

Senate Bill 153 Interested Party Testimony

Technical Errors May Allow Ineligible Voters to Cast a Regular Ballot

Chairperson Roegner, Vice Chairperson Gavarone, Ranking Member Blackshear, and members of the Committee:

As an interested party dedicated to ensuring the clarity and integrity of Ohio's voter registration and voting processes, I submit Senate Bill 153 (SB 153) testimony.

SB 153 expands the circumstances under which voters are placed in provisional voting status, requiring all such reasons to be resolved before a voter can cast a regular ballot. However, certain provisions in the bill may be misinterpreted to imply that resolving a single provisional status indication removes the need for a provisional ballot entirely, even if other provisional status indications remain unresolved.

This ambiguity could lead to improper issuance of regular ballots to voters who have not fully resolved all underlying issues, undermining the bill's intent of provisional ballots. To address this concern, an amendment is proposed that explicitly states the removal of one provisional voting status indication does not permit a voter to cast a regular ballot unless all other provisional status indications are also resolved.

Additionally, the following are examples of language in SB 153 in need of clarification to avoid misrepresentation. Proposed language in green font would provide such clarification.

Sec. 3503.201

(D) Upon receiving a report from the secretary of state under section 3503.152 of the Revised Code, indicating that the secretary of state has verified that the applicant is a United States citizen, the board shall do all of the following:

(1) Indicate in the elector's registration record that the elector's United States citizenship has been verified;

(2) Remove the indication that the elector must vote by provisional ballot **due to unverified US citizenship**. If the board receives the report during the period beginning on the forty-sixth day before an election and ending on the day before the day of the election, the board shall remove the indication as soon as possible after receiving the report.

(3) Notify the elector, on a form prescribed by the secretary of state, that the elector's United States citizenship has been verified. The notice required under this division may be included in the acknowledgment notice described under division (C) of this section if the board has not yet sent the elector an acknowledgment notice.

Sec. 3503.202.

(C) When the board has verified all of the information the board is required to verify concerning an elector under division (B) of this section, the board shall correct or update the elector's registration, as applicable, and shall remove the indication that the elector must vote by provisional ballot **under division (B) of this section**.

This amendment strengthens SB 153 by providing clear guidance to Boards of Elections regarding provisional ballot indications. I respectfully request the committee to adopt this amendment to enhance the reliability of Ohio's elections.

Thank you for your consideration.

Sincerely,

Elizabeth A. Burwell
Hamilton County