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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 546
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Gross

S. Ben Fogle, Attorney

SUMMARY

- Requires all ballots in Ohio to have a unique, identifying watermark.
- Requires election officials to deem a ballot fraudulent, and not count it, if the ballot has an absent or incorrect watermark.
- Prohibits an absent voter's ballot from being accepted or counted if the election officials determine, based on the watermark, that the ballot is not the ballot that was issued to the elector.

DETAILED ANALYSIS

Unique and identifying ballot watermarks

The bill requires all ballots in Ohio, whether absent voter's ballots or election day ballots, to have a watermark that allows election officials to ascertain that the ballot is genuine, and that the ballot is the same ballot that was issued to the voter who cast the ballot. Each watermark must be unique to each voter, and must identify the ballot as a genuine Ohio ballot.¹

The bill defines a "watermark" as a unique, randomly assigned identifying image, pattern, or alphanumeric code that is placed upon, or embedded within, a paper ballot, that is not visible to the unassisted human eye, and that becomes visible to election officials through the use of an alternate light source or other technology.²

¹ R.C. 3506.022.

² R.C. 3506.01(I).

If an election official finds that a ballot is missing a watermark, or that the ballot's watermark does not match the watermarked ballot that was originally issued to the elector, the ballot is deemed fraudulent. Under continuing law, when a ballot is deemed fraudulent, it is not counted, and placed in an envelope marked "Not Counted," which is delivered to the boards of elections.³

For absent voter's ballots, an election official must not count the ballot if the ballot has a watermark other than the watermark originally issued to the elector.⁴

HISTORY

Action	Date
Introduced	05-15-24

ANHB0546IN-135/ts

³ R.C. 3505.28.

⁴ R.C. 3509.07(F).