

**SCOTT J. SCHWAB**  
Secretary of State



Memorial Hall, 1st Floor  
120 S.W. 10th Avenue  
Topeka, KS 66612-1594  
(785) 296-4564

## STATE OF KANSAS

September 15, 2024

Mr. Adam Proffitt  
Director of the Budget  
Landon State Office Building  
900 SW Jackson, Room 504  
Topeka, KS 66612

Dear Mr. Proffitt:

Attached is a copy of the Secretary of State budget narrative, including the DA-405 documents. In addition, the financial section of the budget has been submitted via IBARS.

Please let us know if you would like additional information. We look forward to working with you and your staff on the submitted budget.

Respectfully,

A handwritten signature in black ink that reads "Scott Schwab".

Scott Schwab  
Secretary of State

cc: Ms. Stephanie Buchanan, Senior Budget Analyst, Kansas Division of the Budget  
Ms. Arianna Waddell, Fiscal Analyst, Kansas Legislative Research Department

**Narrative Information—DA 400**

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**Agency Mission**

The mission of the Secretary of State’s office is to provide excellent, efficient customer service by being the least complicated, most accessible agency in state government.

**Philosophy**

The agency is committed to continuously improving its practices and functions to deliver quality services in the most effective, resourceful way.

**Statutory History**

The Office of the Secretary of State is created by Article 1, § 1 of the Kansas Constitution. The Secretary serves a four-year term. The Constitution creates the office, but several hundred state laws establish the duties of the agency. The agency’s organizational structure is determined primarily by statute. K.S.A. 75-412 authorizes the appointment of an assistant secretary of state and up to five deputy assistant secretaries. The deputies supervise the agency’s primary programs, including administration, elections, business services, and Help America Vote Act (HAVA).

The Secretary of State’s office was historically funded in approximately equal amounts of SGF and special revenue funds (fee funds). In 2003, the Legislature determined the Secretary of State’s office would be a fully fee-funded agency. Currently, the agency is fully fee-funded and manages its fund balances to provide adequate capital throughout the fiscal year. On occasion, the agency will request an SGF appropriation for costs associated with responsibilities requiring substantial funding such as state match dollars for HAVA federal funds.

**Programs executing agency mission:**

- Administration
- Business Services
- Elections
- Help America Vote Act (HAVA)

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<u>Program</u>	<u>FTE Positions*</u>	<u>Non-FTE Unclassified Permanent Positions</u>
Administration	23.0	1.0
Business Services	11.0	1.0
Elections Legislative Matters	6.0	0.0
Help America Vote Act - HAVA	0.0	0.0
Agency Total	40.0	2.0

**Administration**

The Administration Program consists of four divisions: administration, publications, legal services, and information technology.

The Administration Division provides operating services for the agency and is led by the Deputy Assistant Secretary of State for Administration. This division is responsible for overseeing human resources, payroll, financial transactions, fiscal and office management, and emergency response policies and training.

The Publications Division is led by the Deputy Assistant Secretary of State, Director of Communications and Policy. This division is responsible for all public affairs, media inquiries, policy matters, official agency website content, and official publications including the Kansas Register, Kansas Administrative Rules and Regulations, and the Session Laws of Kansas.

The Legal Services Division is led by the Deputy Assistant Secretary of State, General Counsel. This division is responsible for overseeing office litigation, providing legal counsel to the Secretary and staff regarding office-related matters, reviewing and responding to all KORA requests, and maintaining all contracts and official documents.

The Information Technology (IT) Division is led by the Chief Information Officer. This division is responsible for developing and maintaining security and recovery plans for the agency network and data, developing and maintaining software applications, assessing and installing upgrades to the servers and workstations when appropriate, providing expert technical support to both

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employees and customers, and developing technical relationships with both public and private partners. Additionally, the agency has recognized the legislative intent toward improving cybersecurity and infrastructure in state IT systems. The agency is including these initiatives in all divisions to include election security.

Notably, the agency has a completed goal of migration from the AS400 operating system as of FY 2025. The agency is now able to provide a secure and improved user experience for both the public and Secretary of State employees, increased application adaptability, allowed for additional online filings and services, and increased IT staff flexibility and productivity.

***Outcome / Performance Measures***

The regulation-making process has remained paper-based and unchanged since the 1960s. The agency has a goal to modernize the regulatory review and approval process through an electronic regulation program. The goal would enable regulations to be reviewed/approved/stamped electronically by four Kansas agencies: Department of Administration, Attorney General, Division of Budget, and Secretary of State. This modernization will make the regulatory process more efficient, help with tracking of regulation status, improve transparency of the regulatory process, improve onboarding for new employees due to staff turnover, provide improved organization and logging of details and provide improved document preservation. The agency anticipates identification and selection of a vendor in FY 2025.

The official Kansas Administrative Regulations (KARs) are now available on the agency’s website, replacing the need for physical publications, achieving the agency’s initial goal of 100%. However, this objective has a second phase. By FY 2026, the agency will digitize expired regulations and make these accessible via the agency website. Currently, when expired regulations are requested, agency staff must go to the basement, sift through paperwork, retrieve the document, and scan it for the constituent.

	FY 24 Actual	FY 25 Estimate	FY 26 Estimate
Regulation Modernization	--	50%	100%
Digitization of Expired Regulations	--	75%	100%

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The Administration Program currently has 23 FTEs.

**Business Services**

The Business Services Division is primarily responsible for administering filings for Kansas business entities and the Uniform Commercial Code (UCC) and places a high value on delivering outstanding customer service. Business Services files formations, information reports, and amendment documents for corporations, limited liability companies, limited partnerships, limited liability partnerships, cooperatives, business trusts, and other entities. The division also maintains records on active, forfeited, withdrawn, merged, canceled, and dissolved business entities. In FY 2024, approximately 206,000 business documents were filed with the division, of which more than 118,000 were information reports. Migration off the AS 400 computer system, approved legislation as of 2024, will streamline business filings and make it possible to file additional types of filings online. The agency anticipates continued promotion of the new business entity filing system over the next year through additional outreach to organizations, mailings, and social media.

Other documents filed by the Business Services Division include notary applications, service agents, warehouse bonds, cemetery corporation filings, and health care card suppliers. Upon the passage of HB2790 by the Legislature in 2024, the division will be receiving the Professional Employer Organizations (“PEOs”) from the Kansas Department of Insurance. The division also administers the UCC by filing financing statements, amendments, and terminations, performing searches, and issuing copies to the public. The program currently has over 316,000 active UCC filings on record. In FY 2024, over 94% of nearly 81,000 annual UCC transactions were filed electronically.

***Outcomes / Performance Measures***

The agency has a goal to increase customer use of the existing/new online business services filing system for filing business formation documents. Currently, most business formation documents can be filed online. In general, online filing has increased from year to year. In FY 2024 82% of business formation documents were filed online. The agency will continue to promote and encourage online filings with a goal of increasing online business formation filings to 86% in FY 2025 and 84% in FY 2026 through increased outreach to customers, business organizations and other stakeholders.

The agency has a goal to increase customer use of the existing and new online business services filing system for filing information reports. Currently, all reports can be filed online. In FY 2019, the first year this goal was measured, 74% of annual reports were filed online. In general, online filing of information reports increased modestly from year-to-year. In FY 2024, 83%

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of information reports were filed online. The agency will continue to promote and encourage online filings with a goal of increasing online information report filings to 86% in FY 2025 and 87% in FY 2026.

	FY 24 Actual	FY 25 Estimate	FY 26 Estimate
Percentage of annual online filings: Business Formation Documents	82%	83%	84%
Informational Reports	83%	85%	86%

The Business Services Program currently has 11 FTEs.

**Elections**

The Elections Division is primarily responsible for overseeing national and state elections, candidate filings for national and state offices, and assisting local election officers administer elections. In 2023, legislation was passed to update and streamline election statutes and clarify conflicting statutes with a goal of improving election administration and further increasing transparency in the election process. The division is also responsible for lobbyist registrations, issuing lobbying badges, providing public access to state campaign finance documents and public disclosure documents, implementing federal legislation pertaining to election administration, and selling Kansas flags. The division also serves as a repository for statements of substantial interest for state officers and certain state employees. The division places high importance on excellent customer service and ensuring the administration and integrity of elections.

Beginning in FY 2025 and future years, the agency is funding for an FTE for the Elections Division. This FTE would fill a data analyst position that would focus on making current and historical election data and voter registration data more readily available and accessible to voters and the public, in addition to assisting with administration of elections and working as part of the elections team conducting procedural audits. The agency currently receives requests for specific data, which may be available as raw data, but not available in a user-friendly format. This position would be key to fulfilling these requests.

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***Outcomes / Performance Measures***

The agency has a goal to employ a data analyst in the Elections Division to analyze and produce election data in formats that are easily accessible by the public. The goal will include the production of election data following each primary and general election as well as historical data.

	FY 24 Actual	FY 25 Estimate	FY 26 Estimate
2024 election data production made available to the public	--	50%	100%

The Elections program currently has 6 FTEs.

**Help America Vote Act (HAVA)**

The Help America Vote Act (HAVA) Program is administered by the Elections Division. The Help America Vote Act [HAVA] of 2002 created new mandatory minimum standards for states to follow in several key areas of election administration. These areas included provisional voting, providing voting information to the public, updating and upgrading voting equipment, creating a statewide list of registered voters, creating a process to file administrative complaints, and developing voter identification procedures.

Since 2002, Kansas has accomplished the following objectives under HAVA:

- Designed, purchased, developed and installed a statewide computerized voter registration and election management database that is the system of record for all 105 counties;
- Negotiated contracts with voting equipment manufacturers and oversaw the purchase of more than 2,000 voting machines to enable counties to provide at least one ADA-compliant voting machine per polling place to allow voters with disabilities, including visual impairment, to vote secret and unassisted ballots. These contracts have expired and counties now negotiate their own contracts for voting equipment;
- Received and administered more than \$30 million in federal funds;

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- Provided physical security grants to counties to assist with securing election equipment
- Provide ongoing cybersecurity services for counties.

The State receives funds for use in paying for the costs of complying with HAVA from federal grants provided by the U.S. Election Assistance Commission. In FY 2016, a new statewide voter registration and election management system was procured. The current contract ends January 2026. Per federal law, the state must have a centralized voter registration system. While the program is currently focused on post-implementation responsibilities including management, oversight and upgrades, the agency will begin preparation for the expiration and replacement of the current statewide voter registration and election management system contract.

***Outcomes / Performance Measures***

The agency implemented a new training program for all 105 county election officers specifically for the administration of elections. K.S.A. 25-124 requires the Secretary of State to provide instruction to county election officers in a method determined by the Secretary of State. This program is in addition to other mandated annual training for county election offices. The program includes hourly sessions that will be delivered in a variety of methods. At least one attendee from each county has participated in the six training classes conducted in FY 2024. Each class lasted a minimum of three hours. The final three classes [of three hours each] will be conducted in early 2025. With newly elected county election officers taking office in late January, a series of training classes will be offered to new clerks and employees. Separately, continuing education courses will be offered to those who have already completed the program. Those courses will take place in FY 2025 and FY 2026.

The agency has a goal to begin preparation for the expiration and replacement of the current statewide voter registration and election management system contract. In FY 2025, the agency will begin the RFP process for the replacement or extension of the next generation of the system through a new or existing vendor. Part of the process will include appointing a group of county election officials and a consultant to work with the agency on the parameters of the system as well as funding options.



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	FY 24 Actual	FY 25 Estimate	FY 26 Estimate
Local election official certification program [Continuing education]	25%	50%	100%
Statewide Voter Registration Database	--	50%	100%

**Agency-wide overview**

**Current Year (FY 2025)**

In FY 2024, the agency requested a total of \$8,625,229. The increase is mainly attributable to an increase in HAVA grant expenditures, increases to salaries and wages and contractual services. Operational costs for the agency are expected to increase slightly from FY 2024.

**Budget Year (FY 2026)**

The agency requests a total of \$8,621,970.

**Expenditure justification by object code**

Program codes:

Administration (ADM) 01030  
 Business Services (BS) 07400  
 Elections/Legislative Matters (ELM) 07500  
 Help America Vote Act (HAVA) 07900

**Object Code 100 Series: Salaries and Wages**

In FY 2025, the agency will administer four programs (ADM, BS, ELM, and HAVA). The agency’s approved FY 2025 budget for salaries and wages is \$3,232,324. The change is attributed to increased salary and wages as approved by the Legislature for state employees during the 2024 session resulting in an increase of \$361,057 to \$3,593,381. All positions in the Secretary of State’s office are unclassified.

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In FY 2026, the agency will administer four programs (ADM, BS, ELM, and HAVA). In FY 2026, the agency has budgeted \$3,743,727 for salaries and wages.

FY 25: \$3,593,381  
FY 26: \$3,743,727

**Object Code 200 Series: Contractual Services**

The agency anticipates no significant new operational costs for FY 2025 or FY 2026. The increase for FY 2025 and FY 2026 is attributable to expected increases in economic costs to maintain current level operating functions.

ADM program – Major expenditures in this category include: communications \$37,280; freight and express \$89,000; printing \$75,500; rents (including Memorial Hall) \$370,565; fees and other services \$670,150. Expenditures for these major categories are expected to continue to increase in FY 2025 and 2026 for the Administration program.

BS program – Major expenditures in this category are routine and include: communications \$45,000, and printing and advertising \$10,000. Expenditures for this category are expected to increase in FY 2025 and 2026 for the Business Services program.

ELM program – Major expenditures in this category are freight costs associated with the shipping of legal publications and communications \$2,500. Expenditures for these major categories are expected to continue to increase in FY 2025 and 2026 for the Elections program.

HAVA program – Major routine expenditures for this program include; printing and advertising \$205,000, rents \$775,400 which includes ELVIS maintenance and support fees; repairing and servicing fees \$668,943 which includes ELVIS training for election officials and ELVIS hosting services and election tokens and maintenance; fees and other services \$550,000, professional services fees \$260,000 which includes an elections consultant and certification training for county election officials. For FY 2025 and FY 2026, the agency anticipates continued elections maintenance costs.

FY 25: \$4,102,948  
FY 26: \$4,270,243

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**Object Code 300 Series: Commodities**

The commodity expenditures for the agency were \$40,114. Major expenditures for this category include lobbyist nametags, stationary, data processing supplies and office supplies. Major routine expenditures for this category are expected to increase modestly in FY 2025 and FY 2026.

FY 25: \$49,550

FY 26: \$49,150

**Object Code 400 Series: Capital Outlay**

The capital outlay expenditures for the agency were \$44,338. In FY 2025, the agency requests an adjusted budget of \$73,350 to purchase information technology infrastructure, computer equipment and expected costs related to election security software. Other expenditures for this category include purchases for printers, scanners, infrastructure upgrades, and software licenses.

FY 25: \$73,350

FY 26: \$52,850

**Object Code 800 Series: Aid to Locals**

In FY 2025 and FY 2026, the agency will assess the need of county election officials and offer a second year of election security grants of \$800,000 and \$500,000, respectively, from HAVA election security funds to assist certain counties with election security funding. The funds will be used to bolster physical equipment and systems in anticipation of increased election activities. The counties will be reimbursed for approved items related to the upgrading of their election security.

FY 25: \$800,000

FY 26: \$500,000

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**SB 28 – Cemetery and Funeral Audit Fee Fund:**

**Statutory History:** In 1988, HB 3043 was passed; establishing the cemetery and funeral audit fee fund in the state treasury; amending KSA 17-1312a and KSA 1987 Supp. 16-310 and 16-325. In 2001, the statute was amended. The secretary of state would no longer have to remit fees to the state treasurer monthly.

Today, KSA 75-441 creates in the state treasury the cemetery and funeral audit fee fund. The statute holds that all monies received by the secretary of state for auditing any person, association, partnership, firm or corporation pursuant to K.S.A. 16-310 and 16-325 and K.S.A. 17-1312a, and amendments thereto, shall be submitted to the state treasurer. Upon receipt of said money, the state treasurer will then deposit the entire amount in the treasury, but the money shall be credited to the secretary of state under the cemetery and funeral audit fee fund. All expenditures of money from this fund must be approved by the secretary of state or a person designated by that office.

	Estimated Receipts			
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
Cemetery and Funeral Audit Fee Fund (2225)	\$ 610	\$ 4	\$ 500	\$ 510

**SB 28 – Information and Services Fee Fund:**

**Statutory History:** In 1982, SB 516 was passed; establishing the information and copy service fee fund and the imposition and disposition of fees; amending KSA 17-7502, 44-804, 44-806, 45-107, 46-265, 75-4336, 76-2613, 81-113, 81-115, and 82-163. In 2001, the statute was amended. The secretary of state would no longer have to remit fees to the state treasurer monthly. The statute was last amended in 2003 (see below).

Today, KSA 75-438 creates the information and services fee fund in the state treasury allowing the secretary of state to charge and collect an information services fee. As required by statute, the secretary adopted rules fixing these fees. If fees or charges for such information or services are legally authorized, the secretary of state may still charge these fixed fees in addition to existing fees. The statute holds that all monies received by the secretary of state under this provision shall be remitted to the state treasurer. Upon receipt of said money, the state treasurer will then deposit the entire amount in the treasury, but the money shall be credited

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to the secretary of state under the information and fee services fund. All expenditures of money from this fund must be approved by the secretary of state or a person designated by that office.

Receipts are tracked monthly as well as annually. Revenue projections are based on these receipt trends, the economy, law changes, fee increases/decreases, and the volume of documents filed electronically (in many cases the electronic fee is lower). It is important that the balance of this fund remain at \$600,000 or more so that the agency is sufficiently capitalized and does not encounter cash flow problems during the months that expenditures exceed revenue and in the case of an emergency. This is one of the primary funds for both agency operating expenses and salaries.

	Estimated Receipts			
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
Information and Services Fee Fund (2430)	\$ 4,043,317	\$ 3,736,888	\$ 3,900,000	\$ 4,000,000

**SB 28 – State Register Fee Fund:**

**Statutory History:** In 1981, SB 2480 was passed, amending KSA 9-3101 and applying to the publication, sale, and distribution of the Kansas register. In 2001, the statute was amended providing that the secretary of state would no longer have to remit fees to the state treasurer monthly.

Today, KSA 75-433 enables the secretary of state to fix, charge, and collect publication fees from state agencies for the publication of documents and information required or authorized by law to be published in the Kansas register. The secretary of state shall sell annual subscriptions to the Kansas register and charge subscription fees. After 1984, the fees shall be fixed in amounts adequate to recover the costs of printing, binding, postage, and handling of the register. The statute holds that all monies received by the secretary of state under this provision shall be remitted to the state treasurer. Upon receipt of said money, the state treasurer will then deposit the entire amount in the treasury, but the money shall be credited to the secretary of state under the state register fee fund. All expenditures of money from this fund must be approved by the secretary of state or a person designated by that office.

Revenue projections are based on receipt trends from previous years. The number of paid subscribers continues to decrease as more customers use the free online version available on the agency website. The balance in this fund should be no less than \$150,000 at the end of the fiscal year.

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	Estimated Receipts			
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
State Register Fee Fund (2619)	\$ 141,947	\$ 146,975	\$ 148,000	\$ 149,000

**SB 28 – Uniform Commercial Code Fee Fund:**

**Statutory History:** SB 366 was passed in 2000; section 134 described the procedure for monetary remittance to the state treasurer by the secretary of state.

Today, KSA 75-448 creates the uniform commercial code (UCC) fee fund. The secretary of state shall remit to the state treasurer, at least monthly, all fees earned from the providing of information regarding Article 9, chapter 84 of the Kansas statutes (UCC). Upon receipt, the treasurer shall deposit the entire amount in the state treasury and credit 10% of the amount to the state general fund and the remaining balance to the secretary of state under the UCC fee fund (note: for FY 2010 and FY 2011, the split was 20% to the state general fund, but the passage of SB 229 modified the share to the current 90/10 split). All expenditures of money from the UCC fee fund must be approved by the secretary of state or a person designated by that office.

Additionally, if information regarding filings in the office of the secretary of state is provided by a register of deeds, the fee to be collected is an amount fixed by rules and regulations adopted by the secretary of state. These rules and regulations shall specify the amount the register of deeds shall remit to the county treasurer for deposit into the county general fund. The register of deeds remits at least monthly the remainder of all such fees collected to the state treasurer. The state treasurer shall deposit the entire amount in the state treasury and shall credit 10% of the amount to the state general fund and the remainder to the secretary of state under the UCC fee fund.

The economy and electronic filings have a large impact on this fund. The agency tracks the receipts on a monthly basis as well as annually and uses these trends to project the annual revenue for the budget. A balance of approximately \$400,000 in this fund is needed to protect the program during volatile economic times. It is important that additional money not be transferred to the SGF. In FY 2010, \$141,425 was transferred to the SGF and in FY 2012 another \$200,000 was transferred to the SGF as a result of legislative action. The transfer had a detrimental impact on the balance of this fund.

	Estimated Receipts			
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
Uniform Commercial Code Fee Fund (2664)	\$ 69,677	\$ 72,242	\$ 73,000	\$ 74,000

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**SB 28 – Technology Communication Fee Fund:**

**Statutory History:** SB 499 was passed in 2002 which established the technology communication fee fund.

Today, KSA 75-444 creates the technology communication fee fund. The secretary of state shall charge a technology communication fee, established by rules and regulations but not exceeding \$5, in addition to any filing fees, to cover the cost of technology systems that will support services provided pursuant to the uniform electronic transactions act and amendments thereto. The statute holds that all monies received by the secretary of state under this provision shall be remitted to the state treasurer at least monthly. Upon receipt of said money, the state treasurer will then deposit the entire amount in the treasury, but the money shall be credited to the secretary of state under the technology communication fee fund. All expenditures of money from this fund must be approved by the secretary of state or a person designated by that office.

Receipts are tracked monthly as well as annually. Revenue projections are based on these receipt trends, the economy, and the volume of documents filed electronically (in many cases the electronic fee is lower). It is important that the balance of this fund be \$500,000 or more.

	<b>Estimated Receipts</b>			
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
Technology Communication Fee Fund (2672)	\$ 1,340,392	\$ 1,432,552	\$ 1,480,000	\$ 1,490,000

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**SB 28 – Athlete Agent Registration Fee Fund:**

**Statutory History:** SB 61 was passed in 2003, enacting the uniform athlete agents act; amending KSA 2002 Supp. 45-221 and repealing the existing section, also repealing KSA 44-1501 thru 44-1505, 44-1507 thru 44-1511, KSA 44-1513 thru 44-1515; KSA 2002 Supp. 44-1506 and KSA 44-1512.

Today, KSA 44-1533 creates the athlete agent registration fee fund. All moneys credited to the athlete agent registration fee fund shall be used for the expenses incurred for the performance of the duties and functions of the secretary of state under the uniform athlete agent act. The statute holds that all monies received by the secretary of state under this provision shall be remitted to the state treasurer. Upon receipt of said money, the state treasurer will then deposit the entire amount in the treasury, but the money shall be credited to the secretary of state under the athlete agent registration fee fund. All expenditures of money from this fund must be approved by the secretary of state or a person designated by that office.

Revenue projections are based on receipt trends from previous years.

	<b>Estimated Receipts</b>			
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
Athlete Agent Registration Fee Fund (2674)	\$ 16,738	\$ 18,000	\$ 18,500	\$ 19,000



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**SB 28 – State Flag and Banner Fund:**

**Statutory History:** HB 136 was passed in 1953 and initially created an act to provide for the purchase, sale, and distribution of state flags and banners by the secretary of state. The statute was amended in 2001 to comply with the provisions of KSA 75-4215: Remittance of state moneys.

Today, KSA 75-420 creates the state flag and banner fund. The statute holds that all moneys collected from the sale of Kansas state flags and banners shall be remitted by the secretary of state to the state treasurer. Upon receipt of said money, the state treasurer will then deposit the entire amount in the treasury, but the money shall be credited to the secretary of state under the state flag and banner fund. Revenue projections are based on receipt trends from previous years.

	<b>Estimated Receipts</b>			
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
State Flag and Banner Fund (5130)	\$ 6,893	\$ 10,828	\$ 8,500	\$ 7,500

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**SB 28 – HAVA ELVIS Fund:**

**Statutory History:** The fund was created and implemented through a state appropriations bill for the receipt of county money relating to the statewide voter registration system (ELVIS).

<b>Estimated Receipts HAVA ELVIS Fund 2353</b>				
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
Interest	\$ 11,464	\$ 23,163	\$ 22,000	\$ 21,000
Other Income	\$ 0	\$ 0	\$ 0	\$ 0
Transfer to 2702 (Democracy Fund)	\$ 0	\$ 0	\$ 0	\$ 0

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**SB 28 – Democracy Fund:**

**Statutory History:** Federal law (Public Law 107-252, Help America Vote Act of 2002) required that a state fund be established for this provision. The fund was created and implemented through a state appropriations bill. It is for the receipt of matching monies required for the implementation of HAVA Title III activities.

Pursuant to P.L. 107-252, interest must be earned on all matching funds associated with HAVA as well as the federal dollars. In May 2008, the agency was notified by the U.S. Election Assistance Commission (“EAC”) that it was in violation because the SGF matching fund was not receiving interest. The Secretary of State’s office worked with Legislative Research, Division of Budget and Division of Accounts and Reports to correct this deficiency. Because it was not the intent of the legislature to be in violation of federal law, the remaining SGF appropriation in HAVA match fund 1000-0500 were transferred to the Democracy Fund 2702-2400 which allows interest earnings. All matching funds are now deposited in the Democracy Fund.

The state match for the 2020 HAVA Election Security grant was transferred to the Democracy Fund from SGF totaling \$981,899. An additional amount was awarded to the state, increasing the state match requirement by \$3,085. This amount was transferred to the Democracy Fund at the beginning of FY 2022. In 2022 and 2023, the agency received \$1,000,000 for each year of Election Security grants from the EAC. The \$2,000,000 amount required a state match of 20%. As of July 1, 2023, the matching funds of \$400,000 were provided by the legislature from SGF.

	<b>Estimated Receipts Democracy Fund 2702</b>			
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
Interest	\$ 33,552	\$ 77,422	\$ 75,000	\$ 74,000
Other Income	\$ 0	\$ 400,000	\$ 0	\$ 0
Transfer from 2353 (HAVA ELVIS)	\$ 0	\$ 0	\$ 0	\$ 0

**Narrative Information—DA 405**

State of Kansas

Program HAVA\_\_\_\_\_

**SB 28 – HAVA Federal Fund – FFY 03:**

**Statutory History:** Federal law (P.L. 107-252, Help America Vote Act of 2002) required that a state fund be established for this provision. The fund was created and implemented through a state appropriations bill for the receipt of the original federal appropriation which did not require a state match.

**Estimated Receipts  
HAVA Fed Fund 3283-3283  
(was 3091-3000)**

	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
Interest	\$ 63,838	\$ 101,741	\$ 98,000	\$ 97,000
Other Income	\$ 0	\$ 0	\$ 0	\$ 0
<b>Effective July 1, 2010 became fund 3283-3283</b>				

**Narrative Information—DA 405**

State of Kansas

Program HAVA\_\_\_\_\_

**SB 28 – HAVA Federal Fund – FFY 04 – Match Required:**

**Statutory History:** Federal law (P.L. 107-252, Help America Vote Act of 2002) required that a state fund be established for this provision. The fund was created and implemented through a state appropriations bill for the receipt of a federal appropriation for the implementation of Title III activities.

<b>Estimated Receipts</b>				
<b>HAVA Fed Fund FFY 04 – Match Required 3091-3010</b>				
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
Interest	\$ 5,728	\$ 10,214	\$ 9,000	\$ 8,500

**SB 28 – HAVA Federal Fund – FFY 03 – Match Required:**

**Statutory History:** Federal law (P.L. 107-252, Help America Vote Act of 2002) required that a state fund be established for this provision. The fund was created and implemented through a state appropriations bill for the receipt of a federal appropriation for the implementation of HAVA Title III activities.

<b>Estimated Receipts</b>				
<b>HAVA Fed Fund FFY 03 – Match Required 3091-3005</b>				
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
Interest	\$ 7,303	\$ 13,023	\$ 12,000	\$ 11,000
Transfer from 3091-3015	\$ 0	\$ 0	\$ 0	\$ 0

**Narrative Information—DA 405**

State of Kansas

Program HAVA\_\_\_\_\_

**HAVA Election Security Fund – FFY 18 – Match Required:**

**Statutory History:** In 2018, Congress passed, and President Trump signed, H.R. 1625 (P.L. 115-141), the 2018 Congressional Appropriations Act. Section 501 made available to the states grant money to improve the administration of elections for Federal office, including to enhance election technology and make election security improvements, as authorized by the Help America Vote Act (sections 101, 103, and 104). The Act requires the states to create a matching fund within two years after receiving HAVA payments. Kansas’s required matching amount is \$219,180 (5% of the \$4,383,595 HAVA granted funds). The certification from Kansas is that it will use the grant for activities consistent with Section 906 of HAVA and not inconsistent with the requirements of Title III of HAVA.

In December 2019, Congress passed, and President Trump signed, H.R. 1158 (P.L. 116-93), the 2020 Congressional Appropriations Act. This act appropriated an original amount of \$4,909,494 to Kansas for election security. The original required state match requirement was \$981,899, or 20% of the grant. In August 2020, the Election Assistance Commission (EAC) awarded an additional \$15,427 in 2020 HAVA Election Security grant funding to Kansas. The revised grant total is \$4,924,921 with a revised total state match requirement of \$984,984. The Secretary of State received the original state match in FY 2021 from the Legislature in State General Funding. The remaining \$3,085 SGF was received in FY 2022.

At the beginning of FY 2021, the Election Assistance Commission (EAC) allowed for the 2018 and 2020 funds to be combined into one fund. The following shows the funds combined as the HAVA Election Security Fund. The agency received \$4.9 million in revenue for FY 2021 is the grant transfer for the combination of funds.

In 2023 and 2024, the agency received \$1,000,000 for each year of Election Security grants from the EAC. The \$2,000,000 amount required a state match of 20%. As of July 1, 2023, the matching funds of \$400,000 were provided by the legislature from SGF in the Democracy Fund.

<b>Estimated Receipts 2018 HAVA Election 3956-3956</b>				
	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Projected
Interest	\$ 171,907	\$ 317,809	\$ 270,000	\$ 250,000
Federal Operating Grant	\$ 1,000,000	\$ 1,000,000	\$ 0	\$ 0