

KRIS W. KOBACH
Secretary of State



Memorial Hall, 1st Floor
120 S.W. 10th Avenue
Topeka, KS 66612-1594
(785) 296-4564

STATE OF KANSAS

Senate Committee on Ethics, Elections and Local Government

Testimony on SB 264

Bryan A. Caskey, Director of Elections
Kansas Secretary of State's office

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Madam Chairwoman and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 264. This bill clarifies procedures governing the casting of an advance ballot by mail by a person with a disability.

The policy of the state of Kansas is this - every legally cast ballot must be processed and counted in a manner consistent with the voter's intent. This is true regardless of any disability affecting a voter's ability to sign a ballot application or envelope, to mark a ballot, or to transmit a ballot to the election office.

This bill was introduced to address a situation that occurred in the 2017 Municipal General Election in Sedgwick County. This situation affected approximately 23 voters who cast a ballot and did not have the ballot count, due to a physical disability that prevented the voter from signing the advance ballot envelope. The Secretary of State's office is in favor of the concept and intent of this bill.

The Secretary of State's office has been in discussions with the Disability Rights Center and is working on adopting an Administrative Rule and Regulation that would address the situation. In addition, the Secretary of State is working to re-design and re-word the language on advance voting ballot envelopes. This will be done in consultation with county election officers from across the state. The Secretary of State's office is also willing to work with Senator Oletha Faust-Goudeau and others to ensure the Administrative Regulation accomplishes what it is intended to accomplish – to ensure that any advance voting ballot, cast by mail by a person with a disability who is unable to sign the ballot envelope, be counted.

The timeline for the Secretary of State's office is to have the proposed Regulation finalized and submitted to the Department of Administration and the Attorney General's office by the 1st of February. This will allow adequate public comment time and implementation prior to the 2018 August Primary Election.

Thank you for the opportunity to provide testimony in support of this bill, and I stand for any questions.