



2021 - 2022 Executive board

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Re: February 21, 2022 hearing on Senate Bill 438, relating to election audits – Neutral testimony, WRITTEN-ONLY testimony from Rick Piepho, representing KCCEO.

Honorable Kansas State Senator Rob Olson
Chair, Senate, Committee on Federal and State Affairs and Distinguished Members of the Committee

My name is Rick Piepho, Harvey County Clerk and Chairman of the Elections Committee of the Kansas County Clerks and Elections Officials Association (KCCEO). The KCCEO is a statewide organization with 109 members including 103 publicly elected county clerks, 2 charter appointed county clerks, and additionally, four election officers from the most populous counties in Kansas. Our duties are significant under statute and one of our most public facing functions is free and fair administration of elections. We take this duty very seriously. We prepare for every possible, and impossible, scenario which could occur. The KCCEO prepared and adopted a legislative agenda. One of the items specifically included is: "Maintain the status quo with regard to election, registration and canvass schedules..."

I am submitting this testimony on behalf of the KCCEO membership. We believe that the legislature sets the policy and we implement it. You pass the laws, the Secretary of State works with you to develop and adopt rules, and we follow the law and regulations in an attempt to allow the public to participate in free and fair elections while complying with your intent and the Secretary's guidance. We understand and agree with the intent to build on the already secure election processes in Kansas and increasing voter confidence. For these reasons, we are appearing as neutral conferees today.

We believe that the current audit processes sufficiently ensure that the processes and tabulation equipment function as intended without adding a significant additional burden of time and cost during the very busy period between Election Day and canvassing. Every county in Kansas has been conducting these post-election audits for a number of years and the result of every audit has been consistent with the original results. We do not believe that the provisions currently in this bill would substantially affect election processes, procedures or outcomes. We would like to note that the provision regarding the hand counting of 10% of the precincts in the jurisdiction for races within a 1% margin would require additional time and non-budgeted costs for the county when this occurs. The additional time and costs could be significant and the reporting of final results could potentially be delayed.

The KCCEO is neutral on SB 438 as currently presented, but we ask that the committee hear our concerns and act accordingly. I will not be able to attend the hearing so we are providing written testimony only on this bill.

Sincerely,

Rick Piepho
Harvey County Clerk & Election Officer – KCCEO Elections Committee Chair