



**2022 - 2023 Executive board**

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March 23, 2023 hearing on SB 321, providing for a presidential primary – Neutral testimony

Chairman Thompson and Distinguished Members of the Senate Federal and State Affairs Committee,

My name is Rick Piepho, Harvey County Clerk and Chairman of the Elections Committee of the Kansas County Clerks and Election Officials Association (KCCEOA). The KCCEOA 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 KCCEOA membership. We believe that the legislature sets the policy and we implement it. You pass the laws, the Secretary of State works with you to develop and adopt rules, and we follow the law and regulations in an attempt to allow the public to participate in free and fair elections while complying with your intent and the Secretary's guidance. For these reasons, we are appearing as neutral conferees today.

We sometimes conduct special elections for entities in our jurisdictions and can conduct this special election on March 19, 2024, but we do not believe that this is an appropriate use of county or state resources and funds.

We have a few concerns and comments:

- We are concerned that the changes to deadlines will be confusing for voters
  - Registration deadline - 31 days prior instead of 21 days prior.
  - Party affiliation – 31 days prior instead of allowing party declaration up to and including Election Day.
  - Advance ballot application period ending date – 30 days prior instead of 7 days prior.
  - Advance ballot mailing – begin 14 days prior instead of 20.
  - Early in-person voting – begin no earlier than 8 days prior instead of up to 20 days prior.  
Note: the change to 25-4503(e)(2) is inconsistent with the change to 25-1122(g).
  - Advance ballot receipt – close of polls instead of up to 3 days after if postmarked properly.
- Normally it is a function of the state party to determine which presidential candidate their delegates to their national party convention should be committed to. Primary elections are normally conducted to determine which candidate for each race for each party will be placed on the General Election ballot.
- Provisions for auditing this election have been removed. Post-election audits ensure accuracy.
- The filing fee increases to \$10,000 per candidate, but the total fees collected will not cover the costs to conduct this election statewide.
- There will be significant cost to conduct this election. We believe that since KSA 25-4508 is not affected or repealed in this bill that the state will reimburse counties for our direct expenses for conducting this election, but each county will incur non-reimbursable expenses that may not be included in our budget.

The KCCEOA is neutral on SB 321 as currently presented, but we ask that the committee consider our comments and act accordingly. I will gladly stand for questions at the appropriate time.

Sincerely,

Rick Piepho

Harvey County Clerk & Election Officer – KCCEOA Elections Committee Chair