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Representative Tim W. Brown, Chairman
House Government Accountability and Oversight Committee
77 South High Street, 13th Floor
Columbus, OH 43215

May 17, 2016

Dear Chairman Brown and Members of the House Government Accountability and Oversight Committee,

As Secretary of State, I have worked with the Legislature and county boards of elections to make it easier to vote and harder to cheat in Ohio, and worked to promote uniform standards ensuring a fair process across the state.

As you are aware, in the last two elections in Ohio, polling hours have been extended on Election Day by last minute court orders. In the November 2015 General Election, the Hamilton County Common Pleas Court ordered the polls to remain open until 9:00 pm based on unsworn testimony and posts on social media. More recently, during the March 2016 Presidential Primary Election polls were ordered to remain open in four counties until 8:30 pm by a United States District Court even though there was no plaintiff or hearing before the court. That Order is being appealed to the Sixth Circuit US Court of Appeals.

The Ohio General Assembly sets the laws by which elections must be carried out and has provided uniform access to the ballot for all eligible Ohio voters to cast a ballot either absentee in-person or absentee by mail for 28 days before an election, or during the 13 hours on Election Day. Any last minute ruling by a court to extend polling hours is extremely difficult for the affected county boards of elections to implement.

The Senate Civil Justice Committee improved this bill with an amendment to give a judge discretion when setting the bond amount. I support Amended Senate Bill 296, which will provide a uniform set of rules for state courts and elections officials to follow regarding the extension of polling hours, and I urge you and your colleagues on the House Government Accountability and Oversight Committee to do the same.

Thank you for ensuring that this issue receives the consideration it deserves.

Sincerely,


Jon Husted
Ohio Secretary of State

CC: The Honorable William J. Seitz, State Senator