

Opponent Oral Virtual Testimony on Senate Bill 389

Senate Committee on Federal and State Affairs

Davis Hammet – Loud Light Civic Action

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Chair Olson, Members of the Committee,

Revisor Drafting

Error seems to have occurred during the drafting of this bill. The bill does not state that these are new sections creating new statutes of law not amending existing statutes. Additionally, the subsections appear to be inconsistent such as having no Sec. 1(a)(2) when there is a Sec. 1(a)(3).

Disability Access

Sec. 1 (c) on page 2 line 18 of the bill would ban poll books that do not require a hand-written signature. This would illegally disenfranchise certain disabled voters.

Ballot Watermark

Ballot paper is special paper provided by the contracted voting equipment vendor that may be proprietary and require negotiating with vendors. The process of adding a watermark would render any existing stockpiles of ballot paper obsolete and likely add additional costs per ballot. All of these costs would be borne by county governments.

Ballot Correction

Sec. 1 (a)(1)(B) requires voters to have an opportunity to correct errors on their voter-verified paper ballot; however, it's unclear how this would occur. The more likely course of action would be for the ballot to be spoiled and a new ballot cast.

Count Inconsistencies

Sec. 1 (a)(5) requires the hand-count to be the true and correct record of the vote cast when there is any irregularity in counts, but it is unclear if this is only when a full hand recount occurs. If this provision extends to the random sample audit it's unclear how it would be executed.

Undefined Random Selection Audit

Sec. 1 (b) requires a random sample of ballots tabulated by machines to be hand-counted and compared against the machine tabulated results. However, it's unclear what this means or how it would be done. This appears to suggest the Secretary of State would be required to adopt risk-limiting audits through rules and regulations to accomplish this. I strongly support risk-limiting audits, but if that is the intention of this bill it should be cleaned up to explicitly establish risk-limiting audits in Kansas. Finally, there is no timeframe or deadline established in the bill for the proposed audit.

I recommend this committee oppose SB 389. I'm happy to stand for any questions when appropriate. Thank you,

Davis Hammet

President, Loud Light Civic Action