

## **Opponent Oral Testimony on House Bill 2512**

House Committee on Elections

Davis Hammet – Loud Light Civic Action

January 25, 2024

Chair Proctor, Members of the Committee,

In 2022, I voted early in-person at the Shawnee County Election Office on the Monday before the election. I ran into former Governor Sam Brownback who was likewise there utilizing the Monday early voting option that is guaranteed in state law. HB2512 seeks to abolish this voting period. The bill does nothing to compensate for the loss of total early voting hours and its language raises concerns about how it may be interpreted to impact other areas of election law.

### **Concern– Replacing Mandatory Hours of Early Voting Access with Optional Hours**

Some counties do the bare minimum required in state law for early voting options and hours. This bill removes one of the few mandated early voting times. While the bill legalizes Sunday early voting before an election, it is only an option not a requirement. Meaning the bill removes a guaranteed early voting time and replaces it with a theoretical additional day some counties may utilize, but many are unlikely to.

The administrative burden of hosting early voting in the county election offices the day before an election, and the confusion the noon deadline may cause are not ideal. Sunday early voting may provide an excellent replacement for Monday, but unless the additional time is mandated to offset the removal of currently guaranteed hours, the bill will simply be a reduction in early voting hours for Kansans.

### **Concern– 7:00pm Sunday Deadline for Ballots to be Inside the Election Office**

Section 2 modifies K.S.A. 25-1128(g) to state that “all ballots cast by advance in-person voting shall be delivered to the county election office not later than 7:00 p.m. on the second day preceding the date of the election.” This appears to require that in-person advance ballots be inside the election office by 7:00 pm Sunday meaning any Sunday early voting locations would have to close hours earlier to ensure there is enough time to transport the ballots to the office.

### **Concern– Does this Impact Election Day Advance Ballots Returned to Poll Sites?**

K.S.A. 25-1132(a) allows mail advance ballots to be returned to poll sites on election day. While this bill does not remove that statute, it does add language in Section 2 to K.S.A. 25-1128(g) which sets an earlier deadline for advance ballots “returned by personal delivery.” It’s unclear how these two seemingly conflicting statutes would be interpreted and may cause advance mail ballots returned to poll sites on Election Day to be rejected.

### **Conclusion**

HB2512 reduces mandatory early voting hours and adds confusing language that seems to conflict with other statutes. We recommend this committee oppose HB2512 as currently written. Thank you. I’m happy to stand for any questions when appropriate.