



Opponent Testimony HJR 4
Presented to the Ohio House State and Local Government Committee
May 24th, 2022

Chairman Wiggam, Vice Chair John, Ranking Member Kelly and Members of the Ohio House State and Local Government Committee, thank you for the opportunity to provide written testimony to this committee today on House Joint Resolution 4 (HJR 4). Our names are Pete Bucher, Program Manager, and Chris Tavenor, Staff Attorney.

We urge a NO vote on HJR 4. HJR 4 includes superfluous constitutional language, impacts Ohio's democratic systems and local right to home rule, and ultimately affects the environment and health of Ohioans by fostering negative rhetoric toward immigrant communities.

At the OEC Action Fund, we believe a healthy democracy is essential to ensuring a healthy environment. And a healthy democracy requires that all people feel welcomed, whether they are already citizens and voters or residents who will soon be voters. No matter someone's race or zip code, they should be embraced by the people of Ohio, and given access to the same environmental resources and democratic processes. Unfortunately, HJR 4's language and intent targets Ohio's immigrant communities in a wholly unnecessary manner, and should be opposed.

HJR 4 has three fundamental flaws which warrant opposition. First, it appears to be a superfluous constitutional amendment, clarifying language that doesn't need clarification. Article V, Section 1 of the Ohio Constitution already defines an elector of Ohio as a "citizen of the United States." ORC §§ 3503.01 and 3503.07 specify that a registered voter in Ohio must be a US citizen. Because those are general laws applicable to all Ohioans, municipalities, under current Ohio law, most likely do not have a constitutional pathway to allow non-citizen residents to vote.

And to that end, HJR 4 represents an unnecessary infringement on the right of Home Rule here in Ohio. If the Ohio Constitution does permit municipalities to make their own decisions regarding who can participate in their local elections, that decision should remain with those local communities. Non-citizen residents pay local taxes and participate in our economies. Some municipalities in Ohio have large immigrant populations. If those municipalities decide they wish to allow participation *only in municipal elections* for those communities, they should have the right to do so. All that being said, current Ohio Constitutional language likely already bars a municipality from taking this action, once again reiterating the superfluous nature of HJR 4.

Finally, HJR 4 represents a larger trend in discourse surrounding election administration—the implication that our election systems are not secure alongside a larger fear of "election fraud." The language of HJR 4, and the language used by its proponents, sounds designed to stoke the fears of people who believe baseless conspiracies surrounding recent election



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results. Ohioans have nothing to fear regarding the legitimacy of the administration of their elections.

HJR 4 relies on racially coded language to pass a constitutional amendment that is simply unnecessary in the first place. As we witness an increase in racially-based violence across the United States, further policies like HJR 4 will only further fan the flames of tension. An unnecessary constitutional amendment targeting Ohio's immigrant communities in its rhetoric does not present our state as a welcoming place. **For these reasons, we urge a NO Vote on HJR 4.**

In conclusion, Chairman and Members of the committee, thank you for considering our perspective and our recommendations. We would be happy to answer any questions if you have them, please feel free to contact us.

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