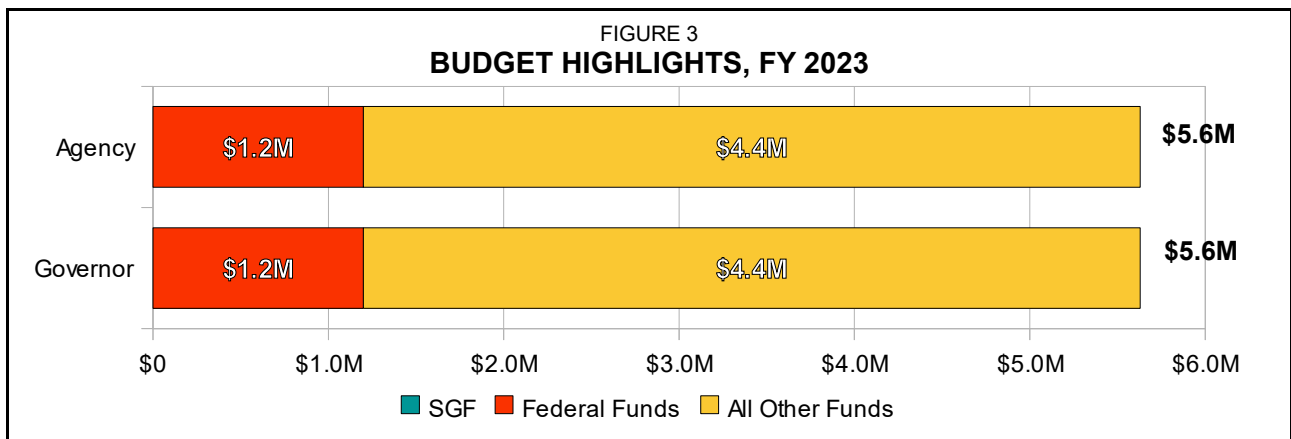
The 2021 Legislature approved a budget of \$6.9 million, including \$2.0 million from federal HAVA funds, for the Office of the Secretary of State for FY 2022.



The **agency** submits a revised estimate totaling \$6.0 million, including \$1.6 million from federal Help America Vote Act (HAVA) funds, in FY 2022. This is a decrease of \$916,699 below the FY 2022 approved amount. During the 2021 Session, the Office of the Secretary of State requested a transfer of \$924,500 from the State General Fund (SGF) to the Democracy Fund to meet state match requirements for supplemental HAVA funds provided through the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act in FY 2022. However, the Secretary of State was later notified that such state match requirements could be met with existing resources. The Office of the Secretary of State was able to meet state match requirements in FY 2021, and this additional expenditure is no longer required in FY 2022. The agency requests additional adjustments of \$7,801, all from special revenue funds, in FY 2022. These adjustments comprise an increase in salaries and wages and contractual services, which is partially offset by a decrease in aid to local units of government.

The **agency's** estimate also includes 41.5 FTE positions, which is a decrease of 5.5 FTE positions below the FY 2022 approved number. The agency has been approved for 46.0 FTE positions since FY 2018, and the agency revised this request in FY 2022 to more accurately reflect current staffing levels.

The **Governor** concurs with the agency's revised estimate in FY 2022.



The **agency** requests \$5.6 million, including \$1.2 million from federal HAVA funds, for FY 2023. This is a decrease of \$344,293 below the FY 2022 revised estimate. The agency requests expenditures of \$1.6 million, all from special revenue funds, for the HAVA Program in FY 2023. This is a decrease of \$353,085 below the FY 2022 revised estimate. This decrease is attributable to a decrease of \$300,000 in expenditures from federal HAVA Title I funds, one-time expenditures for firewall upgrades and computer replacements totaling \$50,000, and HAVA state match

requirements of \$3,085 that occurred in FY 2022 but do not reoccur for FY 2023. The remaining adjustments include an increase of \$8,792 in salaries and wages expenditures for FY 2023. This increase is attributable to an increase in employer contributions for fringe benefits such as group health insurance.

The **agency** request also includes 41.5 FTE positions, which is unchanged from the FY 2022 revised estimate.

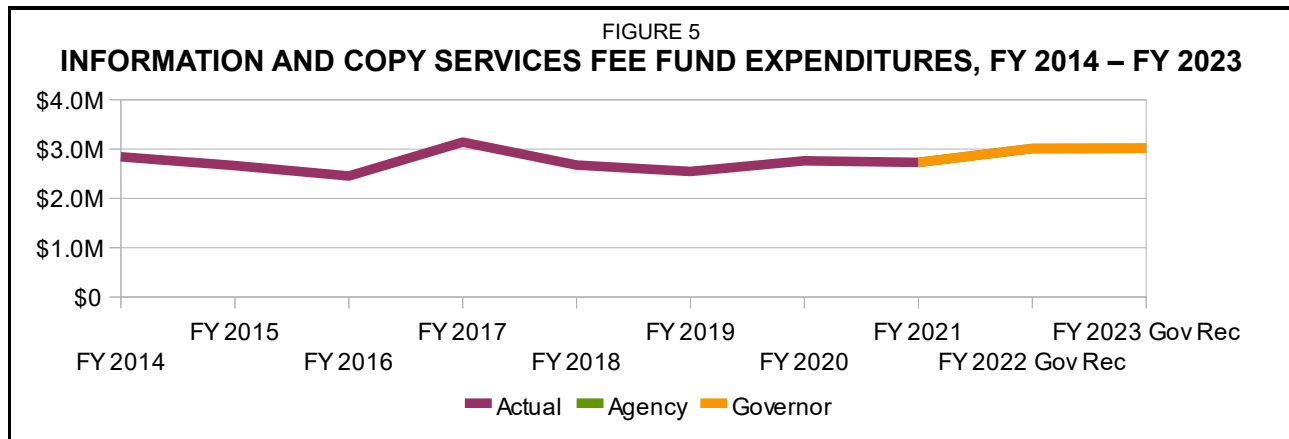
The **Governor** concurs with the agency's request for FY 2023.

## EXPENDITURES AND FINANCING

FIGURE 4  
**BUDGET SUMMARY BY CATEGORY OF EXPENDITURE, FY 2021 – FY 2023**

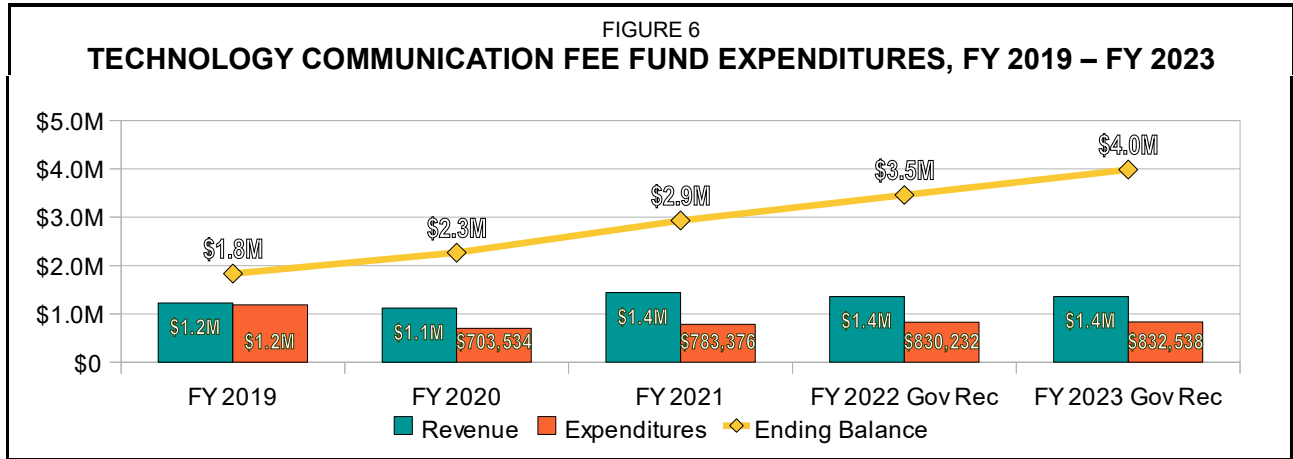
Category of Expenditure:	Actual FY 2021	Agency FY 2022	Governor FY 2022	Agency FY 2023	Governor FY 2023
Salaries and Wages	\$ 2,579,499	\$ 2,910,405	\$ 2,910,405	\$ 2,919,197	\$ 2,919,197
Contractual Services	5,289,454	2,945,224	2,945,224	2,645,224	2,645,224
Commodities	373,088	28,451	28,451	28,451	28,451
Capital Outlay	819,923	85,827	85,827	35,827	35,827
Debt Service Interest	-	-	-	-	-
<i>Subtotal</i>	<u>\$ 9,061,964</u>	<u>\$ 5,969,907</u>	<u>\$ 5,969,907</u>	<u>\$ 5,628,699</u>	<u>\$ 5,628,699</u>
Aid to Local Units	1,861,637	3,085	3,085	-	-
Other Assistance	-	-	-	-	-
<i>Subtotal—Operating</i>	<u>\$ 10,923,601</u>	<u>\$ 5,972,992</u>	<u>\$ 5,972,992</u>	<u>\$ 5,628,699</u>	<u>\$ 5,628,699</u>
Capital Improvements	-	-	-	-	-
Debt Service	-	-	-	-	-
Principal	-	-	-	-	-
<b>TOTAL</b>	<u><b>\$ 10,923,601</b></u>	<u><b>\$ 5,972,992</b></u>	<u><b>\$ 5,972,992</b></u>	<u><b>\$ 5,628,699</b></u>	<u><b>\$ 5,628,699</b></u>
<b>Financing:</b>					
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	6,867,135	1,550,000	1,550,000	1,200,000	1,200,000
All Other Funds	4,056,466	4,422,992	4,422,992	4,428,699	4,428,699
<b>TOTAL</b>	<u><b>\$ 10,923,601</b></u>	<u><b>\$ 5,972,992</b></u>	<u><b>\$ 5,972,992</b></u>	<u><b>\$ 5,628,699</b></u>	<u><b>\$ 5,628,699</b></u>
FTE Positions	37.0	41.5	41.5	41.5	41.5

## INFORMATION AND COPY SERVICES FEE FUND



The Information and Copy Services Fee Fund is used to finance agency functions that provide public information when requested. Revenues to the Fund include fees charged for computer access, diskettes, tapes, certified copies, regular copies, Uniform Commercial Code (UCC) copies, listings, and microfilm. Revenue projections are based on receipt trends, the economy, law changes, fee increases and decreases, and the volume of documents filed electronically (in many cases the electronic fee is lower).

# TECHNOLOGY COMMUNICATION FEE FUND



\* For FY 2023, the lowest month ending balance for the Technology Communication Fee Fund will occur in July, with a balance of \$3.6 million.

The Technology Communication Fee Fund is used to support the continuing development of electronic government and business in the State of Kansas, including the electronic filing of forms for businesses. As specified in KSA 75-444, the Secretary of State shall charge a technology communication fee, not exceeding \$5, to cover the cost of technology systems.

## FY 2022 ANALYSIS

FIGURE 7  
**SUMMARY OF BUDGET REQUEST, FY 2022**

	SGF	Special Revenue Funds	All Funds	FTE
<b>Legislative Approved:</b>				
Amount Approved by 2021 Legislature	\$ -	\$ 6,889,691	\$ 6,889,691	46.0
1. No changes			-	
<i>Subtotal—Legislative Approved</i>	\$ -	\$ 6,889,691	\$ 6,889,691	46.0
<b>Agency Revised Estimate:</b>				
2. HAVA State Match	\$ -	\$ (924,500)	\$ (924,500)	--
3. All Other Adjustments	-	7,801	7,801	(4.5)
<i>Subtotal—Agency Revised Estimate</i>	\$ -	\$ 5,972,992	\$ 5,972,992	41.5
<b>Governor's Recommendation:</b>				
4. No changes	\$ -	\$ -	\$ -	--
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ 5,972,992</b>	<b>\$ 5,972,992</b>	<b>41.5</b>

### LEGISLATIVE APPROVED

The 2021 Legislature approved a budget of \$6.9 million, including \$2.0 million from federal HAVA funds, for the Office of the Secretary of State for FY 2022.

1. **NO CHANGES.** Subsequent to the 2021 Session, no adjustments were made to the \$6.9 million appropriated to the Office of the Secretary of State for FY 2022.

### AGENCY ESTIMATE

The **agency** requests \$6.0 million, including \$1.6 million from federal Help America Vote Act (HAVA) funds, in FY 2022. This is a decrease of \$916,699 below the FY 2022 approved amount.

The **agency** estimate includes the following adjustments:

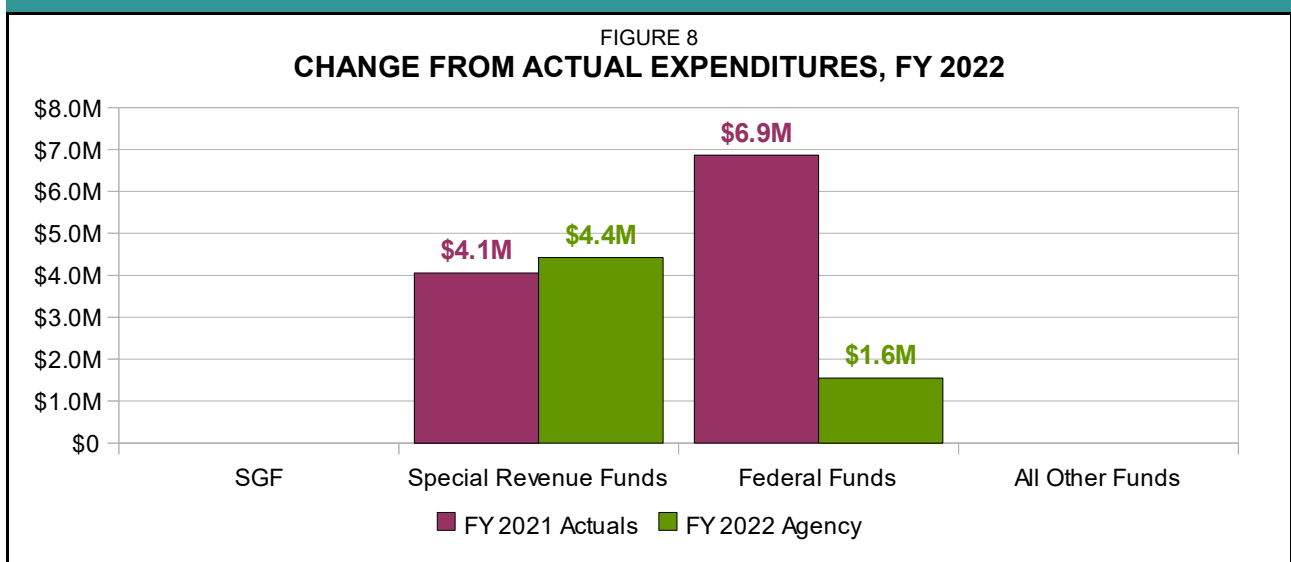
2. **HAVA STATE MATCH.** During the 2021 session, the Office of the Secretary of State requested a transfer of \$924,500 from the SGF to the Democracy Fund to meet state match requirements of supplemental federal HAVA CARES Act funds for FY 2022. However, the Secretary of State was later notified that state match requirements could be met with existing resources. The Office of the Secretary of State met state match requirements in FY 2021, and this additional expenditure is no longer required in FY 2022.
3. **ALL OTHER ADJUSTMENTS.** The agency requests additional adjustments of \$7,801, all from special revenue funds, in FY 2022. These adjustments comprise an increase in salaries and wages and contractual services expenditures, which is partially offset by a decrease in aid to local units of government.

The **agency** estimate also includes 41.5 FTE positions, which is a decrease of 4.5 FTE positions below the FY 2022 approved number. The agency has been approved for 46.0 FTE positions since FY 2018, and the agency revised this request in FY 2022 to more accurately reflect current staffing levels.

### GOVERNOR'S RECOMMENDATION

The **Governor** concurs with the agency's FY 2022 revised estimate.

# FY 2022 CHANGE FROM ACTUAL EXPENDITURES



The agency requests \$6.0 million, including \$1.6 million in federal Help America Vote Act (HAVA) funds, in FY 2022. This is a decrease of \$5.0 million below the FY 2021 actual amount. This decrease is partially attributable to expenditures of \$2.6 million from supplemental HAVA CARES Act funds that occurred in FY 2021, and do not reoccur in FY 2022.

## FY 2023 ANALYSIS

FIGURE 9  
SUMMARY OF BUDGET REQUEST, FY 2023

	SGF	Special Revenue Funds	All Funds	FTE
<b>Agency Revised Estimate, FY 2022</b>	\$ -	\$ 5,972,992	\$ 5,972,992	41.5
<b>Agency Request:</b>				
1. HAVA Program Adjustments	\$ -	\$ (353,085)	\$ (353,085)	--
2. All Other Adjustments	-	8,792	8,792	--
<i>Subtotal—Agency Estimate</i>	\$ -	\$ 5,628,699	\$ 5,628,699	41.5
<b>Governor’s Recommendation:</b>				
3. No changes	\$ -	\$ -	\$ -	--
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ 5,628,699</b>	<b>\$ 5,628,699</b>	<b>41.5</b>

### AGENCY REQUEST

The **agency** requests \$5.6 million, including \$1.2 million from federal HAVA funds, for FY 2023. This is a decrease of \$344,293 below the FY 2022 revised estimate.

The **agency** request includes the following adjustments:

- HAVA PROGRAM ADJUSTMENTS.** The agency requests expenditures of \$1.6 million, all from special revenue funds, for the HAVA Program for FY 2023. This is a decrease of \$353,085 below the FY 2022 revised estimate. This decrease is attributable to a decrease of \$300,000 from federal HAVA Title I funds, one-time expenditures for firewall upgrades and computer replacements totaling \$50,000, and HAVA state match requirements of \$3,085 that occurred in FY 2022 but do not reoccur for FY 2023.
- ALL OTHER ADJUSTMENTS.** The remaining adjustments includes an increase of \$8,792 in salaries and wages expenditures for FY 2023. This increase is attributable to an increase in employer contributions for fringe benefits such as group health insurance.

The **agency** request also includes 41.5 FTE positions, which is unchanged from the FY 2022 revised estimate.

### GOVERNOR’S RECOMMENDATION

The **Governor** concurs with the agency's request for FY 2023.



## PROGRAM AND PERFORMANCE MEASURES OVERVIEW

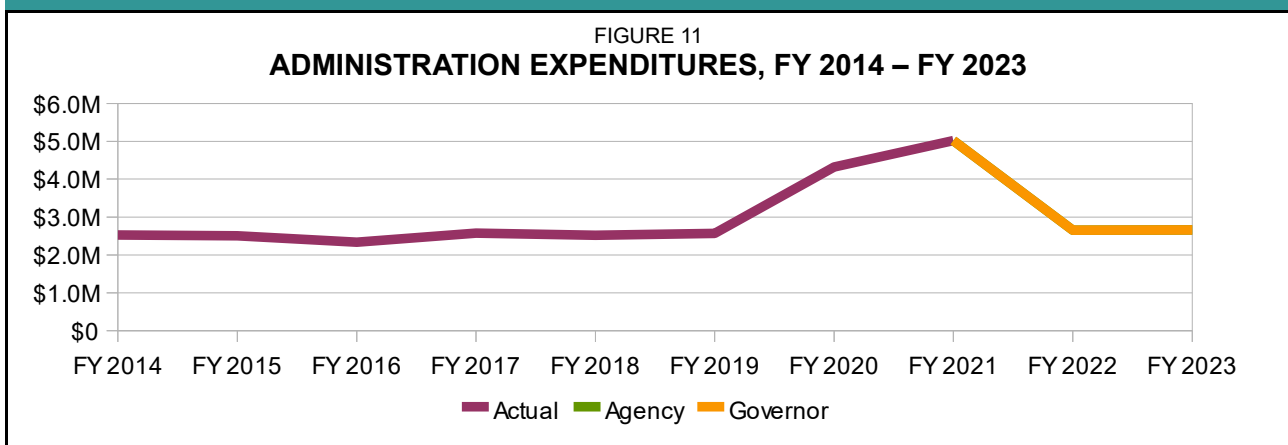
FIGURE 10  
**EXPENDITURES AND FTE POSITIONS BY PROGRAM, FY 2021 – FY 2023**

Programs	Actual FY 2021	Agency FY 2022	Governor FY 2022	Agency FY 2023	Governor FY 2023
<b>Expenditures:</b>					
Administration	\$ 5,015,402	\$ 2,654,670	\$ 2,654,670	\$ 2,658,400	\$ 2,658,400
Business Services	916,808	833,928	833,928	838,369	838,369
Elections and Legislative Matters	480,838	520,681	520,681	521,302	521,302
Help America Vote Act	4,510,553	1,963,713	1,963,713	1,610,628	1,610,628
<b>TOTAL</b>	<b>\$ 10,923,601</b>	<b>\$ 5,972,992</b>	<b>\$ 5,972,992</b>	<b>\$ 5,628,699</b>	<b>\$ 5,628,699</b>
<b>FTE Positions:</b>					
Administration	20.3	23.7	23.7	23.7	23.7
Business Services	11.8	12.7	12.7	12.7	12.7
Elections and Legislative Matters	5.0	5.0	5.0	5.0	5.0
Help America Vote Act	-	-	-	-	-
<b>TOTAL</b>	<b>37.0</b>	<b>41.5</b>	<b>41.5</b>	<b>41.5</b>	<b>41.5</b>

### PERFORMANCE MEASURES

The 2016 Legislature passed HB 2739, which outlined a three-year process for state agencies to develop and implement a system of performance budgeting using outcome measures to evaluate program effectiveness.

# ADMINISTRATION



- STATUTORY BASIS:** • KSA 45-106 through 45-107; 77-430; 75-430; 45-401; 45-414; 45-408; 75-438; and 75-444
- PROGRAM GOALS:**
- Document retention updates to ensure records are accurately and appropriately filed and to improve record modernization and maintenance.
  - Reduce reliance on storing physical documents within the publications division and transitioning to a digital storage system.
  - Establish an online ordering and payment portal on the official agency website for individuals to order publications, Kansas flags, complete filings, pay fees, and more.
  - Modernize delivery of official state publications to accommodate shifts in consumer preferences for digital publications.
  - Produce a full set of Kansas Administrative Rules and Regulations in FY 2022.
  - Migrate off the AS400 legacy operating system by FY 2023.

The Administration Division provides services for other divisions within the agency, including management, legal, financial, communication, human resources, and information technology services. In addition, it is responsible for the preparation of office publications and forms,

including the *Kansas Register* (the official state newspaper), the *Session Laws of Kansas*, and the *Kansas Administrative Regulations (KARs)*. In addition, the program is responsible for promoting efficiencies in the agency’s imaging and electronic records systems.

FIGURE 12  
**ADMINISTRATION, PERFORMANCE MEASURES**

	Actual FY 2020	Actual FY 2021	Actual 3-Year Avg.	Target FY 2022	Target FY 2023
<b>Outcome Measure:</b>					
1. Percent of Document Retention Improvement Project Completed*	N/A	90.0 %	--	100.0 %	N/A
2. Percent of Record Filing Modernization/Digital Record Retention Project Completed*	N/A	N/A	--	20.0 %	50.0 %
3. Percent of Online Store Project Completed*	N/A	20.0 %	--	30.0 %	65.0 %
4. Percent of Publications Available in Digital Form	N/A	25.0 %	--	40.0 %	70.0 %
5. Percent of Kansas Administrative Rules and Regulation Full-Set Publication Completed*	N/A	80.0 %	--	100.0 %	N/A

FIGURE 12  
**ADMINISTRATION, PERFORMANCE MEASURES**

	Actual FY 2020	Actual FY 2021	Actual 3-Year Avg.	Target FY 2022	Target FY 2023
6. Percent of Agency IT System Upgrades Completed*	N/A	20.0 %	--	65.0 %	95.0 %
<b>Financing</b>	Actual FY 2020	Actual FY 2021		Governor FY 2022	Governor FY 2023
SGF	\$ -	\$ -		\$ -	\$ -
Federal Funds	1,901,387	2,614,584		-	-
All Other Funds	2,421,698	2,400,818		2,654,670	2,658,400
<b>TOTAL</b>	<u>\$ 4,323,085</u>	<u>\$ 5,015,402</u>		<u>\$ 2,654,670</u>	<u>\$ 2,658,400</u>
<b>Percentage Change:</b>					
SGF	-- %	-- %		-- %	-- %
All Funds	68.5 %	16.0 %		<b>(47.1) %</b>	0.1 %
FTE Positions	19.0	20.3		23.7	23.7

\*The Governor's Office does not utilize this measure for evaluation purposes.

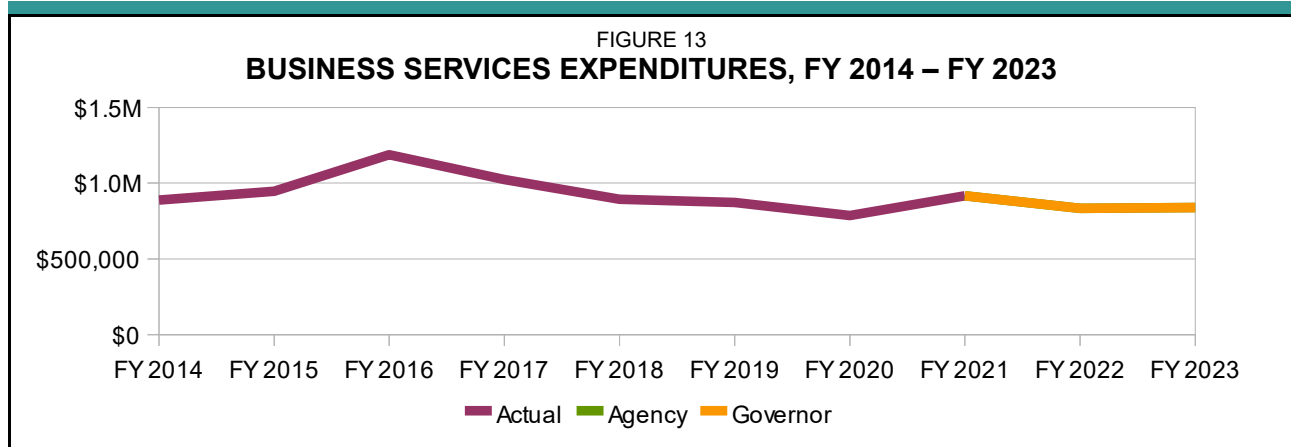
**BUDGET ANALYSIS**

The agency requests \$2.7 million, all from special revenue funds, for the Administration program for FY 2023. This is an increase of \$3,730 above the FY 2022 revised estimate. This increase is primarily attributable to an increase in salaries and wages expenditures for

employer contributions for fringe benefits such as group health insurance.

The **Governor** concurs with the agency's request for the Administration Program for FY 2023.

## BUSINESS SERVICES



**STATUTORY BASIS:** • KSA 17-7903 through 17-7906

**PROGRAM GOALS:** • Streamline all filing documents.  
• Increase customer use of the online business services filing system.

The Business Services Division administers the Kansas General Corporations Code, the Kansas Limited Liability Company Act, the Kansas Uniform Limited Partnership Act, the Kansas Uniform Commercial Code (UCC), and related laws. This division ensures customers have forms and procedures to follow in forming and maintaining business entities and in gaining easy access to business records that date to

the beginning of the state. The number of annual reports processed each year by the Division exceeds 180,000. In FY 1995, the Kansas UCC program became the first in the nation to accept electronic filings of UCC financing statements. The Office of the Secretary of State currently receives more than 90.0 percent of its nearly 100,000 annual UCC transactions electronically.

FIGURE 14  
**BUSINESS SERVICES, PERFORMANCE MEASURES**

	Actual FY 2020	Actual FY 2021	Actual 3-Year Avg.	Target FY 2022	Target FY 2023
<b>Outcome Measure:</b>					
1. Percent of Document Filing Improvement Project Completed*	45.0 %	89.0 %	67.0 %	100.0 %	N/A
2. Percent of Annual Reports Filed Online*	74.0 %	81.0 %	76.0 %	83.0 %	85.0 %
3. Percent of Business Formation Documents Filed Online*	76.0 %	79.0 %	76.0 %	81.0 %	83.0 %
4. Percent of Documents Available for Online Filing*	25.0 %	32.0 %	29.0 %	40.0 %	80.0 %
<b>Financing</b>	Actual FY 2020	Actual FY 2021		Governor FY 2022	Governor FY 2023
SGF	\$ -	\$ -		\$ -	\$ -
Federal Funds	-	110,385		-	-
All Other Funds	784,959	806,423		833,928	838,369
<b>TOTAL</b>	<b>\$ 784,959</b>	<b>\$ 916,808</b>		<b>\$ 833,928</b>	<b>\$ 838,369</b>
<b>Percentage Change:</b>					
SGF	-- %	-- %		-- %	-- %
All Funds	(10.1) %	16.8 %		(9.0) %	0.5 %
FTE Positions	12.0	11.8		12.7	12.7

\*The Governor's Office does not utilize this measure for evaluation purposes.

## **PERFORMANCE AND BUDGET ANALYSIS**

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The agency requests \$838,369, all from special revenue funds, for the Business Services Division for FY 2023. This is an increase of \$4,441 above the FY 2022 revised estimate. This increase is attributable to an increase in salaries and wages expenditures for employer contributions to fringe benefits such as group health insurance.

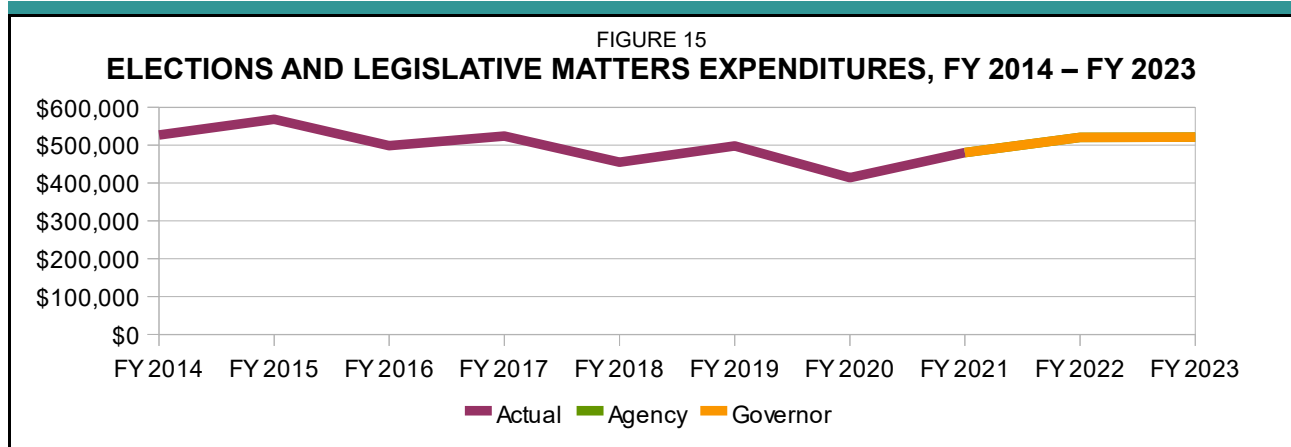
### **DOCUMENT FILING IMPROVEMENT**

The agency has a goal to streamline the filing of all documents. At the beginning of FY 2019, the Business Services Division maintained 96 documents for various business filings. Many of

these documents are similar in nature and can be combined to make it easier for customers to identify the filing document they must complete. The agency's document filing project had a goal to reduce the number of filing documents by 30.0 percent by the end of FY 2021; however, this goal was extended. Currently, the number of filing documents has been reduced by 23.0 percent and the agency aims to meet the goal of the 30.0 percent reduction in FY 2022.

The **Governor** concurs with budget request for the Business Services Division for FY 2023.

## ELECTIONS AND LEGISLATIVE MATTERS



**STATUTORY BASIS:** • KSA 25-2504; 25-124

**PROGRAM GOALS:** • Increase electronic filings of statement of substantial interest (SSI) forms.  
• Increase electronic filing of campaign finance reports for state officeholders and candidates for state office.

The Elections and Legislative Matters Division performs statutory functions related to elections and the Legislature and provides the public with information on these issues. This division oversees and administers the electoral process in Kansas; promotes public participation in the electoral process; maintains

files of public records; responds to inquiries and informational requests; and distributes publications, including the KSAs, *Session Laws of Kansas*, Senate and House journals, and the KARs. In addition, the Division registers lobbyists, issues lobbyist badges, and files lobbyist expenditure reports.

FIGURE 16  
**ELECTIONS AND LEGISLATIVE MATTERS, PERFORMANCE MEASURES**

	Actual FY 2020	Actual FY 2021	Actual 3-Year Avg.	Target FY 2022	Target FY 2023
<b>Outcome Measure:</b>					
1. Percent of Statements of Substantial Interest Forms Filed Electronically	89.0 %	90.0 %	90.0 %	95.0 %	100.0 %
2. Percent of Campaign Finance Reports Filed Electronically	40.0 %	40.0 %	40.0 %	55.0 %	75.0 %
<b>Financing</b>					
	Actual FY 2020	Actual FY 2021		Governor FY 2022	Governor FY 2023
SGF	\$ -	\$ -		\$ -	\$ -
Federal Funds	-	-		-	-
All Other Funds	414,373	480,838		520,681	521,302
<b>TOTAL</b>	<b>\$ 414,373</b>	<b>\$ 480,838</b>		<b>\$ 520,681</b>	<b>\$ 521,302</b>
<b>Percentage Change:</b>					
SGF	-- %	-- %		-- %	-- %
All Funds	(16.8) %	16.0 %		8.3 %	0.1 %
FTE Positions	5.0	5.0		5.0	5.0

### PERFORMANCE AND BUDGET ANALYSIS

The agency requests \$521,302, all from special revenue funds, for the Elections and

Legislative Matters Division for FY 2023. This is an increase of \$621 above the FY 2022 revised

estimate. This increase is attributable to an increase in salaries and wages expenditures for employer contributions for fringe benefits such as group health insurance.

#### **STATEMENT OF SUBSTANTIAL INTEREST**

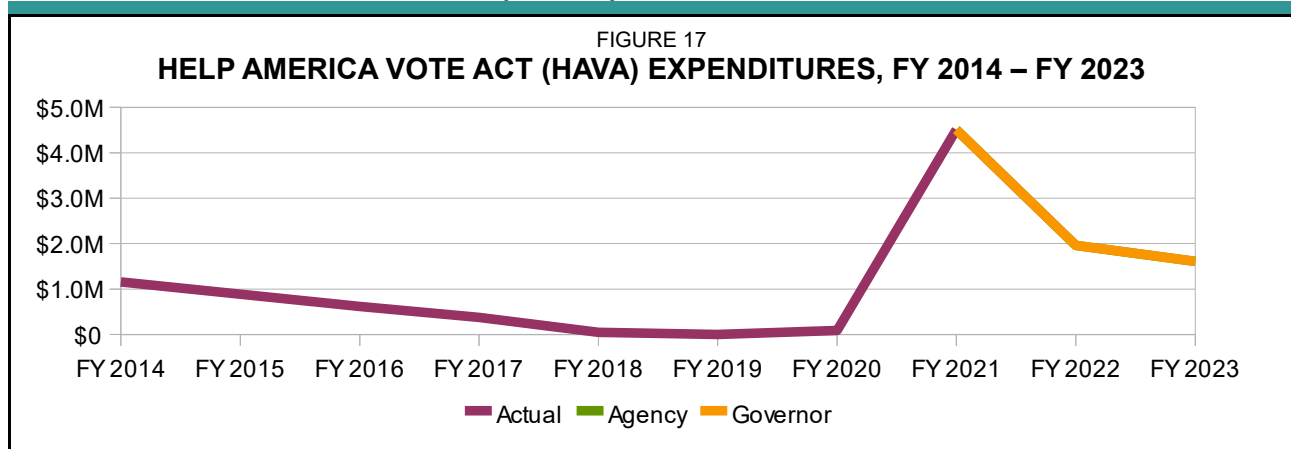
The agency has a goal to increase electronic filings of statement of substantial interest (SSI) forms. Current law does not require individuals to file SSIs electronically; however, electronic filing streamlines the process and allows for efficient public access of these documents. In FY 2021, approximately 90.0 percent of SSIs were filed electronically. The agency anticipates a 95.0 percent electronic filing rate by the end of FY 2022 and a 100.0 percent filing rate by the end of FY 2023.

#### **CAMPAIGN FINANCE**

The agency has a goal to increase electronic filing of campaign finance reports for state officeholders and candidates for state office. Current law only requires candidates for state-wide office to file electronically. Electronic filing of campaign finance reports reduces the amount of time and resources required to provide services to the public and modernizes the process. In FY 2021, 40.0 percent of all candidates filed these reports electronically, and the agency has a goal to increase this electronic filing to 55.0 percent by the end of FY 2022 and to 75.0 percent by the end of FY 2023.

The **Governor** concurs with the agency request for the Elections and Legislative Matters Division for FY 2023.

# HELP AMERICA VOTE ACT (HAVA)



**STATUTORY BASIS:** • PL 107-252; KSA 25-2504; KSA 25-124

**PROGRAM GOALS:**

- Purchase cybersecurity services within the HAVA program for counties statewide.
- Ensure the security of voting equipment across the state within the HAVA program.
- Continue coordination with the National Guard and U.S. Department of Homeland Security to provide virtual statewide security training to all county election officials.
- Implement a new training program for all 105 county election officers, specifically for the administration of elections.

The Help America Vote Act (HAVA) Division is charged with implementing the federal Help America Vote Act of 2002 and administers the Help America Vote Program. HAVA requires each state to develop a single, uniform, official, centralized, interactive, and computerized statewide voter registration list defined,

maintained, and administered at the state level. The Division also is responsible for coordinating the state plan provided to the Federal Election Commission. The Kansas plan was developed by an advisory council. In addition, the Division is to apply for federal grants and oversee the distribution of any grants that are obtained.

FIGURE 18  
**HELP AMERICA VOTE ACT (HAVA), PERFORMANCE MEASURES**

	Actual FY 2020	Actual FY 2021	Actual 3-Year Avg.	Target FY 2022	Target FY 2023
<b>Outcome Measure:</b>					
1. Percent of Cybersecurity Services for Kansas Counties Completed	N/A	50.0 %	--	100.0 %	N/A
2. Percent of Voting Equipment Updates Completed*	N/A	99.0 %	--	100.0 %	N/A
3. Percent of Virtual Security Trainings for Kansas County Election Officials*	N/A	98.0 %	--	100.0 %	N/A
4. Local Election Official Certification Program Completion*	N/A	N/A	--	25.0 %	50.0 %
<b>Financing</b>	<b>Actual FY 2020</b>	<b>Actual FY 2021</b>		<b>Governor FY 2022</b>	<b>Governor FY 2023</b>
SGF	\$ -	\$ -		\$ -	\$ -
Federal Funds	19,800	368,387		1,550,000	1,200,000
All Other Funds	68,228	4,142,166		413,713	410,628
<b>TOTAL</b>	<b>\$ 88,028</b>	<b>\$ 4,510,553</b>		<b>\$ 1,963,713</b>	<b>\$ 1,610,628</b>



FIGURE 18  
**HELP AMERICA VOTE ACT (HAVA), PERFORMANCE MEASURES**

	Actual FY 2020	Actual FY 2021	Actual 3-Year Avg.	Target FY 2022	Target FY 2023
<b>Percentage Change:</b>					
SGF	-- %	-- %		-- %	-- %
All Funds	(169.8) %	5,024.0 %		(56.5) %	(18.0) %
FTE Positions	--	--		--	--

\*The Governor's Office does not utilize this measure for evaluation purposes.

**PERFORMANCE AND BUDGET ANALYSIS**

The agency requests \$1.6 million, including \$1.2 million from federal HAVA funds, for the HAVA Division for FY 2023. This is a decrease of \$353,085 below the FY 2022 revised estimate. This decrease is attributable to a decrease in contractual services (\$300,000) due to a decrease in federal HAVA Title I grant expenditures and a decrease (\$50,000) in capital outlay expenditures due to one-time expenditures for employee laptops and docking station replacements to enhance remote work capabilities in FY 2022 that do not reoccur for FY 2023. The agency also has a decrease of \$3,085 in aid to local units of government due to a one-time expenditure for state-match requirements of HAVA Election Security in FY 2022 that does not reoccur for FY 2023.

**CYBERSECURITY SERVICES AND TRAINING TO KANSAS COUNTIES**

The agency has a goal to purchase cybersecurity services within the HAVA program for counties statewide. The state, in coordination with a private vendor, worked with counties to enhance existing security profiles and network security. Due to the COVID-19 pandemic, the agency had to delay implementation of this goal in FY 2020. The agency had a 50.0 percent completion goal in FY 2021 and have plans to meet 100.0 percent completion in FY 2022.

The agency also has a goal to continue its coordination with the National Guard and Department of Homeland Security to provide virtual statewide security training to all county

election officials. Approximately 98.0 percent of county election officials participated in FY 2021, and the agency has a goal to continue training and reach 100.0 completion in FY 2022.

**VOTING EQUIPMENT**

The agency has a goal to ensure the security of voting equipment across the state within the HAVA program and to work with counties to ensure paper trail ballots for voting equipment in the state. The agency had a 99.0 percent completion goal in FY 2021 and has a goal of 100.0 percent completion for FY 2022.

**LOCAL ELECTION OFFICIAL CERTIFICATION**

The agency has a new goal to implement a training program for all 105 county election officers, specifically for the administration of elections. KSA 25-2504 defines the chief state election official as the Secretary of State. KSA 25-124 requires the Secretary of State to provide instruction to county election officers in a method determined by the Secretary of State. This program is in addition to other mandated annual training for local election offices. The program will include hourly sessions delivered in a variety of methods. The goal is to have one certified election official in every county prior to the 2024 federal general election. The agency has a completion goal of 25.0 percent by the end of FY 2022 and 50.0 percent by the end of FY 2023.

The **Governor** concurs with the agency's request for the HAVA Division for FY 2023.