

SESSION OF 2007

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 158**

As Amended by Senate Committee on  
Elections and Local Government

**Brief\***

SB 158 would update statutes governing the requirements and certification of optical scanning voting systems. A partial list of provisions follows:

- Delete a provision authorizing a county's voters to petition and vote on whether to adopt a system using optical scanning equipment in the county. Elimination of this provision would leave the decision to the board of county commissioners and the county election officer.
- Revise and update language addressing the public testing of voting equipment before and after each election.
- Require the supervising judge either to ensure that the number of ballots equals the number of voters shown on the poll book or to report in writing a discrepancy to the county election officer. (Current law requires an election judge to ensure the number of ballots does not exceed the number of voters shown or report excess numbers to the county election officer.)
- Update language regarding the crime of optical scanning equipment fraud.
- Require that optical scanning equipment and related systems approved by the Secretary of State: (a) provide notification when the voter has cast more votes than authorized, and (b) meet the requirements of the federal Help America Vote Act of 2002 (HAVA) and other related federal laws and regulations.

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\*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>

## **Background**

A representative of the Secretary of State's Office and the Shawnee County Election Commissioner testified in favor of the bill.

The Senate Committee made technical and cleanup amendments.

The fiscal note indicates passage of SB 158 could have a slight effect on prison population and bed space needs. Since operation of certain custody levels has been at or near excess capacity, a possible increase might lead to construction and equipment costs. Operating costs would be additional.