

As Introduced
CORRECTED VERSION

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S. B. No. 21

Senator Uecker
Cosponsors: Senators Hoagland, Huffman, Hite

A BILL

To amend sections 3501.22 and 3503.21 of the
Revised Code to reduce the minimum number of
precinct election officials in a precinct in
which electronic pollbooks are used and to
eliminate the requirement that a board of
elections send a notice to a person's residence
address when the board cancels the person's
voter registration because it received a report
of the person's death.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3501.22 and 3503.21 of the
Revised Code be amended to read as follows:

Sec. 3501.22. (A) (1) ~~On~~ Except as otherwise provided in
division (A) (2) of this section, on or before the fifteenth day
of September in each year, the board of elections by a majority
vote shall, after careful examination and investigation as to
their qualifications, appoint for each election precinct four
residents of the county in which the precinct is located, as

precinct election officials. Except as otherwise provided in 18
division (C) of this section, all precinct election officials 19
shall be qualified electors. The precinct election officials 20
shall constitute the election officers of the precinct. Not more 21
than one-half of the total number of precinct election officials 22
shall be members of the same political party. The term of such 23
precinct officers shall be for one year. The board may, at any 24
time, designate any number of election officers, not more than 25
one-half of whom shall be members of the same political party, 26
to perform their duties at any precinct in any election. The 27
board may appoint additional officials, equally divided between 28
the two major political parties, when necessary to expedite 29
voting. If the board of elections determines that four precinct 30
election officials are not required in a precinct for a special 31
election, the board of elections may select two of the 32
precinct's election officers, who are not members of the same 33
political party, to serve as the precinct election officials for 34
that precinct in that special election. 35

Vacancies for unexpired terms shall be filled by the 36
board. When new precincts have been created, the board shall 37
appoint precinct election officials for those precincts for the 38
unexpired term. Any precinct election official may be summarily 39
removed from office at any time by the board for neglect of 40
duty, malfeasance, or misconduct in office or for any other good 41
and sufficient reason. 42

Precinct election officials shall perform all of the 43
duties provided by law for receiving the ballots and supplies, 44
opening and closing the polls, and overseeing the casting of 45
ballots during the time the polls are open, and any other duties 46
required by section 3501.26 of the Revised Code. 47

A board of elections may designate two precinct election officials as counting officials to count and tally the votes cast and certify the results of the election at each precinct, and perform other duties as provided by law. To expedite the counting of votes at each precinct, the board may appoint additional officials, not more than one-half of whom shall be members of the same political party.

Except as otherwise provided in division (A) (2) of this section, the board shall designate one of the precinct election officials who is a member of the dominant political party to serve as a voting location manager, whose duty it is to deliver the returns of the election and all supplies to the office of the board. For these services, the voting location manager shall receive additional compensation in an amount, consistent with section 3501.28 of the Revised Code, determined by the board of elections.

The board shall issue to each precinct election official a certificate of appointment, which the official shall present to the voting location manager at the time the polls are opened.

(2) If the board of elections, by a vote of at least three members of the board, opts to have a single voting location serve more than one precinct, the board may do ~~both~~ any of the following:

(a) Designate a single ~~presiding judge~~ voting location manager for the voting location. The ~~presiding judge~~ voting location manager shall be a member of the political party whose candidate received the highest number of votes for governor at the most recent general election for that office in the precincts whose polling places are located at the applicable voting location, when tallying the combined vote for governor in

all such precincts. 78

(b) Combine the pollbooks for those precincts to create a 79
single pollbook for the voting location. 80

(c) If electronic pollbooks are being used in the voting 81
location, as described in section 3506.021 of the Revised Code, 82
appoint not less than two precinct election officials for each 83
precinct. 84

(B) If the board of elections determines that not enough 85
qualified electors in a precinct are available to serve as 86
precinct officers, it may appoint persons to serve as precinct 87
officers at a primary, special, or general election who are at 88
least seventeen years of age and are registered to vote in 89
accordance with section 3503.07 of the Revised Code. 90

(C) (1) A board of elections, in conjunction with the board 91
of education of a city, local, or exempted village school 92
district, the governing authority of a community school 93
established under Chapter 3314. of the Revised Code, or the 94
chief administrator of a nonpublic school may establish a 95
program permitting certain high school students to apply and, if 96
appointed by the board of elections, to serve as precinct 97
officers at a primary, special, or general election. 98

In addition to the requirements established by division 99
(C) (2) of this section, a board of education, governing 100
authority, or chief administrator that establishes a program 101
under this division in conjunction with a board of elections may 102
establish additional criteria that students shall meet to be 103
eligible to participate in that program. 104

(2) (a) To be eligible to participate in a program 105
established under division (C) (1) of this section, a student 106

shall be a United States citizen, a resident of the county, at 107
least seventeen years of age, and enrolled in the senior year of 108
high school. 109

(b) Any student applying to participate in a program 110
established under division (C) (1) of this section, as part of 111
the student's application process, shall declare the student's 112
political party affiliation with the board of elections. 113

(3) No student appointed as a precinct officer pursuant to 114
a program established under division (C) (1) of this section 115
shall be designated as a voting location manager. 116

(4) Any student participating in a program established 117
under division (C) (1) of this section shall be excused for that 118
student's absence from school on the day of an election at which 119
the student is serving as a precinct officer. 120

(D) In any precinct with six or more precinct officers, up 121
to two students participating in a program established under 122
division (C) (1) of this section who are under eighteen years of 123
age may serve as precinct officers. Not more than one precinct 124
officer in any given precinct with fewer than six precinct 125
officers shall be under eighteen years of age. 126

Sec. 3503.21. (A) The registration of a registered elector 127
shall be canceled upon the occurrence of any of the following: 128

(1) The filing by a registered elector of a written 129
request with a board of elections or the secretary of state, on 130
a form prescribed by the secretary of state and signed by the 131
elector, that the registration be canceled. The filing of such a 132
request does not prohibit an otherwise qualified elector from 133
reregistering to vote at any time. 134

(2) The filing of a notice of the death of a registered 135

elector as provided in section 3503.18 of the Revised Code;	136
(3) The filing with the board of elections of a certified	137
copy of the death certificate of a registered elector by the	138
deceased elector's spouse, parent, or child, by the	139
administrator of the deceased elector's estate, or by the	140
executor of the deceased elector's will;	141
(4) The conviction of the registered elector of a felony	142
under the laws of this state, any other state, or the United	143
States as provided in section 2961.01 of the Revised Code;	144
(5) The adjudication of incompetency of the registered	145
elector for the purpose of voting as provided in section	146
5122.301 of the Revised Code;	147
(6) The change of residence of the registered elector to a	148
location outside the county of registration in accordance with	149
division (B) of this section;	150
(7) The failure of the registered elector, after having	151
been mailed a confirmation notice, to do either of the	152
following:	153
(a) Respond to such a notice and vote at least once during	154
a period of four consecutive years, which period shall include	155
two general federal elections;	156
(b) Update the elector's registration and vote at least	157
once during a period of four consecutive years, which period	158
shall include two general federal elections.	159
(8) The receipt by the board of elections of a	160
cancellation notice or request pursuant to section 111.44 of the	161
Revised Code.	162
(B) (1) The secretary of state shall prescribe procedures	163

to identify and cancel the registration in a prior county of 164
residence of any registrant who changes the registrant's voting 165
residence to a location outside the registrant's current county 166
of registration. Any procedures prescribed in this division 167
shall be uniform and nondiscriminatory, and shall comply with 168
the Voting Rights Act of 1965. The secretary of state may 169
prescribe procedures under this division that include the use of 170
the national change of address service provided by the United 171
States postal system through its licensees. Any program so 172
prescribed shall be completed not later than ninety days prior 173
to the date of any primary or general election for federal 174
office. 175

(2) The registration of any elector identified as having 176
changed the elector's voting residence to a location outside the 177
elector's current county of registration shall not be canceled 178
unless the registrant is sent a confirmation notice on a form 179
prescribed by the secretary of state and the registrant fails to 180
respond to the confirmation notice or otherwise update the 181
registration and fails to vote in any election during the period 182
of two federal elections subsequent to the mailing of the 183
confirmation notice. 184

(C) The registration of a registered elector shall not be 185
canceled except as provided in this section, section 111.44 of 186
the Revised Code, division (Q) of section 3501.05 of the Revised 187
Code, division (C) (2) of section 3503.19 of the Revised Code, or 188
division (C) of section 3503.24 of the Revised Code. 189

(D) Boards of elections shall send their voter 190
registration information to the secretary of state as required 191
under section 3503.15 of the Revised Code. The secretary of 192
state may prescribe by rule adopted pursuant to section 111.15 193

of the Revised Code the format in which the boards of elections 194
must send that information to the secretary of state. In the 195
first quarter of each year, the secretary of state shall send 196
the information to the national change of address service 197
described in division (B) of this section and request that 198
service to provide the secretary of state with a list of any 199
voters sent by the secretary of state who have moved within the 200
last twelve months. The secretary of state shall transmit to 201
each appropriate board of elections whatever lists the secretary 202
of state receives from that service. The board shall send a 203
notice to each person on the list transmitted by the secretary 204
of state requesting confirmation of the person's change of 205
address, together with a postage prepaid, preaddressed return 206
envelope containing a form on which the voter may verify or 207
correct the change of address information. 208

(E) The registration of a registered elector described in 209
division (A) (7) or (B) (2) of this section shall be canceled not 210
later than one hundred twenty days after the date of the second 211
general federal election in which the elector fails to vote or 212
not later than one hundred twenty days after the expiration of 213
the four-year period in which the elector fails to vote or 214
respond to a confirmation notice, whichever is later. 215

~~(F) (1) When a registration is canceled pursuant to 216
division (A) (2) or (3) of this section, the applicable board of 217
elections shall send a written notice, on a form prescribed by 218
the secretary of state, to the address at which the elector was 219
registered, informing the recipient that the elector's 220
registration has been canceled, of the reason for the 221
cancellation, and that if the cancellation was made in error, 222
the elector may contact the board of elections to correct the 223
error. 224~~

~~(2)~~ If ~~the~~ a board of elections determines that an 225
elector's registration ~~is~~ was canceled pursuant to division (A) 226
(2) or (3) of this section in error, ~~it~~ the board shall be 227
~~restored~~ restore the registration and ~~treated~~ treat it as though 228
it were never canceled. 229

Section 2. That existing sections 3501.22 and 3503.21 of 230
the Revised Code are hereby repealed. 231

Section 3. Section 3501.22 of the Revised Code is 232
presented in this act as a composite of the section as amended 233
by both Am. Sub. S.B. 109 and Sub. S.B. 216 of the 130th General 234
Assembly. 235

Section 3503.21 of the Revised Code is presented in this 236
act as a composite of the section as amended by both Sub. H.B. 237
359 and Sub. S.B. 63 of the 131st General Assembly. 238

The General Assembly, applying the principle stated in 239
division (B) of section 1.52 of the Revised Code that amendments 240
are to be harmonized if reasonably capable of simultaneous 241
operation, finds that the composites are the resulting versions 242
of the sections in effect prior to the effective dates of the 243
sections as presented in this act. 244