

Testimony to Senate Committee on Federal & State Affairs
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BILL NUMBER: SB 394
BILL DESCRIPTION: Requiring advanced ballots to be returned by Election Day
PROPONENT, OPPONENT, or NEUTRAL: Opponent
ORAL TESTIMONY OR WRITTEN TESTIMONY ONLY: Written & Oral Testimony

Dear Committee Members,

I urge you to oppose bill SB 394. Removing the three-day voter protection period will disenfranchise many voters, and in particular out-of-town/state college students. In fact, had this law been in place for the 2020 election, my son's vote would not have been counted or it would have been extremely expensive.

And he was not alone. Through my involvement with voter turnout efforts in 2020, I fielded numerous questions from parents whose college aged kids were concerned because their advanced ballots took longer than expected to get to them, or who had issues arise with their ballots that required additional assistance and time from the election office. Were it not for that three-day voter protection period, many of their votes that were postmarked by Election Day would not have been counted.

Below, I'm sharing my son's story to give you a real-life example of why the three-day voter protection period should remain in place to ensure everyone can have their vote counted.

The story of just one vote

My son is an out-of-state college student. In 2020, he was looking forward to voting in his first presidential election and voting in the other races on his Kansas ballot. He applied for his ballot as early as possible and became concerned as his ballot had not yet arrived the week before the election.

He followed up with the election office and they confirmed it was mailed on the first day ballots went out. They suggested he get a provisional ballot in case the original did not arrive on time.

Concerned that ballot also might not arrive on time, he had it sent to his (our) home address in Kansas. As soon as we received it, we spent \$53 to FedEx it to him on his college campus. He received it late in the day on the Saturday before Election Day. The earliest he could return his ballot was Monday morning when the Fed Ex office was open again.

At this point, it was too late to send it via regular USPS mail. An expedited shipment was his only option.

Monday morning, he took his ballot to FedEx. He was provided with multiple overnight delivery times to choose from with different pricing. The least expensive option to ensure his ballot

arrived on election day was more than \$50, putting the total cost of his vote at over \$100. How many people would be able to or want to spend \$100 on their vote?

Thankfully, because of the three-day voter protection period, he was able to have his ballot postmarked by Election Day, but spend just \$11 for it to arrive on Thursday, a day before the deadline. His vote ultimately cost \$64; still expensive, but a better option.

In the end, his original ballot happened to arrive late in the day on Monday (the day before the election) after Fed Ex (&USPS) were closed. He no longer needed it, but if this law had been in place and he hadn't received a provisional ballot, it would have been impossible for his original ballot to be received by the election office on Election Day. He would have lost his opportunity to vote.

But under the current law, with that original ballot, he could have had it postmarked on Election Day, and had three days for his ballot to arrive at the election office. He'd even have the option to overnight it for \$50+ to arrive the day after the election, or spend just \$11 for it to arrive by 5:00 on Friday.

My son went through a lot to make sure his vote counted. **To think of him or other out-of-town/state college students not having their votes counted because of mail delays is upsetting.**

Vote no on SB 394

I hope through the story of my son's ballot, you can understand that there are legitimate reasons for needing that three-day voter protection period. Voters cannot be expected to time the mail perfectly when returning their ballot. Mail delays happen and voters whose ballots are postmarked by Election Day should have their ballots counted if they are received by the election office within the three-day voter protection period.

Another consequence of enacting this bill is that many out-of-town Kansans will now essentially have a poll tax when they are forced to use an expedited shipping method to ensure their ballot is received by Election Day. Having the three-day voter protection period allows voters to avoid costly fees when faced with mail delays that are no fault of their own.

Voting should be as easy as possible for everyone, and especially for our young voters. We want to ensure they turn into lifelong voters.

Please vote no on SB 394.

Sincerely,

Erin Woods
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