

January 23, 2023

The Honorable Pat Proctor, Chairperson  
House Committee on Elections  
300 SW 10th Avenue, Room 218-N  
Topeka, Kansas 66612

Dear Representative Proctor:

**SUBJECT:** Fiscal Note for HB 2013 by House Committee on Elections

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2013 is respectfully submitted to your committee.

HB 2013 would require a runoff election to be held when a candidate in a statewide office fails to receive a majority of votes cast at a general election. The runoff election would be held between the candidates receiving the two highest number of votes cast.

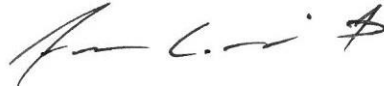
The Secretary of State indicates that HB 2013 would have no fiscal effect on agency operations because the elections would be conducted within the agency's existing resources. The agency also indicated that the bill would have a fiscal effect on local governments. The agency estimates that since counties conduct and pay for elections, the 105 Kansas counties could expend between \$5.0 million and \$6.0 million for costs including programming voting equipment, printing ballots, hiring board workers, polling place rental and other routine expenses to conduct an election.

According to the Secretary of State, HB 2013 would violate federal and state law relating to military voters and overseas citizen voters. These voters are required to receive a ballot at least 45 days before election day. The agency indicates that the United States Department of Justice likely would pursue legal action to enforce the 45-day deadline. Any litigation fees would be the responsibility of the agency. The agency cannot estimate possible litigation costs.

The Kansas Governmental Ethics Commission indicates that enactment of the bill would not have a fiscal effect. The Kansas Association of Counties indicate HB 2013 would have a fiscal effect on local governments because the county election officials would manage and oversee the

runoff elections; however, the Association is unable to estimate what the fiscal effect would be. Any fiscal effect associated with HB 2013 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

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