



January 24<sup>th</sup>, 2023

Caleb Smith  
Kansas Appleseed Center for Law and Justice  
Oral via Webex  
House Committee on Elections

Members of the House Committee on Elections,

Thank you for the opportunity to testify in **opposition to HB 2013**. Kansas Appleseed Center for Law and Justice is a nonprofit, nonpartisan organization dedicated to the belief that Kansans, working together, can build a state full of thriving, inclusive, and just communities. I am the Civic Engagement Director of Kansas Appleseed, and as part of this position it is my job to encourage Kansans to engage in the civic process, including at the ballot box.

HB 2013 would require a second runoff election for statewide contests where one candidate fails to receive over 50% of the total votes cast. Creating a second statewide election would only create further expense for the state and further hurdles for meaningful voter participation, especially among those already facing the greatest barriers to the ballot box.<sup>1</sup> Run-off elections not only have an unfortunate history in the United States of discouraging historically disenfranchised populations from exercising their full political power, they also come with a prohibitive price tag. In Georgia, where statewide run-off elections similar to those envisioned in this bill are relatively common, costs are typically in the tens of millions dollars per run-off election on top of the costs the state has already paid for the primary and general elections.<sup>2</sup>

In addition to these costs, runoff elections have the effect of minimizing the voice of voters who already have a difficult time making it to the polls, such as disabled voters who have to find help to fill out their ballots or physically travel to their voting sites, workers in shift employment who have to work voting into their often already hectic and difficult schedule, or rural voters who have to travel longer than average distances to the closest polling location.<sup>3</sup> Adding a second general election will cause many of these voters to simply stay home the second time around, as has been demonstrated in similar systems across the country.<sup>4</sup> This means that those with the least barriers to voting will therefore have an unfair increase in their say in our representative system.

Thank you for the opportunity to testify in opposition of HB 2013, I am happy to answer any questions at the appropriate time.

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<sup>1</sup> McDonald, L. (1985). The Majority Vote Requirement: Its Use and Abuse in the South. *The Urban Lawyer*, 17(3), 429–439. <http://www.jstor.org/stable/27893308>

<sup>2</sup> Niese, Mark. "Runoff Election for US Senate will cost Georgia taxpayers millions of dollars." *The Atlanta Journal-Constitution*. Nov. 30, 2022.

<sup>3</sup> Bagwe, G., Margitic, J., & Stashko, A. "Polling Place Location and the Costs of Voting." 2020. [https://jmargitic.github.io/JM/Margitic\\_JMP.pdf](https://jmargitic.github.io/JM/Margitic_JMP.pdf)

<sup>4</sup> <https://fairvote.org/report/primary-runoffs-report-2022/>