

As Passed by the Senate

135th General Assembly

Regular Session

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S. B. No. 71

Senator Gavarone

Cosponsors: Senators Brenner, Cirino, Hackett, Hoagland, Johnson, Lang, Wilkin

A BILL

To amend sections 3503.13, 3503.15, and 3505.31 and
to enact sections 111.11, 3503.151, 3503.152,
and 3503.153 of the Revised Code to enact the
Data Analysis Transparency Archive (DATA) Act to
establish the Office of Data Analytics and
Archives in the Office of the Secretary of State
and to modify requirements for the Statewide
Voter Registration Database and other election
records.

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

Section 1. That sections 3503.13, 3503.15, and 3505.31 be
amended and sections 111.11, 3503.151, 3503.152, and 3503.153 of
the Revised Code be enacted to read as follows:

Sec. 111.11. The office of data analytics and archives is
created in the office of the secretary of state. Under the
direction of the secretary of state, the office shall do both of
the following:

(A) Retain voter registration and other election related
data, analyze those data for purposes of maintaining accurate

election data, and publish those data; 19

(B) Retain, analyze, and publish business services data. 20

Sec. 3503.13. ~~(A)(A)(1)~~ Except as otherwise provided in 21
~~division (A)(2) of this section 111.44 of the Revised Code or by~~ 22
~~state or federal law, voter~~ registration forms submitted by 23
applicants and the statewide voter registration database 24
established under section 3503.15 of the Revised Code ~~shall be~~ 25
~~open to are public inspection at all times when the office of~~ 26
~~the board of elections is open for business, under such~~ 27
~~regulations as the board adopts, provided that no person shall~~ 28
~~be permitted to inspect voter registration forms except in the~~ 29
~~presence of an employee of the board records subject to~~ 30
disclosure under section 149.43 of the Revised Code. 31

(2) None of the following are subject to disclosure under 32
division (A)(1) of this section: 33

(a) An elector's full or partial social security number, 34
driver's license or state identification card number, telephone 35
number, or electronic mail address; 36

(b) A confidential voter registration record, as described 37
in section 111.44 of the Revised Code; 38

(c) The address of a designated public service worker, if 39
the designated public service worker has submitted a redaction 40
request to the board of elections under section 149.45 of the 41
Revised Code; 42

(d) Any other information that is prohibited from being 43
disclosed by state or federal law. 44

(B) A board of elections may use a legible digitized 45
signature list of voter signatures, copied from the signatures 46

on the registration forms in a form and manner prescribed by the 47
secretary of state, provided that the board includes the 48
required voter registration information in the statewide voter 49
registration database established under section 3503.15 of the 50
Revised Code, and provided that the precinct election officials 51
have computer printouts at the polls prepared in the manner 52
required under section 3503.23 of the Revised Code. 53

Sec. 3503.15. ~~(A)(1)~~ (A) The secretary of state shall 54
establish and maintain a statewide voter registration database 55
that shall be administered by the office of data analytics and 56
archives in the office of the secretary of state and made 57
continuously available to each board of elections and to other 58
agencies as authorized by law. 59

~~(2)(a) State agencies, including, but not limited to, the 60
department of health, the bureau of motor vehicles, the 61
department of job and family services, the department of 62
medicaid, and the department of rehabilitation and corrections, 63
shall provide any information and data to the secretary of state 64
that is collected in the course of normal business and that is 65
necessary to register to vote, to update an elector's 66
registration, or to maintain the statewide voter registration 67
database established pursuant to this section, except where 68
prohibited by federal law or regulation. The department of 69
health, the bureau of motor vehicles, the department of job and 70
family services, the department of medicaid, and the department 71
of rehabilitation and corrections shall provide that information 72
and data to the secretary of state not later than the last day 73
of each month. The secretary of state shall ensure that any 74
information or data provided to the secretary of state that is 75
confidential in the possession of the entity providing the data 76
remains confidential while in the possession of the secretary of 77~~

~~state. No public office, and no public official or employee,~~ 78
~~shall sell that information or data or use that information or~~ 79
~~data for profit.~~ 80

~~(b) Information provided under this division for~~ 81
~~maintenance of the statewide voter registration database shall~~ 82
~~not be used to update the name or address of a registered~~ 83
~~elector. The name or address of a registered elector shall only~~ 84
~~be updated as a result of the elector's actions in filing a~~ 85
~~notice of change of name, change of address, or both.~~ 86

~~(c) A board of elections shall contact a registered~~ 87
~~elector pursuant to the rules adopted under division (D) (7) of~~ 88
~~this section to verify the accuracy of the information in the~~ 89
~~statewide voter registration database regarding that elector if~~ 90
~~that information does not conform with information provided~~ 91
~~under division (A) (2) (a) of this section and the discrepancy~~ 92
~~would affect the elector's eligibility to cast a regular ballot.~~ 93

~~(3) (a) The secretary of state shall enter into agreements~~ 94
~~to share information or data that is in the possession of the~~ 95
~~secretary of state with other states or groups of states, as the~~ 96
~~secretary of state considers necessary, in order to maintain the~~ 97
~~statewide voter registration database established pursuant to~~ 98
~~this section. Except as otherwise provided in division (A) (3) (b)~~ 99
~~of this section, the secretary of state shall ensure that any~~ 100
~~information or data provided to the secretary of state that is~~ 101
~~confidential in the possession of the state providing the data~~ 102
~~remains confidential while in the possession of the secretary of~~ 103
~~state.~~ 104

~~(b) The secretary of state may provide such otherwise~~ 105
~~confidential information or data to persons or organizations~~ 106
~~that are engaging in legitimate governmental purposes related to~~ 107

~~the maintenance of the statewide voter registration database. 108~~
~~The secretary of state shall adopt rules pursuant to Chapter 109~~
~~119. of the Revised Code identifying the persons or 110~~
~~organizations who may receive that information or data. The 111~~
~~secretary of state shall not share that information or data with 112~~
~~a person or organization not identified in those rules. The 113~~
~~secretary of state shall ensure that a person or organization 114~~
~~that receives confidential information or data under this 115~~
~~division keeps the information or data confidential in the 116~~
~~person's or organization's possession by, at a minimum, entering 117~~
~~into a confidentiality agreement with the person or 118~~
~~organization. Any confidentiality agreement entered into under 119~~
~~this division shall include a requirement that the person or 120~~
~~organization submit to the jurisdiction of this state in the 121~~
~~event that the person or organization breaches the agreement. 122~~

~~(4) No person or entity that receives information or data 123~~
~~under division (A) (3) of this section shall sell the information 124~~
~~or data or use the information or data for profit. 125~~

~~(5) The secretary of state shall regularly transmit to the 126~~
~~boards of elections, to the extent permitted by state and 127~~
~~federal law, the information and data the secretary of state 128~~
~~receives under divisions (A) (2) and (3) of this section that is 129~~
~~necessary to do the following, in order to ensure that the 130~~
~~accuracy of the statewide voter registration database is 131~~
~~maintained on a regular basis in accordance with applicable 132~~
~~state and federal law. 133~~

~~(a) Require the boards of elections to maintain the 134~~
~~database in a manner that ensures that the name of each 135~~
~~registered elector appears in the database, that only 136~~
~~individuals who are not registered or eligible to vote are 137~~

~~removed from the database, and that duplicate registrations are~~ 138
~~eliminated from the database.~~ 139

~~(b) Require the boards of elections to make a reasonable~~ 140
~~effort to remove individuals who are not eligible to vote from~~ 141
~~the database.~~ 142

~~(c) Establish safeguards to ensure that eligible electors~~ 143
~~are not removed in error from the database.~~ 144

~~(B) The statewide voter registration database established~~ 145
~~under this section shall be the official list of registered~~ 146
~~voters~~ electors for all elections conducted in this state. 147

~~(C)~~ (B) The statewide voter registration database 148
~~established under this section shall, at a minimum, include all~~ 149
of the following: 150

(1) An electronic network that connects all board of 151
elections offices with the office of the secretary of state and 152
with the offices of all other boards of elections; 153

(2) A computer program that harmonizes the records 154
contained in the database with records maintained by each board 155
of elections; 156

(3) An interactive computer program that allows access to 157
the records contained in the database by each board of elections 158
and by any persons authorized by the secretary of state to add, 159
delete, modify, or print database records, and to conduct 160
updates of the database; 161

(4) A search program capable of verifying registered 162
~~voters~~ electors and their registration information by name, 163
driver's license or state identification card number, birth 164
date, social security number, or current address; 165

(5) Safeguards and components to ensure that the 166
integrity, security, and confidentiality of the voter 167
registration information is maintained; 168

(6) Methods to retain canceled voter registration records 169
for not less than five years after they are canceled and to 170
record the reason for their cancellation. 171

(C) For each registered elector, the statewide voter 172
registration database shall include all of the following 173
information: 174

(1) The elector's name; 175

(2) The elector's birth date; 176

(3) The elector's current residence address; 177

(4) The elector's precinct number; 178

(5) The elector's Ohio driver's license or state 179
identification card number, if available; 180

(6) The last four digits of the elector's social security 181
number, if available; 182

(7) The elector's telephone number, if available; 183

(8) The elector's electronic mail address, if available; 184

(9) (a) The elector's voter registration date, which shall 185
be determined based on the elector's most recent application to 186
register to vote in this state, subject to division (C) (9) (b) of 187
this section, as follows: 188

(i) In the case of an application delivered in person to a 189
state or local office of a designated agency, the office of the 190
registrar or any deputy registrar of motor vehicles, a public 191
high school or vocational school, a public library, or the 192

office of a county treasurer, the date stamped on the 193
application upon receipt by the entity that transmits the 194
application to the board of elections or the secretary of state; 195

(ii) In the case of an application delivered in person to 196
a board of elections or the secretary of state, the date stamped 197
on the application upon receipt by the board of elections or the 198
secretary of state, as applicable; 199

(iii) In the case of an application delivered by mail to a 200
board of elections or the secretary of state, the date the 201
application is postmarked; 202

(iv) In the case of an application submitted through the 203
online voter registration system established under section 204
3503.20 of the Revised Code, the date of the online submission; 205

(v) In the case of an application submitted to a board of 206
elections by facsimile transmission or electronic mail under 207
Chapter 3511. of the Revised Code, the date of the receipt of 208
the transmission or electronic mail by the board of elections; 209

(vi) In the case of a provisional ballot affirmation that 210
serves as an application to register to vote in future elections 211
because the individual who cast the ballot is not registered to 212
vote, the date the board of elections determines that the 213
provisional ballot is invalid under section 3505.183 of the 214
Revised Code. 215

(b) For purposes of determining an elector's voter 216
registration date under division (C) (9) (a) of this section, all 217
of the following apply: 218

(i) An elector's voter registration date shall not be 219
during the period beginning on the day after the close of voter 220
registration before an election and ending on the day of the 221

election. If the date determined under division (C) (9) (a) of 222
this section would be during that period, the voter registration 223
date instead shall be the date on which the board of elections 224
processes the application to register to vote after the day of 225
the election. 226

(ii) A change of address or change of name form, including 227
a provisional ballot affirmation that serves as a change of 228
address or change of name form, is not considered an application 229
to register to vote. 230

(iii) An application to register to vote that is submitted 231
by an individual who is already registered to vote in this state 232
is not considered an application to register to vote. 233

(10) The elector's voting history, including all of the 234
following for each election in which the elector cast a ballot 235
that was counted: 236

(a) The date of the election; 237

(b) If the election was a primary election, the political 238
party whose ballot the elector cast at the primary election or 239
an indication that the elector voted only on the questions and 240
issues appearing on the ballot at a special election held on the 241
day of the primary election; 242

(c) The type of ballot the elector cast. 243

(11) The elector's last activity date, which shall be 244
determined in accordance with rules adopted by the secretary of 245
state pursuant to Chapter 119. of the Revised Code. 246

(12) Any other information the secretary of state requires 247
to be included by rule adopted pursuant to Chapter 119. of the 248
Revised Code. 249

(D) Every day during the period beginning on the forty- 250
sixth day before an election and ending on the eighty-first day 251
after the day of the election, a board of elections shall create 252
a daily record of its voter registration database as of four 253
p.m. and shall transmit the daily record to the secretary of 254
state in a secure manner prescribed by the secretary of state. 255
The secretary of state shall archive the daily record and retain 256
it for at least twenty-two months after the day of the election. 257

(E) The secretary of state shall adopt rules pursuant to 258
Chapter 119. of the Revised Code to implement this section and 259
sections 3503.151 to 3503.153 of the Revised Code, including 260
rules doing all of the following: 261

(1) Specifying the manner in which ~~existing any~~ voter 262
registration records maintained by boards of elections in other 263
data formats shall be converted ~~to electronic files~~ for 264
inclusion in the statewide voter registration database; 265

(2) Establishing a uniform method for entering voter 266
registration records into the statewide voter registration 267
database on an expedited basis, but not less than once per day, 268
if new registration information is received, and for 269
transmitting information securely to the secretary of state; 270

(3) Establishing a uniform method for purging canceled 271
voter registration records from the statewide voter registration 272
database in accordance with section 3503.21 of the Revised Code; 273

(4) Specifying the persons authorized to add, delete, 274
modify, or print records contained in the statewide voter 275
registration database and to make updates of that database; 276

(5) Establishing a process for annually auditing the 277
information contained in the statewide voter registration 278

database† 279

~~(6) Establishing, by mutual agreement with the bureau of 280
motor vehicles, the content and format of the information and 281
data the bureau of motor vehicles shall provide to the secretary 282
of state under division (A) (2) (a) of this section and the 283
frequency with which the bureau shall provide that information 284
and data† 285~~

~~(7) Establishing a uniform method for addressing instances 286
in which records contained in the statewide voter registration 287
database do not conform with records maintained by an agency, 288
state, or group of states described in division (A) (2) (a) or (3) 289
(a) of this section. That method shall prohibit an elector's 290
voter registration from being canceled on the sole basis that 291
the information in the registration record does not conform to 292
records maintained by such an agency. 293~~

~~(E) (F) A board of elections promptly shall purge a 294
voter's name and voter registration information from the 295
statewide voter registration database in accordance with the 296
rules adopted by the secretary of state under division (D) (3) 297
(E) (3) of this section after the cancellation of a voter's 298
registration under section 3503.21 of the Revised Code. 299~~

~~(F) (G) The secretary of state shall provide training in 300
the operation of the statewide voter registration database to 301
each board of elections and to any persons authorized by the 302
secretary of state to add, delete, modify, or print database 303
records, and to conduct updates of the database. 304~~

~~(G) (1) The statewide voter registration database 305
established under this section shall be made available on a web 306
site of the office of the secretary of state as follows† 307~~

~~(a) Except as otherwise provided in division (G) (1) (b) of this section, the following information from the statewide voter registration database regarding a registered voter shall be made available on the web site:~~ 308
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~~(i) The voter's name;~~ 312

~~(ii) The voter's address;~~ 313

~~(iii) The voter's precinct number;~~ 314

~~(iv) The voter's voting history.~~ 315

~~(b) During the thirty days before the day of a primary or general election, the web site interface of the statewide voter registration database shall permit a voter to search for the polling location at which that voter may cast a ballot.~~ 316
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~~(2) The secretary of state shall establish, by rule adopted under Chapter 119. of the Revised Code, a process for boards of elections to notify the secretary of state of changes in the locations of precinct polling places for the purpose of updating the information made available on the secretary of state's web site under division (G) (1) (b) of this section. Those rules shall require a board of elections, during the thirty days before the day of a primary or general election, to notify the secretary of state within one business day of any change to the location of a precinct polling place within the county.~~ 320
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~~(3) During the thirty days before the day of a primary or general election, not later than one business day after receiving a notification from a county pursuant to division (G) (2) of this section that the location of a precinct polling place has changed, the secretary of state shall update that information on the secretary of state's web site for the purpose of division (G) (1) (b) of this section.~~ 330
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~~(H) The secretary of state shall conduct an annual review~~ 337
~~of the statewide voter registration database as follows:~~ 338

~~(1) The secretary of state shall compare the information~~ 339
~~in the statewide voter registration database with the~~ 340
~~information the secretary of state obtains from the bureau of~~ 341
~~motor vehicles under division (A) (2) of this section to identify~~ 342
~~any person who does all of the following, in the following~~ 343
~~order:~~ 344

~~(a) Submits documentation to the bureau of motor vehicles~~ 345
~~that indicates that the person is not a United States citizen;~~ 346

~~(b) Registers to vote, submits a voter registration change~~ 347
~~of residence or change of name form, or votes in this state;~~ 348

~~(c) Submits documentation to the bureau of motor vehicles~~ 349
~~that indicates that the person is not a United States citizen.~~ 350

~~(2) The secretary of state shall send a written notice to~~ 351
~~each person identified under division (H) (1) of this section,~~ 352
~~instructing the person either to confirm that the person is a~~ 353
~~United States citizen or to submit a completed voter~~ 354
~~registration cancellation form to the secretary of state. The~~ 355
~~secretary of state shall include a blank voter registration~~ 356
~~cancellation form with the notice. If the person fails to~~ 357
~~respond to the secretary of state in the manner described in~~ 358
~~division (H) (3) or (4) of this section not later than thirty~~ 359
~~days after the notice was sent, the secretary of state promptly~~ 360
~~shall send the person a second notice and form.~~ 361

~~(3) If, not later than sixty days after the first notice~~ 362
~~was sent, a person who is sent a notice under division (H) (2) of~~ 363
~~this section responds to the secretary of state, confirming that~~ 364
~~the person is a United States citizen, the secretary of state~~ 365

~~shall take no action concerning the person's voter registration.~~

~~(4) If, not later than sixty days after the first notice
was sent, a person who receives a notice under division (H) (2)
of this section sends a completed voter registration
cancellation form to the secretary of state, the secretary of
state shall instruct the board of elections of the county in
which the person is registered to cancel the person's
registration.~~

~~(5) If a person who was sent a second notice under
division (H) (2) of this section fails to respond to the
secretary of state in the manner described in division (H) (3) or
(4) of this section not later than thirty days after the second
notice was sent, the secretary of state shall refer the matter
to the attorney general for further investigation and possible
prosecution under section 3599.11, 3599.12, 3599.13, or any
other applicable section of the Revised Code. If, after the
thirtieth day after the second notice was sent, the person sends
a completed voter registration cancellation form to the
secretary of state, the secretary of state shall instruct the
board of elections of the county in which the person is
registered to cancel the person's registration and shall notify
the attorney general of the cancellation.~~

~~(6) The secretary of state shall not conduct the review
described in division (H) of this section during the ninety days
immediately preceding a primary or general election for federal
office. A board of elections and any vendor with which it
contracts to provide voter registration software or related
services shall ensure that the board's voter registration system
and practices comply with the requirements of this section and
any rules adopted under this section.~~

Sec. 3503.151. (A) The secretary of state, through the 396
office of data analytics and archives, and the boards of 397
elections shall maintain the accuracy of the statewide voter 398
registration database in accordance with this section. 399

(B) (1) State agencies, including, but not limited to, the 400
department of health, the bureau of motor vehicles, the 401
department of job and family services, the department of 402
medicaid, and the department of rehabilitation and corrections, 403
shall provide any information and data to the secretary of state 404
that is collected in the course of normal business and that is 405
necessary to register to vote, to update an elector's 406
registration, or to maintain the statewide voter registration 407
database, except where prohibited by federal law or regulation. 408
The department of health, the bureau of motor vehicles, the 409
department of job and family services, the department of 410
medicaid, and the department of rehabilitation and corrections 411
shall provide that information and data to the secretary of 412
state not later than the last day of each month. The secretary 413
of state shall ensure that any information or data provided to 414
the secretary of state that is confidential in the possession of 415
the entity providing the data remains confidential while in the 416
possession of the secretary of state. No public office, and no 417
public official or employee, shall sell that information or data 418
or use that information or data for profit. 419

(2) The secretary of state shall adopt rules under Chapter 420
119. of the Revised Code that establish, by mutual agreement 421
with the bureau of motor vehicles, the content and format of the 422
information and data the bureau of motor vehicles shall provide 423
to the secretary of state under division (B) (1) of this section 424
and the frequency with which the bureau shall provide that 425
information and data. 426

(C) (1) The secretary of state shall enter into agreements 427
to share information or data that is in the possession of the 428
secretary of state with other states or groups of states, as the 429
secretary of state considers necessary, in order to maintain the 430
statewide voter registration database. Except as otherwise 431
provided in division (C) (2) of this section, the secretary of 432
state shall ensure that any information or data provided to the 433
secretary of state that is confidential in the possession of the 434
state providing the data remains confidential while in the 435
possession of the secretary of state. 436

(2) The secretary of state may provide such otherwise 437
confidential information or data to persons or organizations 438
that are engaging in legitimate governmental purposes related to 439
the maintenance of the statewide voter registration database. 440
The secretary of state shall adopt rules pursuant to Chapter 441
119. of the Revised Code identifying the persons or 442
organizations who may receive that information or data. The 443
secretary of state shall not share that information or data with 444
a person or organization not identified in those rules. The 445
secretary of state shall ensure that a person or organization 446
that receives confidential information or data under this 447
division keeps the information or data confidential in the 448
person's or organization's possession by, at a minimum, entering 449
into a confidentiality agreement with the person or 450
organization. Any confidentiality agreement entered into under 451
this division shall include a requirement that the person or 452
organization submit to the jurisdiction of this state in the 453
event that the person or organization breaches the agreement. 454

(3) No person or entity that receives information or data 455
under division (C) of this section shall sell the information or 456
data or use the information or data for profit. 457

(D) The secretary of state shall regularly transmit to the 458
boards of elections, to the extent permitted by state and 459
federal law, the information and data the secretary of state 460
receives under divisions (B) and (C) of this section that is 461
necessary to do the following, in order to ensure that the 462
accuracy of the statewide voter registration database is 463
maintained on a regular basis in accordance with applicable 464
state and federal law: 465

(1) Require the boards of elections to maintain the 466
database in a manner that ensures that the name of each 467
registered elector appears in the database, that only 468
individuals who are not registered or eligible to vote are 469
removed from the database, and that duplicate registrations are 470
eliminated from the database; 471

(2) Require the boards of elections to make a reasonable 472
effort to remove individuals who are not eligible to vote from 473
the database; 474

(3) Establish safeguards to ensure that eligible electors 475
are not removed in error from the database. 476

(E) (1) The secretary of state shall adopt rules under 477
Chapter 119. of the Revised Code to establish a uniform method 478
for addressing instances in which records contained in the 479
statewide voter registration database do not conform with 480
records maintained by an agency, state, or group of states 481
described in division (B) or (C) of this section. That method 482
shall prohibit an elector's voter registration from being 483
canceled on the sole basis that the information in the 484
registration record does not conform to records maintained by 485
such an agency. 486

(2) Information provided under division (B) or (C) of this 487
section for maintenance of the statewide voter registration 488
database shall not be used to update the name or address of a 489
registered elector. The name or address of a registered elector 490
shall only be updated as a result of the elector's actions in 491
filing a notice of change of name, change of address, or both. 492

(3) A board of elections shall contact a registered 493
elector pursuant to the rules adopted under division (E)(1) of 494
this section to verify the accuracy of the information in the 495
statewide voter registration database regarding that elector if 496
that information does not conform with information provided 497
under division (B) or (C) of this section and the discrepancy 498
would affect the elector's eligibility to cast a regular ballot. 499

Sec. 3503.152. The secretary of state shall conduct an 500
annual review of the statewide voter registration database to 501
identify persons who appear not to be United States citizens, as 502
follows: 503

(A) The secretary of state shall compare the information 504
in the statewide voter registration database with the 505
information the secretary of state obtains from the bureau of 506
motor vehicles under section 3503.151 of the Revised Code to 507
identify any person who does all of the following, in the 508
following order: 509

(1) Submits documentation to the bureau of motor vehicles 510
that indicates that the person is not a United States citizen; 511

(2) Registers to vote, submits a voter registration change 512
of residence or change of name form, or votes in this state; 513

(3) Submits documentation to the bureau of motor vehicles 514
that indicates that the person is not a United States citizen. 515

(B) The secretary of state shall send a written notice to 516
each person identified under division (A) of this section, 517
instructing the person either to confirm that the person is a 518
United States citizen or to submit a completed voter 519
registration cancellation form to the secretary of state. The 520
secretary of state shall include a blank voter registration 521
cancellation form with the notice. If the person fails to 522
respond to the secretary of state in the manner described in 523
division (C) or (D) of this section not later than thirty days 524
after the notice is sent, the secretary of state promptly shall 525
send the person a second notice and form. 526

(C) If, not later than sixty days after the first notice 527
is sent, a person who is sent a notice under division (B) of 528
this section responds to the secretary of state, confirming that 529
the person is a United States citizen, the secretary of state 530
shall take no action concerning the person's voter registration. 531

(D) If, not later than sixty days after the first notice 532
was sent, a person who receives a notice under division (B) of 533
this section sends a completed voter registration cancellation 534
form to the secretary of state, the secretary of state shall 535
instruct the board of elections of the county in which the 536
person is registered to cancel the person's registration. 537

(E) If a person who is sent a second notice under division 538
(B) of this section fails to respond to the secretary of state 539
in the manner described in division (C) or (D) of this section 540
not later than thirty days after the second notice is sent, the 541
secretary of state shall refer the matter to the attorney 542
general for further investigation and possible prosecution under 543
section 3599.11, 3599.12, 3599.13, or any other applicable 544
section of the Revised Code. If, after the thirtieth day after 545

the second notice is sent, the person sends a completed voter 546
registration cancellation form to the secretary of state, the 547
secretary of state shall instruct the board of elections of the 548
county in which the person is registered to cancel the person's 549
registration and shall notify the attorney general of the 550
cancellation. 551

(F) The secretary of state shall not conduct the review 552
described in this section during the ninety days immediately 553
preceding a primary or general election for federal office. 554

Sec. 3503.153. (A) The statewide voter registration 555
database shall be made available on a web site of the office of 556
the secretary of state as follows: 557

(1) Except as otherwise provided in division (A)(2) of 558
this section, the following information from the statewide voter 559
registration database regarding a registered elector shall be 560
made available on the web site: 561

(a) The elector's name; 562

(b) The elector's birth date; 563

(c) The elector's current residence address; 564

(d) The elector's precinct number; 565

(e) The elector's voter registration date, as described in 566
division (C)(9) of section 3503.15 of the Revised Code; 567

(f) The elector's voting history, as described in division 568
(C)(10) of section 3503.15 of the Revised Code; 569

(g) The elector's last activity date, as described in 570
division (C)(11) of section 3503.15 of the Revised Code. 571

(2) During the thirty days before the day of a primary or 572

general election, the web site interface of the statewide voter 573
registration database shall permit an elector to search for the 574
polling location at which that elector may cast a ballot. 575

(3) No information in the statewide voter registration 576
database that is exempt from disclosure under division (A) (2) of 577
section 3503.13 of the Revised Code shall be made available on 578
the web site. 579

(B) (1) The secretary of state shall establish, by rule 580
adopted under Chapter 119. of the Revised Code, a process for 581
boards of elections to notify the secretary of state of changes 582
in the locations of precinct polling places for the purpose of 583
updating the information made available on the secretary of 584
state's web site under division (A) (2) of this section. Those 585
rules shall require a board of elections, during the thirty days 586
before the day of a primary or general election, to notify the 587
secretary of state within one business day of any change to the 588
location of a precinct polling place within the county. 589

(2) During the thirty days before the day of a primary or 590
general election, not later than one business day after 591
receiving a notification from a county pursuant to division (B) 592
(1) of this section that the location of a precinct polling 593
place has changed, the secretary of state shall update that 594
information on the secretary of state's web site for the purpose 595
of division (A) (2) of this section. 596

Sec. 3505.31. When the results of the voting in a polling 597
place on the day of an election have been determined and entered 598
upon the proper forms and the certifications of those results 599
have been signed by the precinct officials, those officials, 600
before leaving the polling place, shall place all ballots that 601
they have counted in containers provided for that purpose by the 602

board of elections, and shall seal each container in a manner 603
that it cannot be opened without breaking the seal or the 604
material of which the container is made. They shall also seal 605
the pollbook, poll list or signature pollbook, and tally sheet 606
in a manner that the data contained in these items cannot be 607
seen without breaking the seals. On the outside of these items 608
shall be a plain indication that they are to be filed with the 609
board. The voting location manager and an employee or appointee 610
of the board of elections who has taken an oath to uphold the 611
laws and constitution of this state, including an oath that the 612
person will promptly and securely perform the duties required 613
under this section and who is a member of a different political 614
party than the voting location manager, shall then deliver to 615
the board the containers of ballots and the sealed pollbook, 616
poll list, and tally sheet, together with all other election 617
reports, materials, and supplies required to be delivered to the 618
board. 619

The board shall carefully preserve all ballots prepared 620
and provided by it for use in an election, whether used or 621
unused, including any electronic images of ballots, for ~~sixty-at~~ 622
least eighty-one days after the day of the election, except 623
that, if an election includes the nomination or election of 624
candidates for any of the offices of president, vice-president, 625
presidential elector, member of the senate of the congress of 626
the United States, or member of the house of representatives of 627
the congress of the United States, the board shall carefully 628
preserve all ballots prepared and provided by it for use in that 629
election, whether used or unused, for twenty-two months after 630
the day of the election. If an election is held within that 631
~~sixty-day~~ eighty-one-day period, the board shall have authority 632
to transfer those ballots to other containers to preserve them 633

until the ~~sixty-day-eighty-one-day~~ period has expired. After 634
that ~~sixty-day-eighty-one-day~~ period, the ballots shall be 635
disposed of by the board in a manner that the board orders, or 636
where voting machines have been used the counters may be turned 637
back to zero; provided that the secretary of state, within that 638
~~sixty-day-eighty-one-day~~ period, may order the board to preserve 639
the ballots or any part of the ballots for a longer period of 640
time, in which event the board shall preserve those ballots for 641
that longer period of time. 642

In counties where voting machines are used, if an election 643
is to be held within the ~~sixty-eighty-one~~ days immediately 644
following a primary, general, or special election or within any 645
period of time within which the ballots have been ordered 646
preserved by the secretary of state or a court of competent 647
jurisdiction, the board, after giving notice to all interested 648
parties and affording them an opportunity to have a 649
representative present, shall open the compartments of the 650
machines and, without unlocking the machines, shall recanvass 651
the vote cast in them as if a recount were being held. The 652
results shall be certified by the board, and this certification 653
shall be filed in the board's office and retained for the 654
remainder of the period for which ballots must be kept. After 655
preparation of the certificate, the counters may be turned back 656
to zero, and the machines may be used for the election. 657

The board shall carefully preserve the pollbook, poll list 658
or signature pollbook, and tally sheet delivered to it from each 659
polling place until it has completed the official canvass of the 660
election returns from all precincts in which electors were 661
entitled to vote at an election, and has prepared and certified 662
the abstracts of election returns, as required by law. The board 663
shall not break, or permit anyone to break, the seals upon the 664

pollbook, poll list or signature pollbook, and tally sheet, or 665
make, or permit any one to make, any changes or notations in 666
these items, while they are in its custody, except as provided 667
by section 3505.32 of the Revised Code. 668

Pollbooks and poll lists or signature pollbooks of a party 669
primary election delivered to the board from polling places 670
shall be carefully preserved by it for two years after the day 671
of election in which they were used, and shall then be disposed 672
of by the board in a manner that the board orders. 673

Pollbooks, poll lists or signature pollbooks, tally 674
sheets, summary statements, and other records and returns of an 675
election delivered to it from polling places shall be carefully 676
preserved by the board for two years after the day of the 677
election in which they were used, and shall then be disposed of 678
by the board in a manner that the board orders. 679

Section 2. That existing sections 3503.13, 3503.15, and 680
3505.31 of the Revised Code are hereby repealed. 681

Section 3. The General Assembly intends to appropriate 682
funds to the Office of the Secretary of State to pay the costs 683
incurred by the Secretary of State and the boards of elections 684
in meeting the requirements of this act. 685

Section 4. This act shall be known as the Data Analysis 686
Transparency Archive (DATA) Act. 687