



*Sedgwick County...  
working for you*

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## Office of the County Counselor

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March 6, 2018

Honorable Keith Esau, Chairman  
House Committee on Elections  
State Capitol Building  
Topeka, Kansas 66612

**Re: Senate Bill 264**

Dear Chairman Esau & Committee members:

The Board of County Commissioners of Sedgwick County sits as the election canvassing board for this county, and one of my responsibilities as county counselor is to advise them as to which votes to count or not count at those canvasses. I have done so since September, 2015, when I first became county counselor.

During that time, we in Sedgwick County have had a number of election canvasses for all or parts of Sedgwick County. In each of those canvasses, the issue has arisen as to whether to count the votes of people who, for whatever reason, failed to comply with KSA 25-1120 and 25-1124.

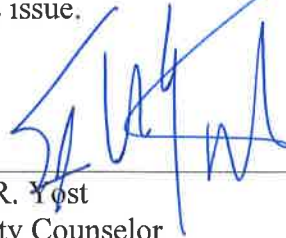
The Board of County Commissioners totally supports the intent behind the law which requires proof of citizenship in order to be eligible to register to vote, and believes that only properly registered voters should be permitted to vote. The commissioners also support the right of registered voters to cast their votes by advance voting ballot. The commission also desires that the envelopes so employed should be prepared in a way as to guard against election fraud. But those envelopes should be prepared in a way so as to not confuse law-abiding voters as to what is required of them.

Current law requires that a voter utilizing an advance voting ballot must sign the outside of the envelope, but also permits other individuals to assist in the filling out of those ballots. Because of such assistance in the filling out of mail-in ballots, there is confusion as to who should sign the envelope. SB 264 would address that to make clear that the voter must sign the envelope under either circumstance, and if assistance is rendered by a third person, that person must sign as well.

SB 264 also requires that the same envelope be used for advance voting ballots in all 105 counties. As much difficulty as we've had in Sedgwick County, I assume that other counties have had some discussion as well, and I am aware that different counties have used different

envelopes (possibly reducing or increasing the confusion, as the case may be). Therefore, while I was honored to be consulted in the drafting of this legislation several months ago, I will be far more interested in seeing how the Secretary of State's office interprets this new statutory language, and how the new advance voting ballot envelope will be worded, than I am in the statute itself. I hope that if SB 264 becomes law, the Secretary of State's office would seek input from affected parties as to how the new advance ballot envelope might be designed. I would suggest they submit it to a focus group of users to see how they like it.

Thank you for your attention to this issue.



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Eric R. Yost  
County Counselor

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