

January 31, 2011

The Honorable Scott Schwab, Chairperson
House Committee on Elections
Statehouse, Room 561-W
Topeka, Kansas 66612

Dear Representative Schwab:

SUBJECT: Fiscal Note for HB 2067 by Representative Kinzer, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2067 is respectfully submitted to your committee.

HB 2067 would require each voter to provide photo identification when voting and proof of United States citizenship when registering to vote. The bill would give the Secretary of State the authority to prosecute election crimes in addition to county and district attorneys and the Attorney General. The bill would also enhance the security of advance ballots transmitted by mail by requiring registered voters to provide one of the following valid forms of identification: a driver's license, state identification card, or a concealed carry of handgun license issued by Kansas or another state or district of the United States; an employee badge or identification document or a public assistance identification card issued by a municipal, county, state, or federal government office or agency; a United States passport; a military identification document issued by the United States; or a student identification card issued by a public postsecondary institution in the State of Kansas.

If the address is not current on the identification, the person would be allowed to submit a utility bill, bank statement, paycheck, government check, or other government document. Expired documents would be considered valid for persons 65 years of age and older. Anyone who fails to furnish a valid form of identification would be allowed to vote a provisional ballot. The bill outline individuals who would be exempt from the photographic identification document requirements. The bill would make the crime of voting more than once a severity level 8, nonperson felony. Under HB 2067, county election officers would be prohibited from providing an advance voting ballot to a person who is requesting the ballot be transmitted by mail unless the official verifies the signature of the person matches the signature on file in the county voter registration records and the voter provides a valid form of identification as outlined above.

The bill would prohibit a person from signing an advance voting ballot for another person unless the voter has a disability or has given a family member authorization to sign the ballot.

Voters would be allowed to return their advance voting ballot to the county election officer in person or by mail. HB 2067 would allow the voter to give written authorization for another person to return their advance voting ballot in person or by delivery. The designee would be required to sign a statement which affirms undue influence has not been exercised on the voting decisions of the voter. The bill would require the voter registration application to verify each applicant's United States citizenship. The bill outlines the documents that would be considered satisfactory evidence of United States citizenship. The Secretary of State would be required to adopt the rules and regulations necessary to implement these provisions.

HB 2067 would require the Division of Vehicles of the Department of Revenue to waive the application or photo fees for any person 18 years of age or older seeking to obtain an identification card for voter registration. The Department of Health and Environment would be required to waive the fee of a person requesting a certified copy of a birth certificate for voter registration purposes if the person meets these same requirements. The person would also be required to sign an affidavit stating plans to register to vote and declaring eligibility for food assistance, general assistance, Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), Medicaid, United Tribes Food Distribution Program, Bureau of Indian Affairs general assistance, tribally-administered TANF, meal assistance through the National School Lunch Program, or stating the household income at 150.0 percent or less of the federal poverty level. Any person who knowingly signs an affidavit containing false information would be guilty of a class C misdemeanor. The Secretary of Revenue and the Secretary of Health and Environment would be required to adopt the rules and regulations necessary to implement these provisions.

The Secretary of State estimates HB 2067 would increase its expenditures by \$12,500 in FY 2011 and \$1,000 in FY 2012. The estimate for FY 2011 includes \$10,000 to program the statewide voter registration database; \$1,000 to redesign and print new voter registration application forms; \$1,000 to develop a training program for county election officers and poll workers; and \$500 to conduct a training program for state voter registration agencies. The estimate for FY 2012 includes costs for additional training.

The Secretary of State indicates that HB 2067 may increase expenditures for counties by \$51,000 in FY 2011. Approximately 20 counties would incur the cost to purchase document scanning equipment to use in conjunction with the statewide voter registration database which would total \$20,000 (20 counties X \$1,000 per scanner). County election offices could incur increase training costs for poll workers totaling \$31,000.

In addition, the Secretary of State indicates that counties may incur costs to employ additional temporary workers during election seasons, but these costs cannot be estimated. The Secretary of State also assumes costs to provide free copies of documents to individuals who cannot afford to pay for them. The Secretary of State notes that these costs would be negligible and could be absorbed within existing resources, but the costs born to counties cannot be estimated.

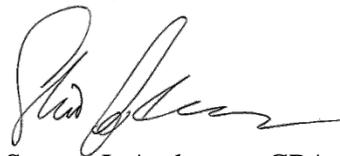
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The Department of Revenue indicates that the costs associated with examiner training, cash register reprogramming, and affidavit scanning and retention could be absorbed within existing resources. In addition, the Department notes that it will be required to compensate its digitized driver's license vendor out of its Photo Fee Fund, for all free identification cards issued for voting purposes. The Department indicates that the costs associated with the issuance of free identification cards could initially be absorbed within existing resources because most people who would desire photo identification already possess either a driver's license or nondriver identification card. The Department of Health and Environment estimates that HB 2067 would increase its expenditures by \$5,000 in FY 2011 to program the Vital Statistics System. Any fiscal effect associated with HB 2067 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", written in a cursive style.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Carol Williams, Governmental Ethics
Christy Myers, Secretary of State's Office
Steve Neske, Revenue
Dan Lewien, SRS
Melissa Wangemann, KS Association of Counties