

The Ohio Senate General Government Committee

Testimony in Opposition to Senate Bill 153

By Kevin C. O'Neil

May 26, 2025

Chair Roegner, Vice Chair Gavarone, Ranking Member Blackshear and members of the Ohio Senate General Government Committee, thank you for this opportunity to provide written testimony in opposition to proposed Ohio Senate Bill 153 (SB 153).

My name is Kevin C. O'Neil. I am a lifelong resident, taxpayer and registered voter of the State of Ohio. Having practiced law for 41 years as well as being significantly involved in the political and voting processes over the past ten years, I am knowledgeable in the matters covered by this proposed legislation.

The primary purpose of legislation is to establish and enforce laws that govern society, protect public interests, ensure fairness and order, as well as to protect the rights of citizens. It is not to restrict the fundamental rights of citizens with over burdensome regulation.

SB 153, among other matters, requires proof of citizenship to register or re-register to vote in Ohio. While this sounds simple and “good policy,” in real world application proven by direct evidence it effectively restricts or denies a significant number of Ohio citizens their right to vote. Denying that right to vote based upon a problem that does not exist, is both wrong and the opposite of good government.

Our Ohio Secretary of State Frank LaRose (LaRose) has stated numerous times, including in testimony before the US Congress, that “voter fraud is quite rare in Ohio” and that the Ohio voting administration is the “gold standard.”¹ Since taking office in 2019 LaRose’s office flagged approximately 520 cases of alleged noncitizen voter fraud. Of those only one noncitizen was charged with voter fraud.²

The “problem” also does not exist at the national level. A Brennan Center for Justice study of the 2016 election found noncitizen voting occurred at the vanishingly small rate of 0.0001%.³ In addition, The libertarian Cato Institute, funded by the Koch brothers, confirmed in their study that “noncitizens don’t illegally vote in detectable numbers.”⁴

There is no direct evidence that noncitizens are voting in Ohio. It is simply not something that needs legislation especially given it will have the direct effect of disenfranchising legitimate Ohio residents from voting.

¹ <https://www.facebook.com/franklarose/posts/ohio-is-nationally-recognized-as-the-gold-standard-for-elections-administration-/1064341338685951/>; <https://www.daytondailynews.com/elections/questions-raised-about-election-fraud-allegations-and-voting-changes-proposed-by-ohio-secretary-of-state-larose/AEXUIESL45FETKKZUERFIETEGI/>

² <https://ohiocapitaljournal.com/2023/09/27/ohio-sec-of-state-larose-flagged-more-than-520-cases-of-noncitizen-voter-fraud-only-one-was-legit/>

³ <https://www.brennancenter.org/our-work/research-reports/noncitizen-voting-missing-millions>

⁴ <https://www.cato.org/blog/noncitizens-dont-illegally-vote-detectable-numbers>

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Stated another way, SB 153 actually causes more problems than it pretends to solve.

According to a national survey that was conducted in 2023 by the Center for Democracy and Civic Engagement, more than nine percent (9%) of voting-age citizens (21.3 million), lacked ready access to documents that would prove their citizenship. Nearly two percent (2%) (2.8 million) lacked any documents at all.

Taking those numbers and applying them to Ohio which has 9.8 million persons of voting age, nearly 900,000 citizens lacked ready access to documents required by SB 153 to register to vote, and nearly 200,000 citizens lacked any of these documents at all.

Disenfranchising between 200,000 to 900,000 citizens from voting in Ohio, or even one, based on the fact that one noncitizen was charged with voter fraud, is the epitome of bad legislation.