

## **House Committee on Elections**

### **Testimony on HB 2225**

Bryan A. Caskey, Director of Elections  
Office of the Secretary of State

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Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify on HB 2225. This bill, if passed, would allow any registered voter to apply for permanent advance voting status. Obtaining this status would allow a voter to automatically receive a ballot beginning 20 days before any election in which the voter is eligible to vote. Current law requires a person applying for permanent advance voting status to have a permanent disability or illness which has been diagnosed as a permanent illness.

The Secretary of State's office is an opponent of this bill.

Current law requires a person to request a ballot to be mailed to the voter before every election. This act ensures the voter is a willing participant, is expecting a ballot, and the ballot will be sent to the correct location. Changing this requirement to a ballot being transmitted every election, with no action by the voter will increase the likelihood that ballots will be transmitted to voters who no longer reside at the address where they are registered and opens the door for potential voter fraud to occur.

How might this happen? Here are a few examples: (1) A ballot will be forwarded to the person, who is no longer a resident of the district, and the person votes and returns the ballot. Ballots are mailed in an envelope that expressly states **DO NOT FORWARD**. In every election, our office is made aware of situations where ballots are inadvertently forwarded on by the post office. (2) A ballot will be received at an address the person previously resided at and is currently occupied by a family member. The person is no longer eligible to vote at that location, however, mail is still delivered to the address. The ballot could be returned and voted by someone else living in the household. (3) A person moves away and fails to register the address change with the postal service. Another person moves into the residence and begins receiving ballots. Again, the ballot could be returned and voted by someone else, unbeknown to the original voter. In all of these circumstances, ballots may end up in the hands of persons no longer qualified to vote.

I want to make clear that Kansas has laws, policies and procedures in place to review the signature on every voted ballot that is returned by mail. Every voted ballot must be returned in an envelope with the signature of the voter on the outside of the envelope. The signature is compared every single time. Failure to sign the envelope results in the ballot being marked as

‘provisional’ with a recommendation of do not count. This is to help reduce any potential voter fraud that may take place. This bill will increase the number of ballots that are questionable in every election.

Voters move and fail to update their voter registration record. People die who are on the voter registration list. People are convicted of felonies who are on the voter registration list. It takes time for state and county election officials to use all of the resources available to maintain a clean, accurate voter registration database. Kansas is vigorous in maintaining the statewide voter registration database. However, voters don’t tell us when they leave or register at another location and are subsequently ineligible to vote in the state of Kansas.

I also want to share some statistical information from the 2016 General Election. This information was collected on a post election survey of all 105 counties. There were 31,109 persons on the permanent advance voting list who received a ballot by mail. 26,111 returned a voted ballot which is an approximate 84 percent return rate. There were 165,801 persons who submitted an application for a ballot to be transmitted by mail. 153,446 returned a voted ballot, which is an approximate 93 percent return rate.

The best way to ensure that persons who are asking for a ballot to get that ballot is to ask them, every time. Then the election office has a high degree of confidence because the voter has submitted an application within three months prior to the election that states – “Yes I want a ballot, and yes, this is where I want the ballot sent.”

Thank you for the opportunity to provide testimony against this bill this afternoon, and I stand for questions.