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Written Testimony in Opposition to HB 2569  
House Committee on Elections

Chair Proctor, Ranking Member Haskins, and Members of the House Committee on Elections,

Thank you for the opportunity to provide testimony on behalf of Kansas Appleseed in opposition to HB 2569. This bill would require all constitutional challenges to statewide election laws to be filed exclusively in the District Court of Shawnee County. This represents an arbitrary and significant departure from longstanding venue principles that allow Kansans to seek relief in their local courts. For individuals, advocates, and organizations outside the Topeka area, the bill would impose additional costs, travel burdens, and logistical hurdles simply to have their case heard. Access to justice should not depend on geography.

The bill centralizes an entire category of constitutional litigation in a single county without any demonstrated need. Kansas district courts are fully capable of adjudicating election-related constitutional claims. Concentrating these cases in one court risks undermining public confidence in the neutrality of the judicial process and diminishes the role of local courts in resolving issues that directly affect their communities.

Although HB 2569 is framed as a procedural change, its consequences are substantive. Dramatically narrowing venue will increase the likelihood that meritorious constitutional claims will be delayed or never brought at all due to cost and complexity. This is particularly concerning in the election context, where timing is critical as delays can effectively deny meaningful relief. Procedural barriers should never be used in a way that weakens constitutional protections.

Finally, the bill could have unintended consequences for both the judiciary and elections. Requiring all such cases to be funneled into a single court increases the risk of congestion and delay, especially during election cycles when swift judicial review is essential. Decisions affecting voters statewide should not be slowed or complicated by an arbitrary venue restriction.

For these reasons, I respectfully urge the committee to oppose HB 2569. Kansas should preserve open and equitable access to its courts and ensure that constitutional challenges to election laws can be brought fairly, efficiently, and without unnecessary barriers.

Respectfully,

Mike Fonkert