



More Frivolous Lawsuits to Undermine Election Integrity, This Time in Kansas

OVERVIEW

On May 3, 2021, the Kansas legislature voted to override Governor Kelly's veto of HB 2183 and HB 2332. They become effective July 1, 2021. **In early June 2021, two meritless lawsuits were filed attacking these commonsense laws.** Both lawsuits will likely fail because the burden these laws place on Kansas voters doesn't rise to a level that would make them unconstitutional, especially in light of the state interests they protect.

KEY POINTS

Easy to Vote and Hard to Cheat

HB 2183 and HB 2332 provide a set of fair and consistent rules for Kansas elections statewide:

HB 2183

Limits ballot harvesting.

Requires signature matching on advance mail ballots unless submitted by someone with a disability.

Removes the authority of the Secretary of State to extend the deadline for receiving ballots.

Makes it a crime to tamper with a ballot or to impersonate an election official to would-be voters.

HB 2332

Creates and amends law concerning addresses maintained for registered voters.

Prohibits the governor and judges from unilaterally altering election laws outside of their constitutional powers.

Clarifies the crime of election tampering.

A Common Pattern Emerges



Following passage of these two commonsense laws, the same Democratic Party-aligned law firm that filed lawsuits earlier this year following the passage of election integrity bills in Georgia, Iowa, and Montana filed yet another suit, this time in Kansas state court. The lawsuit was filed on June 1, 2021, in the Shawnee County District Court. The next day, another lawsuit was filed in federal court in the District of Kansas.

LIKELY OUTCOME

Both lawsuits will likely fail because the burden placed on Kansas voters as a result of these commonsense reforms is minimal, especially in light of the compelling state interests addressed, including deterring and detecting voting fraud, increasing voter confidence in the election system, and improving election procedures statewide.