

RE: HB2013

Chairman Proctor and esteemed Representatives,

Thank you for the opportunity to testify before you today. Before I begin, I would like to give you some of my background so that you understand my reason for being here today.

My name is Tabitha Lehman, and I have over twenty years of experience in Kansas Elections, including almost ten years as the Sedgwick County Election Commissioner. Since leaving that position in July of 2021, I have owned and operated an election consulting business. In 2022 I traveled over 30,000 miles assisting election officials across the country. I am a nationally certified election official through the Election Center and have received my certification in election administration from the University of Minnesota.

When I first heard of HB2013, I was surprised to see runoff elections being discussed here in Kansas. I have grave concerns regarding this legislation and will briefly touch on those below.

Our local election officials are overworked, underfunded, and underappreciated. In October of 2022, the Sedgwick County Election Commissioner, Angela Caudillo, went before the Sedgwick County Board of County Commissioners requesting additional funding to make it through 2022. In that presentation, it was documented that the Sedgwick County Election Office staff had already logged over \$1M in overtime in 2022. This was before the General election was completed. Adding another countywide election to the year would have resulted in more overtime expenses for Sedgwick County and additional strain on already overburdened local election officials.

My next concern is the timing of the runoff election. Federal and State law requires military and overseas voters (UOCAVA Voters) to be sent their ballot 45 days before election day. HB2013 calendar needs to allow more time to comply with already existing laws.

Kansas law requires voters to be notified 30 days before an election if their polling place has changed. In even years, election officials would have to reserve polling places for the “possibility” of a runoff election to be sure that the sites were available. This would likely incur costs for those locations even if they weren’t used since most places will not allow you to simply “reserve” a date and not pay the rental fee.

As a consultant, I have provided technical support for the State of Georgia for three post-election audits in 2022. During the 2022 General Election audit, early voting had already begun for the runoff election. What if an audit were to show an issue had occurred during the election, and voting had already begun for the runoff, creating chaos and a legal quagmire?

Each Kansas would need to own, maintain, and securely store additional voting equipment because if you are conducting a countywide election before you have certified the general election, you can’t reuse the voting equipment used in the General Election.

On December 14th, 2022 Republican Georgia Secretary of State Brad Raffensperger called on the Georgia General Assembly to eliminate General Election Runoffs in the state.

“Georgia is one of the only states in the country with a General Election Runoff. We’re also one of the only states that always seems to have a runoff. I’m calling on the General Assembly to visit the topic of the General Election Runoff and consider reforms.”

“No one wants to be dealing with politics in the middle of their family holiday; it’s even tougher on the counties who had a difficult time completing all their deadlines, an election audit and executing a runoff in a four-week time period.” Said Raffensperer.

If one of the only states to conduct General Election Runoffs is not satisfied and calls for eliminating runoffs, why would we want to introduce them in Kansas?

These are just a few of my concerns regarding this legislation.

Thank you for your time, and I am happy to stand for questions when appropriate.