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Written Testimony in Opposition to HCR 5021
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 HCR 5021. The provisions of HCR 5021 would place a question on the 2026 primary ballot that asks Kansans whether the presentation of photo ID when voting should be a constitutional requirement.¹

Kansas Appleseed believes the state has a responsibility to implement measures designed to ensure fairness and integrity in the election process. That said, Kansas Appleseed is opposed to expending public time and resources for duplicative policymaking.

Voters have been required to present photo ID when voting since 2012, per the Kansas Secure and Fair Elections Act of 2011.² Acceptable forms of ID must be issued by the state or federal government, and examples include: driver's license, passport, a handgun license, a public employee badge, and a college student ID, among others.³

Although it is widely reported that photo ID laws disenfranchise voters, the 2011 law has faced little contest in the statehouse. In other words, the presentation of photo ID is settled law. HCR 5021, therefore, is manufacturing the salience of a non-issue.

In addition, the proposition of HCR 5021 would be posed to voters in the 2026 primary election. Election administrators already have many ballot-related challenges approaching as the candidate filing deadline is on June 1, only six and half weeks ahead of when early voting for the primary begins.⁴ Adding another question would drain more time and resources in this small window.

What's more, Kansans will already be posed with another constitutional proposition, SCR 1611, during the primary. And among voters who affiliate with a major political party, another question on the ballot may exacerbate fatigue.⁵ As recently explained to this committee by Deputy

¹ H.C.R. 5021, 2025 Biennium, 2026 Reg. Sess. (Kansas 2026)

² Kansas Legislative Research Department. (2021, January 13). *Voter Registration and Identification*. KLRD. <http://klrd.gov/publications/briefing-book-2021/voter-registration-and-identification/>

³ K.S.A. 25-2908. https://ksrevisor.gov/statutes/chapters/ch25/025_029_0008.html

⁴ Kansas Secretary of State. (2026). *2026 Primary Election*. Important Election Dates. <https://sos.ks.gov/elections/important-election-dates.html>

⁵ Clark, Allyson & Peterson, Geoffrey. (2002). Too Far to the Bottom? Exploring the Phenomenon of Voter Roll-Off.; Ned Augenblick, Scott Nicholson, Ballot Position, Choice Fatigue, and Voter Behaviour, *The*

Secretary of State Clay Barker, “noticeable voter fatigue begins after 5-7 voter decisions; severe drop-off occurs with 10-15 voter decisions.”⁶ For context, the primary ballots of Democratic and Republican voters are estimated to display at least eight questions in the primary election.⁷

Given the redundancy of HCR 5021 and the subsequent complexities it would add to the primary election process for administrators and voters, I urge you to vote against this resolution.

Thank you for your time,

Mike Fonkert

Review of Economic Studies, Volume 83, Issue 2, April 2016, Pages 460–480,
<https://doi.org/10.1093/restud/rdv047>

⁶ Wirestone, C. (2026, January 23). *Kansas election committee uncloaks main goal: Shoving more hardcore Republicans into office*. Kansas Reflector.

<https://kansasreflector.com/2026/01/23/kansas-election-committee-uncloaks-main-goal-shoving-more-hardcore-republicans-into-office/>

⁷ Kansas Secretary of State. (2022). 2022 Primary Election Official Vote Totals. Topeka, KS.