

SESSION OF 2007

SUPPLEMENTAL NOTE ON SENATE BILL NO. 135

As Amended by Senate Committee of the Whole

Brief*

SB 135 would address the law regarding authorized poll agents by:

- Establishing qualifications for authorized poll agents, who are appointed to serve as such, to include requirements that the poll agent:
 - Be a registered Kansas voter, unless the poll agent is under the age of 18. (The bill also would allow for persons aged 16 or older to be appointed if they meet other requirements. See below); and
 - Reside in either the actual Kansas county in which the person will serve as a poll agent or in a Kansas county contiguous to that one. If, however, the candidate is for a legislative office, the county may be any of those in the legislative district.
- Exempting the following authorized poll agents from these qualification requirements:
 - County and state party chairpersons;
 - Chairpersons of committees concerned with “question-submitted” (issue) elections;
 - Candidates (including write-in candidates who submit affidavits of write-in); and
 - Precinct committeemen and committeewomen.
- Authorizing the appointment of persons aged 16 or older to be appointed as poll agents, if they meet all requirements for qualification as a voter with the exception of being registered to vote.

*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 <http://www.kslegislature.org>

- Requiring authorized poll agents to wear a badge containing specified information.

Background

Current law (KSA 25-3005a) allows a number of individuals to serve as authorized poll agents by virtue of their office or status as a candidate. These individuals include county and state party committee chairpersons, chairpersons of committees concerned with “question-submitted” (issue) elections, and candidates, including write-in candidates who have filed an affidavit of write-in. The law requires any other person, appointed by one of the above individuals to be an authorized poll agent, to be named in writing by the person making the appointment. No other qualifications exist in statute.

Senator Julia Lynn and a representative of the Secretary of State’s Office testified in favor of the bill. No opponents testified.

The Senate Committee on Elections and Local Government amended the bill to:

- Limit the qualification requirements to poll agents who are appointed by candidates, party or certain committee chairpersons, or precinct committeemen or committeewomen;
- Authorize the appointment of persons aged 16 or older to be appointed as poll agents if they meet certain requirements;
- Require poll agents to wear a badge; and
- Make clarifying changes.

The Senate Committee of the Whole amended the bill to add the legislative candidate-related exception to the requirement that appointed authorized poll agents reside either in the county where they will serve or in a contiguous county.

According to the fiscal note, passage of the bill as introduced would have no fiscal effect on the Secretary of State’s Office.