

**SCOTT SCHWAB**  
Secretary of State



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## STATE OF KANSAS

January 28, 2025

Testimony on SB5 (Oral Neutral)  
Senate Committee on Federal and State Affairs  
Submitted: Monday, January 27, 2025

Chairman Thompson and members of the Committee:

SB5 seeks to amend KSA 25-2436 to make it a crime for any government agency to accept or expend, directly or indirectly any federal funds to facilitate an election or for election related activities, unless authorized by acts of appropriation or provided by state law.

**Secretary's Comment:**

SB5 would have no effect on the Secretary's receipt and expenditure of federal funds for election related activity. The Secretary of State's Office, as the chief election office in the state, receives periodic grants of federal funds under the Help America Vote Act (HAVA), which are appropriated by Congress. These funds usually require a state match of 20%, approved by the legislature, in order for the funds to be expended.

These funds are granted and expended for specific election-related purposes and are subject to financial audits. These funds enable the Secretary to work with county election officials to address election security needs or to assist with other aspects of election administration, such as the operation or acquisition of the state's voter registration system.

Federal HAVA funds are distributed solely to state election officials and are not provided to any other federal or state agency for the purposes of funding election-related activity.

It is our understanding that this bill would not affect law enforcement's use of other sources of federal funds that may be used for election security.

Respectfully,

Clayton L. Barker  
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