



**Senators Theresa Gavarone and Andrew Brenner  
Sponsor Testimony: Senate Bill 293**

Chair Roegner, Ranking Member Blackshear, and members of the Senate General Government Committee, thank you for giving me the opportunity to provide sponsor testimony on behalf of Senate Bill 293, a piece of legislation that will protect and improve the elections process in Ohio. SB 293 will help to ensure a timely and accurate elections process by eliminating the four-day extension for absentee ballots.

Just last year, a federal case in US Court of Appeals Fifth Circuit held that federal Election Day statutes, which establishes a uniform election day, preempt state law. In that case, (*Republican National Committee v. Wetzel*) the state of Mississippi had a law that allowed ballots post-marked on or before Election Day to be counted 5 days after, similar to Ohio's 4-day allowance. The court decided that the term "election" included both the casting and receipt of ballots, and that the election could not be concluded until all ballots were received. Therefore, all ballots needed to be received in, on Election Day.

After that case was decided, 4 states have changed their laws to require ballots to be received on or before Election Day.

This is not simply a Republican initiative or concern. Minnesota, a reliably blue state, passed legislation to comply with federal law, changing their former requirement from ballots to be received at the close of polls on Election Day, to ballots must be received by 5pm on Election Day. 3 other states have joined Minnesota in similar changes in the past year: North Dakota, Utah, and Kansas.

34 states (two-thirds of the country!) now require absentee ballots returned by mail to be received on or before election day, including Ohio's neighbors: Indiana,

Kentucky, Pennsylvania, and Michigan. SB 293 will be the most consistent way to ensure we are not in violation of federal law.

On top of that, it cannot be disputed that voter fraud is real. It happens. Some people seem to have the opinion that a little bit of voter fraud is fine or just the cost of doing business. Not me. One case of voter fraud is too much and I believe SB 293 tightens the loopholes that some people can exploit to undermine our elections systems and, by definition, our Republic.

It is my belief that if we are not actively protecting our elections then we are asking for trouble. There is no doubt that this bill will improve the election process in Ohio.

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The consequences of allowing a four-day extension period after Election Day are risky and unfair to the citizens of Ohio. It results in slower processing of ballots, which delays results and encourages fraud. This hurts the integrity and credibility of our elections process. More time waiting equals more time to commit a crime. By removing the 4-day provision and standing firm on the fixed date of Election Day, voters can have confidence that there won't be a rush of phony ballots shoved in to skew the results.

Ohioans have the right to vote, and we want all valid votes to count, and the process needs to be done on Election Day. This bill, above all, will reinforce the reality that voting is one of the highest duties a citizen is called upon to do. It will provide impetus for voters to make their voices heard and inspire confidence in a fair and secure election.

Thank you for your attention and consideration. We will be happy to answer any questions you might have at this time.