

Proponent Testimony on Senate Bill 43
Senate Committee on Ethics, Elections and Local Government

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Chair Bowers, Members of the Committee,

The Secretary of State hasn't released the 2018 provisional voting report, but in 2016 **5,496 Kansans ballots were thrown out** solely because the citizens hadn't registered before an arbitrary 21-day deadline set by the state. These are numbers as reported by the Kansas Secretary of State in the Election Administration and Voting Survey sent to the Federal Election Assistance Commission.

Here's how the process works today: You aren't registered or your address isn't updated and you show up at the polls on Election Day. They ask you to fill out a registration form and look at your government issued photo ID to confirm your identity is the same as you've put on the form. Then you cast a provisional ballot and it's put in an envelope attached to your form. You leave incredibly proud that you did your civic duty. Then the elections office throws away your ballot, but and this is a big but, they process the voter registration form and update or add you to the voter rolls for future elections. Senate Bill 43 is simply asking you to stop forcing election officers to throw away these citizens votes.

I've worked with various groups to help register thousands of Kansans over the last few years. I primarily work with youth and I deeply believe that participating in elections and civic life is an important bond between young people and their communities. Throwing away votes delegitimizes the elected offices each of you hold and disinvests young people from their perception of their stake in the community.

I'd like to tell you a few stories of who those 5,500 Kansans who had their votes thrown away are. Leading up to elections people contact me to ask how to vote and I have to inform them it's too late to register. While some may dismiss these young Kansans as lazy or uninformed, many of them have plans to register and vote, they just have never had anyone tell them there is a deadline. And while elected officials and political junkies may find this hard to believe, most people are living their lives and not obsessing over the next election months away.

An 18-year-old comes in to his polling site on Election Day with a smile ear to ear. He tells my friend who's a poll worker how excited he is to vote for the first time and all the poll workers cheer "we have a first-time voter!". 10 years ago, I was 18 and voted for the first time and I still remember when poll workers did that cheer for me, but while my parents had taken me to voting booths since I was a young child and had told me I had to register early. This young Kansan never had that. No one told him. He wasn't on the rolls so the poll worker instructed him to vote provisionally, she didn't have the heart to tell him his vote was going to be thrown away.

A Kansas State University student from Johnson County requested a mail ballot be sent to her. She called the county office and was told it was on the way, but it still hadn't come on election day. This was likely a postal service issue. She couldn't make it to Johnson County that day, and so she decided to cast a provisional ballot in Manhattan as is her right since students can claim either their college address or their parents address. She did everything right in this process. Her vote was thrown away.

A woman finally completed all the terms of her felony. She was off the paper as they say and her rights were finally restored, but they were restored in the window after the registration deadline and before the election. It was illegal for her to attempt to register before the deadline, but it was too late once her rights were restored. She found herself on Election Day a woman who should be able to legally vote, but if she tried it'd be illegal for the county to count her vote.

A worker mistypes your last name as they enter your voter registration, a voter roll cleaning is taking place and you're accidentally removed from the rolls, you moved only one block over, but you crossed into another county, you're a college student from another part of Kansas and the postal service lost your ballot, you just moved to Kansas, or maybe you're an 18 year old and no adult ever told you, you had to register 3 weeks early.

None of these scenarios should be a sentence to disenfranchisement. These Americans, Kansans, Citizens, deserve to have their votes counted not their voices thrown away. Election Day registration is safety feature that reduces the likelihood of Americans being wrongfully disenfranchised.

Ideally, this bill would be to allow citizens to fully register and cast a regular ballot which many states already do; however, understanding that this may pose a challenge to some counties this compromise bill, to simply stop forcing election officials to throw away provisional votes based on the 21-day deadline is fine.

Logistically, I think it's acceptable to replace the registration deadline with a date at which you must instead register in conjunction with casting a provisional ballot. This would allow you to remove Sec. 1(2)(c). Also, in Sec. 2.(c)(1) I'd recommend the reference to specific voting locations and instead say "Any person who appears at a voting location they are eligible to vote at."

There are minor tweaks that may be made, but ending the practice of throwing away citizens legitimate votes should end as soon as possible. By utilizing provisional instead of regular ballots this bill has a very minimal impact on how elections are administered.

SB 43 is an important and patriotic measure to protect the foundational right of our democratic republic. Please work and pass out SB 43 to stop forcing counties to throw away legitimate votes.

Thank you.
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