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House Elections Committee  
January 22, 2026  
HB 2451

Kansas Association of Counties  
Opponent Testimony

Chairman Proctor and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer opponent testimony on HB 2451 as drafted, which would prohibit officers and employees of the state or any municipality from promoting or opposing any constitutional amendment or ballot question, or from using state or municipal resources for such purpose.

It makes sense to prohibit the use of public resources to promote or oppose any ballot question or constitutional amendment. KAC has no opposition to this restriction. The reason for opposition here is that, while the intent of this appears to be preventing using public resources or public time (i.e., during the workday) for such purposes, the language of the bill does not clearly state that.

Sections (f)(1) and (f)(2) of the bill create restrictions on how officers and employees may respond to inquiries, but it does not state anywhere that this restriction only extends to work hours for employees. Extending this restriction beyond work time could lead to a First Amendment violation. These restrictions should only apply to employees during work hours on state or municipal websites or social media.

Additionally, elected officials have freedom of speech, too. While the bill can restrict their use of public resources, it should not prevent them from speaking on an issue.

KAC would urge the committee to address these issues prior to advancing this legislation.

Thank you for the opportunity to present this perspective on this legislation.

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