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CHARLOTTE ESAU  
14TH DISTRICT

Tuesday, February 15, 2022

Support for SB394, regarding the deadline for advance ballots returned by mail

Chairman Olson, Vice Chair Hilderbrand, Ranking Member Faust-Goudeau, members of the Committee,

Thank you for hearing this bill and for the opportunity to testify in support of SB394.

As the author of this bill, I thought it might be helpful to know the reason behind it. I've had many constituents come to me with concerns about late arriving ballots changing the outcome of the Election Day results in 2021 in local races in our area. This mirrors the same concerns I heard after the 2020 elections. The two things I hear most: we don't know if those ballots were cast before the close of the polls on Election Day and why do we let votes arrive after the deadline? My intention with SB394 is to increase the voter's faith and trust in our election system.

There seems to be a perception by some that having a firm deadline of 7:00 p.m. on Election Day for the return of mail ballots is too much of a hardship for voters to meet. However, voters can request advance ballots for months before an election and advance ballots are mailed out 3 weeks prior if requested by then or earlier. Even with slow delivery permanent advance voters receive these ballots in plenty of time to get them mailed back in time to be counted. Any voter who requests a mail ballot also has other options to return their ballot before the close of polls on Election Day if they are concerned their ballot won't arrive by mail in time. They can be personally delivered to their local election office or placed in a secure 24/7 drop box on or before Election Day. In addition, changes in statute 5 years ago allow for ballots to be returned to any polling place in the county on Election Day or at an advance voting location before that day. The need to allow for ballots to trickle in for several days after the polls close is no longer supported with these additional options for ballots to be returned on time.

It is challenging enough explaining to voters that Election Day results can change after provisional ballots are evaluated, but watching results change day by day leave many to wonder if those ballots really were mailed before the polls closed. Many voters have expressed this to me directly and via social media. Kansas does a great job in running fair and secure elections but making it better is always worth the effort if it can be done.

Thank you and I look forward to any questions.

Rep. Charlotte Esau

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