



**TESTIMONY OF**

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**POLICY DIRECTOR, AMERICAN CIVIL LIBERTIES UNION OF KANSAS**

**IN SUPPORT OF HB 2092**

**KANSAS HOUSE COMMITTEE ON ELECTIONS**

**FEBRUARY 19, 2019**

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Thank you, Chair Sutton, and members of the Committee for affording us the opportunity to provide testimony on HB 2092.

The American Civil Liberties Union (ACLU) of Kansas is a non-partisan, non-political membership organization dedicated to preserving and strengthening the constitutional liberties afforded to every resident of Kansas. We work to preserve and strengthen our constitutional rights and freedoms through policy advocacy, litigation, and education. We proudly serve over 40,000 supporters in Kansas and represent more than 1.7 million supporters nationwide.

My Statewide Organizer Melissa Stiehler has been traveling the state speaking with Kansas voters and your constituents about how they would like to increase citizen participation in their own communities. The vast majority of issues brought to my attention are those that would be resolved with Election Day Registration. Nearly 4,000 volunteers have signed up to advocate for this legislation within the past year, some of whom have joined us in the gallery today.

The ACLU of Kansas and our member and volunteer base strongly support implementing election-day registration in Kansas with HB 2092.

- Election-day voter registration is a proven tool for increasing voter turnout. States with election-day registration, including Idaho, Iowa, Montana, Utah and Wisconsin, have turnout rates 10-12% higher than states without it. Most importantly, four of the top five states for high

voter turnout have election-day voter registration, and other forms of civic engagement are also higher in these states.

- Election-day registration reaches marginalized voters. Members of the military, geographically mobile people, the elderly, young people, voters of color, lower-income Americans, and busy professionals all benefit from election-day registration, and it is widely used by citizens across the political and demographic spectrum. Member of the military who frequently move, young people who may change addresses, have a particularly hard time registering by arbitrary deadlines, and would benefit from same-day registration. This has also had a tremendous impact on encouraging participation among people of color. Census data show that over 36 million people in America moved between 2011 and 2012, and nearly half of those moving had low-incomes. Election-day registration could have an impact on increasing turnout for all Kansans, but is particularly important for the poorest and most marginalized voter.
- Election-day registration is easy to implement, non-controversial, and used throughout the United States. Election-day voter registration can be implemented in Kansas alongside existing voter ID and proof of citizenship requirements. The administrative costs and challenges of implementing the system are negligible. Surveys of local election officials in 7 states using election-day registration found that costs were “minimal” and no additional staff was needed. Election-day registration ensured that voters were providing their most recent and accurate domicile. The system is so non-controversial that it has been adopted under Republicans and Democrats, is used in 17 states, and the District of Columbia pending 2019 implementation in 1. Concerns about security have also been abated, because unlike registration by mail, election-day registration requires eligible voters to attest to their identity face-to-face before an elections official.

#### Benefits of Same Day Registration

- One-Stop-Shop increases voter participation: Wisconsin turnout in a Presidential Election consistently ranks #2 in the country (after Minnesota, which offers same day registration *and* DMV registration).
- Increases access to voting: In Milwaukee, 20% or 1 in 5 voters register and vote on Election Day (11% statewide average).
- Invites the participation of populations historically disenfranchised from voting: The percentage of same day registration activity varies significantly from voting site to voting site, with the highest volume of registration activity in economically challenged districts with high concentrations of people in poverty, and with students. People in poverty, due to the very nature of poverty, tend to be more transient and therefore encounter the greatest barriers to registering to vote.

- Encourages young people to vote and become lifetime voters: First-time young voters may not be aware of pre-election registration requirements or may be focused on academics. Milwaukee experiences very high rates of same day registration clustered around college and university campuses.
- Is a cost-effective way to protect democracy and the right to participate in elections. Most states reported a negligible cost for start-up, and then no cost or cost saving from that point forward (via NCSL data).
- Allows for accurate voter rolls and more efficient record-keeping: Without a deadline for registration, county clerks do not have to be concerned about accidentally purging eligible voters from their rolls who then will not be able to vote. The eligible voter can register and cast a provisional ballot which is then counted, and election officials can keep better track and up-to-the-minute accurate voter rolls.
- The process is already in place: Kansas county clerks already accept a high number of provisional ballots, and must review these after each election. When they find a voter who is eligible to vote, but not registered, they must currently discard that ballot. This bill allows them to count that ballot and for the voter to know their vote mattered.

We urge this committee to work on enacting election-day registration, and to support citizen participation among all Kansans.



#### City of Milwaukee and Election Day Registration:

- Milwaukee's Demographics
  - Overall population of 600,000 with 437,000 eligible voters
  - On average, 280,000 (or 64%) vote in a Presidential Election
  - People of color represent the city's majority racial demographic, with an estimated 40% African American and 17% Hispanic/Latino
  - 29% or nearly 1 in 3 residents of Milwaukee live in poverty, with a disproportionate 40% of all African American residents and 35% of all Hispanic/Latino residents living in poverty.
- Same day registration has been offered in Wisconsin since 1975 and is available at all polling places
- Utah and Michigan both have statutes similar to HB 2092 (registration is available during the early voting period and on election day and voters cast a provisional ballot which is then verified for eligibility).

Additional information on states with Same Day/Election Day Registration can be found at:  
<http://www.ncsl.org/research/elections-and-campaigns/same-day-registration.aspx>