

## HB2023 Opponent Written Only Testimony

Chairman Proctor and Members of the Committee,

I oppose HB2023 because it introduces a troubling level of ambiguity in defining what constitutes “interference” with election officials. The language is vague and opens the door to potential overreach, where citizens, simply questioning or challenging the actions of election officials, could be labeled as intimidating or coercive. Our rights to question and engage with government officials are fundamental to our democracy, protected under the First Amendment. If this bill passes, it risks undermining that right and discouraging public participation in the election process.

For example, in August 2022, during the Kansas primary election, I was actively observing the election process and had concerns about whether the post-election audit was following statutory requirements. I reached out to the Sedgwick County Election Commissioner, asking for clarification on the use of ballot images in the audit, which I believed contradicted the statute. I did this by email, in a respectful and polite manner, seeking answers in line with my right to ensure the election process was being conducted properly. I have attached the email conversation to my testimony for your review.

My question to the committee is: **Under HB2023, would those actions make me guilty of the crime of interference with an election official? Would simply asking repeated questions or submitting records requests be seen as intimidating, threatening, or coercive, even though my intent was to ensure the process was transparent and followed the law?**

This bill’s vague language could discourage individuals from engaging in the electoral process, particularly as poll observers or active participants who are trying to correct the process when it does not align with statutory requirements. We cannot afford to dissuade citizens from ensuring our elections are fair and lawful.

Additionally, there are already laws in place that cover criminal threats, harassment, and trespassing. There is no need to create a new law that potentially limits legitimate actions such as filing public records requests or respectfully questioning election practices. These actions should not be considered “interference.”

I also ask: What specific problem does this bill address in Kansas? How often have election officials been threatened or intimidated in the state? Without concrete evidence or data to support the need for such a law, it seems like a solution in search of a problem.

Finally, I believe this bill could have a chilling effect on our democracy. It could deter people from engaging with the election process and from holding officials accountable, something we cannot afford in an era where public trust is crucial to the integrity of our elections. For these reasons, I strongly urge you not to support HB2023.

Respectfully submitted,

Kari Sue

Vosburgh

Sedgwick County Precinct Committeewoman