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February 10, 2020

RECEIVED

FEB 10 2020

Ohio Attorney General  
Constitutional Offices Section

The Honorable Dave Yost  
Ohio Attorney General  
30 E. Broad Street  
Columbus, Ohio 43215

Via Hand Delivery

**Re: *The Secure and Fair Elections Amendment (Resubmission)***

Dear Attorney General Yost:

On behalf of my clients, Ohioans for Secure and Fair Elections and petition committee members Darlene L. English, Laura A. Gold, Hasan Kwame Jeffries, Isabel C. Robertson, and Ebony Speakes-Hall, and pursuant to R.C. 3519.01(A), I am hereby filing with your office a petition to approve a summary of a constitutional amendment to be proposed by initiative petition titled the Secure and Fair Elections Amendment. The petition contains approximately 2,351 signatures on 101 part-petitions and the summary and full text of the amendment to be proposed. A chart containing the number of part-petitions and signatures from each county is attached to this letter.

This is the second submission of the Secure and Fair Elections Amendment. It was previously submitted to your office on January 22, 2020, but on January 31, 2020, you rejected the proposed summary. In your January 31, 2020 letter, you identified two reasons for rejecting the summary. First, you stated that the “summary of the proposed constitutional amendment is longer than the proposed amended text itself.” Second, you stated that the summary “includes a paragraph of text that it is not included in the proposed amendment,” describing this as “extraneous information that is outside the text of the amendment.” On the resubmission, the “extraneous information” has been removed from the summary. The resulting word-counts for the summary and the full text of the amendment—counted both by hand and using Microsoft Word—are 453 words and 525 words, respectively (not counting bullet points as words). Thus, both issues have been resolved.

Finally, this second submission contains two changes from the version that was previously submitted to your office. An exception for “state legal holidays” was added to the language in Subsection 1 defining the early voting period, and a delayed effective date (of February 1, 2022) was added for Subsections 2 and 4, which concern automatic voter registration and same-day voter registration, respectively.

Please contact me at 614-263-7000 or [dmctigue@electionlawgroup.com](mailto:dmctigue@electionlawgroup.com) if you have any questions. Thank you.

Very truly yours,



Donald J. McTigue

Encls.

County: DELAWARE

Number: 00001

## PETITION

**To the Attorney General of Ohio:** Pursuant to Ohio Revised Code § 3519.01(A), the undersigned electors of the State of Ohio, numbering in excess of one thousand, hereby submit to you the full text of a proposed Amendment to the Ohio Constitution and a summary of the same.

### TITLE

The Secure and Fair Elections Amendment

### SUMMARY

The Amendment would amend Article V, Section 1 of the Ohio Constitution to:

- Remove the provision that citizens be registered to vote for 30 days to be electors, but maintain the requirement to be registered.
- Provide the following rights to every citizen who is, or is eligible to become, an Ohio elector:
  - The right if serving in the military or residing outside the United States to, upon application, be sent an absentee ballot beginning 46 days before an election if registered to vote.
  - The right to be registered to vote upon applying for, renewing, updating, or replacing an Ohio driver's license, learner's permit, or identification card with the agency responsible for issuing these documents, unless the citizen affirmatively states in writing that they do not want to be registered to vote. This provision shall take effect February 1, 2022.
  - The right, if registered, to obtain and cast a ballot in person on weekdays during an early voting period, which shall begin 28 days before each election and end the day before the election, excepting state legal holidays on which the Secretary of State's office is not open to the public, and, for each of the final 2 weekends before a general election, include a minimum of 12 hours over the two days of each weekend.
  - The right, during the early voting period and on Election Day, to submit in person a voter registration form and either proof of residency or military ID to an election official at any location where the citizen would otherwise be eligible to vote if they had registered by any other method. This provision shall take effect February 1, 2022.
    - Any one form of ID accepted for voting under Ohio law as of January 1, 2020 shall be sufficient to prove residency for this registration method if it also shows the voter's current address.
    - Persons who register with this method shall be immediately qualified to receive and cast a regular ballot in the election, and the ballot shall be counted unless election administrators demonstrate that the individual is not qualified to vote.
    - This provision shall not limit other rights to register.
  - The right of individuals with disabilities to have full and equal access to register to vote and to vote.
- Provide that any one form of ID accepted for voting under Ohio law as of January 1, 2020, shall continue to be sufficient to prove identification for voting.
- Require a representative sample of statewide elections to be audited to ensure the accuracy and integrity of elections.
- Provide that the Amendment shall be self-executing and construed in favor of voters' rights, and that nothing shall prevent the general assembly from expanding voters' rights beyond what is provided in the Amendment.

## COMMITTEE TO REPRESENT THE PETITIONERS

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

Darlene L. English	15332 Lake Shore Blvd., Cleveland, Ohio 44110
Laura A. Gold	4433 Groveland Rd., University Heights, Ohio 44118
Hasan Kwame Jeffries	196 Balsam Dr., Pickerington, Ohio 43147
Isabel C. Robertson	1965 Mornington Ln., Apt. 8, Cleveland Heights, Ohio 44106
Ebony Speakes-Hall	6617 English Oaks, Middletown, Ohio 45044

## FULL TEXT OF PROPOSED AMENDMENT

Be it Resolved by the People of the State of Ohio that Article V, Section 1, of the Ohio Constitution is hereby amended to add the following language shown underlined below, and repeal the existing language shown by strikethrough. Current language that is not changed appears without underline or strikethrough:

### Section 1.

Every citizen of the United States, of the age of eighteen years, who has been a resident of the state, county, township, or ward, such time as may be provided by law, and ~~has been~~ is registered to vote ~~for thirty days~~, has the qualifications of an elector, and is entitled to vote at all elections. Any elector who fails to vote in at least one election during any period of four consecutive years shall cease to be an elector unless he again registers to vote.

Every citizen of the United States who is, or is eligible to become, an elector in Ohio shall have the following rights:

(1) The right, if serving in the military or residing outside of the United States, to have an absentee ballot sent beginning forty-six days before an election upon application if registered.

(2) The right to be registered to vote upon applying for, renewing, updating, or replacing an Ohio driver's license, learner's permit, or identification card with the agency responsible for issuing these documents, unless the citizen affirmatively states in writing that the citizen does not want to be registered to vote.

(3) The right, if registered to vote, to obtain and cast a ballot in person on weekdays during an early voting period preceding an election, which shall begin twenty-eight calendar days before the date of each election and end the day before the election, excepting state legal holidays on which the office of the Ohio Secretary of State is not open to the public. Preceding a general election, a minimum of twelve hours of early in-person voting shall also be made available over the two days of each of the final two weekends before the election.

(4) The right, during the early voting period and on Election Day, to submit in person a voter registration form and either proof of residency or military identification to an election official at any location where the citizen would otherwise be eligible to vote if they had registered by any other method. Any one form of identification accepted for voting under Ohio law as of January 1, 2020, shall be sufficient to prove residency for this registration method if it shows the current address of the voter. Persons who register with this method shall be immediately qualified to receive and cast a regular ballot in the election. The ballot shall be counted unless election administrators demonstrate that the individual is not qualified to vote. Nothing in this paragraph shall limit other rights to register.

(5) The right of individuals with disabilities to have full and equal access to register to vote and to vote.

A representative sample of statewide elections shall be audited to ensure the accuracy and integrity of elections.

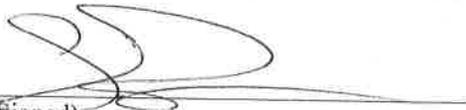
This section shall be self-executing and shall be construed in favor of voters' rights. Subsections 2 and 4 shall take effect February 1, 2022. Any one form of identification accepted for voting under Ohio law as of January 1, 2020, shall continue to be sufficient to prove identification for voting. Nothing contained in this section shall prevent the general assembly from expanding voters' rights beyond what is provided herein.

STATEMENT OF CIRCULATOR

I, Janetna DePaul, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of 2 electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by

Advanced Micro Targeting 5757 Alpha Rd., Suite 501 Dallas, TX 75240  
(Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

I further declare under penalty of election falsification that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

  
(Signed)

76 W Portage Path #3  
(Address of circulator's permanent residence)  
Number and Street, Road or Rural Route

Akron  
City, Village or Township

OH 44303  
State Zip Code

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.**