

As Introduced

131st General Assembly

Regular Session

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S. B. No. 212

Senator Uecker

Cosponsors: Senators Seitz, Eklund

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

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 48

officials as counting officials to count and tally the votes 49
cast and certify the results of the election at each precinct, 50
and perform other duties as provided by law. To expedite the 51
counting of votes at each precinct, the board may appoint 52
additional officials, not more than one-half of whom shall be 53
members of the same political party. 54

Except as otherwise provided in division (A) (2) of this 55
section, the board shall designate one of the precinct election 56
officials who is a member of the dominant political party to 57
serve as a voting location manager, whose duty it is to deliver 58
the returns of the election and all supplies to the office of 59
the board. For these services, the voting location manager shall 60
receive additional compensation in an amount, consistent with 61
section 3501.28 of the Revised Code, determined by the board of 62
elections. 63

The board shall issue to each precinct election official a 64
certificate of appointment, which the official shall present to 65
the voting location manager at the time the polls are opened. 66

(2) If the board of elections, by a vote of at least three 67
members of the board, opts to have a single voting location 68
serve more than one precinct, the board may do ~~both~~ any of the 69
following: 70

(a) Designate a single ~~presiding judge~~ voting location 71
manager for the voting location. The ~~presiding judge~~ voting 72
location manager shall be a member of the political party whose 73
candidate received the highest number of votes for governor at 74
the most recent general election for that office in the 75
precincts whose polling places are located at the applicable 76
voting location, when tallying the combined vote for governor in 77
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 high school.

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

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

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

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

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

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

(2) The filing of a notice of the death of a registered elector as provided in section 3503.18 of the Revised Code;

(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

(B) (1) The secretary of state shall prescribe procedures 160
to identify and cancel the registration in a prior county of 161
residence of any registrant who changes the registrant's voting 162
residence to a location outside the registrant's current county 163
of registration. Any procedures prescribed in this division 164
shall be uniform and nondiscriminatory, and shall comply with 165

the Voting Rights Act of 1965. The secretary of state may 166
prescribe procedures under this division that include the use of 167
the national change of address service provided by the United 168
States postal system through its licensees. Any program so 169
prescribed shall be completed not later than ninety days prior 170
to the date of any primary or general election for federal 171
office. 172

(2) The registration of any elector identified as having 173
changed the elector's voting residence to a location outside the 174
elector's current county of registration shall not be canceled 175
unless the registrant is sent a confirmation notice on a form 176
prescribed by the secretary of state and the registrant fails to 177
respond to the confirmation notice or otherwise update the 178
registration and fails to vote in any election during the period 179
of two federal elections subsequent to the mailing of the 180
confirmation notice. 181

(C) The registration of a registered elector shall not be 182
canceled except as provided in this section, division (Q) of 183
section 3501.05 of the Revised Code, division (C) (2) of section 184
3503.19 of the Revised Code, or division (C) of section 3503.24 185
of the Revised Code. 186

(D) Boards of elections shall send their voter 187
registration information to the secretary of state as required 188
under section 3503.15 of the Revised Code. The secretary of 189
state may prescribe by rule adopted pursuant to section 111.15 190
of the Revised Code the format in which the boards of elections 191
must send that information to the secretary of state. In the 192
first quarter of each year, the secretary of state shall send 193
the information to the national change of address service 194
described in division (B) of this section and request that 195

service to provide the secretary of state with a list of any 196
voters sent by the secretary of state who have moved within the 197
last twelve months. The secretary of state shall transmit to 198
each appropriate board of elections whatever lists the secretary 199
of state receives from that service. The board shall send a 200
notice to each person on the list transmitted by the secretary 201
of state requesting confirmation of the person's change of 202
address, together with a postage prepaid, preaddressed return 203
envelope containing a form on which the voter may verify or 204
correct the change of address information. 205

(E) The registration of a registered elector described in 206
division (A) (7) or (B) (2) of this section shall be canceled not 207
later than one hundred twenty days after the date of the second 208
general federal election in which the elector fails to vote or 209
not later than one hundred twenty days after the expiration of 210
the four-year period in which the elector fails to vote or 211
respond to a confirmation notice, whichever is later. 212

~~(F) (1) When a registration is canceled pursuant to 213
division (A) (2) or (3) of this section, the applicable board of 214
elections shall send a written notice, on a form prescribed by 215
the secretary of state, to the address at which the elector was 216
registered, informing the recipient that the elector's 217
registration has been canceled, of the reason for the 218
cancellation, and that if the cancellation was made in error, 219
the elector may contact the board of elections to correct the 220
error. 221~~

~~(2) If the a board of elections determines that an 222
elector's registration is was canceled pursuant to division (A) 223
(2) or (3) of this section in error, it the board shall be 224
restored restore the registration and treated treat it as though 225~~

it were never canceled. 226

Section 2. That existing sections 3501.22 and 3503.21 of 227
the Revised Code are hereby repealed. 228

Section 3. The amendment of section 3501.22 of the Revised 229
Code by this act shall take effect January 1, 2017. 230

Section 4. Section 3501.22 of the Revised Code is 231
presented in this act as a composite of the section as amended 232
by both Am. Sub. S.B. 109 and Sub. S.B. 216 of the 130th General 233
Assembly. The General Assembly, applying the principle stated in 234
division (B) of section 1.52 of the Revised Code that amendments 235
are to be harmonized if reasonably capable of simultaneous 236
operation, finds that the composite is the resulting version of 237
the section in effect prior to the effective date of the section 238
as presented in this act. 239