

Legislative Testimony

In **Opposition** to House Bill 2437
House Committee on Elections
January 15, 2026

Written-Only Testimony

Mr. Chair and Members of the Committee,

My name is Logan DeMond, and I am the Director of Policy and Research at the American Civil Liberties Union of Kansas. The ACLU of Kansas is a nonprofit, nonpartisan organization with more than 35,000 supporters statewide that works to protect and strengthen the civil rights and liberties of all Kansans. On behalf of the ACLU of Kansas, I am writing in opposition to House Bill 2437. This bill unnecessarily expands voter-purge mechanisms, relies on unreliable data sources, weakens transparency, and increases the risk of eligible Kansans being wrongfully removed from the voter rolls in violation due-process and long-standing voter-protection safeguards.

Inactivity Does Not Equal Ineligibility

HB 2437 authorizes the initiation of confirmation notices when a registrant has “no election-related activity for any four-calendar-year period,” broadly defined to include not voting, not signing petitions, and not responding to official mailings

While federal law permits limited list maintenance, voter inactivity must never be treated as evidence of ineligibility. Kansans have a constitutional right *not* to vote, and many eligible voters—particularly young voters, voters with disabilities, rural voters, and voters who move frequently—may go several election cycles without participating. Expanding inactivity-based triggers increases the likelihood that eligible voters will be swept into purge processes, especially when combined with unreliable address or database matching.

Although the bill outlines notice procedures, HB 2437 still permits removal after non-response and inactivity over time. For many voters, especially those facing housing instability, language barriers, or limited mail access, a non-response does not indicate ineligibility. The right to vote is fundamental, and any process that removes voters from the rolls must err on the side of inclusion. HB 2437 shifts the burden on to voters to continually prove their eligibility in the absence of any evidence they are ineligible.

Kansas already conducts regular voter roll maintenance in compliance with federal law, and there has been no new evidence of a widespread problem that justifies the expansion of purge authority. Election integrity is best protected by ensuring eligible voters can participate, not by creating new barriers that risk silencing lawful voters. The ACLU of Kansas believes that this committee and the Kansas Legislature should focus on making it easier to vote, not harder.

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The Combined Threat of Unreliable Data and Reduced Transparency

HB 2437 authorizes the Secretary of State to request and use data from a wide range of sources, including federal agencies such as the Social Security Administration and U.S. Citizenship and Immigration Services, nongovernmental entities, and other jurisdictions' voter databases.

History shows, however, that database matching—particularly citizenship data matching—has a high error rate and has repeatedly resulted in eligible U.S. citizens being wrongly flagged or removed. Even minor discrepancies in names, hyphenation, or dates of birth can trigger erroneous removals. This bill does not require heightened verification standards before removal, increasing the risk of wrongful disenfranchisement.

Transparency is essential for public confidence in elections, and time and time again, this committee has emphasized the need for increased transparency. Without transparency into how voter-verification data is used, there is no meaningful way to detect or correct the errors such systems inevitably produce.

This bill, however, exempts large categories of voter-verification information from disclosure under the Kansas Open Records Act until at least 2031. Shielding voter-list maintenance data from public review makes it harder for journalists, advocates, and voters themselves to identify errors, patterns of discrimination, or administrative failures. At a time of unprecedented threats to our democracy, voters deserve the utmost transparency in their elections, and for years, Kansas has provided that. This legislation risks undoing this well-deserved trust.

Conclusion

HB 2437 creates unnecessary risks to voter access, relies on flawed data practices, weakens transparency, and undermines due-process protections for eligible Kansas voters. On behalf of the ACLU of Kansas, I respectfully urge the Committee to oppose HB 2437.

Logan DeMond
Director of Policy and Research