



**LEAGUE OF WOMEN VOTERS® OF OHIO**

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May 10, 2016 – *sent via email*

Dear Senator Seitz and Chairman Bacon,

Thank you for the opportunity to meet this morning and discuss our proposed changes to SB 296. Per Senator Seitz's suggestion to put our request in writing, here is the list of suggested changes that reflect our view on what a fair process would look like.

- We support having a special Election Day panel designated to hear issues that arise on Election Day.
- We support a notice requirement, so that the Secretary of State and Boards of Elections are immediately notified when an election case is filed. Related to that, we suggest the SOS and BOE be required to identify who is to be notified on Election Day of such filings, to expedite communication to the appropriate parties.
- We support having an expedited appeal process, so long as the same right to expedited appeal applies to all parties, not just to the state.
- A preponderance of the evidence standard should apply, not a heightened standard, due to the short amount of time in which parties have to file and the court has to evaluate expedited Election Day cases. A preponderance standard would still meet the stated goal of assuring adequate evidence is presented and vetted by the courts before issuing an order.
- Eliminate the bond requirement. Whether intended to or not, it creates the impression of putting a price tag on the right to vote and invokes the specter of a poll tax.

While the above are what we believe to be the most critical reforms, we also suggest a technical amendment to remove the word "shall", as in the voter shall file in state court, in order to make clear that a voter may petition for relief in the state courts where this new expedited election day process will be available but that this legislation does not, and in fact cannot, bar a petitioner from filing in federal court.

In addition, we recommend the legislature approve split shifts for poll workers, a concept that has been introduced for several sessions but not acted upon. If BOEs are truly concerned about how long a day

poll workers have to work, allowing the option for poll workers to work either a full day (if they are willing and able) or a split shift (for those who cannot commit to a full day) may help alleviate that concern.

We thank you for the opportunity to share our voting rights coalition's suggestions on how to address concerns with SB 296, and we would be happy to discuss this matter further should you wish.

Sincerely,

Carrie L. Davis

LWVO Executive Director