



EQUALITY ♦ LAW ♦ JUSTICE

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February 9, 2022
Opponent for SB 389
Oral in-person Testimony

Chairman Olson and members of the committee:

My name is Mike Burgess. I am the Director of Policy & Outreach at 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.

I would like to share a couple of concerns regarding the issue of signatures and accessible voting.

Ensuring all legal forms of signature are allowed

The issue of a signatures, particularly on voter registration applications, mail-in ballots, and poll books, can be very complicated. The current law takes into account situations where people may simply make a mark, squiggle, or put an X on the paper for their signature. For someone with quadriplegia, their legally binding signature could be a wink. These methods are all allowable under the federal ADA law. Our statutes, regulations, guidance, and even the poll books would need to accommodate all of these scenarios to ensure Kansans with disabilities do not get disenfranchised.

The language requiring hand-written signatures is on Page 2, line 18:

(c) The use of poll books not requiring a hand-written signature shall be prohibited.

Given the requirements of the ADA and other voter signature requirements in Kansas law, this needs to be changed to ensure Kansas continues to comply with federal law.

Accessible electronic voting stations

Also while not in the bill, DRC would oppose any efforts to not allow accessible voting machines and require all voters to use only paper ballots. It is important to allow all voters to be able to vote without assistance if they desire and to ensure election board workers are trained on the accessibility features of those machines.

We have appreciated the opportunity to partner with the Kansas Secretary of State office as well as local county clerks and election officials on a number of election accessibility efforts and training in the past, including work on improving the accessibility (and wording) on ballot return envelopes four years ago. We would be happy to serve as a resource again.

We would gladly work with the committee to get this bill right if you choose to work it.

Thank you for the opportunity to speak on this bill. I would be happy to stand for questions at the appropriate time.