

KNOW YOUR RIGHTS

VOTER SUPPRESSION LAWS

According to Secretary of State, Scott Schwab's office, "Kansas did not experience any widespread, systematic issues with voter fraud, intimidation, irregularities or voting problems," in the 2020 general election. Despite these assurances, the Kansas Legislature passed two bills—H.B. 2183 and H.B. 2332—that restrict individuals' right to vote, or their ability to assist others in voting.

Key provisions of these bills are explained below.

Delivering Ballots for Others*

H.B. 2183 strictly limited the means and number of advance ballots someone may return to polling stations on behalf of others. Under this bill:

- No one may **transmit more than ten advance ballots** for others.
- **No candidate for office may transmit any advance ballots** for someone else except on behalf of an immediate family member.

In order to lawfully deliver someone else's advance ballot to a polling place, both the voter and the person delivering the ballot must complete sworn statements.

- The voter must affirm (1) they authorize the specific person delivering the ballot to do so (and should identify that person by name) and (2) that "such person has not exercised undue influence on the voting decision of the voter."
- The person delivering the ballot must swear that (1) they exercised no undue influence on the decision of the voter and (2) that they have transmitted no more than ten ballots on behalf of other people.

Failure to comply with these provisions—including, potentially, failure to provide the required sworn statement—is a crime.

H.B. 2183 also instructed the Secretary of State to provide forms containing these affirmations, but he has not done so yet. Be sure to check the Secretary's website for updates and to check if these forms are published: <https://sos.ks.gov/>.

Mailing Advance Ballots

If you cast an advance ballot to mail in, you must personally place the ballot in the envelope and seal it. Failure to personally take these steps could result in the disqualification of your ballot.

Signature Match*

The new laws require election officials to verify that signatures on advance ballots match the signatures for the voter that are on file with the county registration records. If the signatures do not match, as determined by either electronic device or human inspection, the election official may discard your ballot. Ensure your signature matches. Check the form you used to register to vote.

- Did you sign your registration using your middle name or only an initial?
- Did you use your full name or some shortened version?
- Has your name changed since registering?

If you are unsure how your signature appears on your registration records, contact your county election officials.

Impersonating an Election Official*

The new statutes further criminalized impersonating an election official. Under H.B. 2183, this includes:

1. Representing oneself as an election official;
2. Engaging in conduct that gives the appearance of being an election official; or
3. Engaging in conduct that would cause another person to believe a person engaging in such conduct is an election official.

Doing any of the above may result in felony criminal charges. The statute is new and untested. As a result, the precise meaning and effect of this language is not clear. At its broadest, the language criminalizes any activity that causes someone else to subjectively believe a person was an election official, regardless of whether that belief was reasonable. As a result, many historically engaged, and non-partisan, voter turnout organizations have ceased their efforts.

We thus encourage you to be exceedingly cautious if you are working to help others vote and, if you are doing so, to state explicitly and repeatedly that you are not an election official.

Registration Address

Under H.B. 2332, the registered address of voters must be a residential address where the voter resides and must correspond to a physical location that can be occupied. If at all possible, you should provide your residential street address.

**These provisions are currently being challenged in a lawsuit filed in state court. This document will be updated as that litigation progresses.*