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STATE OF KANSAS

February 6, 2025

Testimony on HB2023 (Oral Proponent)

House Committee on Elections

Submitted: Wednesday, February 5, 2025

Chair Proctor and members of the Committee:

The Secretary of State introduced HB2023 which creates a new election crime of interference with an election official, which would be a severity 7, non-person felony.

The new crime is modeled after KSA 21-5922 (interference with public business) but is narrower in scope, specifically protecting election officials and carrying somewhat harsher penalties. As an election-related offense, it falls under an expanded range of prosecutorial authority, including the Attorney General, County or District Attorney, and the Secretary of State.

A specific law prohibiting interference with election officials serves several critical purposes:

1. Safeguarding Electoral Integrity: Election officials are entrusted with administering and overseeing the voting process, ensuring that elections are conducted fairly and accurately. Interference with these officials can compromise the integrity of the electoral process, potentially leading to fraudulent outcomes or the disenfranchisement of voters.
2. Addressing Specific Threats: Following the 2020 elections, there was a significant increase in threats and harassment directed at election workers. Over 1,000 such were reported to the Department of Justice in 2022 alone. This surge highlighted the need for targeted legal protections to address the unique challenges faced by election officials.
3. Maintaining Public Confidence: Public trust in the democratic process is essential. When election officials are subject to interference, it can erode confidence in election outcomes. Specific legal prohibitions against such interference demonstrate a commitment to protecting the electoral process, thereby bolstering public trust.
4. Deterrence: Clear and specific criminal statutes serve as a deterrent against potential offenders. By explicitly criminalizing interference with election officials, the law underscores the seriousness of such offenses and discourages individuals from engaging in such conduct.

Respectfully,

/Clayton Barker

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