



Ohio Senate

Senate Building
1 Capitol Square
Columbus, Ohio 43215
(614) 466-8060
Gavarone@ohiosenate.gov

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Senator Theresa Gavarone

Senate Majority Floor Leader
2nd District

Chair Ray, Vice-Chair LaRe, Ranking Member Brent, and Members of the House General Government Committee, thank you for the allowing me the opportunity to testify today on Senate Bill 4. This legislation would strengthen the Election Integrity Unit created within the Ohio Secretary of State's office in the most recent operating budget, however, the provision that allows violation to be referred to the Attorney General's Office did not become law.

The Election Integrity Unit is required to investigate allegations of election fraud and voter suppression, allow the public to submit complaints, refer cases to a prosecutor, law enforcement, or another state or federal agency for review, and submit a report to the General Assembly detailing the number of complaints and people referred for investigation. Under this bill, if there is inaction by the county prosecutor on cases referred by the Election Integrity Unit, then the Attorney General may proceed with the prosecution.

Within one year of referral, a county prosecutor would be required to prosecute the violation, request additional information, or decline to prosecute. If a county prosecutor declines to prosecute, then the election integrity unit may refer the case to the Attorney General for further investigation. Alternatively, the prosecutor could request additional information on the alleged violation from the election integrity unit, who would then have 90 days to respond. If additional information is sent, the prosecutor would then have 180 days to prosecute or decline to prosecute. If it is declined, the Election Integrity Unit may refer the case to the Attorney General. In total, this would give county prosecutors up to 21 months to decide if they want to prosecute or not.

Chair Ray, it cannot be disputed that voter fraud is real. It happens. Some people seem to have the opinion that a little bit of voter fraud is fine or just the cost of doing business. Not me. One case of voter fraud is too much and I believe the Election Integrity Unit will make it easier to not just prevent it, but prosecute people who try to undermine our elections systems and, by definition, our Republic.

Ohio has a sterling reputation as an elections leader. However, that does not mean we should be complacent. It is my belief that if we are not actively trying to improve our elections then we are moving backwards and asking for trouble. We want to constantly stay ahead of bad actors trying to undermine our elections. There is no doubt that this bill will hold people accountable and improve the election process in Ohio.

Chair Ray, thank you for the chance to testify on behalf of Senate Bill 4, and I am ready to answer any questions members may have.