

SESSION OF 2007

SUPPLEMENTAL NOTE ON SENATE BILL NO. 159

As Amended by Senate Committee on
Elections and Local Government

Brief*

SB 159 would address the issue of designating a person other than the voter to deliver a voter's advance ballot and the subsequent delivery of the ballot, as well as other issues. The bill would:

- Require written designation by the voter of the person who will deliver the ballot.
- Allow the designee to return the voter's ballot by personal delivery or by mail.
- Require the designee to return the voter's ballot to the county election office within two business days after receiving the ballot, but not later than the close of polls on election day. (The bill also would allow an advance voter to return the voter's own ballot by personal delivery or by mail.)
- Increase the penalty for violation of this requirement (or other requirements in the underlying statute) to a level 9 nonperson felony. (Current law has the penalty for violation set at a class C misdemeanor.)
- Make changes to statutory language dealing with disabled voters to conform with other sections of law.

Background

A representative of the Secretary of State's Office testified in support of the bill. Also testifying was a representative of the Topeka Independent Living Resource Center, who requested the bill be amended.

*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>

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

- Require the voter designate in writing the person who would deliver the ballot; and
- Extend the list of persons who could be the voter's designee to any person. The bill as introduced allowed the designee to be only a family member.

According to the fiscal note, passage of the bill would have no fiscal effect on the Secretary of State's budget but could increase slightly the prison population. The effect of such an increase was not known.