



EQUALITY ♦ LAW ♦ JUSTICE

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February 9, 2022
Opponent for SB 455
Written-only Testimony

Chairman Olson and members of the committee:

My name is Mike Burgess. I am the Director of Policy & Outreach at the Disability Rights Center of Kansas (DRC). DRC is a public interest legal advocacy organization that is part of a national network of federally mandated organizations empowered to advocate for Kansans with disabilities. DRC is the officially designated protection and advocacy system in Kansas. DRC is a private, 501(c)(3) nonprofit corporation, organizationally independent of state government and whose sole interest is the protection of the legal rights of Kansans with disabilities.

Voting is a fundamental right for the citizens of Kansas, including Kansans with disabilities. In general, DRC is not supportive of policy changes that will limit options or make it more difficult for Kansans with disabilities to either vote or have their vote counted.

SB 455 adds the following language that will impact the availability of ballot boxes in counties across the state:

(i) No county election office shall use any form of ballot box for the deposit of advance voting ballots except the locked ballot box located at the county election office or satellite advance voting site as described in subsection (a). Any ballot box located at the county election office or satellite advance voting site shall be located inside the building of such premises and shall be continuously observed by an employee of the county election office during those times when such ballot box is accessible by the general public.

Unfortunately SB 455 would lead to more limited access to ballot boxes and limit the hours the boxes are available. Both of those make it more difficult for individuals with disabilities and individuals assisting them to return their advance ballots. Many people with disabilities (including war veterans who acquired their injuries serving our country who have disabilities such as quadriplegia, paraplegia, etc.) are forced by those who operate the Medicaid and other programs to limit their personal assistants to be available to them either during the day or at night. Some people with disabilities must have the night supports to keep them alive due to complications caused by their disability. These Kansans with disabilities, including veterans of military service, would not be able to return their ballot to the box under this proposal.

The bill also requires a ballot box to be inside the building. While it may not seem like a big deal requiring someone to go inside of a building to place their ballot in the ballot box located there, for an individual with mobility challenges it absolutely is creating another barrier for them. There are often numerous barriers between where one parks the car and where the ballot box is located inside the building. Forcing the ballot boxes to be located inside a building creates a whole new barrier, which will disenfranchise people with disabilities.

As I have mentioned in other testimony, I ask you to please consider the compounding impact of all of the policy changes that create barriers for individuals to vote. While each individual change may seem small, it will definitely make it more difficult for Kansans with disabilities to vote and have their vote counted.

Thank you for the opportunity to speak on this bill. I would be happy to stand for questions at the appropriate time.