

January 30, 2026

The Honorable Mike Thompson, Chairperson
Senate Committee on Federal and State Affairs
300 SW 10th Avenue, Room 144-S
Topeka, Kansas 66612

Dear Senator Thompson:

SUBJECT: Fiscal Note for SB 394 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 394 is respectfully submitted to your committee.

Under current law, ballot envelopes include signature blocks for the voter, the person, if any, assisting the voter, and for a person, if any, who signs the envelope on behalf of a voter that is physically unable to sign the envelope. SB 394 would revise signature verification requirements for advance voting ballot envelopes. The bill would allow a person to sign for a voter who is unable to sign the envelope consistent with the voter's signature on file in the voter registration database. The bill would also revise the statement that is included on the ballot envelope to add that the voter was unable to sign the envelope consistent with the voter's signature on file in the voter registration database.

SB 394 would also require the Secretary of State to monitor all litigation challenging the validity of the signature verification requirements specifically contained in KSA 25-1124(h) which requires verification of the voter's signature if a voter had a disability preventing the voter from signing the ballot or preventing the voter from having a signature consistent with such voter's registration form. In the event the signature of a person on the advance voting ballot envelope does not match the signature on file in the county voter registration records, the ballot will not be counted. According to SB 394, if any state or federal court enters a final judgment that is no longer subject to appeal and invalidates or enjoins the enforcement of the state's signature verification requirements contained in statute, the Secretary of State must publish notice of the judgment in the *Kansas Register*. After publication, the statutory authorization for advance voting by mail in Kansas would be null and void in its entirety. Consequently, voting by mail would not be permitted in the state except to the extent required by federal law.

The Secretary of State indicates that it would use \$200,000 from its Information & Services Fee Fund in FY 2027 to perform public service announcements regarding changes outlined in the bill. The agency would use existing resources to update training materials for local election officials and update educational and promotional materials for the public regarding the provisions of SB 394. Any fiscal effect associated with SB 394 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties indicates SB 394 would increase the counties' costs associated with updating the ballot envelopes with the new language contained in the bill.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Jennifer Cook, Office of the Secretary of State
Jay Hall, Kansas Association of Counties