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## STATE OF KANSAS

### **Testimony on SB221 (Oral Proponent)**

House Committee on Elections  
Thursday, March 9, 2023

Chairman Proctor and members of the Committee:

Thank you for the opportunity to provide comments on Senate Bill 221, which concerns write-in votes for some elected offices. This legislation mirrors Section 19 in HB2086 – a bill introduced by our office and unanimously passed out of this Committee and the House of Representatives.

The essence of SB221 is only to expend election time staff recording write-in votes for the individuals who want to be write-in candidates. Under current state law, county election officials are required to count and record every write-in vote for nearly all candidates. This time-consuming process has never affected the election outcome for larger districts.

SB221 seeks to reduce the workload on county election staff by expanding the offices that require an affidavit of write-in candidacy from an individual before write-in votes for that individual will be recorded. This requirement is already in statute for all federal and statewide candidates. SB221 expands the affidavit requirement to include state legislative office, state board of education, judicial office, district attorneys, county offices, and city of the first-class offices.

This bill would not affect elections for second and third-class cities, school boards, townships, precinct committee, and other special districts. In these down-ballot races, a number of individuals are elected by write-in vote without campaigning and decide to accept the position.

Thank you for the opportunity to provide comments to the Committee.

Respectfully submitted,

Clay Barker  
Deputy Assistant Secretary of State  
General Counsel