



Senate Committee on Federal and State Affairs

Chair, Sen. Ron Olson

Hearing: February 15, 2022

Michael Poppa, Mainstream Coalition, Michael@mainstreamcoalition.org,

Oral In-Person testimony

Position – OPPOSE SB 394; Requiring all advanced voting ballots be returned by 7 p.m. on election day.

Chair Olson, and Members of the Committee,

Mainstream Coalition opposes SB 394, requiring all advanced voting ballots be returned by 7 p.m. on election day.

Voting by mail is a safe and effective way for Kansans to cast their ballot. In 2020, 459,229 individuals returned advance by mail ballots. Over 32,000 of those ballots were received within the current 3 day grace period that this bill proposes to remove. There is no evidence that these 32,000 ballots were cast illegally, incorrectly, or with intent to cause fraud. If this bill is passed, over 32,000 Kansans would have had their vote disqualified - for no valid reason at all.

There are infinite reasons why a ballot postmarked on or before election day may not be received by 7:00 pm on election day. Last week this committee heard testimony on HB 388 which would restrict a voter's options for returning their advance mail ballot to USPS exclusively. You can easily imagine a scenario where a post office may have unforeseen delays - a natural disaster, weather, mechanical malfunctions, staffing shortages, etc. - that would prevent a ballot from being received in time. This bill would throw that ballot out, even though the voter is in no way at fault.

Kansas voters expect to have their vote counted as long as their ballot is mailed on or before election day. This is a logical assumption, and one that this bill will do nothing to prevent as there is no funding or strategy to educate voters about a policy change if this bill passes. This appears to be yet another attempt to quietly tighten the circle around who our democracy allows to participate.

As is the case with many of the numerous elections-related bills that have been introduced in the past two weeks, the purpose of SB 394 is not to make our election more secure - you've already heard repeatedly that Kansas elections are secure and there is no evidence that accepting ballots after election day leads to fraud or security concerns. This bill instead

Founded in 1993, the Mainstream Coalition is a nonpartisan nonprofit that advocates for common sense public policy in Kansas. Our members do more than vote.

disenfranchises voters, and specifically voters who rely on a system of advanced mail ballots that this state has successfully been implementing for over 25 years.

When this legislature chose 5 years ago to extend the amount of time that a mailed ballot could be received, it said to voters: "We understand how important your vote is, and we will do what we can to make sure your vote is counted." If this proposed legislation is enacted, you would be going back on your promise to all Kansans. This is simply the wrong message for Kansans, and for our democracy.

Kansans deserve the right to cast their ballot safely without unnecessary state government interference. SB 394 is a solution in search of a problem - a solution that would make it harder for eligible, registered voters across Kansas to cast their vote.

We urge you to oppose passage of SB 394.

Thank you,

A handwritten signature in black ink, appearing to read "Michael Poppa". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Poppa
Executive Director of the Mainstream Coalition