

House Government Oversight Committee, December 1, 2022
Chair Wilkin, Vice Chair Swearingen, Ranking Member Brown
Submitted by Mia Lewis, Associate Director, Common Cause Ohio

I am submitting written testimony in opposition to Sub HB 294. I planned (and still plan) to attend the hearing and would have preferred to give this testimony in person, but I have been informed that that is not being allowed. Nevertheless, I plan to ask to be heard, because I think hearing from Ohio citizens must always be a fundamental part of the legislative process. Disallowing testimony breaks an important and time-honored norm and cheapens the proceedings.

In addition, I will mention that although the committee agenda indicated that there were to be possible amendments to the bill, of course I have not seen any of them. It is challenging to say the least to comment on something you have not seen. There is an easy way to fix this problem: make sure that you circulate amendments well in advance of any hearing such that the public can make informed and relevant comments when they testify.

For me, the problems with Sub House Bill 294 are very simple.

1. As elected leaders, your job is to fix things.
2. In order to fix them, you first have to identify the problems.
3. Although there are certainly problems with elections in Ohio, **Sub House Bill 294 neither identifies nor fixes any of them.**
4. In fact, Sub HB 294 exacerbates several existing problems.

No one can deny that there are problems with voting in Ohio. For example, **long lines at early vote** in many counties across the state, for example in Franklin, Lucas, and Cuyahoga in this most recent election. (A 20 minute wait to vote indicates voter enthusiasm. An hour or two hour wait means something is not working correctly.) There are simple, tried and true solutions that could eliminate the problem of voters having to wait in long lines at early vote. For example, having **multiple early vote centers** rather than just one per county. Boards of Elections officials have supported this idea for years, and it is a common approach in many states across the country. Having one early vote center per county penalizes both residents of densely populated urban counties and those in large rural counties who live far from the early vote center.

Does Sub HB 294 alleviate the problem of long lines at early vote? No, not at all.
Does it implement known solutions to a problem that affects hundreds of thousands of Ohioans? No, it does not.

Another problem we have in Ohio is a disproportionately **high number of provisional ballots**. Again, there are numerous solutions to this problem, each of which have been used successfully in other states for years and all of which could easily be adopted in Ohio. For example:

- **Vote centers** (used in Indiana and 17 other states) ensure no voter will have to vote provisionally because they are at the wrong polling location.
- **Same day registration** (used in Michigan and 21 other states) ensures that a voter who has moved but failed to update their address will not have to vote provisionally.
- **Automatic Voter Registration** (used in 22 states across the nation) would update addresses automatically and clean up voter rolls.

Does Sub HB 294 alleviate the problem of excessive provisional ballots? No, not at all. Does it implement known solutions to a problem that affects thousands of Ohio voters? No, it does not.

A third problem we have in Ohio is **absentee ballots arriving late** and therefore failing to be counted, often through no fault of the voter. Are there tried and true solutions to this problem? Yes, there are several.

- Ohio could **allow precinct polling places to accept voted ballots on Election Day**. This would reduce congestion at Boards of Elections and eliminate confusion at polling places.
- **Allowing multiple drop boxes per county**, as is the law in many states, would be another simple solution. A single drop box creates enormous challenges for those who live at a distance or who live in densely populated counties.
- **Allowing ballots to be postmarked on Election Day**, as is the case in many states, would eliminate confusion and enable more voters to successfully cast a ballot.

Does Sub HB 294 alleviate the problem of absentee ballots arriving too late to be counted? No, not at all. Does it implement known solutions to a problem that affects thousands of Ohio voters? No, it does not.

What then does Sub House Bill 294 accomplish? Here is a short list of problems the bill not only fails to address, it actually creates or exacerbates.

- **Not allowing paid postage on absentee ballots:** In combination with limits of drop boxes, this provision makes it more difficult for voters to return voted ballots.
- **Limiting drop boxes:** One location per county harms both the highly populated counties and the large rural counties. There is no legitimate reason to limit drop boxes to a single location unless the aim is to make it harder for voters to cast a ballot.
- **Not allowing grandchildren to return ballots:** Grandchildren, neighbors and friends are logical people to help confined, disabled, and other voters who are at risk of not being able to vote if they cannot successfully return their ballot.
- **Shortening the period when voters can request an absentee ballot:** This provision disenfranchises voters whose plans change and have to be out of town on election day.

- **Shortening the period when postmarked ballots can be accepted:** This disenfranchises voters for slow mail service – no fault of their own. This is especially punitive in combination with a limit on drop boxes.
- **Removing the Monday before Election Day for early vote:** Monday is one of the most-used days in Ohio's early vote period. By that Monday it is already too late to request an absentee ballot, therefore, voters who know they cannot vote on the Tuesday will simply not be able to cast a ballot.

If, as legislators, you are seeking to improve life for Ohioans by identifying and solving problems that exist without creating or exacerbating other problems, with Sub House Bill 294, you have grossly missed the mark. I strongly urge you to vote no.