

February 21, 2022

The Honorable Fred Patton, Chairperson
House Committee on Judiciary
Statehouse, Room 582-N
Topeka, Kansas 66612

Dear Representative Patton:

SUBJECT: Fiscal Note for HB 2645 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2645 is respectfully submitted to your committee.

HB 2645 would require county election officers to ensure that electronic election data and electronic or digital images of ballots be protected from alteration, destruction, and unauthorized copying or transferring. Security measures would be required to be at least as protective as those prescribed for paper ballots. The bill would also require county election officers to make an online copy of any digital images of ballots available to the public in a manner that allows the images to be searchable by precinct but precludes the alteration of the images. The bill would specify that digital images would be considered public records subject to disclosure under the Open Records Act.

The Kansas Secretary of State reports that enactment of HB 2645 would not have any fiscal effect on agency operations but would have an effect on local county election offices as approximately one third to one half of counties do not currently have equipment necessary to perform the requirements of the bill. While the type of equipment and the needs would vary by county, the agency estimates that voting equipment could range from \$12,000 to \$17,000 per county. Hardware requirements would be higher with costs estimated at \$5,000 per device. In addition, annual maintenance fees would range from \$2,000 to \$5,000 per county.

The Kansas Association of Counties notes that enactment of HB 2645 would increase labor and supply costs necessary to fulfill requirements of the bill. The cost would depend on the volume of ballots and open record requests and would vary by county depending on population. The total cost for counties could not be estimated.

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
Wendi Stark, League of Municipalities
Jay Hall, Association of Counties