

SESSION OF 2024

## **SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2518**

As Amended by House Committee on Elections

### **Brief\***

HB 2518, as amended, would require the Office of the Secretary of State, after consulting with county election officers, to adopt rules and regulations for the use of remote ballot boxes by county election officers for the return of advance voting ballots by January 1, 2025. The bill would require the rules and regulations to include:

- The dates, times, and locations for the use of remote ballot boxes; and
- Any other requirements the Secretary of State (Secretary) deems necessary to preserve the integrity of the ballots, the remote ballot boxes, and the election process.

The bill would define “remote ballot boxes” to mean any form of locked ballot boxes designated by the county election officer as available for the use of depositing advance voting ballots. The definition would not include any ballot boxes located in a county election office or satellite advance voting site.

### **Background**

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

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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>

[*Note:* Provisions of the bill are similar to those in 2023 HB 2053, as amended by the House Committee of the Whole.]

### ***House Committee on Elections***

In the House Committee hearing on the bill, **proponent** testimony was provided by representatives of the Kansas County Clerks and Elections Officials Association, League of Women Voters of Kansas, and Office of the Secretary of State. The proponents generally stated the bill would permit the Secretary to issue rules and regulations on the use of remote ballot boxes, ensure all counties have standard practices and security measures, and assure voters their ballots are received by the election office. The proponents also stated concerns about the feasibility of adopting rules and regulations on or before July 1, 2024.

Neutral testimony was provided by a representative of the Disability Rights Center of Kansas. The conferee made a suggestion to add language addressing accessibility of ballots, remote ballot boxes, and the election process.

**Opponent** testimony was provided by a representative of Loud Light Civic Action, who stated the rules and regulations authority in the bill is too broad and the lengthy review process for rules and regulations would make adoption by July 1, 2024, impractical. The conferee also suggested amendments regarding the definition of “remote ballot box” and an accessibility requirement.

Written-only opponent testimony was provided by a representative of the Kansas GOP and nine private citizens.

The House Committee amended the bill to delay adoption of the rules and regulations until January 1, 2025.

## **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Secretary indicates the agency would use existing staff and budget resources to coordinate with county election officials to draft and adopt new rules and regulations as well as 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 regulatory changes. Any fiscal effect associated with the bill is not reflected in *The FY 2025 Governor's Budget Report*.

The Kansas Association of Counties indicates the bill would not have a fiscal effect on counties.

Elections; Secretary of State; rules and regulations; county election officers; advance voting ballots; remote ballot boxes