

**TESTIMONY OF ANDREA R. YAGODA OPPOSING
HOUSE JOINT RESOLUTION 4
SENATE LOCAL GOVERNMENT AND ELECTIONS COMMITTEE**

Chair Gavarone, Vice Chair O'Brien, Ranking Member Mahareth, and Members of the Senate Local Government and Elections Committee thank you for affording me the opportunity to testify today in opposition to HJR4. My name is Andrea R. Yagoda, and I live in Delaware County, Ohio and have been a resident of Ohio for forty eight (48) years.

Officials elected to represent us in the Statehouse are there, allegedly, to speak for all their constituents and not propose bills, resolutions, constitutional amendments to further their political careers. Nor are they there to rouse up the base to get them to the polls on election day. Sadly, that is exactly what we have here. A proposed constitutional amendment masquerading as a solution to a problem we all know does not exist. A proposed constitutional amendment that gives credence to the white supremacist's theory of white replacement. A proposed amendment, the purpose of which, is to scare Ohioans to think non US citizens are voting in Ohio supporting the "Big Lie" which has PROVEN not to be the case by the minimal incidences of election fraud in this state, few of which are caused by non US citizens voting. This is truly shameful.

In order to register to vote in this State the form provided by the Secretary of State specifically asks if one is a US citizen and states if not one cannot register.

Further evidence that this Amendment is unnecessary can be found in the Ohio Revised Code, Ohio Constitutional, and Federal law provisions requiring US citizenship to be eligible to vote, as well as Ohio Supreme Court holding opinions on Ohio's home rule authority. Ohio Constitution, Article V, Section 1 "Who may Vote" – Provides that "citizens of the United States" who are at least 18, reside in the relevant district, and have been registered for 30 days, may vote.

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- ORC 3503.01(A) – Requires an elector to register in order to vote
- ORC 3503.07 – electors must be citizens of the US in order to qualify to register to vote
- ORC 3503.14 – the SOS shall provide a uniform voter registration form that meet the requirements of the National Voter Registration Act of 1993 (NVRA)
- NVRA – Section 5 requires a citizenship designation for in-person voter registration.
- NVRA - Section 9 requires a citizenship designation for mail-in voter registration
- ORC 3503.20(C) – Requires a citizenship designation for electors registering to vote using Ohio's online voter registration platform
- *Canton v. State* (2002): OSC precedent for what defines a "general law" for the purpose of home rule analysis
- *Village of Struthers v. Sokol* (1923): OSC precedent on determining whether a municipal home rule authority is "in conflict" with a general law (as outlined in *Canton*)

I would ask this committee to vote no on HJR4.

Andrea R. Yagoda