

# Trump's executive order on elections: What it could mean for Ohio

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COLUMBUS, Ohio -- President Donald Trump's [executive order on election security](#) is raising questions in Ohio, where officials and experts are weighing its potential effects on voter registration, mail-in ballots and election equipment.

Republicans see the order as proof their election reforms have moved Ohio in the right direction.

"A lot of this executive order aligns with my legislation, and I was excited to see that," said [state Sen. Theresa Gavarone](#), a Bowling Green Republican.

Voting rights groups say the president is overstepping his authority because the Constitution gives Congress--not the executive branch--the power to change federal voting laws.

"This is a power grab by the executive branch and our state legislature should not take kindly to it," [Common Cause Ohio](#) Director Catherine Turcer said. "This order could be the best thing since sliced bread and it would still be an overreach."

Election law experts think this order, like several others, will ultimately end up before the U.S. Supreme Court.

Legal challenges can take years, though, and the order threatens to cut off federal funds for states that don't comply.

"In that sense," Case Western Reserve University law professor [Atiba Ellis](#) said, "the EO can be disruptive even if ultimately a court declares it illegal or unconstitutional." Here's what it might mean for Ohio:

## **How could Trump's order affect Ohio's voter registration?**

Trump's order would update a federal voter registration form to require proof of citizenship, like a passport, that states would need to verify.

The [national mail voter registration form](#) has existed for years, but voters can choose between it and forms their state creates.

Ohio's form and the current federal form require residents to sign statements swearing they are citizens. Those caught lying can be deported.

Trump's order made it clear he doesn't think that's enough. And the Buckeye State is already moving to require additional proof.

In 2023, Republicans passed a law requiring the Bureau of Motor Vehicles to stick a noncitizen label on the driver's licenses and state IDs of green card holders and other noncitizen residents.

Then, Ohio Secretary of State Frank LaRose required people with that label to prove their citizenship before voting in the presidential election.

This year, the transportation budget, which is awaiting Gov. Mike DeWine's signature after lawmakers passed it, would require the BMV to verify citizenship before offering voter registration.

And Gavarone just introduced [Senate Bill 153](#), which would require all Ohioans to prove their citizenship when registering to vote.

"Until citizenship is verified, you would be voting provisionally," Gavarone said.

Noncitizen voting is rare in Ohio.

In 2024, Ohio Attorney General Dave Yost indicted six people for illegal voting--including [a deceased Cuyahoga County man](#). Prior to that, prosecutors had taken up [just 12 of the more than 600 cases of potential voter fraud](#) that Secretary of State Frank LaRose had referred.

Ohio has [more than 8 million registered voters](#).

"The EO relies heavily on the belief that there is a substantial amount of fraud," Ellis said. "You have to ask yourself whether this is really a crisis that merits circumventing the procedures for changing law."

## **How might Ohio's mail-in ballot system change?**

Trump's order says states would count only mail or absentee ballots for federal elections that are received by Election Day.

That's not how Ohio does it now.

Mail in ballots must be postmarked by the day before Election Day and received no later than four days after the election. A Republican-backed bill Gov. Mike DeWine signed in 2023 [tightened that window from 10 days after the election, among other changes](#).

"That struck me as really problematic considering how slow the U.S. postal system is moving these days," Turcer said. "Mailing your ballot a week before the election, it should become part of the official count."

Senate Minority Leader Nickie Antonio, a Lakewood Democrat, agreed, saying the federal government is ultimately to blame for postal service delays.

Gavarone, however, is open to an Election Day deadline and said it's "certainly something that I will look at."

## **What about in-person voting?**

The executive order says states need a "verifiable paper record allowing voters to efficiently check their votes to protect against fraud or mistake."

It also directs the Election Assistance Commission to update its voting system guidelines to ban barcodes or QR codes in vote counting except for disabled voters.

Ohio provides "voter verifiable paper records," but Turcer worries Trump's order could be interpreted to require states provide proof of how someone voted.

"We don't want people walking out with their ballot and the reason for this is we don't want people buying votes and using their ballot to prove they voted the correct way," she said. "We don't want an abuser checking their victim's ballot."

## **What about data sharing?**

Trump's order calls on states and federal agencies to share data about citizenship and gives the federal government, including the Department of Government Efficiency, permission to check state voter rolls "for consistency with Federal requirements."

LaRose said he's "grateful for the clear order to give states better access to citizenship data." He [sued the Biden Administration](#) last year for its citizenship records.

## What if states don't comply?

If states don't go along with Trump's executive order, U.S. Attorney General Pam Bondi could "take all necessary action."

The order also promised to review the election grants and other funds those state receive for "possible withholding."

Ohio [got \\$1 million](#) from the Election Assistance Commission in 2024.

"I think that is the fault line where the lawsuit will happen," Ellis said. "I can well imagine a state that wants to maintain its practices and its funds get impounded will sue."

Those states would be making two constitutional arguments in Ellis' opinion.

First, the [U.S. Constitution gives power](#) over the "time, place and manner" of elections to the states, and Congress the power to "make or alter such regulations."

"Interpreted most generously, the order is an overreach," Ellis said. "More rigidly it is an outright affront to Article 1, Section 4."

The second claim would be about whether a president can withhold funds allocated by Congress -- a legal question that's arisen from several Trump executive orders, including the one to defund the United States Agency for International Development.