

SESSION OF 2008

SUPPLEMENTAL NOTE ON SENATE BILL NO. 519

As Amended by House Committee on
Elections and Governmental Organization

Brief*

With respect to mail ballot elections, SB 519 would prohibit a county election officer from mailing ballots to any inactive voter who:

- Appears to have moved to a location outside the county in which the voter currently is registered or for whom mail cannot be forwarded, based on information provided by the postal service; and
- Has been mailed a confirmation notice as required when the postal service provides such information.

A provision exists in the bill for requesting a replacement ballot when the inactive voter believes he or she is entitled to vote in the election. The bill would become effective upon publication in the *Kansas Register*.

Background

By law, according to the Secretary of State official who testified, election officers must cancel inactive registrations after the second succeeding federal general election that occurs after mailing the confirmation notice. But these records are carried on the registration list for several years pending their removal. The resultant printing and mailing of ballots to inactive voters is expensive, he said.

*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 Secretary of State representative and an official from the Wyandotte County Election Office testified in favor of the bill. The Secretary of State official indicated the measure would reduce the costs associated with printing and mailing ballots. He explained that the bill's description of an inactive voter was derived from the National Voter Registration Act (NVRA) provision dealing with the same issue. The impetus behind the NVRA provision, he testified, was to give the voter an opportunity to confirm the address change or to reaffirm the voter's residence if an error had occurred.

The Senate Committee amendment changed the bill's effective date.

The House Committee amended the bill to clarify that inactive voters include those for whom notice was received from the postal service that the forwarding order had expired or that the individual had moved and left no forwarding address.

The fiscal note reiterates the Secretary of State's Office projection that county election officers and the local jurisdictions conducting special mail ballot elections would experience some reduction in expenditures resulting from the bill's passage. However, the amount of reduction cannot be estimated, as it depends on the size of the jurisdiction and the number of mail ballot elections conducted in each jurisdiction.