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STATE OF KANSAS

Testimony on SB208 (Oral Opponent)

House Committee on Elections
Tuesday, March 7, 2023

Chairman Proctor and members of the Committee:

Thank you for the opportunity to provide comments on Senate Bill 208. Our office is opposed to this legislation in its current form.

SB208 bans the use of all ballot drop boxes for the purpose of returning advance by mail ballots. It is the position of the Secretary of State's office that SB208 is inconsistent with the structure of Kansas elections, which emphasizes local control and limits centralized mandates.

Since the legislature authorized their use in 1978, ballot drop boxes have proved to be a secure and reliable method for voters to return their advance by mail ballots. In every election, every single advance by mail ballot deposited in a ballot drop box is matched to the application submitted by a properly registered voter, with proof of voter identification, and undergoes signature verification on both the advance by mail ballot application and ballot envelope.

To date, there is no evidence of any ballot returned to a ballot drop box that was not a properly requested and completed ballot by the qualified voter.

County election officials work within state election laws and with available resources to meet the needs of their voters. SB208 negates this standard by countering the current method of conducting Kansas elections. Our office renews our request for the approach unanimously adopted by this Committee to grant the Secretary of State the authority to regulate remote ballot drop boxes.

Our office looks forward to working with the legislature to ensure ballot drop boxes remain a secure method for voters to return their advance by mail ballot and providing county election officials with the support and resources necessary to continue administering safe and secure elections.

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

Respectfully submitted,

Clay Barker
Deputy Assistant Secretary of State
General Counsel