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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

S.B. 4
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 4's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Sen. Gavarone

Local Impact Statement Procedure Required: No

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Highlights

- The bill establishes the Election Integrity Unit under the Secretary of State (SOS) to investigate allegations of election fraud, voter suppression, and other violations of the Election Law. Operating costs would be paid from the Business Services Fund (Fund 5990).
- The SOS's Public Integrity Unit currently performs many of the tasks required under the bill. It has six employees who conduct election-related investigations.
- County or municipal court systems could see some additional costs for handling cases arising from investigations undertaken by the SOS's Election Integrity Unit.

Detailed Analysis

The bill creates the Election Integrity Unit within the Office of the Secretary of State (SOS). The bill requires the Election Integrity Unit to investigate allegations of election fraud and voter suppression and other violations of the Election Law other than campaign finance violations. This includes allegations of election fraud and voter suppression submitted by the public, as well as allegations the Election Integrity Unit investigates on its own initiative. As indicated in the [LSC bill analysis](#), the SOS currently has the authority to perform many of the duties specified in the bill, some of which are carried out by the existing Public Integrity Division. The bill, in contrast, places these responsibilities related to Election Law violations under the new Election Integrity Unit.

Most of the costs the SOS incurs now for overseeing elections are paid from the Business Services Fund (Fund 5990). According to the SOS, the bill would not cause the SOS to incur any additional costs, as it codifies many of the functions already carried out by the existing Public Integrity Division.

Under the bill, the Election Integrity Unit may also refer allegations of Election Law violations to a prosecutor, law enforcement agency, or other state or federal agency for further investigation or prosecution. Any additional investigations could result in some new prosecution and investigatory costs for political subdivisions, specifically the applicable county or municipal court system. Additionally, the bill clarifies existing authority for the Attorney General's Office (AGO) to prosecute alleged violations of the Election Law. It specifies that the AGO may prosecute cases where the prosecuting attorney has not prosecuted violations within 12 months rather than within "a reasonable time" as under current law.