

Opponent Oral Testimony on House Bill 2518

House Committee on Elections

Davis Hammet – Loud Light Civic Action

February 6, 2024

Chair Proctor, Members of the Committee,

HB2518 is identical to last year's original HB 2053 before it fell victim to bill bundling.

Unknown Impact: The Rules and Regulations Authority is Too Broad

This broad rules and regulations authorization appears to allow the current or any future Secretary of State to impose any restriction including an outright ban on ballot drop boxes. Even without expliciting banning drop boxes, a Secretary could use the authority in this bill to craft rules and regulations so impractical to comply with that counties discontinue their use.

Impractical Timeline: Rules and Regulations go Through a Lengthy Process

It will take time for HB2518 to make it through the legislative process then the Secretary would need to consult with counties before even beginning the journey of proposing and adopting rules and regulations. It's easy to see how July 1st may be a difficult deadline to achieve. Additionally, if they did make it through the process it would be right at the deadline causing counties to scramble to ensure compliance with new rules and regulations a month before an election.

Recommendation: Amend Sec.1(b) Definition to Exclude Poll Site Returns

The section 1(b) definition of "remote ballot box" appears to include ballot boxes used for advance ballots brought into poll sites. I recommend the section be modified to prevent any legal uncertainty around if such rules and regulations will apply to advance mail ballots returned to a county polling site on election day as such regulations may be impractical inside a polling site.

Recommendation: Amend Sec.1(a) to Add Accessibility Requirement

As written, the bill appears very focused on security; however, the utility of drop boxes if their accessibility to Kansas voters. While there are ADA accessibility considerations, there are also timing considerations. For example, a drop box opened 24-7 allows a Kansas who works graveyard shifts, such as aerospace workers in Wichita, to have the option of returning their ballot on their way to work. For this reason, language should be added to mandate that any rules and regulations must prioritize accessibility.

Conclusion: We Oppose HB2518 as Written, but Would be Neutral with Amendments

We recommend this committee oppose HB2518 as currently written; however, we recognize some statewide standards for how drop boxes may be used would be beneficial. We would become neutral if HB2518 was amended to clarify the definition of drop boxes and require that any rules and regulations regarding drop boxes are crafted to prioritize voter accessibility. Thank you. I'm happy to stand for any questions when appropriate.