



TESTIMONY OF
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IN SUPPORT OF SB 264
KANSAS HOUSE COMMITTEE ON ELECTIONS

MARCH 7, 2018

Thank you, Chair Esau, and members of the Elections Committee for affording us the opportunity to provide testimony on SB 264.

The American Civil Liberties Union (ACLU) of Kansas is a non-partisan, non-political membership organization dedicated to preserving and strengthening the constitutional liberties afforded to every resident of Kansas. We work to preserve and strengthen our constitutional rights and freedoms through policy advocacy, litigation, and education. We proudly serve over 30,000 supporters in Kansas and represent more than 1.6 million supporters nationwide.

The ACLU of Kansas strongly supports SB 264. SB 264 would amend existing law to ensure that all registered voters, including those unable to sign for reason of disability, are able to cast a ballot. Specifically, the ACLU of Kansas supports SB 264 because:

- **Current law unlawfully discriminates against disabled voters.** Title II of the Americans with Disabilities Act provides that no qualified individual with a disability may be excluded from participation or denied the benefits of the services, programs or activities of, nor subjected to discrimination by, public entities (including the government). And the Help America Vote Act further specifies minimum accessibility standards for polling locations and voting equipment. Unfortunately, due to Kansas's strict requirement that all mail-in ballots be signed by the voter, 23 disabled persons in Sedgwick County who were unable to sign their names had their votes go uncounted in the 2017 elections, even if they had an assistant sign on their behalf. No voter should be penalized because of a fixable technicality.
- **Advance ballots remove an obstacle to citizen participation and provide stronger protections for the right to vote.** Many disabled Kansans are on a permanent list to receive mail in ballots without requesting them each year, but there are many other citizens who could benefit from a permanent advance status. According to the United States Census Bureau, illness and disability are the third-most-common reason for not voting, after busy schedules and disinterest. And while early and absentee voting has grown more popular in Kansas, advance ballot access should not be limited to voters who can prove a disability. People working multiple jobs, elderly voters, and those without access to transportation would all benefit from a permanent advance ballot designation. SB 264 would ensure that disabled voters who are unable to sign their names are not be precluded from voting because of a signature requirement that they cannot meet, and

we encourage this committee to consider measures to strengthen our state's successful advance ballot infrastructure.

No citizen should be prevented from casting a ballot because of a disability. Therefore, we urge this committee to support SB 264.