



Date of Testimony: Tuesday, March 7, 2023

Bill Number: SB 208: Prohibiting remote ballot boxes that may be used in each county.

Disposition: Opponent; Written and In-Person Testimony

From: Cille King, Advocacy Chair; League of Women Voters Kansas

To: Chair Proctor and Members of the House Elections Committee

The League of Women Voters of Kansas opposes SB 208. We believe that prohibiting ballot drop boxes unnecessarily and unreasonably restrict voters from being able to vote. Those voters include those who work the same hours as the election office, don't have reliable transportation, are home-bound, or work out-of-area, and others.

The goal of a representative government is to have as many citizens participate in elections as possible. Greater participation in government and voting is shown to create a healthier, more stable society. Ballot drop boxes helps with voter participation.

During his presentation to the House Elections Committee on Feb 8, 2022, Kansas Secretary of State, Scott Schwab, said that drop boxes are secure and more reliable than the US Postal Service due to the following:

- ballots go directly to the County Election Office instead of being sent out-of-state for processing,
- ballots are collected by election workers – one from each party,
- drop boxes are under video scrutiny, unlike USPS drop boxes, so if someone was trying to deposit more than the legal limit of 10 ballots, they would more likely use the USPS box,
- drop boxes are emptied at 7 p.m. on election day and locked so that no more ballots can be dropped,
- drop boxes have been successfully used for decades.

SOS Schwab did mention that he would like to see regulations regarding ballot drop boxes so that all counties were handling them the same way. He suggested that regulations be put in writing regarding cameras, timing and frequency of removing ballots, and procedures for election workers. At no time did Secretary Schwab suggest that ballot boxes be prohibited or only available in the election office. We request that you support HB 2053 for standards relating to remote ballot boxes so all counties are following best practices.

In Kansas, we have secure mailed ballot procedures - mail ballots are only sent to those who have filed a request for a mail ballot and have provided their government issued photo ID. Ballots are tracked and

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only accepted if signatures match to the voter that has requested the ballot. Ballot envelopes have a secure indicator for every voter who has requested a ballot to avoid copying. There is small chance for uncaught voter fraud with all the current voter laws.

Drop boxes are designed in close collaboration with election officials to ensure that ballots can't be tampered with or damaged. They have sloped tops to remove rain, flanges above the slots to prevent water into the box, slots that only accept one or two ballots and access doors designed so they have to be locked shut, making it impossible for a worker to forget to lock them. They weigh roughly 1,000 pounds and are bolted to the ground. They have video scrutiny.

The Election Assistance Commission (eac.gov) states, “A ballot drop box provides a secure and convenient means for voters to return their mail ballot. A drop box is a secure, locked structure operated by election officials where voters may deliver their ballots from the time they receive them in the mail up to the time polls close on Election Day.”

The EAC also recommends the following:

- Unstaffed drop boxes are typically available 24 hours a day and permanently anchored in place.
- At a minimum, have a drop box for every 15,000 – 20,000 voters.
- Add more drop boxes to areas where there is historically low vote by mail usage.

https://www.eac.gov/sites/default/files/electionofficials/vbm/Ballot_Drop_Box.pdf

Also, the bill language effectively eliminates returning mailed ballots to a polling location, as:

- *Section 1. (c) {"Remote ballot box" does not include any ballot boxes located in a county election office or satellite advance voting site}* Thus, removing a voters ability to return mailed ballots to a polling location.

The National Conference of State Legislature (NCSL) offers a summary of Ballot Drop Box Laws so you can see how Kansas SOS might implement HB 2063: <https://www.ncsl.org/elections-and-campaigns/table-9-ballot-drop-box-laws>

We ask you to vote NO on SB 208 so that voters have adequate secure methods to vote.