



EQUALITY ♦ LAW ♦ JUSTICE

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Written-Only Opponent for HB 2333
House Elections Committee
February 18, 2021

Chairman Carpenter 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, created by and empowered by federal law to protect and advocate for the rights of people with disabilities. 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. Among those rights we protect is the right for people with disabilities to vote and cast a ballot, which often times involves advance voting due to limitations with transportation or mobility impairments.

DRC is opposed to HB 2333.

There are many Kansans, including persons with disabilities, who are unable to leave their homes either because of their disabilities or because of an illness. Our concern is that this bill will artificially limit who a person with a disability can have return their ballot or ask to assist them in voting. If a person with a disability is comfortable having a candidate for office help them, why would you let government get in the way of that needed assistance?

One of the things we educate Kansans with disabilities on is their right to request whomever they want to assist them in voting. We are clear to educate them about what a helper can and cannot do. For instance a helper cannot make decisions for them, tell them how to vote, or even tell anyone else how they voted.

While the bill is specific about who cannot assist an individual, it is the position of DRC that it is important to let Kansans with disabilities determine who they want to assist them in voting or if they want any assistance at all. This bill artificially limits who a person with a disability (or any Kansan) can have assist them. Because people with disabilities are more likely to need assistance, and often have less access to assistance because they may live alone or have transportation issues or mobility impairments, any artificial limiting of who a person with a disability can choose to have help them with voting is unnecessary, unwarranted, and it will make it harder for some people with disabilities to cast a ballot.

If the concern is that an individual can exercise undue influence on any other individual, that is already a crime under current law. Further it is already crime no matter who does it, and not limited only to candidates. You want to make it an even more severe crime? You want to make it super severe for candidates to commit this crime? Fine. Just don't limit the freedom of the person with a disability to choose who helps them vote. Unfortunately, that is exactly what this bill does.

Thank you for the opportunity to share our opposition to HB 2333.