

STATE OF KANSAS
SENATE CHAMBER

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DOUG SHANE
37TH DISTRICT

Chair Proctor and House Committee on Elections,

My name is Senator Doug Shane. I am pleased to provide proponent testimony for HB 2451. This session, I introduced SB 314, which is an unplanned sister bill for HB 2451. To me, this highlights the importance of this issue addressed through these bills.

HB 2451 codifies in law what many already believed to be true: Public employees and public servants cannot use taxpayer resources to advocate for or against anything on a ballot. Unfortunately, current law only restricts advocating for or against candidates, meaning there is carte blanche ability to use taxpayer resources to advocate for or against ballot questions and Constitutional Amendments. This gap leaves Kansas citizens at risk of having the power and influence of their own government to influence the outcome of an election through advocacy.

I would like to provide a tangible example of the ramifications of this gap in current law. In the election of 2025, there was a ballot question for USD 416 Louisburg asking taxpayers if the school district could enter into a lease-purchase agreement for the purpose of constructing baseball and softball fields. This issue has been the source of a multi-year controversy in our community, but this was a new approach for the district to obtain the financial means to construct the fields.

To promote the project the school utilized its influence and resources to:

- Send home multiple documents with students encouraging parents to support the ballot question
- Instruct students to encourage their parents to support the ballot question
- Give extra credit to students in exchange for advocacy and proof thereof
- Allowing the use district printers, equipment, and time to advocate

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- Utilize school district offices for distribution of advocacy yard signs and other advocacy materials
- Permit and encourage in-class activities and assignments to compel advocacy

These circumstances created an environment of coercion and intimidation, which is unacceptable for teachers, staff, and students to have to endure. Many in the community were appalled by what represents a gross misuse of taxpayer resources and inappropriate conduct that negatively impacted relationships both inside and outside the school district buildings.

These events led me to look at the laws regarding advocacy in KSA 25-4169a, where I learned there is no prohibition against these activities in state law. Anecdotally, there has been an increasing trend for public employees and officers using their official capacity and taxpayer resources to advocate for or against many political issues. I hope we can all acknowledge that, regardless of opinions on an issue, taxpayer resources should never be used for these purposes. Could you imagine if taxpayer resources were used to advocate for or against our upcoming Constitutional Amendment question on the August 2026 ballot?

It is imperative that we ensure taxpayer resources are not used to advocate for or against anything on citizen's ballots. Thank you for considering HB 2451.

Regards,

A handwritten signature in black ink, appearing to read "DOUG SHANE".

Senator Doug Shane, DVM, PhD

Senator, District 37