

State of Kansas
House of Representatives

State Capitol
Topeka, Kansas 66612
1-800-432-3924
bill.sutton@house.ks.gov

215 W. Park St.
Gardner, Kansas 66030
(913) 488-1665



Bill Sutton
Representative, 43rd District

COMMITTEE ASSIGNMENTS:
CHAIRMAN: ELECTIONS
APPROPRIATIONS
INSURANCE
TRANSPORTATION

Mr. Chairman, Vice-Chair, Ranking and members of the House Elections Committee,

I am Representative Bill Sutton of the 43rd District. I testify in support of HB 2054 to put an end to ballot harvesting in the state of Kansas.

Ballot harvesting is the collection of absentee ballots from voters by a third party who then delivers them to election officials.

Allowing anyone other than the voter or immediate family to handle ballots is a huge opportunity for wrongdoing in the democratic process. Neither voters nor election officials have any way to verify that the secrecy of the ballot has not been compromised or that the ballot submitted contains the votes that the voter intended.

It also gives campaigns and paid harvesters the opportunity to interact with voters while they are casting a ballot out of sight of, and without any supervision by, election officials. There is no one present to ensure that voters are not being coerced, intimidated, or even paid for a vote.

Does ballot harvesting take place in Kansas? That is hard to say. It is currently legal, so there would be no real reason to investigate claims of it happening, absent blatant voter intimidation or fraud.

Kansas is not alone in this oversight. Going into this legislative year, 27 states allow ballot harvesting. Kansas is one of them. Kansas relies upon a second signature being required that affirms that the voter filled out the ballot and gives authorization to the harvester to deliver the ballot. In a perfect world this would be adequate to protect election integrity. As you know, we live in a perfect world, populated by imperfect people. If the ballot is filled out through coercion, intimidation or for pay, how can we possibly imagine that the second signature is somehow less affected by these influences?

Additionally, Kansas currently has no limit on the number of ballots any one person can carry to the election office. There was a case in Orange County California in 2018 in which the registrar reported individuals dropping off "100 or 200 ballots at a time." This is currently permissible in Kansas,

Kansas is in an exceptionally good position. We already require election machines purchased to provide a printout that can be reviewed by the voter and audited by the election office. Many of the headaches that came out of the 2020 election are avoided because of the forethought of this committee. Now we have the opportunity to close one of the few remaining gaps in our election law and assure the people of Kansas of the security and legitimacy of our elections.

I urge your support of HB 2054.

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