

TO: Senate General Government Committee

FROM: Gary Daniels, Legislative Director, ACLU of Ohio

DATE: May 27, 2025

RE: Senate Bill 153 – Opponent Testimony

To Chairwoman Roegner, Vice Chair Gavarone, Ranking Member Blackshear, and members of the Senate General Government Committee, thank you for this opportunity to provide opponent testimony on Senate Bill 153.

In short, SB 153 continues the ongoing trajectory in our state of deliberately and unnecessarily making it increasingly more difficult for otherwise legally qualified voters to cast their ballot.

While the 204-page Senate Bill 153 seeks numerous and expensive changes across multiple aspects of voting and election administration, I will concentrate the majority of my brief remarks on the parts of SB 153 requiring all Ohioans, regardless of immigration status, to provide documentary proof of citizenship (“DPOC”) when they register to vote or change their name or address.

I trust this committee has heard plenty about how rare non-citizen voting is in Ohio. In fact, it is so rare it is statistically accurate to say it happens zero percent.

That is, in August 2024, 597 people were accused of registering to vote despite their status as non-citizens. 138 of those people appear to have voted. Pursuant to existing law, those situations were referred for prosecution.

For the sake of conversation, let’s say every single one of those 138 referred persons did, in fact, vote illegally and all 138 instances happened within the same year (which is unlikely).

Over the past five years, Ohio averaged about 8 million total registered voters per year. That means SB 153’s multiple, burdensome, and pricey DPOC provisions exist because of 0.002% of eligible voters. But SB 153 supporters maintain SB 153 is crucial to preventing what they call voter fraud, committed by zero percent of people.

On the flip side, we know among those most impacted by SB 153 will be Ohioans with less money, those with physical disabilities and ailments, the elderly, and those who changed their legal name, such as via marriage. And, of course, all foreign-born Ohioans.



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One of the reasons we know this is because these are the same people who have been impacted in other states by the passage of SB 153-type laws. Because, you see, SB 153 has nothing to do with actual election integrity problems in Ohio. Instead, this legislation before you is part of an ongoing, coordinated, nationwide effort to restrict voting.

At the ACLU of Ohio, we primarily view changes to Ohio's election laws through a simple lens – do these changes make it harder or easier to vote. And if the changes do make voting more difficult, are they justified, and for what reasons. SB 153 spectacularly fails this basic analysis and its supporters have failed to make any cognizant, compelling case why this legislation is necessary.

Yet, here we are preparing for yet another sudden, convoluted, complex set of election law changes that will confuse voters and election administrators alike. All this chaos for (at the very, very most) 0.002% of Ohio's registered voters.

Of course, these DPOC changes are not the only provisions in SB 153 designed to make Ohioans participation in the political process more of a pain. At least two other sets of provisions worth mentioning are the ones essentially eliminating ballot drop boxes and the others to add layers of cost and bureaucracy to local and statewide ballot issue campaigns.

First, SB 153 cynically and, for all intents and purposes, eliminates ballot drop off boxes across Ohio. Here, the justification is because someone, or some people, somewhere else vandalized a drop box in their own state. Certainly, such efforts to illegally impact an election should not be tolerated. But for someone intent on interfering with administration of elections, they have plenty of targets and methods they can utilize other than drop boxes. How much do we plan on banning and eliminating in Ohio? The unspoken problem with drop boxes available 24/7 outside the single location they are now permitted seems to be it makes voting more convenient.

Consider what Ohio could be doing – automatic voter registration; same day voter registration; expansion of early voting days, hours, and locations; proper funding of election administration at the local level, including adequate pay for poll workers, and more. But in Ohio, the days of the legislature passing laws to empower voters and accommodate safe, secure, reliable options to assist them seem long gone. Now, 0.002% of situations is yet another reason to usher in more bureaucracy, more cost, more restrictions, more confusion, and more demands from politicians on Ohio voters.

The last set of provisions I wish to very briefly address are the unnecessary ones imposed by SB 153 on ballot issue campaigns. These various changes are clearly meant to disincentivize and discourage people from participating in the democratic process. It is yet another aspect of SB 153 where supporters have failed to offer adequate justification for such changes.

Surely, some SB 153 supporters remain displeased with Ohio voters making abortion a state constitutional right, legalizing cannabis for adult use, and rejecting, in the August 2023 special election, the legislature's attempt to increase the threshold of votes for passage of statewide ballot initiatives.

There exists the old saying “a solution looking for a problem.” But that does not apply to Senate Bill 153. But the problems are not really about election integrity. Or sneaky immigrants knowingly gaming Ohio’s elections. Or out of control ballot issue campaigns needing reined in. The “problem” is really that too many people vote and how they vote.

For these reasons and more, the ACLU of Ohio urges this committee’s rejection of Senate Bill 153.