

SESSION OF 2024

SUPPLEMENTAL NOTE ON SENATE BILL NO. 365

As Recommended by Senate Committee on
Federal and State Affairs

Brief*

SB 365 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 and SB 209, as introduced, that were introduced during the 2023 Session.]

Senate Committee on Federal and State Affairs

In the Senate Committee hearing, **proponent** testimony was provided by Senator Masterson, Senator Steffen, and a private citizen. The proponents generally stated the bill would improve election security and integrity, increase voter confidence in election results, and provide results more quickly.

Written-only proponent testimony was provided by nine private citizens.

*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>

Neutral testimony was provided by a representative of the Office of the Secretary of State (Secretary), who discussed the reasons why unofficial election night vote counts might differ from the official final count and stated that around 0.25 percent of ballots counted after election day are advance voting ballots received by mail within the 3-day period.

Opponent testimony was provided by representatives of the Disability Rights Center of Kansas, Loud Light Civic Action, and League of Women Voters of Kansas, the Speaker of the Silver Haired Legislature, and a private citizen. The opponents generally stated the bill would have an adverse effect on rural voters, voters with disabilities, senior citizens, and voters that are out of town, such as college students. 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, Climate + Energy Project, Health Forward Foundation, Kansas African American Affairs Commission, Kansas County Clerks and Elections Officials Association, Kansas Farmers Union, Kansas Interfaith Action, Kansas National Education Association, Mainstream Coalition, NAACP, Sierra Club Kansas, and Voter Rights Network of Wyandotte County, and 37 private citizens.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Secretary would use existing resources to update training materials for county election officials and update educational and promotional materials for the public. Any fiscal effect associated with the bill is not reflected in *The FY 2025 Governor's Budget Report*.

The Kansas Association of Counties indicates enactment of the bill would have no fiscal effect on the counties.

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