

Legislative Testimony

In **Opposition** to House Bill 2493
House Committee on Elections
January 27, 2026

In Person Testimony

Chair Proctor and Members of the Committee,

My name is Logan DeMond, and I am the Director of Policy and Research at the American Civil Liberties Union of Kansas. The ACLU of Kansas is a nonprofit, nonpartisan organization with more than 35,000 supporters statewide that works to protect and strengthen the civil rights and liberties guaranteed by the Constitution of the United States and the Constitution of the State of Kansas, including the fundamental right to vote. On behalf of the ACLU of Kansas, I stand in opposition to House Bill 2493.

Time and time again, Kansas voters have made it clear that the legislature should focus on making voting more accessible. Put simply, this committee and the Kansas Legislature should make it easier for eligible citizens to vote—not harder. HB 2493 does the exact opposite by imposing two new, burdensome restrictions on the return of advance ballots: (1) requiring that any person who transmits or delivers a ballot on behalf of another voter be a “qualified elector,” and (2) requiring that person to include their driver’s license number or non-driver’s identification card number in a written statement on the ballot envelope. Together, these provisions create unnecessary barriers to lawful voting, sow confusion, and risk disenfranchising eligible Kansans without any demonstrated benefit to election integrity.

Unnecessary Barriers to Ballot Access

Many eligible Kansas voters rely on trusted individuals to assist with returning their advance ballots. This includes elderly voters, voters with disabilities, voters who lack reliable transportation, voters who work long or inflexible hours, and voters living in rural areas. HB 2493 would sharply limit who can provide this assistance by excluding non-qualified electors such as caregivers, family members, neighbors, or staff at residential care facilities. This begs the question, if an eligible voter asks a trusted individual to turn in their ballot and completes the necessary steps, why must that trusted individual be a qualified elector?

Whether the individual submitting a ballot on behalf of another is a qualified elector or not should not impact their ability to do so, and it should not impact the voter’s ability to select the individual as a trusted assistant for the voting process, as the choices made on that ballot do not reflect the individual’s submitting it, but the voter who signed the affirmation. When the state erects barriers that make voting more difficult for people who already face obstacles, it

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undermines the promise of equal access to the ballot. These restrictions do not target wrongdoing; instead, they restrict lawful, good-faith assistance that enables eligible voters to participate in elections.

Current law limits the number of advance ballots that any one person may return on behalf of others. That existing restriction has already narrowed the availability of ballot-return assistance, particularly for voters who depend on a small circle of trusted helpers. HB 2493 does not correct a deficiency in current law; it compounds an existing problem by further constraining who is allowed to provide that assistance. By layering new eligibility and identification requirements on top of existing numerical limits, this bill deepens barriers to ballot access and increases the likelihood that eligible voters will be unable to return their ballots in time to be counted.

Voter Privacy and Data Security Concerns

HB 2493 also raises serious privacy concerns by requiring a person returning another voter's ballot to disclose their driver's license number on the ballot envelope. Driver's license numbers are highly sensitive personal information. Requiring their disclosure in this context increases the risk of identity theft, misuse, or unauthorized access—particularly given the number of individuals who may handle ballot materials during processing.

The bill does not explain how this sensitive information would be protected, how long it would be retained, who would have access to it, why this information is necessary, or how it would be used. Kansans should not be forced to choose between helping a loved one vote and protecting their own personal data.

Chilling Effect and Risk of Disenfranchisement

The combined effect of these requirements will be to deter people from assisting voters altogether, even when that assistance is lawful and necessary. Confusing rules, fear of making a technical mistake, or concerns about privacy will discourage participation and lead to ballots going unreturned. Above all, this bill risks casting doubt on anyone attempting to assist an eligible voter with returning their ballot, forcing volunteer election workers to decide whose ballot should or should not be accepted.

There is no evidence that Kansas has a problem with ballot return assistance justifying these additional restrictions. Election policy should be based on demonstrated need, not speculation.

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Measures that risk disenfranchising eligible voters without improving election security run counter to Kansas's responsibility to administer free and fair elections.

Conclusion

The right to vote includes the practical ability to cast a ballot. HB 2493 undermines that right by restricting who may assist voters and by imposing unnecessary disclosure requirements. These provisions will disproportionately affect vulnerable voters' ability to cast their ballot while doing nothing to strengthen confidence in our elections.

On behalf of the ACLU of Kansas, I respectfully urge the committee to oppose HB 2493.

Logan DeMond

Director of Policy and Research