

In The
Ohio Supreme Court

LEAGUE OF WOMEN VOTERS, et al., :
 :
 Relators, : Case No. 2021-1449
 :
 v. : Original Action Pursuant to
 : Ohio Const., Art. XIX, § 3(A)
 OHIO REDISTRICTING COMMISSION, et :
 al., :
 : Redistricting Case
 Respondents. :

RESPONSE OF SECRETARY OF STATE FRANK LAROSE TO PETITIONERS'
MOTION TO ENFORCE COURT ORDER

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Respectfully submitted,

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/s/ Bridget C. Coontz

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As Secretary of State LaRose stated in his response to the *Adams* Petitioners' Motion to Enforce, he is a party to this action only in his official capacity as Ohio's chief elections officer. In that capacity, he is responsible for conducting party primary elections on May 3, 2022, for the new, fifteen seat congressional district plan. The Secretary continues to take all necessary and appropriate actions in light of the fact that the party primary elections for Ohio's congressional districts is still set for May 3, 2022. To that end, Secretary LaRose remains steadfast in his commitment to prepare Ohio for a secure, safe, and efficient 2022 election cycle.

Secretary LaRose believes that the entire March 2, 2022 Congressional District Plan passed by the Ohio Redistricting Commission is constitutional and should be implemented for the reasons set forth in Ohio House Speaker Bob Cupp's and Ohio Senate President Matt Huffman's response to the *Adams* Petitioners' Motion to Enforce. Secretary LaRose also joins Speaker Cupp and President Huffman in their response to the *LWV* Petitioners' Motion to Enforce that the March 2 Plan is constitutional and needs no revision.

However, should this Court invalidate all or portions of the March 2 Plan, this Court lacks the authority to unilaterally implement its own congressional district plan.¹ Secretary LaRose agrees with the *LWV* Petitioners that this Court is bound by the procedures set forth in Article XIX, Section 3 if it orders remediation of the March 2 Plan. *See LWV* Motion to Enforce, p. 22 ("Accordingly, the appropriate course is to follow the procedure set forth in Article XIX, Section 3 of Ohio's Constitution"). Pursuant to Article XIX, Section 3(B), any congressional district plan invalidated in whole or in part must return first to the General Assembly "to remedy any legal

¹ As the Secretary stated in his Response to the *Adams* Petitioners' Motion to Enforce, if this Court "invalidates the Plan and prohibits its use, the congressional party primaries will not be able to be held in conjunction with the May 3, 2022 primary election." *See* Secretary's Response to the *Adams* Motion to Enforce at p. 3.

defects in the previous plan identified by the court” and then to the Ohio Redistricting Commission only if the General Assembly fails to act.

Again, Secretary LaRose will administer the 2022 congressional primary and general elections in accordance with a constitutional congressional district plan. For the reasons set forth in House Speaker Cupp’s and Senate President Huffman’s responses to the *Adams* Petitioners and the *LWV* Petitioners’ Motions to Enforce, the March 2 congressional district plan should be upheld and the inclusion of party primary elections for the fifteen congressional districts in conjunction with the scheduled May 3, 2022, primary elections should proceed accordingly.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Response f Secretary of State Frank LaRose to Petitioners' Motion To Enforce Court Order* was sent via email this the 10th day of March, 2022 to the following:

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