



EQUALITY ♦ LAW ♦ JUSTICE

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Testimony in Opposition to HB 2054
House Elections Committee
January 19, 2021

Chairman Carpenter and Members of the Committee:

My name is Rocky Nichols. I am the Executive Director of the Disability Rights Center of Kansas (DRC). DRC is a public interest legal advocacy organization that is part of a national network of federally mandated organizations empowered to advocate for Kansans with disabilities. DRC is the officially designated protection and advocacy system in Kansas. DRC is a private, 501(c)(3) nonprofit corporation, organizationally independent of state government and whose sole interest is the protection of the legal rights of Kansans with disabilities. Among those rights we protect is the right for people with disabilities to vote and cast a ballot.

DRC Kansas is testifying in opposition to HB 2054.

HB 2054 would place arbitrary limits making it harder for Kansans to have their advance ballots submitted. This will disproportionately harm Kansans with disabilities. Many Kansans with disabilities use permanent advance ballots or may find themselves using a one-time advance ballot to be able to cast their vote. Many of these Kansans with disabilities do not have transportation. Many Kansans with disabilities also have cognitive or other impairments that may make it difficult for them to remember to mail back their advanced ballot so that it arrives at the election office on time. What this bill would do is effectively force many of those Kansans with disabilities to NOT have their votes counted, because they may not be able to quickly find a family member of “caregiver” available to deliver their ballot. You would make it much harder for these Kansans with disabilities from being able to cast their vote. Let’s say they forget to mail back their advanced ballot (which may be because of a disability or other impairment). It’s now election day or election eve. Under this bill, they would have to either arrange transportation to take the ballot in themselves, or find a family member or “caregiver” to deliver it. That limitation makes it unnecessarily difficult and makes it harder for the person to vote ... all for no legitimate reason.

Also, many Kansans with disabilities do not or cannot drive and have serious barriers arranging for transportation so that they can turn in the advanced ballot themselves. That is why many Kansans with disabilities vote advanced in the first place. Additionally, many Kansans with disabilities are often forced to live in poverty just to obtain the life sustaining HCBS Waiver

services they need to survive. Let's say you are a person with quadriplegia who needs Physical Disability Waiver services to help you with your activities of daily living to accommodate your disability. Unless you know how to navigate work incentive programs, you are generally limited to earning no more than three times the federal Supplemental Security Income level (\$794 per month) in order to continue to receive the PD Waiver services you need to accommodate your disability. You are basically forced to live in lower social economic status due to your disability. You do not have the disposable income (or time) to deal with the new headaches caused by this bill just to get your vote counted.

The new red tape and hoops this bill creates to allow people to get their advance ballot turned in on time is burdensome and will be discriminatory against Kansans with disabilities. This bill makes it harder for decent Kansans, including Kansans with disabilities, to have their advanced ballot delivered in time so that their votes can be counted. We would strongly encourage you to not act upon HB 2054.

Thank you.