



## Ohio Environmental Council [Action Fund]

### **Opponent Testimony of Ohio Environmental Council Action Fund House Bill 680 - Mail Election (As Passed by House) Presented to the Senate Government Oversight & Reform Committee September 16, 2020**

Chairman Coley, Vice Chair Huffman, Ranking Member Craig, and Members of the Senate Government Oversight & Reform Committee, thank you for the opportunity to present opponent testimony of House Bill 680 (“HB 680”). My name is Trent Dougherty, General Counsel for the Ohio Environmental Council (“OEC”) Action Fund.

The OEC Action Fund advocates for a renewable energy future, for clean air, safe drinking water, and for vibrant forests and accessible public lands not merely because we want good policy. We advocate to improve the lives of all who call Ohio home. This means not only advocating to protect our environment, but also to protect our fundamental rights.

Ohioans overwhelmingly want clean air, healthy public lands, safe drinking water and bold action on climate change. Guaranteeing all eligible Ohioans have the opportunity to make their voices heard through our elections ensures our policies reflect the will of the people. When more people vote, our environment wins and our communities win.

However, the impact of the COVID-19 crisis on Ohio’s elections has shown the blind-spots and barriers in our system—pitting safety against access to the ballot box. The haphazard 2020 Ohio Primary Election was chaotic for most, confusing for many, and unfortunately so difficult to maneuver for some, they just chose not to vote. The silver lining was that the Primary shined a light on the otherwise overlooked deficiencies in our absentee and mail voting process—giving lawmakers and policy officials the opportunity to fix those problems so every eligible Ohioan can safely and securely register to vote and cast their ballot in November and beyond.

Yet, instead of learning from those missteps and fixing those deficiencies, HB 680 proposes to tie the hands of the Secretary of State and do little to ensure the safety and security of the millions of Ohioans planning to cast a ballot. In fact, some provisions make it more difficult for people to vote absentee in this and future elections. While changes to this bill in the House removed many egregious steps backward and attempts to enshrine the very process deficiencies that kept too many eligible Ohioans from casting a ballot, the current version of HB 680 remains deficient as a vehicle to make the right to vote easier and safer as we deal with a global pandemic that manifests itself in local crises. **Therefore, we urge a no vote on HB 680 because the bill will either disenfranchise voters or put them at risk for contracting COVID-19.**

Specifically we **OPPOSE** the provision of HB 680 that prohibits the Secretary of State from prepaying the return postage on any applications for absentee ballots or on any absentee ballots themselves.

Such an act is an unnecessary inequity sanctioned by the General Assembly, and at its worst, this could be considered an unconstitutional poll tax. With an expected record number of Ohioans choosing to take advantage of the state's absentee vote by mail instead of risking their health and the health of others by voting in person, all barriers (including the price and acquisition of a stamp) should be removed. Instead of a prohibition, the Senate should grant this and future Secretaries of State the authority to ensure voters can cast their ballot, and provide Secretary LaRose and the Boards of Election the resources to do so this Fall.

While time is short, there are common sense options we can put in place to improve the safety, security, and accessibility of our election system in advance of November's general election and most notably for elections to come. Instead of the *As Passed* version of HB 680, Ohioans deserve true reforms. If the Senate wishes to move forward on HB680, the Committee should amend the bill to:

- **Modernize Ohio's Absentee application procedure.** Incorporating provisions of the [current SB 191](#) will ensure accessibility of Ohio's vote-by-mail system by allowing voters to request a vote-by-mail absentee ballot online, without needing to print and mail in an application.
- **Make early and absentee voting safer and easier.** Three simple additions: (1) pre-pay for postage for absentee ballots; (2) providing for multiple early in-person voting centers per county so in-person voting can occur safely within the guidelines of physical distancing; and (3) permitting counties to have more than one secure drop box per county.
- **Respect the intention of Ohio voters.** Elections officials should be instructed to accept all absentee ballots postmarked through Election Day and refrain from discarding absentee ballots based on errors or technicalities.

Despite the pundits and the polls to the contrary, Ohio *will* be a centerpiece of the presidential election, as it has for generations. It is our hope that the spotlight on Ohio will show how we did right by Ohioans and did everything possible to secure our ability to vote despite these most trying times. Thank you for considering our position and perspective.