



**Opposition Testimony to Substitute House Bill 458
Senate Local Government and Elections Committee
Nazek Hapasha, League of Women Voters of Ohio
December 7, 2022**

Chair Theresa Gavaronne, Vice Chair Sandra O'Brien, Ranking Member Maharath, and esteemed members of the committee:

Thank you for allowing me to testify today. As the Policy Affairs Manager of the League of Women Voters of Ohio (LWVO), I am here on behalf of our 4,000 dues-paying members, who live in every state Senate District and nearly all Ohio House Districts. Nearly all of our members volunteer to register voters and/or serve as poll workers. Our nonpartisan voter education programs reach approximately 1 million Ohioans each year.

The League has long championed policies for election security and integrity. As early as the 1940s, we began advocating for changes to balloting that would ensure fairness to all candidates as well as recounting protocols for close elections. We were one of the first to champion Ohio's bipartisan system of election planning, administration, and oversight. In more recent history, we were able to secure election administration plans and post election audits through a legal settlement after the 2004 election. We supported SB 52, sponsored by Chair Gavaronne, that codified audits and modernized many other aspects of election security.

We firmly agree with Secretary LaRose, past Secretaries of State of both parties, and the federal agencies tasked with election integrity that Ohio's elections are secure and accurate. The post-election audits conducted statewide in all 88 counties following the 2020 general election returned a statewide accuracy rate of 99.98%. Similarly, we agree with Secretary LaRose that voter fraud is "exceedingly rare," which is why we are shocked that this committee is attempting to ram through drastic, expensive, and unnecessary changes to Ohio's Election Code during lame duck.

Voter advocates have not had a chance to thoroughly analyze what impact this legislation would have on voters, boards of elections, or the electoral system as a whole. We also know that the expense of this legislation will be significant though there is also no cost analysis yet done. There are so many sections of this legislation that need to be debated thoroughly and in fine detail in future, but given how little time we were given to analyze the legislation, our testimony

will provide some high level comments on proposed changes to voter identification for registration and voting, absentee voting, and drop boxes.

VOTER ID

The state should reject any effort to enact stricter ID for purposes of registering to vote or casting a ballot. Such efforts would not improve security but would create unnecessary bureaucratic challenges for Boards of Elections, unnecessary barriers for voters, and unnecessary costs for Ohio taxpayers.

States that have transitioned to overly restrictive voter ID requirements have incurred sizable costs. Texas spent nearly \$2 million on voter education and outreach efforts following passage of its Voter ID law. Indiana spent over \$10 million to produce free ID cards between 2007 and 2010. Past studies by NYU law school show that as many as 11 percent of eligible voters do not have government-issued photo ID. That percentage is even higher for seniors, people of color, people with disabilities, low-income voters, rural Ohioans, and students. Having the money for IDs is just one of the challenges; many citizens find it hard to get government photo IDs, because they don't have the underlying documentation, like birth certificates.

A stricter ID requirement for voter registration would most certainly make our voter registration rolls less accurate, given that there would be more administrative hoops for voters to jump through when updating their registration. Overly burdensome ID requirements for absentee, early, and in-person election day voting would also increase the number of voters needing provisional ballots, and Ohio is already one of the worst states in the country for the number of provisional ballots cast each election. Provisional voting is an involved process from start to finish that would likely increase voting lines for all voters, create more administrative burdens for elections officials and poll workers, and delay final vote tallies.

If you were to change voter ID, we would suggest simply allowing passports to count as a form of identification. If the document is good enough to verify employment eligibility, cash a check, or travel to foreign country, it should be good enough to register to vote and cast a ballot.

ABSENTEE BALLOT REQUEST FORMS

Ohio Secretaries of State of both parties have mailed absentee ballot request forms to voters. The form is a good reminder that an election is coming and is a valuable service to those who cannot request an absentee ballot through a newly established online portal. Sending out absentee ballots to every registered voter could also be used to check the accuracy of the voter rolls. The forms that are returned as undeliverable could then be flagged and further investigated to determine if those voters are deceased or have moved. Instead of preventing

the Secretary of State from sending absentee ballot requests, the state should require and fund these mailings for every election, as well as provide pre-paid postage.

ABSENTEE BALLOT DEADLINE

We are firmly opposed to changing the deadline for absentee ballots to close of polls on Election Day. Boards of Elections will still be working with voters to cure absentee and provisional ballots for ten days after the election, and therefore, an earlier absentee ballot deadline will not result in a faster certification of results. Changing this long-standing custom will certainly cause many otherwise eligible ballots to be discarded and will harm active duty military voters, without providing any benefit to the electoral system.

DROP BOXES

We are also deeply concerned that the sub-bill leaves inadequate access to drop boxes. Research by Harvard suggests that the ability to use a drop box increases the confidence voters have that their votes will be counted and increases trust in the voting process among voters of all political persuasions.

Drop boxes weigh as much as 600 pounds, have video surveillance, and are weather and fire resistant. Utilizing drop boxes is not only more secure than using the postal service, it is a more efficient and direct method of submitting voter registration forms, absentee ballots, and campaign finance filings. Some counties even use them for interoffice mail between departments.

Rather than limiting the locations, dates, and times that drop boxes are available, this body should allow multiple drop box locations per county and require they be available well before the voter registration deadline of 30 days prior to Election Day, as well as open 24-hours rather than just during business hours. Limitations to drop boxes harm those who do not live close to the county seat and/or do not drive, including rural Ohioans, seniors, voters with disabilities, and low-income voters.

If this body still remains opposed to multiple drop boxes per county, we request that you instead allow Boards of Elections to set up bipartisan teams in public spaces like libraries and festivals to collect voter registration forms and/or ballots on weekdays, evenings, and weekends. We would also ask that you allow a grandchild to return a ballot on behalf of a voter.

PROCESS

The right to vote is one of the most basic promises of our democracy. Every Ohio citizen is considered equal and is empowered to participate in government as voters and advocates. We have routinely heard from Secretary LaRose that Ohio's election system is secure and

trustworthy, so we ask you to not rush drastic changes to our electoral system by rejecting Substitute House Bill 458. When one aspect of the election code is changed, it can have far-reaching, negative unintended consequences for other aspects of election administration, election security, and ballot access. Let us instead work together next General Assembly to find common sense solutions that truly improves our election system for all.

I am happy to answer any questions. Please feel free to contact me to discuss further at nhapasha@lwvohio.org or 614-469-1505. Thank you.

The League of Women Voters of Ohio was formed in May 1920 out of Ohio's woman suffrage movement. The League is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. The League has over 4000 members and 34 local Leagues across the Buckeye State.