



# DAVE YOST

OHIO ATTORNEY GENERAL

Constitutional Offices Section  
Office 614-466-2872  
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March 6, 2020

*Via regular U.S. Mail and E-mail*

Donald J. McTigue  
McTigue & Colombo LLC  
545 East Town St.  
Columbus, Ohio 43215  
dmctigue@electionlawgroup.com

Re: Resubmitted Summary for Initiated Constitutional Amendment to Amend Article V,  
Section 1 of the Ohio Constitution —“The Secure and Fair Elections Amendment”  
(Number 1)

Dear Mr. McTigue,

On March 5, 2020, in accordance with Ohio Revised Code (“ORC”) Section 3505.062(A), I received the summary and text of a proposed constitutional amendment to amend Article V, Section 1 of the Ohio Constitution. A copy of this summary and measure is attached hereto.

It is my statutory duty to determine whether the submitted summary is a “fair and truthful statement of the proposed law or constitutional amendment.” ORC Section 3519.01(A). If I conclude that the summary is fair and truthful, I am to certify it as such within ten days of receipt of the petition. In this instance, the tenth day falls on Sunday, March 15, 2020. Therefore, my determination is due on Monday, March 16, 2020.

Having examined the submission, I conclude that the summary is a fair and truthful statement of the proposed amendment. I therefore submitted the following certification to the Ohio Secretary of State:

Without passing on the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General’s Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed amendment.

Yours,

Dave Yost  
Ohio Attorney General

## TITLE

The Secure and Fair Elections Amendment

## SUMMARY

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

- 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, 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.
- 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.
- 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.

## 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 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.

(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.

This section shall be self-executing and shall be construed in favor of voters' rights. 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.



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March 6, 2020

Ohio Secretary of State Frank LaRose  
180 E. Broad St.  
Columbus, Ohio 43215

Re: Resubmitted Summary for Initiated Constitutional Amendment to Amend Article V,  
Section 1 of the Ohio Constitution —“The Secure and Fair Elections Amendment”  
(Number 1)

Dear Mr. LaRose,

On March 5, 2020, in accordance with Ohio Revised Code (“ORC”) Section 3505.062(A), I received the summary and text of a proposed constitutional amendment to amend Article V, Section 1 of the Ohio Constitution. A copy of this summary and measure is attached hereto.

It is my statutory duty to determine whether the submitted summary is a “fair and truthful statement of the proposed law or constitutional amendment.” ORC Section 3519.01(A). If I conclude that the summary is fair and truthful, I am to certify it as such within ten days of receipt of the petition. In this instance, the tenth day falls on Sunday, March 15, 2020. Therefore, my determination is due on Monday, March 16, 2020.

Having examined the submission, I conclude that the summary is a fair and truthful statement of the proposed amendment. I therefore submit the following certification to the Ohio Secretary of State:

Without passing on the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General’s Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed amendment.

Yours,

  
Dave Yost  
Ohio Attorney General

cc: Amanda Grandjean, Esq., Director of Elections (*by email*)  
Michael Grodhaus, Esq., Chief Legal Counsel (*by email*)  
Andrew J. King, Esq., Legal Counsel (*by email*)

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