

Andrew Green

Tuesday, May 27, 2025

Ohio Senate General Government Committee

Testimony in Opposition to Senate Bill 153

Chairwoman Roegner, Vice Chairwoman Gavarone, Ranking Member Blackshear, and members of the Ohio Senate General Government Committee, thank you for allowing me the opportunity to provide testimony in opposition to Senate Bill 153. My name is Andrew Green, I am a resident of Cuyahoga Falls, Ohio, and I am providing written testimony to express my profound concerns about the very real negative consequences of this bill. This bill will have a deep negative impact on a wide swath of Ohioans, from every day voters to elections officials to citizens' groups.

As a voter, this bill is deeply concerning to me. As a precinct election official, this bill is deeply concerning to me. As someone who has volunteered on ballot initiative campaigns, this bill is deeply concerning to me. As someone who believes strongly in the people's right to hold our elected leaders accountable through direct democracy, this bill is deeply concerning to me. As someone who believes the right to vote should be as accessible to all as possible, this bill is deeply concerning to me. As a self-identified data geek, I have exactly one good thing to say about this bill, and it doesn't even begin to outweigh even one of the bill's many disastrous provisions.

Perhaps my biggest concern with this bill is how it expands the population of voters that will be required to cast a provisional ballot.

To be sure, provisional voting is a great tool of last resort. It allows voters, who otherwise would not be permitted to cast a ballot, to vote. However, provisional voting need not be thrust upon voters unnecessarily. As a precinct election official and voting location manager/deputy, I have worked numerous elections (and not just presidential/midterm elections) during which all I did for multiple hours straight was issue provisional ballots. I have never worked in a voting location with a particularly high temporary or transient population (such as a college or university campus), where the rates of provisional voting already greatly eclipse the state as a whole, yet provisional ballots have still bogged me down. Provisional voting slows down the line to vote. Provisional voting requires voters to take, in my estimation, anywhere from 2-4 times longer to cast their ballot than a voter casting a regular ballot, not including the time needed to cure their ballot in the days after the election, if applicable. In the face of these delays, many voters (whether it be the voter who would be casting the provisional ballot or another voter who simply does not have time to wait for others casting provisional ballots) simply turn away and do not vote.

This bill expands the population of voters who would be required to cast a provisional ballot to include several subsets of voters who have likely done everything right. They have meticulously filled out a voter registration form and have submitted it to their county's board of elections by the registration deadline. But because a BOE or BMV employee's fingers slipped down to the 5 when typing the number 8, there is now a mismatch between BOE records and BMV records, requiring this person to cast a provisional ballot. I'll be the first to admit that I love a clean dataset and despise a messy one, but adding additional burdens to voters because of what, in many cases, will be clerical errors, is abhorrent.

I can hear it now: “but Andrew, this is much ado about nothing! It’s barely even going to increase the need for provisional voting.” Perhaps that is the case. Perhaps the hard-working employees of our Boards of Elections and BMV Deputy Registrars are the most infallible people ever to walk this Earth. Perhaps the overwhelming majority of voters filling out voter registration forms in chicken scratch rather than English letters and Arabic numerals will leave zero doubt as to whether that is a 6 or a 0. But I wanted some sort of assurance that would be the case, so I did my homework—or at least tried to. Last year, when Secretary of State LaRose [first suggested requiring voters with voter registrations that did not match BMV/SSA records to vote provisionally](#), I wanted to know how many voters this might impact. On September 4, 2024, I contacted the Secretary’s office seeking “a list of voter records containing mismatched data which differs from information on file with the Bureau of Motor Vehicles or the Social Security Administration.” Over two months later, I finally received a response from the secretary’s office stating, “[p]lease be advised that we do not have a responsive record of the list you requested.” Realizing this change to election law was simply a suggestion made by the Secretary, I left it at that. Once Senate Bill 153 was introduced to implement this suggestion, I again contacted the Secretary’s office, referencing my previous request and inquiring whether the office was now in possession of such a record given the relevance to this bill, as it was currently being considered by the legislature. This time, I added to my inquiry, asking “[i]n the absence of a comprehensive list, does the Secretary’s office have a total number of voters that [have mismatched BMV/SSA data], and if so, can this number be broken down by some meaningful geography such as precinct or even county?” in hopes that the Secretary’s office would be able to provide *any* meaningful information on the subject. That was nearly a month ago, and I have yet to receive correspondence from the Secretary’s office beyond, “I will consult within our office to see if any changes have occurred that have resulted in us possessing these records.”

Perhaps my fears are unwarranted. Perhaps there are but a handful of voters scattered across the state who have voter records that do not match BMV/SSA records. Perhaps these handful of voters will not meaningfully bog down the line on election day. But isn’t it this legislature’s job to study exactly what impact this bill would have? Shouldn’t this legislature be asking the same questions I have been asking about the impact this bill will have on voters and elections officials? Given the fact that the state’s chief elections official doesn’t appear to have the answer, it doesn’t seem like this legislature knows or is even asking the question. As far as I am concerned, that is legislative malpractice and reason enough to vote against this bill.

What if my fears come to be? What if the 2026 midterm election sees voters voting provisionally left and right because of mismatched data? Is the state going to pay to have four extra precinct election officials at each polling location? Is the state going to pay for three extra electronic poll books at each polling location? Is the state going to cover overtime and additional staff costs incurred by Boards of Elections as a result of having to process and cure five times more provisional ballots than they have ever had? If the state does pay for all of that, is that really a wise use of state money? If the state does not pay for all of that, are the counties going to be expected to pay? Or is the burden going to lay on the shoulders of the voters who will have to wait in longer lines and election officials who will be forced to work under greater pressure than they already do?

In the interest of not spending my entire Memorial Day weekend preparing this testimony, I will only briefly address the remainder of my concerns with this bill. I encourage members of the committee to reach out if they care to hear additional thoughts I have regarding any of these points.

- In The United States of America, the ballot box is generally designed to be as accessible as possible. The burden of proof needed to deny someone the right to vote is high and is borne by the state. This bill, through the wolf in sheep's clothing of requiring proof of United States Citizenship to register to vote, seeks to turn all of that on its head. For longer than I have been allowed to vote, Ohio voters have been required to attest, under penalty of election falsification, that they are a U.S. Citizen when registering to vote. That has worked remarkably well. Out of the many millions of people who have been registered Ohio voters at some point over the last decade or more, Secretary LaRose has only identified 633 *potential* cases of noncitizens registering to vote or voting. Many of these cases were found to be people who registered to vote in error and never actually voted (because they knew they were not eligible to vote and did not even *intend* to register). In these instances, what is the *actual* harm to state? When safeguards can be placed on the front end to ensure people who do not even claim to be citizens do not register to vote, many of these already very few cases wouldn't occur. Instead of implementing commonsense safeguards, this bill seeks to shift the burden of proof, perhaps unconstitutionally (see [Boustani vs. Blackwell](#)), to the voter. That does the opposite of promote easy access to the ballot box. Of the 633 cases of potential noncitizen voters, the vast majority of them "lack minimal evidence necessary to pursue charges or pursue an indictment, let alone obtain a conviction," [according to the county prosecutors tasked with investigating these cases](#). As a result, only 12 such cases have been prosecuted. That is something on the order of 0.001% of registered voters. Any illegal vote cast is wrong, but when the state can only show evidence of a handful of potentially fraudulent votes cast over a period of time in which tens of millions of votes were cast, I don't see how the state can justify shifting the burden of proof in this way.
- In recent elections, secure ballot drop boxes have become a popular way for Ohio voters to return their absentee ballots. They are accessible 24 hours a day, 7 days a week, allowing voters to return their ballot directly to the board of elections at a time that is most convenient for them. In 2020, [Secretary LaRose stated that he would support a change to election law allowing for more than one secure ballot drop box per county](#). Just four years later, with nothing more than unproven fears of rampant "ballot harvesting," Secretary LaRose made an about face, [urging lawmakers to ban secure ballot drop boxes entirely](#). This bill delivers on that request, unnecessarily limiting the easy access to the ballot box by banning secure drop boxes, something that this legislature codified into law just a few years ago. This constantly changing legal landscape surrounding the ballot box is harmful to voters, especially when the changes limit, rather than promote, access to the ballot box. Please stop moving the goal posts.
- This bill, for reasons I cannot discern, changes the long-standing practice of requiring voters to be registered at the address listed on a petition as of the day the petition is submitted in order to be considered valid. Instead, this bill requires that voters be registered at the address listed on a petition as of the day the voter signed the petition. This presents petitioners (for candidates or statewide or local initiatives/referenda) with a dilemma when they run into people who are not yet registered to vote or have an outdated registration. Under current practice, it is not uncommon for petitioners to register a voter at the same time as they sign a petition, knowing that by the time the petition is submitted, the voter will be registered at the correct address. To me, the only justification for this change is a desire for this legislature to discard otherwise valid signatures, effectively increasing the number of signatures that petitioners must collect in order to achieve ballot access.
- This bill makes changes to requirements for petition circulators by subjecting any petition circulator who is "compensated" to circulate a petition to much of the bureaucratic paperwork currently required for circulators who are "employed" to do the same. However, "compensate" has a much wider and looser definition than "employ." What constitutes compensation? If an

organizer provides bottles of water to on a hot summer day or hand warmers on a cold winter day to volunteer circulators, are the volunteers being compensated? What if an organizer allows volunteers to keep the pens and clipboards used to circulate petitions? Most volunteer petition circulators only collect a handful of signatures that might add to the several hundred thousand needed to bring a statewide initiative to the ballot. Is it really that important for the state to know that two thousand Jane Does each received a bottle of water and a pen to collect 20 signatures towards a statewide initiative? Or is this just a bureaucratic hoop that the legislature is hoping will result in some incorrect paperwork, disqualifying otherwise valid signatures and effectively increasing the number of signatures needed to achieve ballot access?

- This bill requires any “compensated” petition circulators to wear a badge stating they are being compensated. Are the badges the same for a volunteer who received a bottle of water and a hypothetical circulator being paid \$1,000,000 for every signature collected? What if a circulator gets cold and puts on a jacket while collecting signatures and forgets to move their badge to their outer layer? Will this result in those signatures being disqualified? How will the state go about enforcing this provision? How is a Board of Elections, as they review a part petition, supposed to tell whether the circulator wore a badge while circulating the petition?

Finally, I will commend the authors of this bill for getting exactly one thing right. That is the change in how voter registrations move from one county to another when voters move to a different county within Ohio. For some time, I assumed that the SOSVOTERID listed in the statewide voter database was unique to each voter in the state and moved with each voter wherever they moved. However, when I moved to Summit County, I noticed that my SOSVOTERID changed. It seems to me to defeat the purpose of having a unique identifier assigned by the state, rather than the county. I think having each voter’s registration move with them when they move from one county to another is a change that is overdue. This change, however, is a relatively small one in the context of the scope of this bill, and the benefits of this change are greatly outweighed by the issues other provisions of this bill create.

Thank you again, Chairwoman Roegner and members of the committee, for allowing me the opportunity to provide opposition testimony to Senate Bill 153. I urge you all, especially my Senator—Chairwoman Roegner—to oppose this bill in its current form due to all of the concerns and unanswered questions listed above.