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**Brigid Kelly  
State Representative**

**Committees:**

Finance  
State and Local Government

Chairman Wilkin, Vice Chair Swearingen, Ranking Member Brown, and members of the Ohio House Government Oversight Committee, thank you for the opportunity to provide testimony on House Bill 310.

I had the privilege of testifying on HB 55, in front of many of you on this committee, in February of 2021. That bill would have required virtual access for committee and for session during the time of a public health emergency. We had a lot of interest and positive feedback on our bill. And, we heard the concerns about holding session virtually. So, I'm pleased to be with you today on behalf of myself and Representative Adam Miller to talk about requiring committees of the General Assembly to hear virtual testimony.

The issue of making it easier for people to better access their own government by allowing virtual committee meetings should not be partisan or contentious. In fact, I'd hope we can find some common ground in wanting to make the people's house and the people's government more accessible to the people we represent.

Over the past few years, many entities including businesses (big and small), organizations (including local governments), educational institutions, and many others (including the State of Ohio) enacted, and some have continued, telework policies. While we contemplate the most appropriate action to take on behalf of the people in our state, it is critical that we find ways in which Ohioans can more easily weigh in on these important policy decisions that impact their lives every single day.

Testifying in Columbus isn't always easy. People have to take time off work, get to Columbus, pay for parking, and wait around for committees in order to finally have an opportunity to testify about how our decisions will affect them and their families. It can be difficult for those with health challenges and disabilities to visit the statehouse safely. However, the impact of our decisions on their lives remains.

Meeting virtually, and permitting citizens to testify virtually, means that Ohioans who cannot get to the Statehouse, who are educating their kids from home, or who spend much of their time searching for employment, are better able to participate in their government.

If committees were allowed to be virtual, many things would still remain the same. Legislative leaders already complete many tasks and have to send notifications, compile witness lists, and organize the committee meetings. The only change under this legislation is that witnesses would be able to participate in a virtual hearing room. There are already other legislative committees and government work groups who meet virtually on a regular basis. An example of which is the Economic Recovery Taskforce, which successfully met via video conference and had its proceedings televised on the Ohio Channel. The Controlling Board met virtually. Moreover, Committee Rooms are already outfitted with the necessary equipment to broadcast our meetings and special exceptions have been made in the past so that people may testify via video. As you can see, we've already done this successfully and there's no reason that we can't do this on a larger scale.

**31<sup>st</sup> House District:**

Amberley - Avondale - Clifton - Columbia Twp. - Corryville - CUF - East Walnut Hills - Evanston  
Hyde Park - Madisonville - Mt. Auburn - Northside - Norwood - Oakley - Silverton - St. Bernard - Walnut Hills

*Printed in house.*

In states around the country, and all across Ohio, local boards and governments have made changes in order to more easily accommodate virtual meetings while maintaining transparency and accountability to the public. In fact, we passed a law in the 133<sup>rd</sup> General Assembly that would permit public bodies to meet virtually during the time of emergency, and affirmed that option by extending it last December, and then the 134<sup>th</sup> General Assembly extended that provision again until July 1, 2022. A previous cosponsor request to continue virtual meetings on a permanent basis noted that “these public bodies meet virtually with massive success.”

According to a recent analysis<sup>1</sup> by the Council of State Governments:

- Seventeen state legislatures mention the allowance of remote participation by “electronic means” or “other electronic means” besides audio and video.
  - Fifteen state legislatures have indicated they are interested in remote participation but are undecided as to how they will do so or have not yet provided details.
  - Twelve state legislatures specifically mention videoconference or other video means as an acceptable form of remote participation.
  - Six state legislatures allow votes by proxy.
- Attached to this testimony is a state-by-state list from NCSL giving examples of chamber rules or legislation relating to remote proceedings during 2021 legislative sessions. Utah<sup>2</sup> has also created the option for constituents to participate in the legislature’s virtual committee meetings by providing testimony virtually; an example of the instructions is attached.

Again, the issue of making available virtual committee meetings should not be divisive. This is an issue that should bring us together so that we can work on behalf of the people we represent, many of whom have been asking for virtual testimony for months.

Here are some examples of the organizations and agencies, representing millions of Ohioans, who are requesting virtual testimony. While this feedback was gathered as we worked to advocate for HB 55, I believe you’ll see that their desires for virtual testimony during the time of a public health emergency are still as relevant today as they were when we began discussing this topic.

AARP, on behalf of their 1.5 million members:

*“While written testimony remains the only safe option for participating in the legislative process, AARP members and other 50-plus Ohioans lack the opportunity to engage in discussion with legislators regarding the real-life impact of funding and policies upon which they rely. Unlike the written testimony, an option for virtual hearings allows all Ohioans who wish to participate the opportunity to testify in real-time safely, to respond to questions and concerns as they arise during a hearing and as our elected representatives consider their vote(s) on important legislation.”*

Advocates for Ohio’s Future, a nonprofit, nonpartisan coalition of over 500 state and local health and human services policy, advocacy, and provider organizations:

*“Allowing for real time, virtual participation in committees permanently will help Ohioans who have historically faced barriers accessing the legislative process. Older adults and people with disabilities are often unable to provide testimony due to transportation, employment, and finding care givers to support their needs. Allowing more access to this process through virtual testimony and live captioning would allow more older advocates and those with disabilities to be engaged on legislation impacting their lives.”*

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<sup>1</sup> <https://web.csg.org/covid19/2020/07/14/state-action-to-enable-remote-legislative-activity/>

<sup>2</sup> <https://le.utah.gov/Documents/VirtualMeetingInstructionsV5.pdf>

The Ohio Lobbying Association, representing over 350 professionals and millions of Ohioans:

*“The members of the OLA and the groups our members represent have found the availability of streaming committees invaluable. We believe it is the logical next step to also allow for some form of virtual testimony during the state of emergency. While we acknowledge that citizens have the option to submit written testimony, that does not replace the value of live testimony. A virtual platform would allow organizations and individuals the opportunity to present views in real time and answer questions from committee members as they would in person.”*

We should be making it easier for legislators, staff, advocates, and others to continue to do the important work with which we are tasked. We must operate transparently, inclusively, and in a way that allows them to more meaningfully take part in the legislative process.

Representative Adam Miller and I thank you again for the opportunity to offer testimony today and I will be glad to answer any questions.