

HCS HBs 126 & 367 -- ELECTIONS (Veit)

COMMITTEE OF ORIGIN: Standing Committee on Elections

The following is a summary of the House Committee Substitute for HBs 126 & 367.

The bill prohibits the contribution or expenditure of system funds by any public pension system to advocate, support, or oppose the passage or defeat of any ballot measure or the nomination or election of any candidate for public office. In addition, the system funds cannot be used to pay any debts or obligations of any committee supporting or opposing ballot measures or candidates.

Currently, election challengers can be physically present in polling locations until all ballots are cast on election day. This bill allows election challengers in first class counties and charter counties to be physically present while ballots are cast during the in-person absentee voting period.

The bill requires the chair of each county committee of each political party named on the ballot to designate election watchers four days before a watcher can enter a polling or counting location. Information is to be presented to and signed off by the local election authority. If an election authority determines that a watcher does not meet the statutory qualifications, the chair can designate a replacement watcher before 5:00 pm on the Monday before the election.

This bill allows election watchers in first class counties and charter counties to be physically present at in-person absentee voting locations while ballots are being counted or prepared for counting.

This bill allows a notice of election to be sent by email.

The bill moves the filing dates for a declaration of candidacy in certain political subdivisions and special districts back by one week, from the 17th Tuesday prior to the election until the 14th Tuesday prior to the election, to the 16th Tuesday prior to the election until the 13th Tuesday prior to the election.

Currently, voters can cast an absentee ballot by mail or in person at the office of the election authority if they will be unable to vote in person on election day for a number of specified reasons. Beginning two weeks prior to the date of the election, no excuse is needed if the voter is voting an absentee ballot in person at the office of the election authority. This bill extends the no-excuse

in-person absentee voting period from two weeks to six weeks prior to the date of the election.

Currently, covered voters eligible to register to vote can vote in certain elections by submitting a Federal postcard application to apply to vote at their polling place. This bill changes this requirement from the polling place to the office of the election authority on election day.

Currently, interstate former residents and new residents can vote absentee for presidential and vice presidential electors. This bill allows them to vote for those electors at the office of the election authority on election day.

This bill provides that all lists of absentee ballot applications for people with permanent disabilities will be kept confidential and must not be posted or displayed in an area open to the general public nor shown to any unauthorized person.

Currently, a provisional ballot can be cast only in a state or Federal election. This bill allows a provisional ballot to be cast in any public election.

The bill provides that votes for write-in candidates must only be counted for candidates who have filed a declaration of intent to be a write-in candidate, even if no candidate has filed for that office.

This bill adds the following activities to class III election offenses:

- (1) Threatening to harm or engaging in conduct reasonably calculated to harass an election official or a member of their family;
- (2) Attempting to pressure an election official or member of their family to violate a provision of election law;
- (3) Disseminating through any means the personal information of an election official or member of their family for the purpose of threatening to harm or attempting to pressure the official or member of their family to violate a provision of election law.

If a violation results in death or bodily injury to an election official or a member of their family, the offense is a class B felony.

Currently, officers, employees, or agents of certain governmental bodies are prohibited from making contributions or expenditures of

public funds to advocate, support, or oppose the passage or defeat of any ballot measure or the nomination or election of any candidate for public office. This bill adds special districts and charter schools to this list of governmental bodies.

This bill reinstates the presidential preference primary election, to be held statewide on the first Tuesday in March of each presidential election year.

A person who files to be included on the presidential primary ballot is not prohibited from filing as a party candidate for nomination to another office.

Specific deadlines for administrative actions by local election authorities and the Secretary of State that are necessary to hold the presidential preference primary are specified in the bill.

The conduct of the presidential preference primary must conform as nearly as possible to that prescribed for the primary election for State officers.

All costs of the presidential preference primary, except for proportional costs for any political subdivision or special district holding an election on the same day, will be paid by the State.

The bill prohibits any person against whom a quo warranto action is initiated from serving as, being appointed to, or appearing on the ballot for the office that person held when that action was initiated.