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## STATE OF KANSAS

### Senate Committee on Ethics, Elections and Local Government

#### Testimony on House Bill 2162

Brad Bryant  
Deputy Assistant Secretary of State

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Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify in support of House Bill 2162. This bill would establish a procedure for the development of ballot language statements on local question submitted elections.

The original language of the bill stated that, in cases where an election is brought about by a petition, the county election officer would determine if the ballot question needs clarification and, if so, would request the county attorney, district attorney or county counselor to prepare a ballot language statement. The statement would be submitted to the Secretary of State for approval.

In cases where an election is brought about by means other than a petition, such as by action taken by a local governing body, the county election officer would request the Secretary of State to prepare a ballot language statement subject to approval by the Attorney General.

The Secretary of State's office supports efforts to reduce voter confusion. There have been situations in recent years where voters were confused by a ballot question, but there was no provision in law for clarifying statements to be added to the ballot. When constitutional amendments are voted on at statewide elections, there are explanatory statements to help voters understand the question on which they are voting. It makes sense to have similar statements on the ballots in local question submitted elections.

Our office will be able to implement the provisions of House Bill 2162 with existing resources.

#### Proposed Amendment

We concur with House amendments to the bill with one exception. In line 5 of page 1, we recommend deleting "shall" and restoring the word "may." Insertion of the word "shall" would require a ballot language statement to be prepared for every question submitted election held anywhere in the state. This is unnecessary because not all ballot questions are ambiguous and

confusing. In fact, in some cases ballot language is prescribed in law, and in our experience these questions do not produce confusion among voters.

We support House Bill 2162 in its attempt to clarify ballot questions and reduce voter confusion and recommend its passage with the adoption of the amendment we have proposed.

Thank you for your consideration.