



EQUALITY ♦ LAW ♦ JUSTICE

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**Proponent for SB 264**  
**Senate Ethics, Elections and Local Government**  
**January 18, 2018**

**Chair Bowers and members of the Committee:**

My name is Mike Burgess. I am the Director of Policy & Outreach at the Disability Rights Center of Kansas (DRC). DRC is a public interest legal advocacy organization that is part of a national network of federally mandated organizations empowered to advocate for Kansans with disabilities. DRC is the officially designated protection and advocacy system in Kansas. DRC is a private, 501(c)(3) nonprofit corporation, organizationally independent of state government and whose sole interest is the protection of the legal rights of Kansans with disabilities.

The issue of a signatures, particularly on ballots, can be very complicated. The current law takes into account situations where people may simply make a mark, squiggle, or put an X on the paper for their signature. For someone with quadriplegia, their legally binding signature could be a wink. These methods are all allowable under the federal ADA law. Our statutes, regulations, guidance, and even the return envelopes for mail ballots will need to accommodate all of these scenarios to ensure Kansans with disabilities do not get disenfranchised.

DRC was very concerned to learn last November about the 23 Sedgwick County voters who had their ballots tossed out because they failed to sign their own mail-in ballot envelopes.

In fact, we immediately called and met with Bryan Caskey, the Director of Elections to find out if there were any options to seek a remedy for those voters. We also immediately started working with him on ways to prevent this from happening again.

While we have had very productive meetings with Mr. Caskey and potentially see a path to remedy this situation through his office, we are here today to offer our support for this bill too. Whether it is a statutory fix or a regulatory fix, DRC is happy to work with this committee, the Secretary of State's office and others who are interested in addressing this issue.

Even if this bill passes and becomes law, the language on the return envelopes for mail ballots will still have to be changed. The current language on the envelopes directs the voter to only sign if they are the person who filled out the ballot and placed it in the envelope.

**I would like to offer to work with this committee on an amendment to this bill that also fixes the ballot envelope problem.** (please see the back page of my testimony)

We definitely want to get this issue fixed one way or another. We want to ensure that all Kansans with disabilities who are legally able to vote are able to exercise that right and be sure their vote will count.

Thank you for the opportunity to share our support for this bill. I would be happy to stand for questions at the appropriate time.

