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## STATE OF KANSAS

Members of the House Elections Committee:

At the request of Chairman Proctor, our office re-surveyed the counties, stressing that the committee required accurate data regarding the number of ballots received after the 2022 general election, and the number that were counted.

Our initial estimate of ballots received and counted within the three-day period was 1,000 statewide. This number was provided during the written and oral testimony on January 26, 2023.

Following the survey, our newest estimate is that 3,547 ballots were received after 7:00 p.m. on Election Day. Please note that not all 3,547 ballots may have been counted due to various reasons. Instead, this is an estimated quantity received during the three days following Election Day.

We also specifically asked the five smallest rural counties and they all reported they had zero advance by mail ballots received after Election Day.

In 2016, as part of the federal mandated Election Assistance Commission post-election survey, each county reported numerous data points. From those, our office determined that about 1,500 mail ballots were received sometime after Election Day.

Please note the following:

1. There is a difference between the number of advance by mail ballot votes entered into our office's daily report for any given day, and the number of ballots physically received on that day. The number on the report will be higher because of the lag time in processing (e.g., a ballot received Monday may not be processed until Wednesday after the election).
2. The number of ballots received in the three-day period will be greater than the corresponding votes counted, as some of the ballots will be rejected for various reasons, such as no postmark.
3. The number of ballots received in the 2020 general election cannot be compared with 2022 for two reasons: first, 2020 was a presidential year, which usually has a higher turnout percentage compared to a non-presidential year; second, 2020 saw a higher use of advance by mail ballots due to the COVID-19 pandemic, which jumped from the usual 15 percent of all ballots cast to 35 percent of all ballots cast.

Our office stands ready to answer any questions or provide any further information to the committee.

Respectfully submitted,

Clay Barker  
Deputy Assistant Secretary of State  
General Counsel