



Kansas Federal and State Affairs

Monday, March 20, 2023

SB2086 Opponent Written and Oral Testimony

Chairman Thompson, members of the Committee, my name is Mike Brown, I am the Chairman of the Kansas Republican Party and I am submitting opponent testimony regarding HB2086. There has long been a need for comprehensive election law reform and I have been an ardent supporter of updating and clarifying Kansas statute to ensure that Kansans can be confident in the security and accuracy of their elections. Unfortunately, HB2086 does not achieve this goal.

HB2086 has been presented to the legislature as a bill that improves transparency and cleans up old language in Chapter 25, but it also eliminates due process for Kansans who have attempted to file complaints regarding election irregularities (Sec.64). It consolidates power in the Secretary of State's office while, at the same time, placing the sole responsibility of successful administration of local elections on 101 Kansas County Clerks (Sec.1). It criminalizes the duplication of a voting system hard drive by local election officials who are trying to preserve election data prior to system up-dates (Sec.3) and reduces residency requirements for appointments of County officials. The bill codifies allowing unelected staff to be designees to serve as the State Board of Canvassers (Sec.53) and the State Objections Board (Sec.20). None of these changes are minor and there has been little to no discussion with those impacted or any public discussion or input leading up to the introduction of this bill.

You would think that within a 54 page bill with 96 reported changes and, several more substantive changes that were not listed in the Summary, this would be an exhaustive update to our election laws but it is not. In the 54 page bill there is no mention of a single penalty added for an election law violation. Not one. Section 2 states that any person convicted of any election crime cannot serve as an election officer, but, what is the likelihood that any person can be convicted of a crime if there is no penalty?

For these reasons listed and so many other concerns, I ask the committee members to allow this bill to die in committee.