



## STATE OF KANSAS

January 26, 2026

### **Testimony on HB 2493 (Oral Neutral)**

House Committee on Elections

Tuesday, January 27, 2026

Chairman Proctor and members of the Committee:

The policy goal of HB 2493, which amends KSA 25-2437, an elections crime statute, is to provide additional verification and record-keeping for individuals who assist in the transmission of mail ballots. To accomplish that goal, the bill requires an assistor to (1) be a qualified elector and (2) provide the assistor's driver's license number or state identification number on the already required sworn written statement.

The bill's policy objective is a matter for the Legislature, and the Secretary of State takes no position. If enacted, the Secretary will work with county election officials to implement the requirements in a cost-effective manner consistent with the law.

The Secretary offers two observations for the Committee's consideration, given that this is a criminal statute:

1. **Scope of the assistor provisions.** It has been the longstanding and practical assumption that these provisions do not apply to election officials, U.S. Postal Service employees, or commercial mail carriers (such as FedEx or UPS) who transmit mail ballots in the ordinary course of their employment and do not interact directly with the voter.
2. **Qualified-elector requirement.** Requiring an assistor to be a "qualified elector" is unworkable in some circumstances and, in some cases, inconsistent with federal law:
  - a. **Practical concerns.** Many mail ballots are transmitted from outside Kansas. Requiring a Kansas voter who is temporarily or permanently out of state to locate another Kansas qualified elector to assist with mailing a ballot would impose a significant burden on the right to vote. It could also prevent high school volunteers from assisting people vote.
  - b. **Federal law conflict.** Federal law provides that a voter who requires assistance by reason of disability or inability to read or write "*may be given assistance by a person of the voter's choice.*" 52 U.S.C. § 10508. This right applies to all elections—federal, state, and local—and expressly preempts state laws that restrict that choice. A substantial number of mail ballots are transmitted by voters who fall within the broad federal definition of disability.

**SCOTT SCHWAB**  
Secretary of State



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Sincerely,

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