



Date of Testimony: Tuesday, February 6, 2024

Bill Number: SB 365: Requiring all advance voting ballots to be returned by 7 p.m. on election day.

Disposition: Opponent; Written and via WebEx Testimony

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

To: Chair Senator Thompson and Members of the Senate Committee on Federal and State Affairs

It has been less than 7 years since the extension to receive mail ballots that had been postmarked by election day. This extension was a request of the Secretary of State office and a Kansas County Clerk, among others, because they saw that the 2011-12 change in USPS processing was disenfranchising thousands of unsuspecting voters. Voters of all political parties like being able to sit at their kitchen table and researching unfamiliar candidates so that they make an informed vote. Do not return to disenfranchising thousands of voters.

The only thing that has changed with the USPS, is that mail is even slower since 2021. The USPS changes on October 1, 2021 expected roughly 40% of First-Class Mail is subject to an adjusted standard that is 1-2 days greater than the previous standard. By 9/30/2022, the USPS wasn't meeting their 2-day and 3-day targets. The USPS map further highlights these delays. The USPS recommends that voters allow for seven days for their mailed ballots to arrive back to their county clerk. Many voters have not even received their ballots by seven days before the election.

As a reminder as to the testimony in 2017, here are a few highlights:

- Representative Vic Miller testified in support of HB2158 to extend the deadline for mail ballots that were postmarked by election day to be received up to three days following an election, due to the United States postal service moving process centers out of Kansas.
- Bryan Caskey, Director of Elections, KS SOS office, Feb 8 and Mar 21, 2017: testifying as a proponent for extending the deadline to receive mail ballots returned by the third day after the election. "The United States postal service has decreased the number of locations that process mail in the state of Kansas. As a result, an increase in the

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amount of time needed to transmit mail has occurred in the last few years in Kansas (and across the country).” http://kslegislature.org/li_2018/b2017_18/committees/ctte_h_electns_1/documents/testimony/20170208_04.pdf

- Marge Ahrens, Co-president, League of Women Voters of Kansas, also supported HB2158: “The bill provides the minimal necessary three days for those “on time” ballots to actually arrive at their election offices because of the routing of mail following cutbacks in the U.S. Postal Service. We see this bill as reflecting the desire of the Legislature to serve the real needs of both rural and urban Kansas voters and cut the costs of voting to all our citizens in transportation and time.”

http://kslegislature.org/li_2018/b2017_18/committees/ctte_s_ethics_elections_and_local_government_1/documents/testimony/20170321_01.pdf

- Jamie Shew, Douglas County Clerk, Feb 8 2017 testified for HB 2158, ...”as one step in attempting to respond to the challenges presented with the new postal process. States are being encouraged to consider legislation which meets the reality of new delivery structures and times. As more voters are utilizing mail advance ballots, continuing to utilize statutes written during different era of postal delivery will result in a higher amount of votes not counted. “
- “In 2011-12, the U. S. Postal Service started implementing reforms which reduced the number of mail processing centers, limited weekend processing and routed mail to larger regional centers. In Kansas, seven processing centers were closed and mail is now routed to regional processing centers, two in Kansas, Wichita and Hutchinson, and three in other states, Amarillo, TX, North Platte, NE, and Kansas City, Missouri. With the regional centers, the methods which mail was processed were also changed; the largest impact of these changes was increased time for delivery. The U.S. Postal Service no longer guarantees 1-2 day delivery for local mail, but now has a 2-5 day window for delivery of First Class local mail. During the 2016 elections, the U.S. Postal Service was recommending voters mail ballots at least one week ahead of Election Day in states that require receipt of ballot on that day. Additionally, with new limited weekend processing, mail sent on Friday and Saturday may not begin processing until Monday, the result has been a decrease in delivered mail on Tuesday across the country. Across Kansas, as these changes have occurred, county election offices have experienced an increase in ballots not arriving until the Wednesday or Thursday after Election Day. Currently, these ballots cannot be counted; when often times it is clear the ballot was sent days before the election.”
- http://kslegislature.org/li_2018/b2017_18/committees/ctte_h_electns_1/documents/testimony/20170208_02.pdf

We ask you to vote NO on SB 365. If the committee is still inclined to shorten the grace period, please, at least allow for ballots to be returned by the following day, Wednesday, because most ballots that were deposited the previous weekend, and not processed over the weekend, will first be posted on Monday, and delivered to the Election Offices on Wednesday.

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Here are links to the USPS information websites:

[USPS Changes Postal Service Standards](#)

<https://postalpro.usps.com/ppro-tools/service-standards-maps>

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