



**HB 680**  
**Interested Party Testimony**  
**Michelle Wilcox and Rob Frost**  
**Ohio Association of Election Officials**

Chairman Wiggam, Ranking Member Kelly and members of the House State and Local Government Committee:

My name is Michelle Wilcox, and I am President of the Ohio Association of Election Officials (OAEO). I am here to offer interested party testimony on HB 680. OAEO is the bipartisan organization representing Ohio's 88 county boards of elections. As such, we offer our comments today based exclusively on best practices for election administration, grounded in our experiences each and every day as Ohio's election professionals. I am joined by Rob Frost, our immediate past president. It is important to note that I am a Democrat and Rob is a Republican. We want to emphasize that these proposals represent a bipartisan path forward for Ohio's elections.

We would like to touch on recommendations that affect both the "emergency vote by mail" provisions of the bill and the provisions that affect continuing elections administration law. Finally, I would like to recommend two additional provision for your consideration that are not currently included in the legislation.

First, as it relates to the emergency provisions, we **STRONGLY** recommend the removal of the mailing of the post card to voters. This failed experiment of HB 197 was a disaster and should be buried and never again considered. The post card served to confuse voters who

received it. It did NOT clarify or in any way help answer questions. Instead it generated thousands of unnecessary phone calls to boards of elections and added an unnecessary and time-consuming step to our absentee ballot process. As will be discussed below, it is far preferable to send absentee ballot applications to every voter.

Secondly, we fully support mailing provisional ballots to voters when elections are conducted by mail. However, we would suggest allowing this to apply to every election, and clarify that voters be allowed to correct any mistakes to the provisional ballot envelope through the use of the "11-S" form which currently allows other absentee voters to correct mistakes to their absentee ballot identification envelope.

With regard to changes affecting ongoing election administration issues, we urge you to allow the mailing of absentee applications by the Secretary of State this fall. The legislature has already appropriated funds for this purpose, and there is no compelling reason not to do this mailing. To the contrary, there are many good reasons to send it. First, it eliminates the time it takes for the mail process to unfold and, as we saw during the primary, time is of the essence. Second, it eliminates confusion for the voters. They get the application, they fill it out and send it in, and they get their ballot. It's easy and straightforward. Finally, and perhaps most importantly, this mailing helps get people voting ahead of the election and out of line on Election Day. Few of you were in the legislature during the 2004 election, but I will tell you that subsequent legislatures enacted no-fault absentee voting as well as the mailing of absentee ballot requests as a direct result of the lines experienced in 2004. It is unfathomable to election officials that the legislature would encourage in-person voting by discouraging absentee voting this November. Under normal circumstances, early voting by 20%-30% of the electorate is crucial to a well-functioning Election Day with no lines. During this pandemic, when we will be scrambling for every polling location we can find and every poll worker we can hire,

discouraging early voting by disallowing this mailing is a recipe for trouble. If you don't want to see lines on Election Day, this provision must be removed from the bill. Furthermore, we would urge that postage for both the application and the ballot be prepaid. If funds are not available for both, at least postage for ballots should be included.

Secondly, we applaud the recognition that the noon, Saturday deadline to request an absentee ballot is too late. Voters who wait until the last minute to request a ballot will simply not receive it in time to vote it. In fact, election officials were sent a letter by the USPS during this last election stating that our statutory deadlines fall outside of postal service standards for delivery. I have attached that letter to my testimony. However, we would encourage you to set the deadline for requesting an absentee ballot at 4:00 pm on the Tuesday before the election rather than 10 days before the election. Seven days provides plenty of time for the voter to receive, vote and mail in their ballot.

Thirdly, we would suggest that in-person absentee voting end at 5:00 PM on the Sunday before the election. Election officials have long held that voting not be conducted the Monday before the election, as it creates logistical problems including, amongst other things, updating our voter rolls. Our time and attention that Monday is needed to focus on Tuesday's election. However, we are able to vote people over that last weekend easily and conveniently, and as Representative Russo pointed out last week, it is a popular option for voters.

As Michelle mentioned, my name is Rob Frost. I am the immediate past president of the Ohio Association of Election Officials and a board member in Cuyahoga County. I would like to focus on two additions to the bill that we believe will greatly enhance the current provisions. First, we would suggest adding a provision to the bill to allow for online absentee ballot requests. For years now Ohio has registered voters online with much success and great efficiency. Based on the

Association's conversations with the Ohio Secretary of State's office, we believe that they are ready and able to make this change in time for this fall. Language in SB 191, sponsored by Senator Gavarone would be an ideal amendment to HB 680.

Finally, we would suggest you include language which was included in SB 149 from the 132<sup>nd</sup> General Assembly to allow boards of elections to have access to school buildings without students present. The language does not specify how schools should comply, and leaves those decisions to local school boards and teachers unions. Additionally, language in 3313.17 should be cleaned up to ensure that boards of elections have unfettered access to schools for use as polling locations.

In conclusion, the amendments we have suggested represent a modest and reasonable plan to move Ohio forward. While OAEO has many ideas for how our election system can be improved, we have attempted to limit our comments today to the items we deem essential to have a successful election in November. Accordingly, we hope to engage the legislature, and this committee in particular, in a larger discussion of Ohio's election laws at the appropriate time. We would be happy to answer any questions the committee might have.