

Testimony Against Senate Bill 88
Submitted by: Champ I. Chaialee
Testifying as Opponent

May 26, 2025

Chair Roegner, Vice-Chair Gavarone, Ranking Member Blackshear and members of the Senate General Government Committee,

I am Champ Chaialee, a resident of the Village of Carey located in Wyandot County, and I am an Asian-American student studying at Ohio Northern University.

I am testifying in opposition to S.B.88 because of how this bill will require targeting legal immigrants, including Green Card holders, to sell their homes within two years. Legal immigrants who lived, studied, and worked, paying property and income tax in Ohio for decades. S.B.88 will forcibly end the merit rights of all Ohioans and allow the privileged not affected by the bill to thrive.

A first argument that I would like to make is that S.B.88 may be unconstitutional under the Fourteenth Amendment, Section 1, which states:

“No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

S.B.88 may guarantee the likelihood of targeting foreign legal immigrants solely based on national origin, including Green Card holders. Therefore, it will likely be unconstitutional under the 14th Amendment, Section 1. Not only that, S.B.88 also infringes on property rights and will be challenged under the Due Process Clause. A political philosopher, John Locke, is set on these three words in his *Second Treatise of Government (1689)*: “*life, liberty, and property.*” Setting the fundamental rights that individuals possess naturally, independent of any government or societal norms. The foundation of Locke's idea on property is a natural right, and the government exists to protect, not threaten. The Ohio government, by enforcing S.B.88 without a clear cause for a fair process, violates the very trust for which people formed government—to protect, not seize, their property.

According to John Locke’s *Second Treatise of Government*, one of the main justifications of people’s initial consent to government was the protection of property. The purpose of the government is to protect property rights, not to vest them. By allowing the forced sale of real estate held by specific foreign legal immigrants, including Green Card holders, S.B.88 risks going against Locke’s fundamental idea. Suppose S.B.88 is approved without following the proper procedures. In that case, the Ohio government will have the power to seize property from individuals not because of their demonstrated wrongdoing actions but because of their national origin or ethnicity. S.B.88 will threaten everyone's inherent rights to liberty and property, undermining the social compact. According to Locke's standards and the Due Process Clause of

the Fourteenth Amendment, any legitimate government must uphold these rights rather than undermine them.

My second argument is that S.B.88 may promote racial profiling and xenophobia. Executive Order 9066, which President Franklin D. Roosevelt signed, will repeat a dark chapter in history. When the United States was fighting against Imperial Japan during World War II, more than 120,000 Japanese Americans—the majority of whom were citizens of the United States—were forcibly interned in the name of national security, based only on their ancestry and not on personal suspicion. President Trump recently announced that he is launching a trade war with China over tariffs to protect American-made goods. As demonstrated by the recent trend of many Americans opposing the Chinese government on social media. I have no doubt that the government of Ohio is upholding its patriotic obligation to safeguard American national security. S.B.88, however, is more concerned with creating an unconstitutional precedent that might infringe upon the equal protection and due process clauses than it is with national security. targeting specific lawful immigrants, such as those with Green Cards, who were deprived of their property, which goes against Locke's principles.

Given recent reports of escalating tensions between the United States and China, S.B.88 may incite racial profiling, particularly targeting Chinese Ohioans. causing fear among innocent legal immigrants who have nothing to do with the bureaucracy of the foreign member states' governments. Particularly, if S.B.88 is passed, Chinese Ohioans or any Ohioans of national origin who have lived, studied, and worked to advance the state's economy and innovation may face discrimination. Not just legal immigrants, but also citizens of the United States by birth, as well as permanent residents of Asian and immigrant descent.

I respectfully urge members of the Senate General Government Committee to consider my testimony and to vote NO on S.B. 88. Thank you again for your time and consideration.

Sincerely,

Champ Chaialee