



KANSAS
ASSOCIATION OF
COUNTIES

715 SW 10th Avenue • Topeka, KS 66612
785-272-2585 • www.kansascounties.org

House Elections Committee
March 9, 2023
SB 209

Kansas Association of Counties
Opponent Testimony – Written Only

Chairman Proctor and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer Opponent testimony on SB 209, which would amend existing law by requiring advance voting ballots to be received no later than 7 PM on election night.

The Kansas Association of Counties opposes this bill as potentially disenfranchising to eligible voters. While most advance ballots do arrive by election night, differences in mail delivery times may cause a voter to believe that their ballot will arrive on Tuesday, but it not be delivered until later. Ballots already must be postmarked by election day to be valid. This ensures that a voter cannot send their ballot after knowing any election results.

This bill would remove control over the timeliness of the ballot from the voter to the post office. The voter can control the date of postmark. The voter has little control over the date of delivery. KAC and its member counties would instead advocate to maintain the status quo regarding elections administration and procedures. This will help avoid situations of voter confusion, which could lead to voters being disenfranchised.

This bill does not exist in a vacuum. SB 209 would eliminate drop boxes as a method for returning legal, valid ballots so that they can be counted. This bill limits the amount of time that mail ballots have to be returned. The effect of these two pieces of legislation in concert could be to disenfranchise voters that cannot appear at the polls on election day by removing both time and methods of delivery for ballots.

The Kansas Association of Counties would respectfully ask that the committee reject this proposed legislation. Thank you for the opportunity to present this perspective on this legislation.

Jay Hall
Deputy Director and General Counsel
Kansas Association of Counties
hall@kansascounties.org
(785)272-2585