

Opponent Oral Virtual Testimony on Senate Bill 388

Senate Committee on Federal and State Affairs

Davis Hammet – Loud Light Civic Action

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Chair Olson, Members of the Committee,

No Factual Justification – Factual Harm

Any bill that has the potential to increase the burden on a citizen casting a ballot or reduces the likelihood of their vote being counted should be treated with extreme caution. An evidence based problem should be documented and a solution should be carefully crafted to address that problem. Senate Bill 388 both increases the burden on voting and reduces the likelihood of Kansans votes being counted, yet it is not based on any documented problem.

Criminalization of Several Ballot Return Methods

Senate Bill 388 would change KSA 25-1128 (g) to state “A voter ~~may~~ *shall* return such voter’s advance ballot to the county election officer by personal delivery or by ~~mail~~ *mailing the ballot using the United States postal service.*” The change from may to shall is designed to restrict how voters can return their advance mail ballots, but the restrictions impact a variety of methods that voters use to return their ballots. Methods like returning your ballot to an advance voting site, a poll site on election day, a ballot drop box, and using a private enterprise service like UPS or Fedex to overnight your ballot to the election office. The bill would not just ban these methods of return, but would criminalize the act of a voter attempting to return a ballot using these methods. The same methods they used in the previous election. This is because the law makes it a felony crime to violate any section including the mandate to only return the ballot via the election office or using USPS.

United States Postal Service Concerns and Delays

There are a variety of concerns related to the speed of USPS delivery including “No Mail Tuesdays,” the closing of processing facilities requiring much of Western Kansas mail to go to either Nebraska or Texas to be processed, and the slowing of mail speeds under the current Postmaster General.

Some individuals do not trust the government including USPS and have a right to use alternative return methods. Some individuals have better access to a private returns service like FedEx or UPS facility. Further, some individuals require a fast private return option such as individuals who are out of state and need an overnight service from UPS or FedEx to ensure their ballot arrives on time to be counted.

This bill would cause significant confusion resulting in the unnecessary disenfranchisement of Kansas citizens for absolutely no reason. I recommend this committee oppose SB 388. I’m happy to stand for any questions when appropriate. Thank you,

Davis Hammet

President, Loud Light Civic Action