

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0065S.01I
Bill No.: SB 149
Subject: Elections
Type: Original
Date: January 6, 2023

Bill Summary: This proposal modifies law relating to rejected absentee ballots.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Secretary of State** assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

Officials from the **Kansas City Election Board** assume it would cost \$10,000 per election in staff time, temporary expense, postage and supplies to contact these voters to cure ballots.

Officials from the **Jackson County Board of Elections** state they provide each absentee voter with detailed instructions that accompanies the voter's ballot they receive via mail. Instructions include how to properly vote the ballot and instructions for properly filling out and signing the envelope. Additionally, the Jackson County Election Board instructs the voter on the absentee envelope if there is no need for notarization otherwise the instructions are clear notarization is needed.

Election authorities are understaffed especially during large elections and are occupied fulfilling the absentee requests that come in daily. Election authorities would require additional full-time staff if a law such as SB 149 passed.

In most cases election authorities do not have access to a voter's email address or phone number. Election authorities would have no other option but to mail a notice via 1st class mail to the voter which generally takes 7 working days. Voters submitting their ballots less than two weeks before the election would not have the benefit of getting the rejection notice in a timely manner to cure their ballot and some might receive the notice after the date for submission of corrections.

The Jackson County Board of Elections assume this legislation would have a fiscal impact of \$81,500 (2 FTE - \$80,000 and \$1,500 for additional postage for notices).

Oversight notes that the Kansas City Election Board attempted to contact each person who submitted an improperly filled out absentee ballot in November. They tried to contact 980 absentee voters by phone or letter. They rectified 575, leaving 405 rejected. The Kansas City Election Board had 2 employees working on this project for the majority of the 6 week absentee period. Therefore, their calculation above was based on 2 bipartisan employees @ \$20.00 per hour (including employers' FICA) for 40 hours weeks times 6 weeks or \$9,600, plus estimating postage, printing, legal expense and staff overtime.

Officials from the **Platte County Board of Elections** and **St. Louis County Board of Elections** both assume the proposal will have no fiscal impact on their organizations.

Oversight notes there is a potential increase of cost to local election authorities for postage, printing, and staff time to monitor, retain, and rectify absentee ballot rejections. We are unable to determine how many individuals will cast an absentee ballot or how many absentee ballots will be rejected; therefore, Oversight will reflect a potential unknown cost to local election authorities.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
LOCAL ELECTION AUTHORITIES			
<u>Cost – postage, printing, and processing absentee ballots rejections</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL ELECTION AUTHORITIES	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Under current law, if the statements on any absentee ballot envelope have not been completed, the ballot must be rejected. This act further stipulates that a ballot shall be rejected if the:

- Voter has failed to sign the oath;
- Signature on the envelope does not appear to be valid;
- Oath has failed to be verified;
- Absentee ballot has been rejected for any other reason provided by law; or
- Voter is otherwise found disqualified to vote.

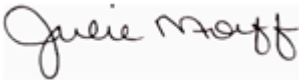
If one of the foregoing has been found by the election authority then the ballot shall be rejected and the election authority shall write "REJECTED" on the face of the envelope and give the reason.

The election authority must promptly notify any voter if his or her absentee ballot has been rejected and the deadline and procedures for curing the defect for which the ballot was rejected.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State
Kansas City Election Board
Jackson County Board of Elections
St. Louis County Board of Elections
Platte County Board of Elections



Julie Morff
Director
January 6, 2023



Ross Strobe
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