

As Introduced

**135th General Assembly
Regular Session
2023-2024**

H. B. No. 457

Representative Click

Cosponsors: Representatives Bird, Claggett, Dean, Gross, Klopfenstein, Wiggam



A BILL

To amend sections 3503.14, 3503.15, 3503.20, 1
3503.21, and 3503.33 of the Revised Code to 2
modify the voter registration forms and 3
procedures for electors who have previously 4
registered in another state or county. 5

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

Section 1. That sections 3503.14, 3503.15, 3503.20, 6
3503.21, and 3503.33 of the Revised Code be amended to read as 7
follows: 8

Sec. 3503.14. (A) The secretary of state shall prescribe 9
the form and content of the registration, change of residence, 10
and change of name forms used in this state. The forms shall 11
meet the requirements of the National Voter Registration Act of 12
1993 and shall include spaces for all of the following: 13

- (1) The voter's name; 14
- (2) The voter's current residence address; 15
- (3) The current date; 16
- (4) The voter's date of birth; 17

(5) The voter to provide at least one of the following forms of identification: 18
19

(a) The voter's Ohio driver's license or state identification card number; 20
21

(b) The last four digits of the voter's social security number. 22
23

(6) A space for the voter to provide the voter's former residence address or addresses, if the voter is currently registered to vote at another address. 24
25
26

(7) The voter's signature, accompanied by the following statement: "I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election. I understand that if I am registered to vote at any other address, the election officials will be notified of my change of address. 27
28
29
30
31
32
33

The forms shall include the following statement: 34

"WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. WHOEVER VOTES MORE THAN ONCE AT THE SAME ELECTION IS GUILTY OF A FELONY OF THE FOURTH DEGREE." 35
36
37

The registration form shall include a space on which the person registering an applicant shall sign the person's name and provide the person's address and a space on which the person registering an applicant shall name the employer who is employing that person to register the applicant. 38
39
40
41
42

Except for forms prescribed by the secretary of state under section 3503.11 of the Revised Code, the secretary of state shall permit boards of elections to produce forms that 43
44
45

have subdivided spaces for each individual alphanumeric 46
character of the information provided by the voter so as to 47
accommodate the electronic reading and conversion of the voter's 48
information to data and the subsequent electronic transfer of 49
that data to the statewide voter registration database 50
established under section 3503.15 of the Revised Code. 51

(B) None of the following persons who are registering an 52
applicant in the course of that official's or employee's normal 53
duties shall sign the person's name, provide the person's 54
address, or name the employer who is employing the person to 55
register an applicant on a form prepared under this section: 56

- (1) An election official; 57
- (2) A county treasurer; 58
- (3) A deputy registrar of motor vehicles; 59
- (4) An employee of a designated agency; 60
- (5) An employee of a public high school; 61
- (6) An employee of a public vocational school; 62
- (7) An employee of a public library; 63
- (8) An employee of the office of a county treasurer; 64
- (9) An employee of the bureau of motor vehicles; 65
- (10) An employee of a deputy registrar of motor vehicles; 66
- (11) An employee of an election official. 67

(C) Except as provided in section 3501.382 of the Revised 68
Code, any applicant who is unable to sign the applicant's own 69
name shall make an "X," if possible, which shall be certified by 70
the signing of the name of the applicant by the person filling 71

out the form, who shall add the person's own signature. If an 72
applicant is unable to make an "X," the applicant shall indicate 73
in some manner that the applicant desires to register to vote or 74
to change the applicant's name or residence. The person 75
registering the applicant shall sign the form and attest that 76
the applicant indicated that the applicant desired to register 77
to vote or to change the applicant's name or residence. 78

(D) No registration, change of residence, or change of 79
name form shall be rejected solely on the basis that a person 80
registering an applicant failed to sign the person's name or 81
failed to name the employer who is employing that person to 82
register the applicant as required under division (A) of this 83
section. 84

~~(E)~~ (1) A voter registration application is not required 85
to contain the voter's former residence address to be considered 86
valid. 87

(2) A voter registration application submitted online 88
through the internet pursuant to section 3503.20 of the Revised 89
Code is not required to contain a signature to be considered 90
valid. The signature obtained under division (B) of that section 91
shall be considered the applicant's signature for all election 92
and signature-matching purposes. 93

(F) As used in this section, "registering an applicant" 94
includes any effort, for compensation, to provide voter 95
registration forms or to assist persons in completing or 96
returning those forms. 97

Sec. 3503.15. (A) The secretary of state shall establish 98
and maintain a statewide voter registration database that shall 99
be administered by the office of data analytics and archives in 100

the office of the secretary of state and made continuously 101
available to each board of elections and to other agencies as 102
authorized by law. 103

The statewide voter registration database shall be the 104
official list of registered electors for all elections conducted 105
in this state. 106

(B) The statewide voter registration database shall, at a 107
minimum, include all of the following: 108

(1) An electronic network that connects all board of 109
elections offices with the office of the secretary of state and 110
with the offices of all other boards of elections; 111

(2) A computer program that harmonizes the records 112
contained in the database with records maintained by each board 113
of elections; 114

(3) An interactive computer program that allows access to 115
the records contained in the database by each board of elections 116
and by any persons authorized by the secretary of state to add, 117
delete, modify, or print database records, and to conduct 118
updates of the database; 119

(4) A search program capable of verifying registered 120
electors and their registration information by name, driver's 121
license or state identification card number, birth date, social 122
security number, or current address; 123

(5) Safeguards and components to ensure that the 124
integrity, security, and confidentiality of the voter 125
registration information is maintained; 126

(6) Methods to retain for the permanent retention of 127
~~canceled voter registration records for not less than five years~~ 128

after they are canceled and to record <u>for recording</u> the reason	129
for their cancellation.	130
(C) For each registered elector, the statewide voter	131
registration database shall include all of the following	132
information:	133
(1) The elector's name;	134
(2) The elector's birth date;	135
(3) The elector's current residence address;	136
(4) The elector's precinct number;	137
(5) The elector's Ohio driver's license or state	138
identification card number, if available;	139
(6) The last four digits of the elector's social security	140
number, if available;	141
(7) The elector's telephone number, if available;	142
(8) The elector's electronic mail address, if available;	143
(9) (a) The elector's voter registration date, which shall	144
be determined based on the elector's most recent application to	145
register to vote in this state, subject to division (C) (9) (b) of	146
this section, as follows:	147
(i) In the case of an application delivered in person to a	148
state or local office of a designated agency, the office of the	149
registrar or any deputy registrar of motor vehicles, a public	150
high school or vocational school, a public library, or the	151
office of a county treasurer, the date stamped on the	152
application upon receipt by the entity that transmits the	153
application to the board of elections or the secretary of state;	154
(ii) In the case of an application delivered in person to	155

a board of elections or the secretary of state, the date stamped 156
on the application upon receipt by the board of elections or the 157
secretary of state, as applicable; 158

(iii) In the case of an application delivered by mail to a 159
board of elections or the secretary of state, the date the 160
application is postmarked; 161

(iv) In the case of an application submitted through the 162
online voter registration system established under section 163
3503.20 of the Revised Code, the date of the online submission; 164

(v) In the case of an application submitted to a board of 165
elections by facsimile transmission or electronic mail under 166
Chapter 3511. of the Revised Code, the date of the receipt of 167
the transmission or electronic mail by the board of elections; 168

(vi) In the case of a provisional ballot affirmation that 169
serves as an application to register to vote in future elections 170
because the individual who cast the ballot is not registered to 171
vote, the date the board of elections determines that the 172
provisional ballot is invalid under section 3505.183 of the 173
Revised Code. 174

(b) For purposes of determining an elector's voter 175
registration date under division (C) (9) (a) of this section, all 176
of the following apply: 177

(i) An elector's voter registration date shall not be 178
during the period beginning on the day after the close of voter 179
registration before an election and ending on the day of the 180
election. If the date determined under division (C) (9) (a) of 181
this section would be during that period, the voter registration 182
date instead shall be the date on which the board of elections 183
processes the application to register to vote after the day of 184

the election.	185
(ii) A change of address or change of name form, including a provisional ballot affirmation that serves as a change of address or change of name form, is not considered an application to register to vote.	186 187 188 189
(iii) An application to register to vote that is submitted by an individual who is already registered to vote in this state is not considered an application to register to vote.	190 191 192
(10) The elector's voting history, including all of the following for each election in which the elector cast a ballot that was counted:	193 194 195
(a) The date of the election;	196
(b) If the election was a primary election, the political party whose ballot the elector cast at the primary election or an indication that the elector voted only on the questions and issues appearing on the ballot at a special election held on the day of the primary election;	197 198 199 200 201
(c) The type of ballot the elector cast.	202
(11) The elector's last activity date, which shall be determined in accordance with rules adopted by the secretary of state pursuant to Chapter 119. of the Revised Code.	203 204 205
(12) Any other information the secretary of state requires to be included by rule adopted pursuant to Chapter 119. of the Revised Code.	206 207 208
(D) Every day during the period beginning on the forty-sixth day before an election and ending on the eighty-first day after the day of the election, a board of elections shall create a daily record of its voter registration database as of four	209 210 211 212

p.m. and shall transmit the daily record to the secretary of 213
state in a secure manner prescribed by the secretary of state. 214
The secretary of state shall archive the daily record and retain 215
it for at least twenty-two months after the day of the election. 216

(E) The secretary of state shall adopt rules pursuant to 217
Chapter 119. of the Revised Code to implement this section and 218
sections 3503.151 to 3503.153 of the Revised Code, including 219
rules doing all of the following: 220

(1) Specifying the manner in which any voter registration 221
records maintained by boards of elections in other data formats 222
shall be converted for inclusion in the statewide voter 223
registration database; 224

(2) Establishing a uniform method for entering voter 225
registration records into the statewide voter registration 226
database on an expedited basis, but not less than once per day, 227
if new registration information is received, and for 228
transmitting information securely to the secretary of state; 229

(3) Establishing a uniform method for purging canceled 230
voter registration records from the statewide voter registration 231
database in accordance with section 3503.21 of the Revised Code; 232

(4) Specifying the persons authorized to add, delete, 233
modify, or print records contained in the statewide voter 234
registration database and to make updates of that database; 235

(5) Establishing a process for annually auditing the 236
information contained in the statewide voter registration 237
database. 238

(F) A board of elections promptly shall purge a voter's 239
name and voter registration information from the statewide voter 240
registration database in accordance with the rules adopted by 241

the secretary of state under division (E) (3) of this section 242
after the cancellation of a voter's registration under section 243
3503.21 of the Revised Code. 244

(G) The secretary of state shall provide training in the 245
operation of the statewide voter registration database to each 246
board of elections and to any persons authorized by the 247
secretary of state to add, delete, modify, or print database 248
records, and to conduct updates of the database. 249

(H) A board of elections and any vendor with which it 250
contracts to provide voter registration software or related 251
services shall ensure that the board's voter registration system 252
and practices comply with the requirements of this section and 253
any rules adopted under this section. 254

Sec. 3503.20. (A) The secretary of state shall establish a 255
secure online voter registration system. The system shall 256
provide for all of the following: 257

(1) An applicant to submit a voter registration 258
application to the secretary of state online through the 259
internet; 260

(2) The online applicant to be registered to vote, if all 261
of the following apply: 262

(a) The application contains all of the following 263
information: 264

(i) The applicant's name; 265

(ii) The applicant's address; 266

(iii) The applicant's date of birth; 267

(iv) The last four digits of the applicant's social 268

security number;	269
(v) The applicant's Ohio driver's license number or the	270
number of the applicant's state identification card issued under	271
section 4507.50 of the Revised Code.	272
(b) The applicant's name, address, and date of birth, the	273
last four digits of the applicant's social security number, and	274
the applicant's Ohio driver's license number or the number of	275
the applicant's state identification card as they are provided	276
in the application are not inconsistent with the information on	277
file with the bureau of motor vehicles;	278
(c) The applicant is a United States citizen, will have	279
lived in this state for thirty days immediately preceding the	280
next election, will be at least eighteen years of age on or	281
before the day of the next general election, and is otherwise	282
eligible to register to vote;	283
(d) The applicant attests to the truth and accuracy of the	284
information submitted in the online application under penalty of	285
election falsification.	286
(B) If an individual registers to vote or a registered	287
elector updates the elector's name, address, or both under this	288
section, the secretary of state shall obtain an electronic copy	289
of the applicant's or elector's signature that is on file with	290
the bureau of motor vehicles. That electronic signature shall be	291
used as the applicant's or elector's signature on voter	292
registration records, for all election and signature-matching	293
purposes.	294
(C) The secretary of state shall employ whatever security	295
measures the secretary of state considers necessary to ensure	296
the integrity and accuracy of voter registration information	297

submitted electronically pursuant to this section. Errors in 298
processing voter registration applications in the online system 299
shall not prevent an applicant from becoming registered or from 300
voting. 301

(D) The online voter registration application established 302
under division (A) of this section shall include both of the 303
following: 304

(1) An option for the voter to provide the voter's former 305
residence address or addresses, if the voter is currently 306
registered to vote at another address; 307

(2) The following language: 308

"By clicking the box below, I affirm all of the following 309
under penalty of election falsification, ~~which is a felony of-~~ 310
~~the fifth degree:~~ 311

~~(1)~~ (a) I am the person whose name and identifying 312
information is provided on this form, and I desire to register 313
to vote, or update my voter registration, in the State of Ohio. 314

~~(2)~~ (b) All of the information I have provided on this 315
form is true and correct as of the date I am submitting this 316
form. 317

~~(3)~~ (c) I am a United States citizen. 318

~~(4)~~ (d) I will have lived in Ohio for thirty days 319
immediately preceding the next election. 320

~~(5)~~ (e) I will be at least eighteen years of age on or 321
before the day of the next general election. 322

~~(6)~~ (f) I authorize the Bureau of Motor Vehicles to 323
transmit to the Ohio Secretary of State my signature that is on 324

file with the Bureau of Motor Vehicles, and I understand and 325
agree that the signature transmitted by the Bureau of Motor 326
Vehicles will be used by the Secretary of State to validate this 327
electronic voter registration application as if I had signed 328
this form personally. 329

(g) I understand that if I am registered to vote at any 330
other address, the election officials will be notified of my 331
change of address. 332

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 333
FELONY OF THE FIFTH DEGREE. WHOEVER VOTES MORE THAN ONCE AT THE 334
SAME ELECTION IS GUILTY OF A FELONY OF THE FOURTH DEGREE." 335

In order to register to vote or update a voter 336
registration under division (A) of this section, an applicant or 337
elector shall be required to mark the box in the online voter 338
registration application that appears in conjunction with the 339
previous statement. 340

~~(E) The online voter registration process established 341~~
~~under division (A) of this section shall be in operation and 342~~
~~available for use by individuals who wish to register to vote or 343~~
~~update their voter registration information online not earlier 344~~
~~than January 1, 2017. During the period beginning on the first 345~~
day after the close of voter registration before an election and 346
ending on the day of the election, the online voter registration 347
system shall display a notice indicating that the applicant will 348
not be registered to vote for the purposes of that election. 349

(F) Notwithstanding section 1.50 of the Revised Code, if 350
any provision of this section or of division (E) of section 351
3503.14 of the Revised Code is held invalid, or if the 352
application of any provision of this section or of that division 353

to any person or circumstance is held invalid, then this section 354
and that division cease to operate. 355

Sec. 3503.21. (A) The registration of a registered elector 356
shall be canceled upon the occurrence of any of the following: 357

(1) The filing by a registered elector of a written 358
request with a board of elections or the secretary of state, on 359
a form prescribed by the secretary of state and signed by the 360
elector, that the registration be canceled. The filing of such a 361
request does not prohibit an otherwise qualified elector from 362
reregistering to vote at any time. 363

(2) The filing of a notice of the death of a registered 364
elector as provided in section 3503.18 of the Revised Code; 365

(3) The filing with the board of elections of a certified 366
copy of the death certificate of a registered elector by the 367
deceased elector's spouse, parent, or child, by the 368
administrator of the deceased elector's estate, or by the 369
executor of the deceased elector's will; 370

(4) The conviction of the registered elector of a felony 371
under the laws of this state, any other state, or the United 372
States as provided in section 2961.01 of the Revised Code; 373

(5) The adjudication of incompetency of the registered 374
elector for the purpose of voting as provided in section 375
5122.301 of the Revised Code; 376

(6) The change of residence of the registered elector to a 377
location outside the county of registration in accordance with 378
division (B) of this section or as described in section 3503.33 379
of the Revised Code; 380

(7) The failure of the registered elector, after having 381

been mailed a confirmation notice, to do either of the 382
following: 383

(a) Respond to such a notice and vote at least once during 384
a period of four consecutive years, which period shall include 385
two general federal elections; 386

(b) Update the elector's registration and vote at least 387
once during a period of four consecutive years, which period 388
shall include two general federal elections. 389

(8) The receipt by the board of elections of a 390
cancellation notice or request pursuant to section 111.44 of the 391
Revised Code. 392

(B) (1) The secretary of state shall prescribe procedures 393
to transfer a registrant's voter registration information when 394
the registrant moves from one county to another within this 395
state and updates the registrant's voter registration, as 396
described in section 3503.33 of the Revised Code, and to 397
identify and cancel the registration in a prior county of 398
residence of any registrant who changes the registrant's voting 399
residence to a location outside the registrant's current county 400
of registration without updating the registrant's voter 401
registration. Any procedures prescribed in this division shall 402
be uniform and nondiscriminatory, and shall comply with the 403
Voting Rights Act of 1965. The secretary of state may prescribe 404
procedures under this division that include the use of the 405
national change of address service provided by the United States 406
postal system through its licensees. Any program so prescribed 407
shall be completed not later than ninety days prior to the date 408
of any primary or general election for federal office. 409

(2) The registration of any elector identified as having 410

changed the elector's voting residence to a location outside the 411
elector's current county of registration without updating the 412
elector's registration shall not be canceled unless the 413
registrant is sent a confirmation notice on a form prescribed by 414
the secretary of state and the registrant fails to respond to 415
the confirmation notice or otherwise update the registration and 416
fails to vote in any election during the period of two federal 417
elections subsequent to the mailing of the confirmation notice. 418

(C) The registration of a registered elector shall not be 419
canceled except as provided in this section, section 111.44 or 420
3503.33 of the Revised Code, division (Q) of section 3501.05 of 421
the Revised Code, division (C) (2) of section 3503.19 of the 422
Revised Code, or division (C) of section 3503.24 of the Revised 423
Code. 424

(D) Boards of elections shall send their voter 425
registration information to the secretary of state as required 426
under section 3503.15 of the Revised Code. The secretary of 427
state may prescribe by rule adopted pursuant to section 111.15 428
of the Revised Code the format in which the boards of elections 429
must send that information to the secretary of state. In the 430
first quarter of each year, the secretary of state shall send 431
the information to the national change of address service 432
described in division (B) of this section and request that 433
service to provide the secretary of state with a list of any 434
voters sent by the secretary of state who have moved within the 435
last twelve months. The secretary of state shall transmit to 436
each appropriate board of elections whatever lists the secretary 437
of state receives from that service. The board shall send a 438
notice to each person on the list transmitted by the secretary 439
of state requesting confirmation of the person's change of 440
address, together with a postage prepaid, preaddressed return 441

envelope containing a form on which the voter may verify or 442
correct the change of address information. 443

(E) The registration of a registered elector described in 444
division (A) (7) or (B) (2) of this section shall be canceled not 445
later than one hundred twenty days after the date of the second 446
general federal election in which the elector fails to vote or 447
not later than one hundred twenty days after the expiration of 448
the four-year period in which the elector fails to vote or 449
respond to a confirmation notice, whichever is later. 450

(F) (1) When a registration is canceled pursuant to 451
division (A) (2) or (3) of this section, the applicable board of 452
elections shall send a written notice, on a form prescribed by 453
the secretary of state, to the address at which the elector was 454
registered, informing the recipient that the elector's 455
registration has been canceled, of the reason for the 456
cancellation, and that if the cancellation was made in error, 457
the elector may contact the board of elections to correct the 458
error. 459

(2) If the elector's registration is canceled pursuant to 460
division (A) (2) or (3) of this section in error, it shall be 461
restored and treated as though it were never canceled. 462

Sec. 3503.33. If an elector applying for registration is 463
already registered in another state or in another county within 464
this state, the elector shall ~~declare this fact to the~~ 465
~~registration officer and shall sign~~ an authorization to cancel 466
or transfer the elector's previous registration on a form 467
prescribed by the secretary of state. If the elector does not 468
sign such an authorization, the elector's registration 469
application authorizes the transfer of the elector's previous 470
registration from one county to another within this state or the 471

cancellation of the elector's registration in the elector's 472
previous state of residence, as applicable. 473

~~The~~ In the case of an elector who moves from one county to 474
another within this state, the director of the board of 475
elections shall ~~mail all such authorizations~~ transmit a copy of 476
the elector's new registration form and any accompanying 477
authorization form to the board of elections ~~or comparable~~ 478
~~agency of the proper state and county of the elector's former~~ 479
registration. Upon the receipt of ~~this authorization~~ the 480
registration form and any accompanying authorization form from 481
the forwarding county, the director of ~~a~~ the board of elections 482
~~in Ohio,~~ upon a comparison of the elector's signature with the 483
elector's signature as it appears on the registration files, 484
shall remove the elector's former registration from the files, 485
transfer the information in it to the board of elections of the 486
elector's new county, and place it with the ~~cancellation~~ 487
~~authorization~~ new registration form and any accompanying 488
authorization form in a separate file which shall be ~~kept for a~~ 489
~~period of two calendar years~~ retained permanently. ~~The board~~ 490
shall notify the elector at the present address as shown on the 491
~~cancellation authorization that his registration has been~~ 492
~~canceled.~~ 493

In the case of an elector who moves into this state, the 494
director of the board of elections shall transmit a copy of the 495
elector's new registration form and any accompanying 496
authorization form to the chief election official of the state 497
of the elector's former registration. 498

Section 2. That existing sections 3503.14, 3503.15, 499
3503.20, 3503.21, and 3503.33 of the Revised Code are hereby 500
repealed. 501

Section 3. Section 3503.21 of the Revised Code is 502
presented in this act as a composite of the section as amended 503
by both H.B. 359 and S.B. 63 of the 131st General Assembly. The 504
General Assembly, applying the principle stated in division (B) 505
of section 1.52 of the Revised Code that amendments are to be 506
harmonized if reasonably capable of simultaneous operation, 507
finds that the composite is the resulting version of the section 508
in effect prior to the effective date of the section as 509
presented in this act. 510