

Neutral Oral Virtual Testimony on Senate Bill 438

Senate Committee on Federal and State Affairs

Davis Hammet – Loud Light Civic Action

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Chair Olson, Members of the Committee,

My first real involvement with the Kansas Legislature began over half a decade ago. I would show up trying to get the state to pass an election audit. It took a few years and it was compromised down quite a bit, but in 2018 it happened. Gov. Colyer signed the audit into law and I still keep one of the bill signing pens on my desk.

Expanding Election Audits

SB438 would expand the traditional audit procedure passed in 2018 to provide a more thorough audit in closely contested elections. This additional scrutiny of close results helps to identify issues when small errors are most likely to impact the outcome of an election. Adding this provision would be a step toward greater assurance in the outcome of elections.

Consider Risk-Limiting Audits

Ultimately, the state should work to implement risk-limiting audits which provide greater overall certainty than a traditional audit can.

Adding Procedural Audit

SB438 would also institute for the first time an audit of the procedures used by election administrators. Improving the standardization of election procedures in Kansas is important and this audit may improve compliance.

Lack of Procedural Audit Specificity

It should be recognized that counties need to clearly know what they are being evaluated on. Guidance to counties from the Secretary of State's office has been lacking at best over the past decade. Sec.1(c) should require the Secretary of State to establish the rules, regulations, and parameters of the audit before the election cycle takes place so that guidance is clear to counties as they prepare and conduct the election, and to prevent the process from being weaponized after the election.

This bill is not everything Kansans deserves in an election audit, but it could improve the audits currently on the books. I think the bill could be improved upon and then be appropriate to pass. I'm happy to stand for any questions when appropriate. Thank you,

Davis Hammet

President, Loud Light Civic Action