

Opponent Oral Testimony on House Bill 2603

House Committee on Elections

Davis Hammet – Loud Light Civic Action

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Chair Proctor, Members of the Committee,

Misinformation Potential: Amateur Election Analysis will be Covered by Media

While a citizen oversight board is appealing, other states' implementation of similar citizen review boards show that they can be a platform to spread misinformation. Election policies and procedures are complex and complicated. When nonprofessional citizens with a limited understanding of the process are tasked with reviewing election complaints, they frequently come to improper conclusions. Meetings of the review board will likely be the focus of media attention which may amplify misinformation and voter confusion.

Redundancy: What Problem is Newly Addressed?

This board would only have the power to refer electoral issues to the appropriate agency to investigate and address the issue. Those agencies are currently tasked with this now. Creating a new governing body to filter those issues is redundant and the additional bureaucracy could lead to longer wait times for the issue to actually begin to be addressed in an official capacity. Additionally, Kansans seeking urgent election related relief may be confused and pursue review by this board instead of filing an election objection before the objections timeline expires.

Staff Capacity: SoS and AG will be Required to Support NonProfessional Members

While one may argue that having a citizen oversight board could save staff time by filtering unfounded election concerns before they reach the SoS or AG's office, we find it far more likely that these officials (and others such as County Clerks) will have to spend a significant amount of time training and supporting members of the oversight board on electoral laws and procedures, especially considering the amount of turn over the board will have due to term limits.

Impractical Timeline: Rushed Implementations Create Unforeseen Problems

This bill requires an immediate implementation, which would be difficult to successfully complete. Crafting rules and regulations, appointing and training board members, and consulting local election officials before implementation during a major election year could lead to a rushed process with unintended consequences.

Conclusion

If members are interested in a citizen oversight board, we encourage them to study the impact through a more intentional fact finding and deliberation process such as an interim committee. A poorly implemented review board could cause a variety of strains on the state's administrative capacity and be used as a misinformation platform.

We recommend this committee oppose HB2603 as currently written. Thank you. I'm happy to stand for any questions when appropriate.