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

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:	
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.	
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
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(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
advertisements, and publications concerning elections, except as otherwise provided in division (G) of section 3501.17 and	36 37
otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised Code;	37
otherwise provided in division (G) of section 3501.17 and	37 38
otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised Code; (H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places;	37 38 39 40
<pre>otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised Code; (H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places; (I) Cause the polling places to be suitably provided with</pre>	37 38 39
<pre>otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised Code; (H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places; (I) Cause the polling places to be suitably provided with voting machines, marking devices, automatic tabulating</pre>	37 38 39 40 41 42
<pre>otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised Code; (H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places; (I) Cause the polling places to be suitably provided with voting machines, marking devices, automatic tabulating equipment, stalls, and other required supplies. In fulfilling</pre>	37 38 39 40 41
<pre>otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised Code; (H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places; (I) Cause the polling places to be suitably provided with voting machines, marking devices, automatic tabulating</pre>	37 38 39 40 41 42

a full vote of the board during a public session of the board on46the allocation and distribution of voting machines, marking47devices, and automatic tabulating equipment for each precinct in48the county.49

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

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

(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,
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make abstracts of them, and transmit those abstracts to the
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proper authorities;
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(M) Issue certificates of election on forms to be73prescribed by the secretary of state;74

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(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,		
votes cast, appropriations received, expenditures made, and		
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;		
(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;		
(R) Administer oaths in matters pertaining to the	87	
administration of the election laws;		
(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		
state, and remove ineligible electors from voter registration	98	
lists in accordance with law and directives of the secretary of		
state;	100	
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(V) Give approval to ballot language for any local101question or issue and transmit the language to the secretary of102

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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	
the secretary of state, who shall summarily decide the question,	
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
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the office of the board or at another site designated by the
board, consider the board or other designated site a polling
place for that day. All requirements or prohibitions of law that
apply to a polling place shall apply to the office of the board
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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