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TO: House Government Oversight Committee
FROM: Gary Daniels, Chief Lobbyist, ACLU of Ohio
DATE: April 27, 2023
RE: Senate Bill 92 – Opponent testimony

To Chairman Peterson, Vice Chair Thomas, Ranking Member Forhan, and members of the House Government Oversight Committee, thank you for this opportunity to provide opponent testimony on Senate Bill 92.

The ACLU of Ohio opposes Senate Bill 92 for the simple reason this change is part of larger, orchestrated efforts to deny Ohioans the right and ability to direct their own futures. SB 92 must be considered and discussed in this larger context.

Few still cling to the idea SB 92 and related legislative efforts have anything to do with such things as soda taxes, or casinos, or monopolies, or evil special interests, or any other reason cooked up over the past several months that makes such rushed and reckless changes necessary to protect Ohioans.

As everyone here knows, there is a campaign underway to get reproductive freedom on the November 2023 ballot so Ohioans can make such crucial decisions for themselves, instead of by politicians who impose their personal religious beliefs on others.

It also appears another future ballot initiative campaign is coalescing to, once again, address unconstitutional partisan gerrymandering of our legislative districts. As you know, on a bipartisan basis, Ohio voters overwhelmingly approved such changes several years ago. But their wishes were torpedoed by those who left no stone unturned in their zeal to subvert the plain language voters approved.

The answer to these citizen-led efforts, and surely more in the future, has been House Joint Resolution 1, Senate Joint Resolution 2, House Bill 144 and, here, Senate Bill 92.

Supporters voice a familiar position whenever the issue of voting and elections arise in this building. That is, find a state or states that do things worse than Ohio then argue we should change things to make our state equally bad, if not worse, than them.

If our ballot initiative process is better and less restrictive than other states, that should be a point of pride, not something subject to manipulation by those in power frightened and frustrated by citizen input and involvement. We should urge other states and their citizens to emulate what we do that makes Ohioans participants in, rather than hostages to, the future of our state. Instead, there is an ongoing race to the bottom among many states regarding who can restrict and disenfranchise voters the most.

With passage of SB 92, you are asking 8% of Ohio voters if 40% of voters should be empowered to make fundamental decisions impacting the other 60%. That is the opposite of broad consensus; it is manipulating the levers of power to stack the deck, as so many have identified and expressed before now.

It does not have to be this way. Members of this committee, the ACLU of Ohio urges your rejection of Senate Bill 92.