

April 20, 2023

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 202 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 202 is respectfully submitted to your committee.

SB 202 would create the Kansas Ranked-Choice Voting Act. The Act would authorize the use of the ranked-choice method for all partisan and nonpartisan primary and general elections and special elections on or after January 1, 2024. Ranked-choice voting would be an election method that allows voters the option to rank candidates as the voter's first, second, and subsequent choices. Tabulation would begin with each voter's first choice vote. If no candidate receives a majority of votes, the candidate with the fewest votes would be eliminated, and the tabulation would be repeated by using the second choice of voters whose first choice was eliminated and the first-place vote of all other voters. If no candidate receives a majority in the second tabulation, the process would be repeated by eliminating the candidate with the fewest votes and performing the tabulation using the next highest choice of voters who had chosen that candidate. If voters whose next highest choice was previously eliminated, then the next highest choice after the previously eliminated choice would be counted. This process would continue until a candidate earns a majority of the total votes or, if the runoff is exhausted without a majority of votes for one candidate, the candidate with a plurality would be declared the winner. SB 202 would also set forth how ballots would be counted and how the majority of votes would be calculated to determine the winner of an election.

By January 1, 2024, the Secretary of State would be required to adopt rules and regulations to implement the use of mechanical, electronic, or other means for configuring, marking, sorting, and counting the ballots and tabulating and transferring the votes in an election using the ranked-choice method. The agency would also be required to print informational materials containing a facsimile of the official ballot along with voting instructions and procedures for the election. The bill lists the various places the informational materials would be posted.

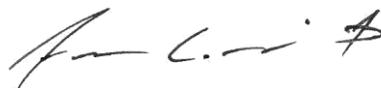
Estimated State Fiscal Effect				
	FY 2023 SGF	FY 2023 All Funds	FY 2024 SGF	FY 2024 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$300,000	\$300,000
FTE Pos.	--	--	--	--

The Secretary of State indicates it would use existing resources to provide training and update manuals for county election officials; update the agency’s website; update public documents and information; and work with media, political parties, candidates, and the public to ensure knowledge of updated eligibility requirements for ranked-choice voting. In addition, the agency would request \$300,000 from the State General Fund in FY 2024 for a voter outreach program to inform the public in the new matter of voting and tabulating votes. Because ranked-choice voting is unfamiliar to Kansas voters, the agency would not be able to conduct a satisfactory outreach program without additional funding.

The agency explains that no piece of voting equipment in Kansas would accommodate ranked-choice voting. Every tabulator of voting equipment would need to be replaced. The agency is uncertain if voting machine vendors would be able to bring equipment to Kansas to be certified and have enough equipment to sell to all 105 Kansas counties prior to the next election if the bill is enacted. Furthermore, enactment of SB 202 would require each county election office to purchase, program, and train employees and board workers on the new voting equipment. Many counties would provide their own voter outreach efforts. It would be the counties responsibility to purchase the voting equipment. The agency estimates SB 202 would increase total county costs by at least \$20.0 million. The amount could be higher depending on the number of available vendors to certify voting equipment for use in the state. Any fiscal effect associated with SB 202 is not reflected in *The FY 2024 Governor’s Budget Report*.

The Kansas Association of Counties indicates SB 202 could have a fiscal effect on counties in situations where ranked-choice ballots go beyond the first choice. Each subsequent round could add some cost. There could also be costs associated with any equipment changes or updates necessary to facilitate ranked-choice voting; however, the Association is unable to estimate the fiscal effect. The League of Kansas Municipalities states SB 202 would not have a fiscal effect on cities.

Sincerely,



Adam Proffitt  
Director of the Budget

cc: Jay Hall, Kansas Association of Counties  
Wendi Stark, League of Kansas Municipalities  
Sandy Tompkins, Office of the Secretary of State