



## Interested Party Testimony

### SB 153

Chair Roegner, Vice-Chair Gavarone and Ranking Member Blackshear: The Ohio Association of Election Officials (OAEO) greatly appreciates the opportunity to provide comments on SB 153. We have had productive meetings with the sponsor and based on those conversations would request the following amendments to strengthen and streamline SB 153.

**Petition signing; qualifications of elector** – remove underline and strike outs on lines 748-750. Determining the qualifications of the elector on the date that the elector signed the petition is impossible. VR systems are live and cannot go back to snapshots in time. Currently, qualifications are “determined at the time of the BOE checking the petition”. There is not a practical solution to bettering this practice with current technological limitations.

**Petitions; badges for compensated circulators** – as drafted the provisions are rife for abuse. In the same way that voter challenges have been weaponized against voters and boards, challenges to petitions are open to the same gamesmanship. If the General Assembly wishes to allow petitions to be challenged based on the circulators’ wearing of a badge, then standards should be put in place. For example, the challenger should be required to have first-hand knowledge of a violation and demonstrate such with video evidence. This alone will cut down on frivolous challenges.

**Citizenship verification** – boards should not be tasked with verification of citizenship. There is wide consensus that the practice is necessary, however, there is even greater consensus that local BOEs should not be further entwined with the federal government. Giving BOEs more access to databases will mean more credentials, which in turn will create more attack vectors for cyber criminals. Citizenship verification should take place at the state level – the SOS is better resourced and is already working within the databases used for citizenship verification. As the SOS would be identifying potential non-citizen registrations, they should be tasked with changing voter statuses and mailing and maintaining the notices required of the bill. The SOS would forward reports to the BOEs to flag voters as provisional, flag records for which notifications have been sent/responded to etc. that pertain to the citizenship verification process. Further, there is existing

infrastructure/practices in place (ie: SharePoint/monthly STEVE list) that could make these tasks easily automated.

**Citizenship verification; challenges to an in-person voter** – this provision is not needed as there is already existing law and court cases detailing the procedure. PEOs are tasked with a heavy load and do not need another task. PEOs are not experts in election administration and most only receive about 5 hours of training per year – granting them greater ability to challenge voters and not providing solid, legal criteria in which to do so, presents huge risks of disenfranchising voters and opens BOEs to costly litigation. If citizenship verification is taking place on the front end, as the bill describes, there would be no need for challenges to voters at the polls.

**Provisional balloting** – no changes are needed to current processes. Provisional ballots are a failsafe for voters. They are also very well insulated from fraud. These ballots are currently heavily scrutinized and researched before they are presented to a Board who ultimately decides their validity. Creating more categories or criteria that voters must meet to have their ballot counted is setting up people for failure. Under current state and federal regulations, there is no need to create a provisional UOCAVA ballot. These voters would be at even greater risk of having their vote thrown out because they will not be able to cure deficiencies in provisional ballots from abroad. Registrations of otherwise qualified electors cannot be cancelled for failing to cure a provisional ballot.

**Ballot drop boxes** – OAEO is against eliminating ballot drop boxes. While also not in favor of mandating the use of drop boxes, OAEO is open to the idea of “smart” drop boxes, like those offered currently by Runbeck. Requiring that any board that opts to install these boxes or their equivalent technology is much preferred to outright elimination. Implementation would require funding, ideally, an appropriation from the legislature and adequate lead time of a minimum of six months, with all boards in compliance within a year of the bill becoming law.

#### **Other miscellaneous suggestions/questions-**

Lines 640-644: the mail should not be forwarded for a confirmation notice.

Line 1018: a part-petition wouldn't count if a voter signed the petition twice? The voter should know what they are signing, but when numerous candidates are circulating their petitions and you accidentally sign the same one twice, it shouldn't disqualify that petition. Simply do not count the 2nd signature and move on.

Are lines 1095-1097 in there as a formality since that information is already on the VR form? If the sponsors want it on the form, why do they say it is not required in lines 1162-1164?

Thank you again for the opportunity to present these thoughts to the committee. Please do not hesitate to contact us if you have any questions.

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