



## Senate Bill 5

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### Kansas State Legislature Senate Committee on Federal and State Affairs

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Chairman Thompson and honorable members of the committee, my name is Madeline Malisa, and I am a Visiting Fellow at the Opportunity Solutions Project. OSP is a non-partisan, non-profit organization. We work in more than 40 states across the country with one goal—to help more people achieve the American Dream. I appreciate the opportunity to speak today in support of Senate Bill 5. This legislation will require legislative approval before any new federal election funding is distributed in Kansas.

The United States Constitution gives state legislatures—not federal agencies—control over elections.<sup>1</sup> However, in March 2021, President Biden signed Executive Order 14019, which commanded the head of every federal agency to develop a plan to promote voter registration and voter participation.<sup>2</sup> The order also required all federal agencies to solicit and support unaccountable third-party organizations in voter registration efforts.<sup>3</sup> Across the country, federal agencies engaged in get-out-the-vote efforts in response to Executive Order 14019.

For example, the U.S. Department of Labor turned more than 2,300 American Job Centers into voter registration agencies, allowing third-party groups to engage in voter outreach activities on site paid for by federal taxpayer dollars.<sup>4</sup> The U.S. Department of Agriculture allowed food stamp agencies to use federal funds to pay for voter registration and voter turnout services.<sup>5</sup> The U.S. Department of Housing and Urban Development sent guidance to executive directors of more than 3,000 public housing authorities advising them how to run voter registration drives through public housing agencies.<sup>6</sup>

On January 20, 2025, President Trump rescinded Executive Order 14019.<sup>7</sup> His executive action stopped the use of federal agencies for partisan voter mobilization and registration for the next four years. Regardless of politics, federal resources and funding should never be funneled into partisan get-out-the-vote efforts. This bill will ensure that Kansas lawmakers approve any new federal election funding before it is distributed regardless of who holds the Office of President of the United States.

Louisiana passed this reform last session, and Arkansas enacted a similar reform in 2023.<sup>8</sup> This session, Oklahoma lawmakers have also introduced it.<sup>9</sup> I urge you to support SB 5. Thank you for your time and I'm happy to answer any questions.

## References

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<sup>1</sup> U.S. Const. art. I, §4, cl. 1.

<sup>2</sup> Executive Order on Promoting Access to Voting, EO 14019, White House Briefing Room (2021), <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/03/07/executive-order-on-promoting-access-to-voting/>.

<sup>3</sup> Ibid.

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<sup>4</sup> Employment and Training Administration, "US Department of Labor issues guidance to states, territories to designate American Job Centers as voter registration agencies," U.S. Department of Labor (2022), <https://www.dol.gov/newsroom/releases/eta/eta20220325>.

<sup>5</sup> Briefing Room, "Fact sheet: Biden-Harris administration releases report on Native American voting rights," The White House (2022), <https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/24/fact-sheet-biden-harris-administration-releases-report-on-native-american-voting-rights/>.

<sup>6</sup> Fred Lucas, HUD Pushes Voter Registration Drives in Public Housing Under Biden's Executive Order, The Daily Signal (2022), <https://www.dailysignal.com/2022/04/27/hud-pushes-voter-registration-drives-in-public-housing-under-bidens-executive-order/>.

<sup>7</sup> Initial Recission of Harmful Executive Orders and Actions, The White House (2025), <https://www.whitehouse.gov/presidential-actions/2025/01/initial-rescissions-of-harmful-executive-orders-and-actions/>

<sup>8</sup> LA HB 763 (2024), AR HB 1461 (2023).

<sup>9</sup> OK HB 1120 (2025).