

Opponent Oral Testimony on Senate Bill 321
Senate Committee on Federal and State Affairs
Davis Hammet – Loud Light Civic Action
March 23, 2023

Chair Thompson, Members of the Committee,

Short Notice of Hearing on New Bill Calling for Unique Election Cycle

The ability to analyze this bill was limited by it being published with only a couple business hours before testimony was due. It is very likely there are several issues beyond what will be discussed during the hearing since no one has had a chance to thoroughly vet this bill. Election law is complex and minor unvetted changes to it can have a variety of unintended consequences.

A One-Time 2024 Presidential Primary – Political Party Bailout at Taxpayer Expense?

Section 5(b)(1) states that this new presidential primary election is only for the 2024 election. Thereafter it will revert to Section 5(a) wherein the political parties determine their presidential selection process. The current presidential caucus system in Kansas has many flaws and deserves scrutiny. However, this bill does not seek to explore or resolve those concerns. This is a one-time taxpayer funded presidential election that is only accessible to voters who are registered as Republican or Democratic 30 days before March 19, 2024. Why is this being brought in the final weeks of the legislative session? Why does it only apply to one election cycle? Why are the third of Kansas voters registered as unaffiliated explicitly and uniquely carved out [Sec. 6(a)] from being able to declare a party on election day?

Voter Registration Deadline Extended from 21 to 30 days

Section 3(a)(4) further extends the voter registration deadline from 21 days before an election to 30 days before an election for the 2024 presidential primary. The voter registration deadline in Kansas is already at its most unforgiving and disenfranchising length (it was 14 days prior to 2011) and this bill would expand that to further block Kansans from participating in democracy. Why is this appropriate, necessary, or justified at all?

Constrained Advance Ballot Timeline – Disadvantages Rural, Disabled, & Elderly Voters

Section 7 creates an unusually tight timeline where on the front end advance ballots cannot *begin* to be mailed to voters until 14 days before the 2024 presidential primary (as opposed to 21 days for other elections) then on the back end they must be returned in-person the day before elections (ruling out poll site returns available in other elections) or by close of polls election day (as opposed to accepting ballots postmarked on or before election day for the following 3 days). This section will disadvantage voters who choose to or must utilize the advance by mail voting system. This is especially concerning for Kansans on the permanent advance voting list and those in group living facilities such as nursing homes who rely on advance voting by mail, and Kansans in rural communities who have the largest mail delays due to living the furthest distance from a USPS processing facility.

These are just a few of the initial concerns with this bill. There are further legal concerns about the impact on voting and the state dictating the terms of how political parties select their nominees. A serious look into adopting a state run presidential primary would be a worthy effort, but SB321 is not that. I recommend this committee oppose SB321. I'm happy to stand for any questions when appropriate.