



## **Sponsor Testimony**

### **Representative Dave Greenspan**

#### **House Bill 49**

Chair Wiggam, Vice-Chair Ginter, Ranking Member Kelly, and members of the House State and Local Government Committee, I stand before you today to testify as the sponsor for House Bill 49 – which provides, on a permissive basis, the opportunity for concealed handgun license holders to use their license as a form of primary photo voter identification.

A few years ago, I obtained my concealed handgun license and subsequently went to vote. I presented my CHL license as a form of photo identification only to be told that it was not a formal form of photo identification for voting purposes. As I looked at my CHL license and my Ohio Driver's license – side by side – I noticed that they contained most of the same information and more importantly, for voting purposes, all of the requirements by state law as a form of voter photo identification.

To draw a comparison, the Ohio Revised Code indicates that "Photo Identification" for voting purposes shall contain the following<sup>1</sup>:

1. Name
2. Address
3. Photograph
4. Expiration date

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<sup>1</sup> ORC 3501.01(AA)(1) to (4)

So now let us look at the requirements that shall be displayed on a Concealed Handgun License<sup>2</sup>:

1. Name
2. Address
3. Photograph
4. Expiration date

As per LSC, at the end of 2016, there were an estimated 594,000 concealed handgun license holders.

A state-issued identification card shall contain the following<sup>3</sup>:

1. Name
2. Address
3. Photograph
4. Expiration date<sup>4</sup>

As per LSC, at the end of 2016, there were 857,597 active state identification cards issued.

And an Ohio Driver's License shall contain the following<sup>5</sup>:

1. Name
2. Address
3. Photograph
4. Expiration Date

As per LSC, at the end of 2016, there were 7,897,922 active driver's licenses issued.

You may be asking yourself – what is the issue we are attempting to solve? Currently under state law, only identification cards and documents issued by the “government of the United States or this state”<sup>6</sup> shall be allowed to be used a form of photo identification for voting purposes. A CHL is issued by a County Sheriff's department.

My argument before you today is that since a concealed handgun license contains all of the required information and is issued by a County Sheriff's department, a functional area of a county, which is a political subdivision of the state<sup>7</sup>, that it, the concealed handgun license, shall

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<sup>2</sup> ORC 109.731(A)(2)(a)(i) to (iii)

<sup>3</sup> ORC 4507.51(A)

<sup>4</sup> ORC 4507.52(A)

<sup>5</sup> ORC 4507.06(A)(1) to (2)

<sup>6</sup> ORC 3501.01(AA)(5)

<sup>7</sup> ORC 2744.01(F)

be allowable, on a permissive basis, to be used as a form of photo identification for voting purposes.

The only addition to the ORC is found in lines 203-205 of the bill, where we include the following language:

“or, in the case of a concealed handgun license issued under section 2923.125 or 2923.1213 of the Revised Code, by a county of the state.”

With the passage of this bill, we will do just that.

Now, I have had a few questions asked of me since the bill was introduced prior to my testimony today. I would now like to address those inquiries.

Questions were posed to my office regarding the possible exclusion of a photo from the CHL and what that impact would be on its ability to be used as a form of photo identification for voting purposes. If that situation was to exist, which is possible if a CHL holder refuses to allow his or her photo to be placed on the card for religious purposes, then just as if it was another form of authorized photo ID, driver’s license, state-issued identification card or other identification cards and documents issued by the “government of the United States or this state,” it would be ineligible to be used since it fails to meet the photo requirements as mandated by current state law<sup>8</sup>.

Another question was, “Could a CHL be used as a form of identification for voter registration?” The short answer is that just as an active state issued identification card may be provided to show that the name and current Ohio mailing address of an applicant in the absence of an Ohio Driver’s License, so may a CHL. It is important to note that one can obtain an Ohio Driver’s License and CHL and not be eligible to vote in Ohio. Ohio election law states in part that:

“Every citizen of the United States who is of the age of eighteen years or over and who has been a resident of the state thirty days immediately preceding the election...”<sup>9</sup> may register to vote.

It is important to note that if a voter falsely provides information on the Voter Registration and Information Update Form then that applicant has committed a fifth degree felony.

I appreciate the opportunity to present House Bill 49 for the committee’s consideration.

I am available to answer questions from the committee.

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<sup>8</sup> ORC 3501.01(AA)(1) to (4)

<sup>9</sup> ORC 3503.01(A)