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Senate Federal & State Affairs Committee
Proponent Testimony for SB 365

Chairman Thompson, Vice Chair Kloos, Ranking Member Faust-Goudeau and members of the committee:

Thank you for the opportunity to provide testimony in support of SB 365, which we call the “Election Day is Election Day” bill, as it would return us to the previous posture that advance ballots must be received by the election office by the same time the polls close – 7:00 p.m. on Election Day.

Prior to the change a few years ago, this easy-to-understand deadline created certainty in our elections, as once the clock struck 7:00 p.m. we knew exactly what the voting pool was. Voters knew they needed to mail it well ahead of time or simply hand deliver said ballot by 7:00 p.m.

While the three day “grace period” was well-intended, it has the potential to create uncertainty and doubt about our elections, because we don’t even know what the total number of ballots is until three days after the election is concluded. Having the winner in races flip due piles of ballots arriving well after Election Day naturally leads some to have doubts about the validity of those results.

By returning to the principle that 7:00 p.m. on Election Day is the deadline for votes to be cast and ballots to be received, all those doubts are extinguished. We would know the results in almost every election instantly, except for extremely close elections where the small number of provisional ballots might make the difference. This is why I strongly support SB 365.