

February 1, 2024

Chairman Proctor and House Election Committee members,

I'm writing to urge you to support HB 2576, after requesting hearings on the same underlying bill for the past three sessions. The bill would, among other things, create consequences for political advertising that materially misstates or misrepresents facts about a candidate's position and voting record on an issue, for candidates who sign a "Statement of Fair Campaign Practices." The bill makes it easy for voters to look up which candidates have signed the statement. The explosion of AI in recent months makes it even more critical that these campaign tactics be addressed.

The degree of disinformation that disrupted the 2020 elections was enormous, and continues to undermine democracy in a number of states as well as nationwide. This trend toward false and malicious campaign practices shows no sign of stopping, and it threatens fair elections at every level.

Sen. Larry Alley, when acting as Senate majority leader, stated that "[w]e want to have fair, safe and transparent elections," yet the election bills passed by the Kansas Legislature in 2021 do nothing for fairness and transparency, and, instead, would simply make voting harder for many Kansans. HB 2278 and 2075 didn't even get hearings over three years. False information for the purpose of influencing election outcomes misleads the public and undermines the integrity of our elections. Legislatures from states across the political spectrum have recognized this and have enacted statutes with language similar to HB 2576.

The disinformation and outright lies surrounding the 2020 election demand that any election reform must address this growing threat. The First Amendment protects political speech, but we must try to find a way to create consequences for false information that targets a political candidate, especially when their opponent has voluntarily agreed to abide by the "Statement of Fair Campaign Practices." There will be arguments on both sides of this issue, but let's at least have a serious discussion about it. This hearing, where the issue of false political information and its damage to the public and our institutions can be openly debated, is the place to start. Please support HB 2576 and commit to passing it out of committee.

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