

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 148

Representatives Crossman, Brent

**Cosponsors: Representatives Boyd, Kelly, Sobecki, Howse, O'Brien, Brown,
Weinstein, Smith, K., Sheehy, Russo, Boggs, Crawley**

A BILL

To amend section 3501.11 and to enact section 5.31 1
of the Revised Code to designate February 21 as 2
"Congressman John Lewis Voter Registration Day" 3
and to require the boards of elections to 4
promote that day to encourage voter 5
registration. 6

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

Section 1. That section 3501.11 be amended and section 7
5.31 of the Revised Code be enacted to read as follows: 8

Sec. 5.31. The twenty-first day of February is designated 9
as "Congressman John Lewis Voter Registration Day" to promote 10
the right to vote and to recognize Congressman John Lewis's 11
birthday and contribution to the civil rights movement. 12

Sec. 3501.11. Each board of elections shall exercise by a 13
majority vote all powers granted to the board by Title XXXV of 14
the Revised Code, shall perform all the duties imposed by law, 15
and shall do all of the following: 16

(A) Establish, define, provide, rearrange, and combine 17

election precincts;	18
(B) Fix and provide the places for registration and for holding primaries and elections;	19 20
(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;	21 22 23 24
(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;	25 26 27 28
(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;	29 30 31 32
(F) Advertise and contract for the printing of all ballots and other supplies used in registrations and elections;	33 34
(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;	35 36 37 38
(H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places;	39 40
(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, marking devices, or automatic tabulating equipment shall conduct	41 42 43 44 45

a full vote of the board during a public session of the board on 46
the allocation and distribution of voting machines, marking 47
devices, and automatic tabulating equipment for each precinct in 48
the county. 49

(J) Investigate irregularities, nonperformance of duties, 50
or violations of Title XXXV of the Revised Code by election 51
officers and other persons; administer oaths, issue subpoenas, 52
summon witnesses, and compel the production of books, papers, 53
records, and other evidence in connection with any such 54
investigation; and report the facts to the prosecuting attorney 55
or the secretary of state; 56

(K) (1) Review, examine, and certify the sufficiency and 57
validity of petitions and nomination papers, and, after 58
certification, return to the secretary of state all petitions 59
and nomination papers that the secretary of state forwarded to 60
the board; 61

(2) Examine each initiative petition, or a petition filed 62
under section 307.94 or 307.95 of the Revised Code, received by 63
the board to determine whether the petition falls within the 64
scope of authority to enact via initiative and whether the 65
petition satisfies the statutory prerequisites to place the 66
issue on the ballot, as described in division (M) of section 67
3501.38 of the Revised Code. The petition shall be invalid if 68
any portion of the petition is not within the initiative power. 69

(L) Receive the returns of elections, canvass the returns, 70
make abstracts of them, and transmit those abstracts to the 71
proper authorities; 72

(M) Issue certificates of election on forms to be 73
prescribed by the secretary of state; 74

(N) Make an annual report to the secretary of state, on	75
the form prescribed by the secretary of state, containing a	76
statement of the number of voters registered, elections held,	77
votes cast, appropriations received, expenditures made, and	78
other data required by the secretary of state;	79
(O) Prepare and submit to the proper appropriating officer	80
a budget estimating the cost of elections for the ensuing fiscal	81
year;	82
(P) Perform other duties as prescribed by law or the	83
rules, directives, or advisories of the secretary of state;	84
(Q) Investigate and determine the residence qualifications	85
of electors;	86
(R) Administer oaths in matters pertaining to the	87
administration of the election laws;	88
(S) Prepare and submit to the secretary of state, whenever	89
the secretary of state requires, a report containing the names	90
and residence addresses of all incumbent county, municipal,	91
township, and board of education officials serving in their	92
respective counties;	93
(T) Establish and maintain a voter registration database	94
of all qualified electors in the county who offer to register;	95
(U) Maintain voter registration records, make reports	96
concerning voter registration as required by the secretary of	97
state, and remove ineligible electors from voter registration	98
lists in accordance with law and directives of the secretary of	99
state;	100
(V) Give approval to ballot language for any local	101
question or issue and transmit the language to the secretary of	102

or other designated site on that day.	132
(AA) Perform any duties with respect to voter registration	133
and voting by uniformed services and overseas voters that are	134
delegated to the board by law or by the rules, directives, or	135
advisories of the secretary of state.	136
<u>(BB) Promote "Congressman John Lewis Voter Registration</u>	137
<u>Day" on the twenty-first day of February to encourage voter</u>	138
<u>registration.</u>	139
Section 2. That existing section 3501.11 of the Revised	140
Code is hereby repealed.	141