

**SECOND CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 14**

As Agreed to April 1, 2024

Brief*

SB 14, as amended, would amend provisions of election law regarding advance voting ballots and voter registration deadlines.

Voter Registration Deadline

Upon enactment of the bill, for elections other than the presidential preference primary on and after January 1, 2025, county election officers would be required to stop accepting and processing the following voter registration applications after the 23rd day preceding the date of an election:

- Applications that are received from voter registration agencies;
- Applications that are received from the division of motor vehicles; and
- Applications that are mailed in and not postmarked on or before the 23rd day preceding the election.

[*Note:* Current law requires county election officers to stop accepting and processing voter registration applications after the 21st day preceding the date of an election.]

Advance Voting Ballots

Advance Voting by Mail

On and after January 1, 2025, the bill would authorize county election officers to mail advance voting ballots to persons who submitted an application 22 days before the election. [*Note:* Current law authorizes county election officers to do so 20 days before the election.] Additionally, the bill would change the deadline for advance voting ballots delivered by mail to 7:00 p.m. on election day from the last delivery by the United States Postal Service on the third day following election day.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kIRD>

On and after January 1, 2025, for elections other than the presidential preference primary, the bill would change the last day a voter may file an application for an advance voting ballot from the Tuesday of the week preceding such election to 14 days preceding such election.

Advance In-person Voting

Upon enactment, the bill would permit county election officers to provide for advance in-person voting on the Saturday or Sunday preceding the election and would require election officers to provide at least four hours of advance in-person voting the Saturday before an election. [Note: Current law states county election officers may allow advance in-person voting on the Saturday preceding the election.]

On and after January 1, 2025, the bill would move the deadline for advance in-person voting to 7:00 p.m. the Sunday before the election from 12:00 noon the Monday before the election, but would authorize a county election officer to allow advance in-person voting until 12:00 noon on the Monday before an election for a person for good cause.

Conference Committee Action

The second Conference Committee agreed to remove the provisions of SB 14, insert the provisions of Sub. for HB 2512, as amended by the House Committee of the Whole, pertaining to advance in-person voting, and insert and amend the provisions HB 2513, pertaining to advance voting ballots transmitted by mail which will take effect on and after January 1, 2025.

Background

The second Conference Committee removed the provisions of SB 14, inserted the provisions of Sub. for HB 2512, as amended by the House Committee of the Whole, and inserted and amended the provisions of HB 2513.

[Note: 2023 SB 14, as introduced and as passed by the House, pertained to risk-based capital instructions. Those contents were inserted into the Conference Committee Report for 2023 SB 119 and enacted in 2023.]

Sub. for HB 2512

The bill was introduced by the House Committee on Elections at the request of Representative Waggoner.

House Committee on Elections

In the House Committee hearing, **opponent** testimony was provided by representatives of the League of Women Voters of Kansas and Loud Light Civic Action. The opponents generally stated concerns about reducing the advance voting period and conflicts with other provisions of election law.

Written-only opponent testimony was provided by representatives of the ACLU of Kansas, Campaign Legal Center, and Health Forward Foundation.

Neutral testimony was provided by representatives of the Office of the Secretary of State and the Kansas County Clerks and Election Officials Association. The conferees generally stated the bill would alleviate the time-sensitive workload on election officials the day before the election; however, it may disenfranchise some voters.

Written-only neutral testimony was provided by a private citizen.

No other testimony was provided.

The House Committee amended the bill to:

- Permit county election officers to provide for advance in-person voting on the Saturday or Sunday preceding an election [*Note:* The Conference Committee retained the amendment.];
- Require county election officers to provide at least four hours on the Saturday preceding the election for advance in-person voting [*Note:* The Conference Committee retained the amendment.];
- Beginning January 1, 2025, require advance in-person voting to end no later than 7:00 p.m. on the second day preceding the election (Sunday) [*Note:* The Conference Committee retained the amendment.]; and
- Remove language requiring all advance voting ballots returned by personal delivery to be delivered to the county election office no later than 7:00 p.m. on the Sunday preceding the election [*Note:* The Conference Committee retained the amendment.].

The House Committee recommended a substitute bill to incorporate the amendments.

House Committee of the Whole

The House Committee of the Whole amended the bill to add an exception that would permit county election officers to allow in-person voting until 12:00 noon on the Monday before the election for any person for good cause, beginning January 1, 2025. [*Note:* The Conference Committee retained the amendment.]

Senate Committee on Federal and State Affairs

In the Senate Committee hearing, neutral testimony was provided by representatives of the Secretary of State and Loud Light Civic Action. The conferees stated concerns about what “good cause” means, making Sunday the *de facto* deadline for advance in-person voting, and the impact removing Monday voting would have on counties that already provide weekend voting.

Written-only neutral testimony was provided by representatives of the Kansas County Clerks and Elections Officials Association and the League of Women Voters of Kansas.

No other testimony was provided.

The Senate Committee did not take further action on the bill.

HB 2513

The bill was introduced by the House Committee on Elections at the request of Representative Waggoner.

[*Note:* Provisions of the bill are similar to those introduced during the 2023 Session: HB 2056, as amended by the House Committee on Elections, and SB 209, as amended by the House Committee on Elections.]

House Committee on Elections

The bill was referred to the House Committee on Elections on January 17, 2024. The House Committee did not have a hearing on the bill.

Fiscal Information

Sub. for HB 2512

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of the Secretary of State indicates it would use existing resources to update training materials for county election officials and update educational and promotional materials to the voting public to ensure knowledge of the new deadlines for advance voting ballot applications and advance voting ballots contained in the bill. The agency also indicates enactment of the bill would have a fiscal effect on county election office budgets and estimates costs would range from a few hundred dollars to several thousand dollars per county. Any fiscal effect associated with Sub. for HB 2512 is not reflected in *The FY 2025 Governor's Budget Report*.

The Kansas Association of Counties indicates enactment of the bill would have a fiscal effect on counties because the bill changes the timing of in-person advance voting, but is unable to estimate the effect.

HB 2513

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Secretary of State would use existing resources to provide training materials for county election officials and update educational and promotional materials to the voting public. The agency also indicates HB 2513 could have a fiscal effect on county election office budgets. The election offices would have additional expenses for voter outreach to ensure every voter was aware of the changes in advance voting by mail, both receiving and returning; advance voting in person; and voter registration. The agency does not have information to estimate how much each county spends on voter outreach and education. Any fiscal effect associated with HB 2513 is not reflected in *The FY 2025 Governor's Budget Report*.

The Kansas Association of Counties indicates HB 2513 could have a fiscal effect on the counties because of the change in the timing of advance voting ballots. However, the Association is unable to estimate the fiscal effect on counties.

Elections; advance voting; advance in-person voting; mail-in ballots; advance voting ballot deadlines; county election office
ccrb_sb14_03_422024.odt