

May 10, 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 290 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 290 is respectfully submitted to your committee.

SB 290 would require all presidential preference primary elections to be conducted at the same time and in accordance with all applicable laws, rules and regulations governing primary elections. The bill would change the date on which primary elections are held from the first Tuesday of August to the first Tuesday following the first Monday in May for all primary elections. The bill would also change the date for applications for advance voting ballots to be mailed to voters for primary elections from April 1 to January 1 of such year.

The bill would also change the dates for when nomination petitions for nominations to various offices are to be signed by voters and subsequently filed by candidates depending on when new boundary lines are defined, and districts established. Currently, new boundary lines are defined, and districts are established on or before May 10 or on or after May 11 depending on requirements in the law. SB 290 would change these deadlines to March 10 and March 11, respectively. The bill would also change when precinct boundaries could be reestablished from June 10 to March 10 after the legislature has been redistricted.

Current election campaign laws prohibit contributions from being made from January 1 through sine die of the regular legislative session. SB 290 would also shorten the time to January 1 to first adjournment of the legislative session. In addition, in 2024 and every four years thereafter, a presidential preference primary election would be held for the purpose of electing the preferred nominee of a political party for the office of president and vice president. The election would be held on the first Tuesday following the first Monday in May of each year in which such election is to be held. The bill would also remove the option of unaffiliated voters to declare an affiliation at the polling place and be permitted the opportunity to vote at the presidential preference primary. The bill would also repeal other presidential preference primary election

statutes regarding the ballots to be used, canvassing of the vote of such preference primary, certification of election results, and payment and reimbursement of election expenses.

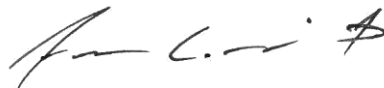
The Secretary of State indicates it would use existing resources to provide training and update manuals for county election officials; update the agency's website; update public documents and information; and work with media, political parties, candidates, and the public to ensure knowledge of the change in the date of the primary election as well as all dates associated with the change in election day.

The agency estimates SB 209 could increase State General Fund (SGF) expenses by \$150,000 in FY 2024. Of that amount, the agency would request \$100,000 SGF for a statewide public information campaign to inform the public of the change in the Primary Election Day and \$50,000 SGF to publish notice of election in all Kansas counties. The agency also indicates enactment of the bill would increase county election expenditures by approximately \$4,850,000 to conduct a presidential preference primary election in FY 2024. According to current election laws for presidential primaries, the counties would seek reimbursement for direct expenses incurred to conduct presidential primaries. However, SB 290 would repeal KSA 25-4508 which allows for reimbursement to counties for such costs. The Division of the Budget has asked follow-up questions regarding the agency's estimates, and the agency did not respond to the request.

The Governmental Ethics Commission indicates SB 290 would not have a fiscal effect. Any fiscal effect associated with SB 290 is not reflected in *The FY 2024 Governor's Budget Report*.

The Kansas Association of Counties indicates SB 290 could have a fiscal effect on counties to adjust to the filing and voting deadlines but would level out in time. The counties could incur additional costs if certain polling locations are not available in the new timeframes. The Association is unable to estimate a fiscal effect.

Sincerely,



Adam Proffitt  
Director of the Budget

cc: Sandy Tompkins, Office of the Secretary of State  
Mark Skoglund, Governmental Ethics Commission  
Jay Hall, Kansas Association of Counties