

**As Reported by the Senate General Government Committee**

**136th General Assembly**

**Regular Session**

**2025-2026**

**Am. S. B. No. 4**

**Senator Gavarone**

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**A BILL**

To amend section 3501.05 and to enact section 1  
3501.055 of the Revised Code to establish the 2  
Election Integrity Unit in the Office of the 3  
Secretary of State and to modify the law 4  
governing the prosecution of Election Law 5  
violations. 6

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

**Section 1.** That section 3501.05 be amended and section 7  
3501.055 of the Revised Code be enacted to read as follows: 8

**Sec. 3501.05.** The secretary of state shall do all of the 9  
following: 10

(A) Appoint all members of boards of elections; 11

(B) Issue instructions by directives and advisories in 12  
accordance with section 3501.053 of the Revised Code to members 13  
of the boards as to the proper methods of conducting elections. 14

(C) Prepare rules and instructions for the conduct of 15  
elections; 16

(D) Publish and furnish to the boards from time to time a 17  
sufficient number of indexed copies of all election laws then in 18

force;	19
(E) Edit and issue all pamphlets concerning proposed laws	20
or amendments required by law to be submitted to the voters;	21
(F) Prescribe the form of registration cards, blanks, and	22
records;	23
(G) Determine and prescribe the forms of ballots and the	24
forms of all blanks, cards of instructions, pollbooks, tally	25
sheets, certificates of election, and forms and blanks required	26
by law for use by candidates, committees, and boards;	27
(H) Prepare the ballot title or statement to be placed on	28
the ballot for any proposed law or amendment to the constitution	29
to be submitted to the voters of the state;	30
(I) Except as otherwise provided in section 3519.08 of the	31
Revised Code, certify to the several boards the forms of ballots	32
and names of candidates for state offices, and the form and	33
wording of state referendum questions and issues, as they shall	34
appear on the ballot;	35
(J) Except as otherwise provided in division (I) (2) (b) of	36
section 3501.38 of the Revised Code, give final approval to	37
ballot language for any local question or issue approved and	38
transmitted by boards of elections under section 3501.11 of the	39
Revised Code;	40
(K) Receive all initiative and referendum petitions on	41
state questions and issues and determine and certify to the	42
sufficiency of those petitions;	43
(L) Require such reports from the several boards as are	44
provided by law, or as the secretary of state considers	45
necessary;	46

(M) Compel the observance by election officers in the 47  
several counties of the requirements of the election laws; 48

(N) (1) Except as otherwise provided in division (N) (2) of 49  
this section, through the election integrity unit created under 50  
section 3501.055 of the Revised Code, investigate the 51  
administration of election laws, frauds, and irregularities in 52  
elections in any county, and report violations of election laws 53  
to the attorney general or prosecuting attorney, or both, for 54  
prosecution; 55

(2) On and after August 24, 1995, report a failure to 56  
comply with or a violation of a provision in sections 3517.08 to 57  
3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised 58  
Code, whenever the secretary of state has or should have 59  
knowledge of a failure to comply with or a violation of a 60  
provision in one of those sections, by filing a complaint with 61  
the Ohio elections commission under section 3517.153 of the 62  
Revised Code. 63

(O) Make an annual report to the governor containing the 64  
results of elections, the cost of elections in the various 65  
counties, a tabulation of the votes in the several political 66  
subdivisions, and other information and recommendations relative 67  
to elections the secretary of state considers desirable; 68

(P) Prescribe and distribute to boards of elections a list 69  
of instructions indicating all legal steps necessary to petition 70  
successfully for local option elections under sections 4301.32 71  
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 72

(Q) Adopt rules pursuant to Chapter 119. of the Revised 73  
Code for the removal by boards of elections of ineligible voters 74  
from the statewide voter registration database and, if 75

applicable, from the poll list or signature pollbook used in 76  
each precinct, which rules shall provide for all of the 77  
following: 78

(1) A process for the removal of voters who have changed 79  
residence, which shall be uniform, nondiscriminatory, and in 80  
compliance with the Voting Rights Act of 1965 and the National 81  
Voter Registration Act of 1993, including a program that uses 82  
the national change of address service provided by the United 83  
States postal system through its licensees; 84

(2) A process for the removal of ineligible voters under 85  
section 3503.21 of the Revised Code; 86

(3) A uniform system for marking or removing the name of a 87  
voter who is ineligible to vote from the statewide voter 88  
registration database and, if applicable, from the poll list or 89  
signature pollbook used in each precinct and noting the reason 90  
for that mark or removal. 91

(R) Prescribe a general program for registering voters or 92  
updating voter registration information, such as name and 93  
residence changes, by boards of elections, designated agencies, 94  
offices of deputy registrars of motor vehicles, public high 95  
schools and vocational schools, public libraries, and offices of 96  
county treasurers consistent with the requirements of section 97  
3503.09 of the Revised Code; 98

(S) Prescribe a program of distribution of voter 99  
registration forms through boards of elections, designated 100  
agencies, offices of the registrar and deputy registrars of 101  
motor vehicles, public high schools and vocational schools, 102  
public libraries, and offices of county treasurers; 103

(T) To the extent feasible, provide copies, at no cost and 104

upon request, of the voter registration form in post offices in 105  
this state; 106

(U) Adopt rules pursuant to section 111.15 of the Revised 107  
Code for the purpose of implementing the program for registering 108  
voters through boards of elections, designated agencies, and the 109  
offices of the registrar and deputy registrars of motor vehicles 110  
consistent with this chapter; 111

(V) Establish the full-time position of Americans with 112  
Disabilities Act coordinator within the office of the secretary 113  
of state to do all of the following: 114

(1) Assist the secretary of state with ensuring that there 115  
is equal access to polling places for persons with disabilities; 116

(2) Assist the secretary of state with ensuring that each 117  
voter may cast the voter's ballot in a manner that provides the 118  
same opportunity for access and participation, including privacy 119  
and independence, as for other voters; 120

(3) Advise the secretary of state in the development of 121  
standards for the certification of voting machines, marking 122  
devices, and automatic tabulating equipment. 123

(W) Establish and maintain a computerized statewide 124  
database of all legally registered voters under section 3503.15 125  
of the Revised Code that complies with the requirements of the 126  
"Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 127  
1666, and provide training in the operation of that system; 128

(X) Ensure that all directives, advisories, other 129  
instructions, or decisions issued or made during or as a result 130  
of any conference or teleconference call with a board of 131  
elections to discuss the proper methods and procedures for 132  
conducting elections, to answer questions regarding elections, 133

or to discuss the interpretation of directives, advisories, or 134  
other instructions issued by the secretary of state are posted 135  
on a web site of the office of the secretary of state as soon as 136  
is practicable after the completion of the conference or 137  
teleconference call, but not later than the close of business on 138  
the same day as the conference or teleconference call takes 139  
place. 140

(Y) Publish a report on a web site of the office of the 141  
secretary of state not later than one month after the completion 142  
of the canvass of the election returns for each primary and 143  
general election, identifying, by county, the number of absent 144  
voter's ballots cast and the number of those ballots that were 145  
counted, and the number of provisional ballots cast and the 146  
number of those ballots that were counted, for that election. 147  
The secretary of state shall maintain the information on the web 148  
site in an archive format for each subsequent election. 149

(Z) Conduct voter education outlining voter 150  
identification, absent voters ballot, provisional ballot, and 151  
other voting requirements; 152

(AA) Establish a procedure by which a registered elector 153  
may make available to a board of elections a more recent 154  
signature to be used in the poll list or signature pollbook 155  
produced by the board of elections of the county in which the 156  
elector resides; 157

(BB) Disseminate information, which may include all or 158  
part of the official explanations and arguments, by means of 159  
direct mail or other written publication, broadcast, or other 160  
means or combination of means, as directed by the Ohio ballot 161  
board under division (F) of section 3505.062 of the Revised 162  
Code, in order to inform the voters as fully as possible 163

concerning each proposed constitutional amendment, proposed law, 164  
or referendum; 165

(CC) Be the single state office responsible for the 166  
implementation of the "Uniformed and Overseas Citizens Absentee 167  
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 168  
1973ff, et seq., as amended, in this state. The secretary of 169  
state may delegate to the boards of elections responsibilities 170  
for the implementation of that act, including responsibilities 171  
arising from amendments to that act made by the "Military and 172  
Overseas Voter Empowerment Act," Subtitle H of the "National 173  
Defense Authorization Act for Fiscal Year 2010," Pub. L. No. 174  
111-84, 123 Stat. 3190. 175

(DD) Adopt rules, under Chapter 119. of the Revised Code, 176  
to establish procedures and standards for determining when a 177  
board of elections shall be placed under the official oversight 178  
of the secretary of state, placing a board of elections under 179  
the official oversight of the secretary of state, a board that 180  
is under official oversight to transition out of official 181  
oversight, and the secretary of state to supervise a board of 182  
elections that is under official oversight of the secretary of 183  
state. 184

(EE) Perform other duties required by law. 185

Whenever a primary election is held under section 3513.32 186  
of the Revised Code or a special election is held under section 187  
3521.03 of the Revised Code to fill a vacancy in the office of 188  
representative to congress, the secretary of state shall 189  
establish a deadline, notwithstanding any other deadline 190  
required under the Revised Code, by which any or all of the 191  
following shall occur: the filing of a declaration of candidacy 192  
and petitions or a statement of candidacy and nominating 193

petition together with the applicable filing fee; the filing of 194  
protests against the candidacy of any person filing a 195  
declaration of candidacy or nominating petition; the filing of a 196  
declaration of intent to be a write-in candidate; the filing of 197  
campaign finance reports; the preparation of, and the making of 198  
corrections or challenges to, precinct voter registration lists; 199  
the receipt of applications for absent voter's ballots or 200  
uniformed services or overseas absent voter's ballots; the 201  
supplying of election materials to precincts by boards of 202  
elections; the holding of hearings by boards of elections to 203  
consider challenges to the right of a person to appear on a 204  
voter registration list; and the scheduling of programs to 205  
instruct or reinstruct election officers. 206

In the performance of the secretary of state's duties as 207  
the chief election officer, the secretary of state may 208  
administer oaths, issue subpoenas, summon witnesses, compel the 209  
production of books, papers, records, and other evidence, and 210  
fix the time and place for hearing any matters relating to the 211  
administration and enforcement of the election laws. 212

In any controversy involving or arising out of the 213  
adoption of registration or the appropriation of funds for 214  
registration, the secretary of state may, through the attorney 215  
general, bring an action in the name of the state in the court 216  
of common pleas of the county where the cause of action arose or 217  
in an adjoining county, to adjudicate the question. 218

In any action involving the laws in Title XXXV of the 219  
Revised Code wherein the interpretation of those laws is in 220  
issue in such a manner that the result of the action will affect 221  
the lawful duties of the secretary of state or of any board of 222  
elections, the secretary of state may, on the secretary of 223



state's motion, be made a party. 224

The secretary of state may apply to any court that is 225  
hearing a case in which the secretary of state is a party, for a 226  
change of venue as a substantive right, and the change of venue 227  
shall be allowed, and the case removed to the court of common 228  
pleas of an adjoining county named in the application or, if 229  
there are cases pending in more than one jurisdiction that 230  
involve the same or similar issues, the court of common pleas of 231  
Franklin county. 232

Public high schools and vocational schools, public 233  
libraries, and the office of a county treasurer shall implement 234  
voter registration programs as directed by the secretary of 235  
state pursuant to this section. 236

Sec. 3501.055. (A) There is in the office of the secretary 237  
of state the election integrity unit. 238

(B) Under the direction of the secretary of state, the 239  
election integrity unit shall do all of the following: 240

(1) Investigate allegations of election fraud and voter 241  
suppression, including any alleged violation of Chapter 3599. of 242  
the Revised Code, other than an alleged violation of section 243  
3599.03 or 3599.031 of the Revised Code, on the unit's own 244  
initiative or upon receiving a complaint; 245

(2) Allow the public to submit allegations of election 246  
fraud and voter suppression to the unit; 247

(3) Refer allegations submitted to the unit or otherwise 248  
investigated by the unit under this section to a prosecutor, a 249  
law enforcement agency, or another state or federal agency for 250  
further investigation or prosecution, as appropriate; 251

<u>(4) Submit a report to the governor and the general</u>	252
<u>assembly not later than the fifteenth day of January of each</u>	253
<u>year. The report shall include all of the following with respect</u>	254
<u>to the previous calendar year:</u>	255
<u>(a) The number of allegations the unit received from</u>	256
<u>members of the public;</u>	257
<u>(b) The number of allegations the unit investigated on its</u>	258
<u>own initiative;</u>	259
<u>(c) The number of allegations the unit referred to another</u>	260
<u>agency for further investigation or prosecution;</u>	261
<u>(d) All of the following concerning each allegation:</u>	262
<u>(i) The general nature of the allegation;</u>	263
<u>(ii) The county in which the violation is alleged to have</u>	264
<u>occurred;</u>	265
<u>(iii) Whether the allegation has been referred to another</u>	266
<u>agency for further investigation or prosecution, and if so, to</u>	267
<u>which agency;</u>	268
<u>(iv) The current status of the investigation or any</u>	269
<u>resulting criminal or civil proceeding.</u>	270
<u>(C) In performing its duties, the election integrity unit</u>	271
<u>may administer oaths, issue subpoenas, summon witnesses, compel</u>	272
<u>the production of books, papers, records, and other evidence,</u>	273
<u>and hold hearings.</u>	274
<u>(D) Within one year after receiving a referral for further</u>	275
<u>investigation or prosecution from the election integrity unit,</u>	276
<u>the prosecuting attorney shall either prosecute the violation or</u>	277
<u>provide to the election integrity unit a written statement</u>	278

explaining the reason for declining to prosecute the referral or 279  
requesting any additional evidence needed to meet the prima 280  
facie standard established under section 3599.42 of the Revised 281  
Code. If the prosecuting attorney declines to prosecute the 282  
violation within one year after receiving the referral, the 283  
election integrity unit may refer the violation to the attorney 284  
general for further investigation or prosecution. If the 285  
prosecuting attorney or the attorney general requests additional 286  
evidence, the election integrity unit shall provide such 287  
evidence, if available, within ninety days after receiving the 288  
request. Within one hundred eighty days after receiving the 289  
additional evidence, the prosecuting attorney either shall 290  
prosecute the violation or provide a written statement to the 291  
election integrity unit explaining a reason for declining to 292  
prosecute. If the prosecuting attorney fails to provide this 293  
statement or prosecute within one hundred eighty days after 294  
receiving the additional evidence, the election integrity unit 295  
may refer the violation to the attorney general for further 296  
investigation or prosecution. 297

**Section 2.** That existing section 3501.05 of the Revised 298  
Code is hereby repealed. 299