

OHIO SENATE BILL 193



SB 193 By Don Shrader Part One

Part Two Continued Next Month

Otherwise known as either: "The Ohio Voter Suppression Act of 2013" Or "The Assured Reelection of John Kasich for Governor Act" Senate Bill 193 for 2013, proposed in mid-September by Cincinnati Republican State Senator Bill Seitz, is one piece of scary legislation making any other Halloween monster seem tame by comparison.

This is a bill designed to permanently eliminate all political parties except Republican and Democrat from existence beginning in 2014. It is highly likely that the bill will be struck down in Federal Court, the same as the last two similar attempts by the Democrats in 2009 and then by the Republicans in 2011. This bill is essentially the **Governor John Kasich Assured Re-Election Bill**.

Over the past year or so, Kasich has ticked off so many people with his blatant violation of our newest

addition to the State Constitution (an amendment passed overwhelmingly by the Ohio voters in 2012 in opposition to Obamacare). He further alienated the electorate by circumventing the Ohio House to implement his pro-Obamacare Medicaid expansion plan, among his other distasteful acts. As such, his election may be in doubt because a third Party candidate, such as Charlie Earl of the Libertarian Party, even if he did not win the election, could steal enough votes from Kasich that coupled with the number of independents that will very possibly vote for the Democratic candidate in this election (whoever that may be) that the Democrat would be elected. Something had to be done to stop that scenario.

The most straightforward strategy was to eliminate third parties from the election ballot. This can also be labeled THE VOTER SUPPRESSION ACT OF 2013 as it also removes the ability of the electorate to vote for anyone but the Republican or Democrat candidate for Governor. (I remember when we used to make

fun of the Communist Block countries when they could vote for anyone they wanted as long it was the only person on the ballot. How is this much different?)

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Bill Particulars

<http://legiscan.com/OH/bill/SB193/2013>

Bill Text

<http://legiscan.com/OH/text/SB193/2013>



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What just happened with SB-193

Ballot Access in Ohio?

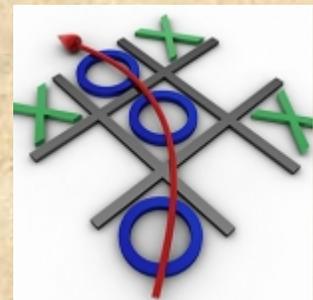
10/9/2013 by Jack Fockler Jr.

OK, boys and girls, the Republican onslaught to remove competitors from the Ohio ballot rolls on. The State Senate passed SB 193, which Libertarians have labeled, "The John Kasich Reelection Protection Act," by a vote of 22-11.... According to ballot access expert Richard Winger, "One Democratic Senator, Edna Brown, voted for the bill. One Republican Senator, Kevin Bacon, voted against the bill. Otherwise it was a pure party-line vote. The bill needs 60% and the Republican Party only has 60 representatives in the house (which has 99 members) so if all Democrats in the House oppose the bill, and even one Republican also opposes it, it can't pass. The House vote will be either late this week or early next week." Really, the almost

straight party-line vote on this bill tells you all you need to know. If Republicans thought that the Green Party was a major threat to Democratic candidates in Ohio, they'd be all for keeping broad ballot access in place. But the fact is that the best organized, most competitive alternative party in Ohio is the Libertarian Party, and the GOP sees Libertarians as a threat to Republicans in general, and probable LP gubernatorial candidate Charlie Earl as a potent threat to embattled GOP incumbent Kasich in particular. So Republican Senators (except Bacon; thanks for standing up for what's right, sir!) voted en masse to throw equity, the Green Party, and all other alternative parties in Ohio under the bus just to kill off the LPO and Earl. If this thing becomes law, it is a lead-pipe cinch that it will be challenged in court, and the ACLU's presence in testifying against it lends the hope that they may be willing to join in the litigation it as well. In the meantime, the LPO will go forward with petitioning, just as it has at least three times before. But litigation will be expensive, and petitioning will be very expensive. And let's be honest, that's what it's all about, anyway. The GOP

probably knows that there is a pretty fair chance that this law will be struck down just like its predecessors. But if they can make the LPO spend a significant chunk of its sparse resources on petitioning and litigating, then that's resources it won't have to get its message out to voters. Let's hope Winger's best hopes work out, and Democrats plus one principled Republican kill the bill in the House. Because you know Kasich will sign this thing in a red-hot minute. Ohio voters deserve to have a broader selection of candidates than just pachyderms and jackasses.

Source: <http://toledoteaparty.com>

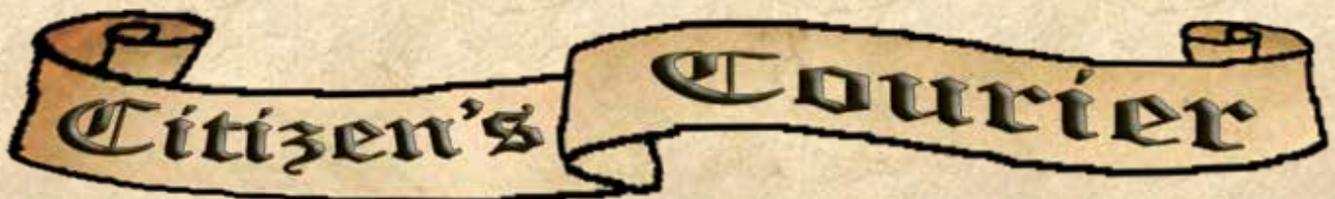


Federal Court Rejects Another Republican-passed Elections Bill

BY JIM PROVANCE

BLADE COLUMBUS BUREAU CHIEF

COLUMBUS — A federal court today slapped down another Republican-passed elections bill, this time blocking new restrictions



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on minor parties' access to the 2014 ballot.

U.S. District Court Judge Michael H. Watson in Columbus issued a preliminary injunction preventing enforcement of the law and ordered GOP Secretary of State Jon Husted to follow through with his original directive automatically giving several small parties spots on the ballot.

The ruling, however, applies only to the 2014 elections.

The Libertarian Party of Ohio, the leader in the court fight, had objected primarily to the retroactive enforcement of what it has dubbed the "John Kasich Re-election Protection Act" after the candidate petition-circulation cycle had already begun. Senate Bill 193 was to take effect on Feb. 5, the current deadline for all candidates to file their petitions to appear on the May primary election ballot.

This would void a 2013 directive issued by Mr. Husted in the face of prior court rulings that automatically granted 2014 ballot access to the Libertarian, Green, Constitution, and Socialist parties.

"The upshot of that provision, along with other provisions in the bill, is that minor parties must start from scratch to qualify for ballot access," Judge Watson wrote. "Moreover, S.B. 193 completely eliminates minor parties' access to the primary ballot.

"Hence, if S.B. 193 goes into effect, the nominating petitions already

filed by minor party candidates to appear on the 2014 primary election ballot in reliance on (Mr. Husted's directive) would be nullified, and the time and resources expended on those petitions will have been wasted."

Under the new law, signed into law by Mr. Kasich in November, minor parties would not have primary elections as the Republican and Democratic parties do. Instead, a small party would have a deadline 125 days before the November general election to file signatures qualifying its party label to appear next to its candidate's name on that ballot alongside the two major party candidates.

If the law had stood for 2014, minor parties would have had to submit enough signatures of registered voters to equal at least 0.5 percent of the vote from the last presidential or gubernatorial election, about 28,000 based on the 2012 election. Of those, 500 would have to come from each of half of Ohio's 16 congressional districts.

After qualifying for the ballot, the party could stay there for four years, as long as its candidate for governor in 2014 or president in 2016 gets at least 2 percent of the Ohio vote. That's double what the Libertarian presidential candidate got in 2012. Beginning in 2015, the signature requirement to get the party recognized on the ballot would climb to 1 percent, or roughly 56,000. The candidate's subsequent

vote performance to stay on the ballot for the next four years would be 3 percent.

"The Ohio Legislature moved the proverbial goalpost in the midst of the game," Judge Watson wrote. "Stripping (the minor parties) of the opportunity to participate in the 2015 primary in these circumstances would be patently unfair."

The judge noted that Ohio has been operating without a constitutionally valid minor party law since a prior law was struck down in federal court in 2011. He noted the General Assembly waited until Nov. 6 to final passage of a replacement law, undercutting its argument that the legislation was urgently needed.

The minor parties had also urged the judge to declare the law unconstitutional and prevent its enforcement for subsequent elections, but Judge Watson did not immediately address that issue.

The same judge recently put on hold another law passed last year by majority Republicans to raise the bar for proposed constitutional amendments, referendums, and other initiatives to gather signatures to qualify for the ballot.

Source:

<http://www.toledoblade.com/State/2014/01/07/Federal-court-rejects-another-GOP-passed-elections-bill.html#2dMxrYxYdQ1y6Pti.99>