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March 9, 2023
Opponent for SB 209
House Committee on Elections
Oral in-person Testimony

Chairman Proctor and members of the committee:

My name is Mike Burgess. I am the Director of Policy & Outreach at the Disability Rights Center of Kansas (DRC). DRC is a public interest legal advocacy organization that is part of a national network of federally mandated organizations empowered to advocate for Kansans with disabilities. DRC is officially designated by the State of Kansas as Kansas' protection and advocacy system. DRC is a private, 501(c)(3) nonprofit corporation, organizationally independent of state government and whose focus is the protection and enhancement of the rights of Kansans with disabilities.

I am here today to share our opposition for SB 209. This bill proposes to require all mail ballots to be received by the county election office or polling place by 7 p.m. on election day.

The United States Postal Service in recent years has closed more and more sorting facilities. Local mail ends up having to travel further to be sorted, which increases the time it takes for it to be delivered. Mail that used to be delivered the next day after it was mailed now in many cases can take several days to be delivered. Last session there was testimony that it can take up to seven days each direction depending on where you are in the State and how far your mail has to travel.

Further for some Kansans with disabilities, it is not just a matter of running out to the mailbox to mail something or hopping in their car to quickly return their ballot to the election office. Some individuals require assistance just to make it out of their front door and some individuals with mobility challenges may require special transportation that has to be scheduled days in advance and like the cable company may show up sometime during a multi-hour block of time. Additionally for Kansans with dexterity challenges, they may require assistance just to complete their ballot, put it into the return envelope, complete all of the required affidavits, and then ensure it gets mailed soon enough to make it back in time. If this individual lives alone, they have to plan when someone who they want to assist them can be there to assist them, which is an additional challenge.

And while many Kansans with disabilities utilize permanent advance voting, there are also many Kansans with disabilities who like to go vote on election day in person and will utilize advance voting by mail every now and then. If their plans end up changing (for instance if the person who was going to transport them to the polls is going to be out of town) they may end up needing to vote by mail without the luxury of having their ballot mailed to them 20 days before election day.

While the three day "grace period" may be a recent change, it has been very helpful for many Kansans with disabilities who face additional barriers to want to ensure their vote counts just like every other eligible Kansas voter.

Many Kansans with disabilities utilize advance voting by mail. They would definitely be amongst the Kansans who could be negatively impacted by the change in this bill.

Thank you for the opportunity to share our concerns about SB 209. I would be happy to stand for questions at the appropriate time.