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STATE OF KANSAS

Senate Committee on Ethics, Elections and Local Government

Testimony on HB 2333

Kris W. Kobach
Kansas Secretary of State

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Madame Chairman and Members of the Committee:

Thank you for the opportunity to testify in favor of House Bill 2333. This bill, if passed, would require a manual, i.e. hand count, audit of a defined percentage of election results. This audit would take place in every county after every election and would occur between Election Day and the date the county board of canvassers meets to certify the official election results. The audit would be open to the public. And the results of the audit would be presented to the county board of canvassers to include in the official county canvass. In addition, this bill requires every voting system certified by the Secretary of State to produce a paper record of each vote cast, at the time the vote is cast. It will prevent voting systems from being purchased, leased or rented that do not include a paper record of each vote cast. However, I want to ensure that counties may continue to use voting systems currently in place, and under contract. The purpose of this bill is to affect machines purchased, leased or rented under future contracts.

I strongly support this bill. I have worked tirelessly to ensure that Kansas elections are safe, secure, and accurate. This bill is consistent with my work in combatting voter fraud. By requiring a manual review of every election, including ballots that are cast on electronic machines, the public will have greater confidence in the accuracy of the voting systems being used in this state. If a discrepancy is uncovered, this bill, through rule and regulation authority, would allow me to require further audits to ensure the accuracy of the election results.

Kansas is currently in the minority of states that do not require a post-election audit of election results. Some states have audits that before votes are cast, others have audits that occur weeks after the election had been certified. I believe conducting an audit immediately after Election Day and prior to the certification provides the most confidence to the voting public.

This bill does allow me to adopt rules and regulations governing the conduct and procedure of the audit. This will allow me to work with the county election officers, and the general public, to ensure the procedures used will work both in Johnson County, and in Greeley County, and have roughly the same impact on those offices.

Lastly, this bill does not go into effect until January 1, 2018. I believe this will allow my office sufficient time to work with county election offices in setting procedures in place for the audit.

This will also allow county government the opportunity to assess the potential fiscal impact and budget accordingly.

Thank you for the opportunity to provide testimony in support of this bill this morning, and I stand for questions.