#### As Introduced

## 134th General Assembly

# **Regular Session**

H. B. No. 148

2021-2022

## Representatives Crossman, Brent

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

### A BILL

То	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;	
(B) Fix and provide the places for registration and for	19
holding primaries and elections;	20
(C) Provide for the purchase, preservation, and	21
maintenance of booths, ballot boxes, books, maps, flags, blanks,	22
cards of instructions, and other forms, papers, and equipment	23
used in registration, nominations, and elections;	24
(D) Appoint and remove its director, deputy director, and	25
employees and all registrars, precinct election officials, and	26
other officers of elections, fill vacancies, and designate the	27
ward or district and precinct in which each shall serve;	28
(E) Make and issue rules and instructions, not	29
inconsistent with law or the rules, directives, or advisories	30
issued by the secretary of state, as it considers necessary for	31
the guidance of election officers and voters;	32
(F) Advertise and contract for the printing of all ballots	33
and other supplies used in registrations and elections;	34
(G) Provide for the issuance of all notices,	35
advertisements, and publications concerning elections, except as	36
otherwise provided in division (G) of section 3501.17 and	37
divisions (F) and (G) of section 3505.062 of the Revised Code;	38
(H) Provide for the delivery of ballots, pollbooks, and	39
other required papers and material to the polling places;	40
(I) Cause the polling places to be suitably provided with	41
voting machines, marking devices, automatic tabulating	42
equipment, stalls, and other required supplies. In fulfilling	43
this duty, each board of a county that uses voting machines,	44
marking devices, or automatic tabulating equipment shall conduct	45

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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
<pre>proper authorities;</pre>	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	
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,	
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

state for the secretary of state's final approval;	103
(W) Prepare and cause the following notice to be displayed	104
in a prominent location in every polling place:	105
"NOTICE	106
Ohio law prohibits any person from voting or attempting to	107
vote more than once at the same election.	108
Violators are guilty of a felony of the fourth degree and	109
shall be imprisoned and additionally may be fined in accordance	110
with law."	111
(X) In all cases of a tie vote or a disagreement in the	112
board, if no decision can be arrived at, the director or	113
chairperson shall submit the matter in controversy, not later	114
than fourteen days after the tie vote or the disagreement, to	115
the secretary of state, who shall summarily decide the question,	116
and the secretary of state's decision shall be final.	117
(Y) Assist each designated agency, deputy registrar of	118
motor vehicles, public high school and vocational school, public	119
library, and office of a county treasurer in the implementation	120
of a program for registering voters at all voter registration	121
locations as prescribed by the secretary of state. Under this	122
program, each board of elections shall direct to the appropriate	123
board of elections any voter registration applications for	124
persons residing outside the county where the board is located	125
within five days after receiving the applications.	126
(Z) On any day on which an elector may vote in person at	127
the office of the board or at another site designated by the	128
board, consider the board or other designated site a polling	129
place for that day. All requirements or prohibitions of law that	130
apply to a polling place shall apply to the office of the board	131

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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
(BB) Promote "Congressman John Lewis Voter Registration	137
Day" on the twenty-first day of February to encourage voter	138
registration.	139
Section 2. That existing section 3501.11 of the Revised	140
Code is hereby repealed.	141