

Dear Chair Ray, Vice-Chair LaRe, Ranking Member Brent, and House General Government Committee members,

Thank you for the opportunity to provide written testimony in opposition to Am. SB 293, which would require the vast majority of marked absent voter's ballots to be delivered to the board of elections by the close of the polls on Election Day in order to be counted.

According to the bill sponsors, the intent of this bill is to prevent voter fraud, likely based on the assumption that absentee ballots are less secure than in-person voting.

However, the Brennan Center for Justice refutes that assumption (see <https://www.brennancenter.org/voting-mail-and-using-drop-boxes-are-safe-and-trustworthy-ways-vote-thanks-numerous-security>).

Further, Ohio's track record for conducting fraud-free elections has been excellent (see <https://ohiocapitaljournal.com/2025/01/06/after-a-year-of-voter-fraud-concerns-ohios-election-audit-lands-north-of-99-again/>). Bill sponsor Sen. Gavarone has argued, "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." (See <https://www.cleveland.com/news/2025/10/gop-senators-move-to-eliminate-mail-in-ballot-grace-period-before-2026.html>).

Can the concern about preventing an extremely miniscule amount fraud possibly be greater than the potential disenfranchisement of thousands of voters?

The bill sponsors also argue that ending the four-day grace period "would align Ohio law with the policy currently in effect in the majority of states." However, as Sen. Bill DeMora has pointed out, Ohio is under the jurisdiction of the Sixth Circuit Court of Appeals, and not the Fifth Circuit Court of Appeals (which has ruled that Mississippi cannot count mail-in ballots arriving after Election Day, regardless of postmark.) Since neither the Sixth Circuit nor the U.S. Supreme Court has yet weighed in on this issue, there is no immediate need to comply with any court order.

According to the Secretary of State's website, Ohio counted approximately 9,500 late absentee ballots in November 2024, which is 0.86% of the one million mail-in ballots cast in that election and 0.17% of Ohio's overall votes.

As we have learned, every vote counts, especially in local elections. Data from the 2025 elections in Cuyahoga County shows that 10 races were within about 20 votes. If SB 293 had been in effect this year, 2,996 valid Cuyahoga County ballots would have been thrown out (see <https://ohiocapitaljournal.com/2025/11/13/3000-cuyahoga-county-ballots-would-have-been-thrown-out-if-proposed-ohio-bill-was-law/>).

Since he took office in 2019, Sec. Frank LaRose has sent more than 600 potential cases of voter fraud to county prosecutors. Of these 600 referrals, only 138 included allegations of illegal voting, and the remainder had to do with issues like improper registrations. In all, Yost successfully brought only six (!) charges against lawful permanent residents. Each of these defendants allegedly voted in two or more elections between 2008 and 2020. (See

[https://ohiocapitaljournal.com/2024/10/23/ohio-attorney-general-dave-yost-announces-six-voter-fraud-indictments-two-weeks-from-election-day/.](https://ohiocapitaljournal.com/2024/10/23/ohio-attorney-general-dave-yost-announces-six-voter-fraud-indictments-two-weeks-from-election-day/))

Sen. Gavarone insists preventing fraud is the primary rationale for this bill, but perhaps the 2025 numbers suggest another, more compelling rationale. Our current president, without evidence, has argued against mail-in voting, even though many of his own voters tend to be older and more likely to use mail-in voting. For a reason I cannot fathom, many of our leaders – all of whom took an oath to defend the Constitution – agree with him. Perhaps the assumption is that restricting voting by mail will help Republicans? That might be true. Since Election Day 2025 in Cuyahoga County, 3,373 ballots came in during the four-day grace period. Hundreds of these were thrown out as invalid, but of the 3,373 total, 1,461 were from registered Democrats, 611 from Republicans, and 1,301 from unaffiliated voters. (See <https://ohiocapitaljournal.com/2025/11/13/3000-cuyahoga-county-ballots-would-have-been-thrown-out-if-proposed-ohio-bill-was-law/>). Might the primary reason for this bill be to suppress CERTAIN votes?

If we want a government “of the people, by the people, and for the people,” then it is extremely important to hear from as many voters as possible. Considering that fraud is exceedingly rare and mail-in ballots have been shown to be secure, what can possibly be more important than making sure the voices of American citizens are heard? I am glad to know that military and overseas voters, at least, will be allowed the four-day grace period, although even with that allowance, one overseas voter I know has said that, to guarantee her ballot arrives in time, she must use a courier. It is no secret that the mail is slow and has been getting slower. Should voters be penalized because the mail is slow?

Am. SB 293 especially hurts rural Ohio voters due to slower mail routes and reduced postal service days. Also, voting by mail is often the only option for Ohio seniors and those with disabilities. Ohioans living in poverty and students who often don’t have vehicles would be disproportionately impacted. Absentee voters aren’t getting any extra time to vote, since Ohio election law already requires mail-in ballots to be postmarked on the day before Election Day. Last November, 31 percent of Ohio voters used the U.S. Postal Service to deliver their ballots. The potential for thousands of voters to be disenfranchised is significant.

While the mail seems to be getting slower, Ohio legislators have NOT been slow to support voter suppression bills over the past several years. Am. SB 293 certainly has been fast-tracked. A first sponsor hearing was held on 10/21/25, followed by a second proponent hearing on 10/28/25. After having received a third hearing in the Senate General Government Committee on 11/5/25 (the only chance given for opponents to submit testimony), the bill passed through committee and immediately went to a full Senate vote the same day, passing 23-10 along party lines. How could the committee have had sufficient time to carefully consider objections?

Am. SB 293 was quickly introduced in the House on 11/10/25, a mere five days after it passed in the Senate, and will already get a first sponsor hearing on 11/18/25. It is my hope that the House General Government Committee will slow down and give this bill more time and thought. What’s the rush? When thousands of valid ballots are at risk of being thrown out due to slow mail, isn’t it a good idea to evaluate priorities and take the time to listen to Ohio voters?

Thanks for your consideration.

Sincerely,

Deborah Cooper