

SESSION OF 2023

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 209**

As Recommended by Senate Committee on  
Federal and State Affairs

**Brief\***

SB 209 would change the deadline for all advance voting ballots to be received by the county election officer from the third day following the date of the election to 7:00 p.m. on the date of the election.

**Background**

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Thompson.

[*Note:* Provisions of the bill are similar to HB 2056.]

***Senate Committee on Federal and State Affairs***

In the Senate Committee hearing, **proponent** testimony was provided by a representative of Opportunity Solutions Project and a private citizen. The proponents generally stated the bill would increase voter trust in the system by providing more timely results and provide clarity to voters regarding the deadline.

Written-only proponent testimony was provided by the Kansas Attorney General, a representative of the Kansas Republican Party, and private citizens.

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\*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>

**Opponent** testimony was provided by representatives of the Disability Rights Center of Kansas, Loud Light Civic Action, and Kansas Appleseed Center for Law and Justice, and a private citizen. The opponents generally stated the bill would have an adverse effect on rural voters, voters with disabilities, voters that work shifts, voters that are out of town such as college students, and immunocompromised voters. Further, the opponents stated the U.S. Postal Service is still moving slower than it was before the grace period was enacted in 2017.

Written-only opponent testimony was provided by representatives of the American Civil Liberties Union of Kansas, Kansas African American Affairs Commission, Kansas Association of Counties, Kansas County Clerks and Elections Officials Association, Kansas League of Women Voters, Kansas National Education Association, and Mainstream Coalition and private citizens.

A representative of the Secretary of State (Secretary) provided neutral testimony, stating there were no mechanical implications from the bill. The conferee provided estimates for how many ballots were received during the three day period following the 2016 and 2022 elections and what percentage of ballots were counted and reported on election night and during the three-day grace period.

### **Fiscal Note**

According to the fiscal note prepared by the Division of the Budget on the bill, the Secretary would use existing resources to provide training and updates required to implement the bill. In addition, the Secretary indicates that county election offices would have to update public information, conduct public outreach, and other activities to notify the public of the change in the deadline.

The Kansas Association of Counties indicates the bill could have a fiscal effect on local government, as the shorter deadline could create the need for more election workers to

process and receive ballots prior to and on election day, but is unable to estimate a fiscal effect.

Elections; advance voting ballots; county election office; Secretary of State; mail-in ballots; ballot drop boxes; advance voting ballot deadline