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STATE OF KANSAS

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KOBACH'S COLUMN

Kansas Secretary of State Kris W. Kobach

Within two weeks of taking office on January 10, 2011, I introduced the Secure and Fair Elections (SAFE) Act to fight voter fraud in the state of Kansas. On February 25, 2011, the House of Representatives passed HB 2067, the SAFE Act, by a vote of 83 to 36. On March 23, 2011, the Senate passed it 36 to 3. The latest vote in the Senate shows that protecting the integrity of our elections is not a partisan issue, as 6 out of 8 Democrats voted in favor of the bill.

Republicans and Democrats alike want to ensure that every election is won fairly and no election is stolen. Both the House and Senate versions retain the requirements of (1) proving U.S. citizenship when registering to vote, and (2) showing photographic identification when casting a vote. These are the core provisions of the SAFE Act, which will make sure that Kansas election law is the strongest it can be.

However, the two versions differ on several other issues which will need to be worked out in Conference Committee to produce one final bill. The House version calls for (1) greater penalties for election crimes than are currently in place, (2) authority for the Secretary of State and the Attorney General to prosecute election crimes, and (3) an effective date of January 1, 2012 for the entire Act. On the other hand, the Senate version (1) keeps election crime penalties at their current levels, (2) denies authority for the Secretary of State and the Attorney General to prosecute election crimes, and (3) bifurcates the effective date of the Act. All provisions would go into effect on January 1, 2012 except the proof of U.S. citizenship requirement which would not be effective until January 1, 2013.

Of the two, the House version is certainly preferable because it takes stronger steps to discourage voter fraud. Currently, voter fraud as a low level crime often takes a back seat in county attorneys' law enforcement priorities. Under the status quo, not even the Attorney General can prosecute these crimes. And delaying proof of citizenship requirements will give aliens, who are ineligible to vote, an extra year to get on the voter rolls. It is *far* easier to keep ineligible people off the registered voter lists than to identify them once they have signed up illegally.

The people of Kansas spoke loudly and clearly on this question in the 2010 election cycle, and the legislature heard them. Soon Kansas will have the most secure elections in the country to ensure that one citizen gets one vote without that vote being nullified by ineligible voters.

Your Secretary of State,
Kris Kobach

P.S. Did you know that the Kansas constitution created the office of the Secretary of State, and statutes define our daily duties? Our office serves all Kansans by performing such duties related to business entities. Visit www.sos.ks.gov and click on Quick Links "Search for business information" to view information for a business on file with the Secretary of State, to check whether a business name is available, and more.