

Chairman Proctor, Vice Chair Waggoner, Ranking Minority Member Woodard and Committee Members:

With limited time to review HB2086 it is apparent this bill is a massive overhaul of the current election laws and appears to be an attempt by the SOS office to sneak things through thinking no one will examine the bill closely.

The legislature should be administering and overseeing the electoral process but for some reason this responsibility has been handed to the SOS. The current SOS office has already written at least one Regulation which contradicts an election statute. Now he is requesting the statute be repealed/amended to align with the Regulation he originally wrote, quite possibly because of constituent backlash, which was against the Regulation, not the Statute which would be amended by this bill. The SOS should not be the chief election officer and Page 1, New Section 1, lines 17-21 should be removed from HB2086.

The election clerks have plenary authority over the elections in their counties so they may choose to do what they want in regard to their data so long as it is within the law and the data is preserved. Page 1, New Sec. 3, lines 31-36 is an attempt to completely restrict the data from anyone who wants to see it. This is an attempt to stop what occurred in Mesa County Colorado which was a clerk simply doing her job to protect her constituents and the voting process. This Section needs to be removed.

Page 32, Sec. 39 K.S.A. 25-2703(b) lines 32 and 33. *The supervising judge may expand such distance beyond three feet as needed.* This is the issue poll observers had across the country with not being able to observe what they were supposed to because they were so far away they weren't able to see anything. This addition needs removed.

Page 38, Sec 48. K.S.A. 25-3005a (5) why remove precinct people as authorized poll agents? I don't understand the need for this. Precinct people are elected or appointed officials and could provide valuable insight by being a poll agent in their precinct. I question the removal of this.

Page 39, Sec. 49. K.S.A. 2022 Supp. 25-3009 (b)(1) line 27, *or the corresponding ballot images.* This is the statute that I referenced in the 3rd paragraph above. Many constituents had an issue with K.A.R. 7-47-1(d) which contradicted K.S.A. 25-3009(b)(1). The people wanted the paper ballots, per statute, to be used in the post-election audit and the VTB recount, but ballot images were used in many instances. Regulations should not be allowed to be written to contradict statute, yet that is what was done. Another reason why the SOS office should not be the chief election officer of the state and this portion of the amendment should be removed.

Again, these are just a few of the items that jumped out at me. With more time, I'm sure I would find other concerning amendments to existing statutes. I urge the committee to reject HB2086 and not recommend it for further consideration.

Thank you for your consideration,

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