

LWV Ohio Statehouse Day, April 9, 2014

LWVO Lobbyist Report, Election Law

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Last year, we ended the Statehouse Day report on election law by warning, “We also expect additional bills to be introduced soon.” That turned out to be an understatement. The Legislature has continued its strategy of re-introducing individual provisions of HB 194 (which you will remember they repealed to avoid a referendum in 2012) as separate bills making referendum impractical.

More than two dozen elections bills have been introduced. Some dealt with administrative minutiae, such as SB 200 on managing the voter registration database; the sponsor was very responsive to our concerns and amended the bill to tighten the language as we requested. Some bills we could support in part, including SB 109, which authorized electronic poll books and cleaned up some out-of-date law sections. A couple of enactments (SB 47 and SB 193) are in court because of concerns about constitutionality. More detail on many of these and League’s testimony are on the state League website at www.lwvohio.org

The most recent actions are Senate Bills 205, 216, and 238, plus Secretary of State Directive 2014-06. (Check out <http://www.lwv.org/blog/Ohio-it-again-restricting-popular-voting-methods-ahead-major-election>) for more information.

SB 205 prohibits any government official other than the Secretary of State from sending unsolicited absentee ballot application forms and provides that money for such mailings must be allocated by the Legislature. It also requires that every field on the absentee application and on the absentee ballot envelope be filled out completely or the application or ballot will be rejected.

SB 216 requires that every field on a provisional ballot affirmation form be filled out completely – including newly required information – or it will be rejected. One positive development is that, for voters whose names do not appear on the voter registration rolls, a provisional ballot affirmation form will be able to double as a voter registration form, so provisional voters whose names are not on the rolls will be registered without needing to fill out a separate form.

SB 238 eliminated the so-called “Golden Week” overlap between the start of early absentee voting and the close of voter registration. Both early in-person and mail-in absentee voting will begin one week later, the day after registration closes.

In addition to our public testimony in committee, we talked to both the Republicans and Democrats about our concerns with all of these bills. Along with our fellow voter advocates, we pointed out a number of changes that would have improved the administration of elections.

Although we were assured that a number of our concerns would be addressed, only one change to ambiguous wording was included.

The good news is what did not happen. We were afraid the legislature would enact massive statutory cuts in the days and hours for early in-person absentee voting. We and the other voter advocates lobbied long and hard to stop that train. The legislature did not propose such restrictions; hence Secretary of State Directive 2014-06. We are still keeping our eye on any move to impose photo ID for voting, especially in the lame duck session of the legislature after the November election – when all sorts of strange things can happen.

SoS Directive 2014-06 limits in-person early absentee voting in all counties to regular office hours plus just one Saturday before the Primary and two Saturdays before the General Election in November – no evening or Sunday hours at all. However, the Secretary of State plans to mail absentee ballot applications to all voters for the General Election in 2014 using Federal funds, which will not be available in future years.

We hope the Legislature is now finished with imposing more restrictions on voting for this legislative session, though we would like to see the Legislature enact online voter registration, which is supported by both Republicans and Democrats in other states and is supported by Secretary Husted. Further, we would like to see registration efforts expanded to include additional state agencies such as Job & Family Services, in addition to using the Bureau of Motor Vehicles.

Now we will turn to educating voters about all of these changes, especially urging the importance of filling out everything on absentee and provisional ballot applications and envelopes, to be sure your ballot will be counted. Dot your i's, cross your t's, and check all the boxes! It's a literacy test. And it will be important for voters to know when in person early voting will be available.