

March 13, 2019

The Honorable Elaine Bowers, Chairperson
Senate Committee on Ethics, Elections and Local Government
Statehouse, Room 223-E
Topeka, Kansas 66612

Dear Senator Bowers:

SUBJECT: Fiscal Note for SB 149 by Senator Miller

In accordance with KSA 75-3715a, the following fiscal note concerning SB 149 is respectfully submitted to your committee.

Current law requires a person registering to vote to check a box to indicate whether that person is or is not a citizen of the United States. SB 149 would amend that law to add language to the voter registration form explaining that proof of U.S. citizenship is required by Kansas law and failure to provide proof of citizenship while registering to vote would constitute consent for the county election officer or the chief state election official to obtain the person's birth certificate from the State Registrar of Vital Statistics or from the appropriate agency of another state for the purpose of establishing citizenship. There would be no cost associated with obtaining the birth certificate to the election officials or the person who did not provide proof of citizenship.

Estimated State Fiscal Effect				
	FY 2019 SGF	FY 2019 All Funds	FY 2020 SGF	FY 2020 All Funds
Revenue	--	--	--	(\$459,000)
Expenditure	--	--	\$135,668	\$135,668
FTE Pos.	--	--	--	2.00

According to the Office of Vital Statistics in the Kansas Department of Health and Environment, enactment of SB 149 would result in additional expenditures of \$135,668 in FY 2020 to pay for 2.00 Customer Service Representative FTE positions who would respond to requests for birth certificates made by county election offices or the chief state election official. Costs associated with these positions would be \$58,834 each for salaries and wages, \$10,000 for equipment and furniture, \$2,000 for supplies, and \$6,000 for in-state and out-of-state travel. The

costs in the out years would be approximately \$128,000, with \$60,000 each for salaries and wages, \$2,000 for supplies, and \$6,000 for in-state and out-of-state travel.

The agency reports that between 2014 and 2017, approximately 158,000 voter registration applications were submitted by the Secretary of State for birth certificate matching to identify Kansas-born applications. Of that number, over 62,000 were matched. If those certificates had been issued free of charge, the Office of Vital Statistics would have lost more than \$936,000 in revenue or an average of \$234,000 annually. In addition to lost revenue for issuing birth certificates associated with voter registration, the agency believes that there might be a risk of lost revenue for individuals successful in acquiring their birth certificate under the guise of needing it for voter registration but using it for other needs. If the agency estimates a 15.0 percent loss due to this behavior and applies it to the estimated 100,000 birth certificates issued annually, an additional loss of \$225,000 in revenue at \$15 per certificate could be experienced, for a total loss of \$459,000.

The Secretary of State was not able to provide information on the fiscal effect of enactment of the bill on the agency. Any fiscal effect associated with SB 149 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink that reads "L. Campbell". The signature is fluid and cursive, with the first name "L." and the last name "Campbell" clearly visible.

Larry L. Campbell
Division of the Budget

cc: Bryan Caskey, Office of the Secretary of State
Dan Thimmesch, Health & Environment
Jay Hall, Association of Counties