

February 1, 2018

The Honorable Kristey Williams, Chairperson
House Committee on Local Government
Statehouse, Room 165-W
Topeka, Kansas 66612

Dear Representative Williams:

SUBJECT: Fiscal Note for HB 2509 by Representative Orr

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2509 is respectfully submitted to your committee.

Current law specifies the salary to be paid to a county Election Commissioner and how that salary should be paid. An Election Commissioner is allowed to appoint one assistant, and existing law makes provisions for paying that person's salary, the costs of hiring and employing a clerk, as well as the costs for an Assistant Election Commissioner to travel within the county. The Election Commissioner in a county with a population of more than 200,000 may hire two assistants.

HB 2509 would leave the amount and manner by which an Election Commissioner can be paid up to the Board of County Commissioners. The Election Commissioner would be allowed to appoint one or more assistants whose salaries would be fixed by the Election Commissioner. Additional staff necessary to effectively operate the office of the Election Commissioner and conduct the elections required by law could be hired and would be paid and provided benefits in the same manner as other county employees. The bill would require that administration of the office of the Election Commissioner be subject to the same personnel, pay, purchasing, budgeting, financial, and auditing policies and procedures as are applicable to all county departments, agencies and officials. Each year, the Election Commissioner would be required to submit a budget to the Board of County Commissioners and this budget would be considered in the same way as budgets of other departments and agencies of the county. With regard to the conduct of elections, the Election Commissioner must operate under the general supervision of the Secretary of State and comply with the statutes, rules, regulations, standards, and directives relating to registration of voters and conduct of elections.

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Currently, under Attorney General Opinion 2017-11, a Board of County Commissioners must fund the budget submitted by an Election Commissioner. According to the Kansas Association of Counties, enactment of HB 2509 could have a fiscal effect on counties as it would place Election Commissioners under the budget authority and personnel policies of the counties, giving the Board of County Commissioners the authority to reduce the Election Commissioner's budget if necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Melissa Wangemann, Association of Counties