

Opponent Oral Testimony on House Bill 2572

House Committee on Elections

Davis Hammet – Loud Light Civic Action

February 8, 2024

Chair Proctor, Members of the Committee,

Concern: Disability Access

HB2572 does not exempt voters with disabilities and their support systems from these restrictions. This bill would make it illegal for a voter who is bed bound to have someone bring their ballot to the mailbox for them. The impact on voters who require assistance would be devastating.

Concern: Ongoing Litigation

This area of law is currently in litigation. One of the plaintiffs in this lawsuit is an elderly nun who is restricted from helping her fellow sisters at the St. Joseph Motherhouse in Concordia turn in their ballots. It would be irresponsible for the legislature to further increase the burden on delivery assistance until there is legal clarity from the courts on the constitutionality of laws like this. Moving forward with passing HB2572 may lead to additional litigation costs.

Concern: Personal Privacy

HB2572 does not exempt the information and photographs collected about the voters or their ballot delivery assistants from the Kansas Open Records Act. It's unclear how each of the 105 counties would respond to KORA requests for the new records created in this bill, but this opens up the possibility of photographs and private information to be made available to the general public, which is very concerning for the privacy and safety of both the voter and their chosen support person.

Concern: Impact on County Election Office Resources

HB2572 requires an entirely new tracking system, cybersecurity protocol, and would mandate an unknown amount of additional staff time both in handling in person ballot delivery and in documentation. It is unclear whether county governments would even be able to increase their elections budgets to cover the amount of additional staff hours and equipment that would be required to complete the level of additional bureaucracy caused by this unfunded state mandate.

Conclusion:

Due to the concerns related to disability access, ongoing litigation, the right to privacy, and the burden on local elections offices, we recommend this committee oppose HB2572. Thank you. I'm happy to stand for any questions when appropriate.