



STATE OF KANSAS

Testimony on HB2053 (Oral Proponent)

Senate Committee on Federal and State Affairs

Monday, March 20, 2023

Chairman Thompson and members of the Committee:

Thank you for the opportunity to provide comments in support of House Bill 2053. This bill authorizes the Secretary of State to issue regulations on the use of remote ballot drop boxes by Kansas county election officials. This bill was passed by the House of Representatives with an overwhelming majority of 109-12. HB2053 differs from SB208 which, after a floor amendment, bans the use of remote ballot drop boxes.

In 1978, the legislature authorized county election officials to determine means, other than mail delivery, to receive advance by mail ballots (K.S.A. 25-1124(a)). Prior to 1978, some county clerks utilized "clerk's boxes" – a box located outside of the county election office to collect advance by mail ballots.

The following table represents the number of remote ballot drop boxes used by county election officials during the 2022 election:

Boxes	Counties	Comment
0	20	
1	45	Placed outside of the courthouse
2	27	Placed outside of the courthouse and townhall of the second city in the county
3	6	
4	3	
>4	4	Sedgwick (14); Douglas (9); Johnson (8); Riley (7)

Remote ballot drop boxes serve as a secure method for voters to return their advance by mail ballot promptly and efficiently directly to election officials, instead of relying on the federal postal service and its lengthy and unreliable delivery process. To date, our office has not received evidence of any ballot returned to a remote ballot drop box that was not a properly requested and completed by the qualified voter or was transmitted to the remote ballot box by means of ballot harvesting.

Currently, the Secretary of State is limited to providing counties with recommendations on the use of remote ballot drop boxes. Following consultation with county election officials, HB2053 would permit the Secretary of State to ensure all counties follow standard practices regarding disability access; box specifications; chain of custody; location; and physical security. Our office has assembled best practices compiled from government and non-governmental entities, regulations from other states, and lessons learned from previous elections.

Kansas elections are conducted at the local level within a statutory framework. This bill would ensure remote ballot boxes continue to be a viable option for county use.

Thank you for the opportunity to provide comments to the Committee. We respectfully request the passage of HB2053.

Respectfully submitted,

Clay Barker
Deputy Assistant Secretary of State
General Counsel