

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2173

As Amended by House Committee on
Elections and Local Government

Brief*

HB 2173, as amended, would make a number of clarifying and other changes in election law. The bill would, among other things:

- Clarify the identification (ID) that is valid when someone is voting for the first time, either in advance or at the polls.
 - In advance - Valid ID would contain, at a minimum, the voter's current name and residential address as indicated on the registration book.
 - At the polls - Valid ID would include, among other items, a "current and valid" Kansas driver's license, or other government document that contains the voter's current name and either a photograph or current residential address as indicated on the registration book. (Current law does not mention a photograph.)
 - Advance voters applying for permanent advance voter status - The same ID as for a person applying for an advance ballot to be transmitted by mail.
- Require the Secretary of State to cross-check voter registration records with records of the Division of Motor Vehicles (DMV), and exempt from the requirement to provide ID those first-time voters who match the newly-required cross-check with DMV records, unless the voter moves to another county or state or is removed from the

*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>

voter registration list and subsequently re-registers.

- Add a requirement that the Secretary of State cross-check voter registration records with felony conviction and death records for the purpose of removing the names of ineligible voters.
- Clarify under what conditions a provisional ballot is to be counted, *i.e.*, if the county board of canvassers determines that a voter's ID is valid and the provisional ballot was properly cast.
- Clarify that the registration deadline before any national, state, county or township primary election is not less than 15 days before the primary.

Background

A representative of the Secretary of State's Office testified in favor of the bill. No opponents testified.

The House Committee on Elections and Governmental Organization adopted a technical amendment to the bill.

The fiscal note indicated that passage of HB 2173 would have a fiscal effect on the Secretary of State's Office, given the bill's requirement to compare voter registration records to DMV, state felony conviction and death records. Because the comparisons are required by the federal Help America Vote Act (HAVA), the Secretary of State's Office indicated HAVA funding would be used for these purposes. The costs are already included in the *FY 2008 Governor's Budget Report*.