



STATE OF KANSAS

January 14, 2026

Testimony on HB 2438 (Oral Proponent)

House Committee on Elections
Thursday, January 15, 2026

Chair Proctor and members of the Committee:

The Kansas Secretary of State supports HB 2438 which addresses problems experienced with unofficial, non-.gov online voter registration websites. Kansas has allowed online voter registration since 2009 for individuals possessing a Kansas driver's license or non-driver ID.

The bill mandates that online voter registration can occur only on official .gov websites or on websites certified by the Secretary that meets security, connectivity, and privacy standards that will be enumerated by regulation.

Why Voters Should Register Only Through Official “.gov” Websites or Sites Certified by the Secretary

Registering to vote is one of the most important civic actions an individual can take. It involves providing sensitive personal information—full legal name, date of birth, home address, and driver's license or partial Social Security number. Because of the stakes involved, voters should register only through official government websites ending in “.gov” or sites certified by the Secretary and avoid uncertified unofficial third-party registration sites. Doing so protects election integrity, personal privacy, and the voter's own ability to participate successfully in an election.

1. Security: Protecting Sensitive Personal Information

Official “.gov” websites are subject to strict federal and state cybersecurity standards. These sites typically use advanced encryption, continuous monitoring, and regular security audits to protect against hacking, data breaches, and identity theft. Government agencies are legally required to safeguard voter data and are accountable if they fail to do so.

Uncertified unofficial websites, even those that appear well-intentioned, are not held to the same standards. Some may lack strong encryption, store data insecurely, or transmit information through third-party vendors. Others may be deliberately deceptive - designed to harvest personal information or mislead voters about registration status. When voters submit their information through unofficial sites, they often have no way to know who actually controls the data, how long it is stored, whether it is adequately protected, or whether they are actually registered to vote, that is, whether their information is transmitted to the election office.



STATE OF KANSAS

Using a “.gov” site or sites certified by the Secretary ensures that voter information goes directly to the election authority responsible for maintaining voter rolls, without unnecessary intermediaries that increase the risk of misuse or compromise.

The Secretary of State’s office is aware of at least one frequently used non .gov website that accepts voter registration applications and transmits those applications via unsecure email transmissions. This unnecessarily exposes voter registration information and voters don’t realize or understand the vulnerability.

2. Reliability and Connectivity: Ensuring the Registration Is Properly Submitted

Registering to vote is only meaningful if the registration is accurate, complete, and received on time by election officials. Official government websites or sites certified by the Secretary connect directly to state or local voter registration systems, allowing voters to receive confirmation that their application was successfully submitted and processed.

Uncertified unofficial websites often act as middlemen. Some merely collect information and later forward it—sometimes by email, fax, or even postal mail—to election offices. This introduces multiple points of failure: data can be lost, delayed, incomplete, or improperly transmitted. In some cases, voters believe they are registered when, in fact, their information was never delivered or arrived after the legal deadline.

Connectivity matters most close to elections, when deadlines are strict and election offices are processing high volumes of applications. Official “.gov” systems or sites certified by the Secretary are designed to handle these surges and provide clear, authoritative confirmation. Third-party sites cannot guarantee the same level of reliability, and voters bear the risk if something goes wrong.

Every election there are individuals who cast a provisional ballot, claiming to have registered using an unofficial site, but no registration application was ever received by the election office. These ballots are rejected.

3. Privacy: Preventing the Sale or Sharing of Personal Data

Perhaps the most overlooked risk of unofficial registration websites is privacy. Many third-party sites are operated by advocacy groups, data firms, or marketing organizations. Their privacy policies—if they exist at all—may allow personal information to be shared, sold, or used for purposes unrelated to voter registration, such as fundraising, targeted advertising, or political outreach.

In contrast, official government websites or sites certified by the Secretary are governed by privacy laws that strictly limit how voter information can be used and disclosed. Election officials collect only what is legally necessary to register a voter, and they are prohibited from monetizing that data or using it for unrelated purposes.

When voters register through a “.gov” website, they retain greater control over their personal information and reduce the risk of being added to unwanted mailing lists, data profiles, or political databases.

SCOTT SCHWAB
Secretary of State



Docking State Office Building
915 SW Harrison Street
Topeka, KS 66612
(785) 296-4564
sos.ks.gov

STATE OF KANSAS

4. Trust and Transparency in the Democratic Process

Voting depends on public trust. When voters use official government channels, or sites certified by the Secretary, they reinforce a clear, transparent chain of custody for voter information. This reduces confusion, disputes, and suspicion about how registrations are handled.

Unofficial websites—no matter how polished or well-meaning—can blur accountability. If something goes wrong, it is often unclear who is responsible. By choosing official “.gov” websites, voters help maintain clarity, accuracy, and confidence in the electoral system.

Conclusion:

Registering to vote is too important to leave to chance. Official “.gov” websites or sites certified by the Secretary offer stronger security, direct and reliable communication with election officials, and legally protected privacy. Uncertified unofficial websites introduce unnecessary risks - data breaches, lost registrations, and misuse of personal information—that can ultimately prevent eligible voters from casting a ballot.

Sincerely,

Clayton Barker

Clayton L. Barker
Deputy Secretary of State,
General Counsel Office of the Kansas Sec
Clay.Barker2@ks.gov