



Date: Thursday, February 16, 2023

Bill number: SB209

Disposition: Opponent

Michael Poppa  
Executive Director  
Mainstream Coalition

Senate Committee on Federal and State Affairs  
Sen. Mike Thompson, Chair

Chair Thompson and Members of the Committee,

**Mainstream Coalition opposes SB209, requiring all advanced voting ballots be returned by 7 p.m. on election day.**

Voting by mail is a safe and effective way for Kansans to cast their ballot. In the 2022 elections, 41% of Kansans voted by mail. In 2020, 459,229 individuals returned advance by mail ballots. Over 32,000 of those ballots were received within the current 3 day voter protection period that this bill proposes to remove. There is no evidence that these 32,000 ballots were cast illegally, incorrectly, or with intent to cause fraud. If the voter protection period did not exist, over 32,000 Kansans would have had their vote disqualified - for no valid reason at all.

There are infinite reasons why a ballot postmarked on or before election day may not be received by 7:00 pm on election day. You can easily imagine a scenario where a post office may have unforeseen delays - a natural disaster, weather, mechanical malfunctions, staffing shortages, etc. - that would prevent a ballot from being received in time. This bill would throw that ballot out, even though the voter is in no way at fault.

Kansas voters expect to have their vote counted as long as their ballot is mailed on or before election day. This is a logical assumption, and one that this bill will do nothing to prevent as there is no funding or strategy to educate voters about a policy change if this bill passes. Additionally, removing the 3-day voter protection period would create a double standard that disenfranchises mail ballot voters and favors individuals who vote in-person on Election Day.

As is the case with numerous elections-related bills that have been introduced in the Kansas Legislature, we question the purpose of SB209. There is no credible evidence that accepting mail ballots after Election Day leads to fraud or security concerns. In fact, we have heard

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Founded in 1993, the Mainstream Coalition is a nonpartisan nonprofit that advocates for common sense public policy in Kansas. Our members do more than vote.

repeatedly from the Secretary of State as well as a number of County Election Officials that Kansas elections are, in fact, secure. This bill instead disenfranchises voters -- specifically voters who rely on a system of advanced mail ballots that this state has successfully been implementing for over 25 years.

When this legislature chose 6 years ago to extend the amount of time that a mailed ballot could be received, it said to voters: "We understand how important your vote is, and we will enact reasonable measures to make sure your vote is counted." If this proposed legislation becomes law, you would be going back on your promise to all Kansans. This is simply the wrong message for Kansans, and for our democracy.

Kansans deserve the right to cast their ballot safely without unnecessary state government interference. SB209 is a solution in search of a problem - a solution that would make it harder for eligible registered voters across Kansas to cast their vote.

I respectfully urge you to oppose SB209, and keep Kansas elections secure, fair, and accessible to all eligible registered voters.