

As Introduced

133rd General Assembly

Regular Session

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H. B. No. 742

Representatives Crossman, Brent

Cosponsors: Representatives Skindell, Leland, Galonski, Brown, Sweeney, Riedel, Kent, Howse, Lepore-Hagan, O'Brien, Robinson, Smith, K., Lightbody, Sobecki, Russo, Kelly, Crawley, Ingram, Miller, J., Boggs, Sheehy, Denson, Romanchuk, Weinstein, Boyd, Upchurch, Blair, Patterson, Miller, A., Miranda, Clites, Liston, Sykes, Rogers, Cera, Strahorn, Hicks-Hudson

A BILL

To amend section 3501.11 and to enact section 5.31 1
of the Revised Code to designate February 21 as 2
"John Lewis Voter Registration Day" and to 3
require the boards of elections to promote that 4
day to encourage voter registration. 5

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

Section 1. That section 3501.11 be amended and section 6
5.31 of the Revised Code be enacted to read as follows: 7

Sec. 5.31. The twenty-first day of February is designated 8
as "John Lewis Voter Registration Day" to promote the right to 9
vote and to recognize John Lewis's birthday and contribution to 10
the civil rights movement. 11

Sec. 3501.11. Each board of elections shall exercise by a 12
majority vote all powers granted to the board by Title XXXV of 13
the Revised Code, shall perform all the duties imposed by law, 14
and shall do all of the following: 15

(A) Establish, define, provide, rearrange, and combine election precincts;	16 17
(B) Fix and provide the places for registration and for holding primaries and elections;	18 19
(C) Provide for the purchase, preservation, and maintenance of booths, ballot boxes, books, maps, flags, blanks, cards of instructions, and other forms, papers, and equipment used in registration, nominations, and elections;	20 21 22 23
(D) Appoint and remove its director, deputy director, and employees and all registrars, precinct election officials, and other officers of elections, fill vacancies, and designate the ward or district and precinct in which each shall serve;	24 25 26 27
(E) Make and issue rules and instructions, not inconsistent with law or the rules, directives, or advisories issued by the secretary of state, as it considers necessary for the guidance of election officers and voters;	28 29 30 31
(F) Advertise and contract for the printing of all ballots and other supplies used in registrations and elections;	32 33
(G) Provide for the issuance of all notices, advertisements, and publications concerning elections, except as otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised Code;	34 35 36 37
(H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places;	38 39
(I) Cause the polling places to be suitably provided with voting machines, marking devices, automatic tabulating equipment, stalls, and other required supplies. In fulfilling this duty, each board of a county that uses voting machines,	40 41 42 43

marking devices, or automatic tabulating equipment shall conduct 44
a full vote of the board during a public session of the board on 45
the allocation and distribution of voting machines, marking 46
devices, and automatic tabulating equipment for each precinct in 47
the county. 48

(J) Investigate irregularities, nonperformance of duties, 49
or violations of Title XXXV of the Revised Code by election 50
officers and other persons; administer oaths, issue subpoenas, 51
summon witnesses, and compel the production of books, papers, 52
records, and other evidence in connection with any such 53
investigation; and report the facts to the prosecuting attorney 54
or the secretary of state; 55

(K) (1) Review, examine, and certify the sufficiency and 56
validity of petitions and nomination papers, and, after 57
certification, return to the secretary of state all petitions 58
and nomination papers that the secretary of state forwarded to 59
the board; 60

(2) Examine each initiative petition, or a petition filed 61
under section 307.94 or 307.95 of the Revised Code, received by 62
the board to determine whether the petition falls within the 63
scope of authority to enact via initiative and whether the 64
petition satisfies the statutory prerequisites to place the 65
issue on the ballot, as described in division (M) of section 66
3501.38 of the Revised Code. The petition shall be invalid if 67
any portion of the petition is not within the initiative power. 68

(L) Receive the returns of elections, canvass the returns, 69
make abstracts of them, and transmit those abstracts to the 70
proper authorities; 71

(M) Issue certificates of election on forms to be 72

prescribed by the secretary of state;	73
(N) Make an annual report to the secretary of state, on	74
the form prescribed by the secretary of state, containing a	75
statement of the number of voters registered, elections held,	76
votes cast, appropriations received, expenditures made, and	77
other data required by the secretary of state;	78
(O) Prepare and submit to the proper appropriating officer	79
a budget estimating the cost of elections for the ensuing fiscal	80
year;	81
(P) Perform other duties as prescribed by law or the	82
rules, directives, or advisories of the secretary of state;	83
(Q) Investigate and determine the residence qualifications	84
of electors;	85
(R) Administer oaths in matters pertaining to the	86
administration of the election laws;	87
(S) Prepare and submit to the secretary of state, whenever	88
the secretary of state requires, a report containing the names	89
and residence addresses of all incumbent county, municipal,	90
township, and board of education officials serving in their	91
respective counties;	92
(T) Establish and maintain a voter registration database	93
of all qualified electors in the county who offer to register;	94
(U) Maintain voter registration records, make reports	95
concerning voter registration as required by the secretary of	96
state, and remove ineligible electors from voter registration	97
lists in accordance with law and directives of the secretary of	98
state;	99
(V) Give approval to ballot language for any local	100

question or issue and transmit the language to the secretary of 101
state for the secretary of state's final approval; 102

(W) Prepare and cause the following notice to be displayed 103
in a prominent location in every polling place: 104

"NOTICE 105

Ohio law prohibits any person from voting or attempting to 106
vote more than once at the same election. 107

Violators are guilty of a felony of the fourth degree and 108
shall be imprisoned and additionally may be fined in accordance 109
with law." 110

(X) In all cases of a tie vote or a disagreement in the 111
board, if no decision can be arrived at, the director or 112
chairperson shall submit the matter in controversy, not later 113
than fourteen days after the tie vote or the disagreement, to 114
the secretary of state, who shall summarily decide the question, 115
and the secretary of state's decision shall be final. 116

(Y) Assist each designated agency, deputy registrar of 117
motor vehicles, public high school and vocational school, public 118
library, and office of a county treasurer in the implementation 119
of a program for registering voters at all voter registration 120
locations as prescribed by the secretary of state. Under this 121
program, each board of elections shall direct to the appropriate 122
board of elections any voter registration applications for 123
persons residing outside the county where the board is located 124
within five days after receiving the applications. 125

(Z) On any day on which an elector may vote in person at 126
the office of the board or at another site designated by the 127
board, consider the board or other designated site a polling 128
place for that day. All requirements or prohibitions of law that 129

apply to a polling place shall apply to the office of the board	130
or other designated site on that day.	131
(AA) Perform any duties with respect to voter registration	132
and voting by uniformed services and overseas voters that are	133
delegated to the board by law or by the rules, directives, or	134
advisories of the secretary of state.	135
<u>(BB) Promote "John Lewis Voter Registration Day" on the</u>	136
<u>twenty-first day of February to encourage voter registration.</u>	137
Section 2. That existing section 3501.11 of the Revised	138
Code is hereby repealed.	139