



2023 - 2024 Executive board

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February 8, 2024 - hearing on HB 2572, imposing restrictions on individuals delivering ballots on behalf of other voters – Opponent testimony from Rick Piepho, representing KCCEO.

Chairman Proctor and Distinguished Committee Members,

My name is Rick Piepho, Harvey County Clerk and Chairman of the Elections Committee of the Kansas County Clerks and Election Officials Association (KCCEO). The KCCEO is a statewide organization with 109 members including all county clerks and election commissioners in Kansas. Our duties are significant under statute and one of our most public facing functions is free and fair administration of elections. We take this duty very seriously. We prepare for every possible, and impossible, scenario which could occur.

I am submitting this testimony on behalf of the KCCEO membership. The KCCEO prepared a legislative agenda which was developed through a policy committee process and agreed to by a majority of the members. One of the items specifically included is: "Maintain local control of usage and placement of drop boxes for advance ballots".

We believe that the restrictions and requirements in this bill for the delivery of voted advance-by-mail ballots by individuals on behalf of other voters are not necessary and are not feasible to implement. It is not always possible for some voters to mail or personally deliver their voted advance ballot so they designate a friend or relative to complete this task. These designees would not be allowed to deposit these ballots in a remote drop box and would be required to deliver these envelopes only to the election office where they would be subjected to scrutiny of their identification and a photograph. These requirements would make it very difficult and time consuming for election officials to verify the identity of the person designated by the voter to deliver their ballot by reviewing and recording the personal information of the designee and photographing them with the envelope being delivered. There would be additional costs to each county to obtain, secure and retain these records and images.

We are concerned about the disposition and security of the records and images that contain personally identifiable information. How long would election officers be required to secure and retain these records? If the intent of this legislation is to capture information for violations of the 10 ballot rule in KSA 25-2437, would election officers be required to consistently monitor these records and report to law enforcement accordingly? Would these records and images only be released as evidence to an investigator or would they be public record to be released to anyone submitting a KORA request? Each of these questions needs to be carefully answered before this legislation can be considered.

The KCCEO opposes HB 2572. We ask that the committee hear our concerns and act accordingly. I will gladly stand for questions at the appropriate time.

Sincerely,

Rick Piepho
Harvey County Clerk & Election Officer – KCCEO Elections Committee Chair