



**2021 - 2022 Executive board**

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Re: February 15, 2022 hearing on Senate Bill 394, relating to the deadline for returning advance ballots – Opponent testimony, WRITTEN-ONLY testimony from Rick Piepho, representing KCCEOA.

Honorable Kansas State Senator Rob Olson  
Chair, Senate, Committee on Federal and State Affairs and Distinguished Members of the Committee

My name is Rick Piepho, Harvey County Clerk and Chairman of the Elections Committee of the Kansas County Clerks and Elections Officials Association (KCCEOA). The KCCEOA is a statewide organization with 109 members including 103 publicly elected county clerks, 2 charter appointed county clerks, and additionally, four election officers from the most populous counties in Kansas. Our duties are significant under statute and one of our most public facing functions is free and fair administration of elections. We take this duty very seriously. We prepare for every possible, and impossible, scenario which could occur.

I am submitting this testimony on behalf of the KCCEOA membership. The KCCEOA prepared a legislative agenda which was developed through a policy committee process and agreed to by a majority of the members. One of the items specifically included is: “Maintain the status quo with regard to election, registration and canvass schedules...”.

We believe that the current deadline for receipt of valid advance ballots by mail should remain. With delivery delays by the US Postal Service expected to continue, we believe that allowing ballots mailed prior to the close of polls on Election Day to be received by the 3<sup>rd</sup> day following the election ensures that valid voted ballots are accepted and included in the final results. Most properly mailed advance ballots are returned the day after the election but diminishing quantities continue to be received for many days after Election Day.

Exhibit 1 on next page shows advance return log for the 2020 General Election in Harvey County. A deadline of 7 p.m. on Election Day would have made 27 valid voted ballots not count (20 on Wed., 5 on Thurs. & 2 on Fri.) out of 2,328 total received by mail. Not a huge number but it adds up across 105 counties. Also Tuesday is almost like a postal holiday with very little mail received on that day of the week. (Mon 10-19 = 381, Wed 10-21 = 455, but Tues 10-20 = 1). The main reason we had 45 ballots delivered by USPS on Election Day is because our local PO and the Wichita main PO made an extra effort to be sure that all ballots in their possession were delivered to our office before polls closed. This would effectively mean that voters would have to mail on Friday or Saturday before Election Day or earlier so that we receive them in time.

The KCCEOA opposes SB 394 as currently presented. We ask that the committee hear our concerns and act accordingly. I will not be able to attend the hearing so we are providing written testimony only on this bill.

Sincerely,

Rick Piepho  
Harvey County Clerk & Election Officer – KCCEOA Elections Committee Chair

**Exhibit 1:**

GN2020 Advance Return Log - Harvey County								
	USPS	Clerk office drop	Courthouse drop	FS 3 drop	UOCAVA	Adv poll	Totals	Undel/late
Prior to 10/14/20					73		73	1
Thursday, October 15, 2020		1			2		3	
Friday, October 16, 2020		43	117		3		163	
Saturday, October 17, 2020			213	44			257	
Sunday, October 18, 2020			92	34			126	
Monday, October 19, 2020	381	199	438	17	5		1040	28
Tuesday, October 20, 2020	1	68	309	73	5	30	486	37
Wednesday, October 21, 2020	455	62	234	64		16	831	2
Thursday, October 22, 2020	310	37	157	39	2	14	559	9
Friday, October 23, 2020	213	37	140	33		31	454	4
Saturday, October 24, 2020			81	35	5		121	
Sunday, October 25, 2020			55	19			74	
Monday, October 26, 2020	376	21	75	16		13	501	2
Tuesday, October 27, 2020	93	24	87	41	4	16	265	2
Wednesday, October 28, 2020	49	42	102	16	1	19	229	
Thursday, October 29, 2020	119	24	93	25	2	16	279	
Friday, October 30, 2020	98	51	108	31	3	44	335	1
Saturday, October 31, 2020			37	31	3	13	84	
Sunday, November 1, 2020			43	25	2		70	
Monday, November 2, 2020	161	44	145	17	6	16	389	3
Tuesday, November 3, 2020	45	23	144	62	7	173	454	
Wednesday, November 4, 2020	20						20	
Thursday, November 5, 2020	5						5	4
Friday, November 6, 2020	2						2	2
Monday, November 9, 2020							0	2
Tuesday, November 10, 2020							0	1
	2328	676	2670	622	123	401	6820	98
% of total returned	34.13%	9.91%	39.15%	9.12%	1.80%	5.88%	7928	Total sent
							6918	Total return
								Not
After ED	27	1.16%					1010	returned