

Testimony to Senate Committee on Federal & State Affairs
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BILL NUMBER: SB 388
BILL DESCRIPTION: Requiring the use of USPS for ballot return
PROPONENT, OPPONENT, or NEUTRAL: Opponent
ORAL TESTIMONY OR WRITTEN TESTIMONY ONLY: Oral Testimony

Dear Committee Members,

I urge you to oppose bill SB 388. This bill would ban the use of ballot drop boxes, which have become a resource many voters rely upon to safely and securely return their ballots without the concern of mail delays.

However, I am also very opposed to this bill as it bans the use of delivery services like FedEx or UPS to expedite ballot return. There have been no issues with voters who've used these services and removing this option could disenfranchise voters, in particular out-of-town/state college students. In fact, had this law been in place for the 2020 election, my son's ballot would have been thrown out, as he utilized FedEx to ensure his ballot arrived on time.

In my mind, all I can picture are election workers throwing out perfectly good/valid ballots simply because they arrived in a FedEx or UPS envelope.

Below, I'm sharing my son's story to give you a real-life example of why the ability to use FedEx/UPS needs to remain in place so everyone has options to ensure their votes are counted.

The story of just one ballot

My son is an out-of- state college student. In 2020, he was looking forward to voting in his first presidential election and voting in the other races on his Kansas ballot. He applied for his ballot as early as possible and became concerned as his ballot had not yet arrived the week before the election.

He followed up with the election office and they confirmed it was mailed on the first day ballots went out. They suggested he get a provisional ballot in case the original did not arrive on time.

Concerned that ballot also might not arrive on time, he had it sent to his (our) home address in Kansas. As soon as we received it, we spent \$53 to FedEx it to him on his college campus. He received it late on the Saturday before Election Day, after the FedEx store (& USPS) were closed. They were also closed on Sunday.

Monday morning, he took his ballot to FedEx. He was provided with multiple overnight delivery times to choose from with different pricing. He had options and his ballot would arrive on time.

At the time, we didn't think to check with USPS. He was a college student with limited means of transportation. The closest thing to him was a FedEx store. And let's face it, when you think of overnighting something, the first thing that comes to mind is FedEx.

My son went through a lot to make sure his votes counted. **To think of his ballot being thrown out just because it arrived in a FedEx envelope is upsetting.**

Voters need options & flexibility

I have since checked with USPS. From his location they offer one overnight option – arrival by 6:00pm – one hour before the polls close in our county. Way too close for comfort. FedEx, on the other hand, offers three different arrival times – 8:00am, 10:30am, and 4:30pm – much more comfortable options.

Additionally, FedEx hours are more accessible than USPS. In his area FedEx is open 9:00-8:00 during the week and 10:00-6:00 on Saturday, whereas USPS is open just 10:00-5:00 and 10:00-2:00, respectively.

By relying solely upon USPS, you take away valuable options from voters that only serve to make the voting process more difficult and could cause their ballot to not be counted. College students, in particular, have varying schedules and often lack transportation. We should leave them with options that make voting from afar as easy as possible.

Creates Confusion

Removing the FedEx and UPS options also just adds unnecessary rules that voters might not be aware of. Many college students and others who find themselves out of town on Election Day would likely assume that they could send their ballot using FedEx or UPS, only to find out later that their votes were not counted.

Again, all I picture are perfectly good/valid ballots being thrown out simply because they arrived in a FedEx or UPS envelope.

Vote no on SB 388

I hope through the story of my son's ballot, you can understand that there are legitimate reasons for needing options like FedEx or UPS. Mail delays happen, expedited shipping is needed, and options and convenience are needed when transportation is limited or schedules don't fit typical office hours. There are zero reasons to remove these options and many reasons to keep them.

Voting should be as easy as possible for everyone, and especially for our young voters. We want to ensure they turn into lifelong voters.

Please vote no on SB 388.

Sincerely,

Erin Woods
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