

SB153 and HB233 Fail to Align with Secretary of State LaRose Press Release and Letter to Legislative Leaders

SOS Press Release and Letter to Legislative Leaders	SB153/HB233	Proposed Amendment to Align with SOS Requests
<p>Proof of Citizenship for Voter Registration</p> <p>Press Release August 29, 2024: Secretary of State (SOS) LaRose called on the Ohio General Assembly to enact legislation granting his office the authority to require proof of US citizenship on state-issued voter registration forms, stating, “Following a recent ruling by the US Supreme Court, we now have the opportunity to require front-end citizenship verification prior to a registration being processed.”</p> <ul style="list-style-type: none"> The Press Release notes that while Ohio law gives the Secretary exclusive authority to issue an official voter registration form, current law does not allow the Secretary to mandate proof of citizenship. <p>Letter to Legislative Leaders August 29, 2024: Secretary LaRose suggested lawmakers consider urgent legislative attention to codify a proof of citizenship requirement that can be incorporated into all state-issued voter registration forms. “Upon the General Assembly’s action, I will immediately require front-end citizenship verification.”</p> <ul style="list-style-type: none"> Secretary LaRose revealed that the latest investigation led to the referral of 597 individuals who registered to vote despite not being US citizens, including 138 who cast ballots. Secretary LaRose further stated that “Adopting a proof-of-citizenship requirement on the front end of the registration process would help to reduce our current reliance on these back-end election integrity efforts.” Secretary LaRose expressed his readiness to assist lawmakers and urged quick legislative action to implement the reform. 	<p>SB153 and HB233 do not include the core provision requested by Secretary LaRose: a requirement for front-end citizenship verification before processing a voter registration application.</p> <p>Instead, this legislation continues to rely on back-end checks to identify noncitizens after registration – the very system Secretary LaRose proposed to reform. These back-end efforts remain inadequate, as they:</p> <ul style="list-style-type: none"> Fail to prevent noncitizen registration at point of entry, Do not use relevant databases to verify citizenship Do not consistently identify citizens based on the entity reviewing - (1) by SOS before an election, (2) by poll workers on Election Day, or (3) by BOE within four days after an election Allow potential ineligible noncitizens to remain registered and vote, unless there is a registration change of name or address <p>In summary, despite Secretary LaRose’s public call for legislative authority to require proof of citizenship prior to registration, the resulting legislation fails to provide it. No statutory change was made to authorize the Secretary to implement front-end citizenship verification before voter registrations are accepted. As a result, the insufficient system remains in place, undermining efforts to enhance election integrity through proactive verification.</p>	<p>Citizenship Verification Requirements:</p> <ul style="list-style-type: none"> Grant the SOS and BOEs access to all relevant federal and state databases to verify US citizenship status of individuals applying to register to vote. Require BOEs to verify each applicant’s citizenship status before adding their registration to the voter rolls. Registrations will remain in <i>pending status</i> until all eligibility requirements, including citizenship, are confirmed. Require the SOS to conduct a monthly Citizenship Review of all registrants, and an additional Review following the registration of new voters before each election. This safeguard Review, independent of initial citizenship verification before registration, ensures only citizens are voting. Citizenship is confirmed by: <ul style="list-style-type: none"> (1) Verify through a relevant federal database, or (2) A citizenship determination by a county BOE, following a hearing under oath, based on alternative documentary evidence of US citizenship submitted by the applicant/registrant. Once confirmed as a citizen through a Citizenship Review, a registrant will not be subject to future Reviews unless new information emerges that warrants re-evaluation.
<p>Voter Registration Identification Verification:</p> <p>Letter to Legislative Leaders August 29, 2024: Secretary LaRose suggested lawmakers consider urgent legislative attention to codify a new provisional ballot voting requirement for registrants who provide inaccurate information on a voter registration application, acknowledging numerous voter registration applications contain mismatched data from information on file with the BMV and SSA.</p> <ul style="list-style-type: none"> Under current law [and SOS directives], when a voter with mismatched identification information engages in voter-initiated activity (e.g., voting, signing a petition, requesting an absentee ballot), all registration flags are automatically cleared, and the mismatched information is never corrected, leading to inaccurate voter rolls. Secretary LaRose proposed legislation requiring voters with mismatched registration data be required to cast a provisional ballot. This forces the voter to cure mismatched information before a ballot can be counted. The change is essential to maintaining the accuracy of voter rolls. Secretary LaRose expressed hope for quick action and pledged his support in advancing this reform. 	<p>Legislation fails to enforce federal ID law: HAVA requires applicants to use their valid DL/ID to register to vote if one issued; otherwise register using SSN4. However, this legislation does not enforce 52 USC 21083</p> <p>Legislation limits review of BMV/SSA mismatches: Existing registrants without verified identification or related registration information may not be required to vote a provisional ballot. Then, once they vote, under SOS directive, the registration is reactivated without ever resolving the underlying unverifiable ID issue.</p> <p>Petition Signature Loophole: Voters not verified as eligible to vote may sign petitions, and under a SOS directive, the registration is reactivated without ever resolving the underlying eligibility issues, such as an unverifiable ID.</p> <p>Inconsistent Provisional Ballot Standards: The legislation does not ensure all issues causing a voter to be flagged to cast a provisional ballot be resolved before the provisional ballot indicator is removed from a voter registration record.</p>	<p>Enforce HAVA Registration Standards by verifying before registration that a DL/ID is valid and allow a valid SSN4 only if a valid DL/ID has not been issued.</p> <p>Initial Identity Verification: Upon implementation, all registration records will be compared to BMV and SSA records to verify ID and related information. If there is not a match to BMV or SSA records, the registrant is required to cast a provisional ballot. A registrant may correct information in advance to vote a regular ballot.</p> <p>The SOS official website will include an online display accessible to the public that contains each registrant’s current voting status, reasons for any provisional ballot requirement and instructions to resolve.</p> <p>Prohibit a petition signature from counting if the signer is required to vote a provisional ballot.</p> <p>Maintain Accurate Provisional Status: A registrant’s provisional status must not be removed until all underlying issues causing provisional status have been resolved and verified by the appropriate authority.</p>