

As Reported by the House Elections and Ethics Committee

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Sub. H. B. No. 234

**Representatives Wolpert, Kearns, C. Evans, D. Evans, Beatty, Miller, Brown,
Distel, S. Smith, Widowfield, Trakas, Boccieri, Hood, Allen, D. Stewart, Law,
Uecker**

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To amend sections 3501.22 and 3501.27 of the Revised	1
Code to permit a board of elections, in	2
conjunction with a board of education, the	3
governing authority of a community school, or the	4
chief administrator of a nonpublic school, to	5
establish a program permitting certain high school	6
seniors to serve as precinct officers on the day	7
of an election, and to permit a board of elections	8
to establish such a program for home-instructed	9
students who are in the equivalent of the twelfth	10
year of a one through twelve year instructional	11
program.	12

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

Section 1. That sections 3501.22 and 3501.27 of the Revised	13
Code be amended to read as follows:	14

Sec. 3501.22. (A) On or before the fifteenth day of September	15
in each year the board of elections by a majority vote shall,	16
after careful examination and investigation as to their	17
qualifications, appoint for each election precinct four competent	18

~~electors~~, residents of the county in which the precinct is
located, as judges. ~~Such electors~~ Except as otherwise provided in
division (C) of this section, all judges of election shall be
qualified electors. The judges shall constitute the election
officers of the precinct. Not more than one-half of the total
number of judges shall be members of the same political party. The
term of such precinct officers shall be for one year. The board
may, at any time, designate any number of election officers, not
more than one-half of whom shall be members of the same political
party, to perform their duties at any precinct in any election.
The board may appoint additional officials, equally divided
between the two major political parties, when necessary to
expedite voting.

Vacancies for unexpired terms shall be filled by the board.
When new precincts have been created, the board shall appoint
judges for such precincts for the unexpired term. Any judge may be
summarily removed from office at any time by the board for neglect
of duty, malfeasance, or misconduct in office, or for any other
good and sufficient reason.

Precinct election officials shall perform all of the duties
provided by law for receiving the ballots and supplies, opening
and closing the polls, and overseeing the casting of ballots
during the time the polls are open, and any other duties required
by section 3501.26 of the Revised Code.

A board of elections may designate two precinct election
officials as counting officials to count and tally the votes cast
and certify the results of the election at each precinct, and
perform such other duties as are provided by law. To expedite the
counting of votes at each precinct, the board may appoint
additional officials, not more than one-half of whom shall be
members of the same political party.

The board shall designate one of the precinct election

officials who is a member of the dominant political party to serve
as a presiding judge, whose duty it is to deliver the returns of
the election and all supplies to the office of the board. For
these services the presiding judge shall receive additional
compensation in an amount, consistent with section 3501.28 of the
Revised Code, determined by the board of elections.

The board shall issue to each precinct election official a
certificate of appointment, which the official shall present to
the presiding judge at the time the polls are opened.

(B) If the board of elections determines that not enough
qualified electors in a precinct are available to serve as
precinct officers, it may appoint persons to serve as precinct
officers at a primary, special, or general election who are at
least seventeen years of age and are registered to vote in
accordance with section 3503.07 of the Revised Code. No more than
two precinct officers in any precinct shall be under eighteen
years of age.

(C)(1)(a) A board of elections, in conjunction with the board
of education of a city, local, or exempted village school
district, the governing authority of a community school
established under Chapter 3314. of the Revised Code, or the chief
administrator of a nonpublic school may establish a program
permitting certain high school students to apply and, if appointed
by the board of elections, to serve as precinct officers at a
primary, special, or general election.

In addition to the requirements established by division
(C)(2) of this section, a board of education, governing authority,
or chief administrator that establishes a program under this
division in conjunction with a board of elections may establish
additional criteria that students shall meet to be eligible to
participate in that program.

(b) A board of elections may establish a program permitting certain students who are excused from attending a school that meets the minimum standards prescribed by the state board of education under section 3321.04 of the Revised Code because the students are being instructed at home to apply and, if appointed by the board of elections, to serve as precinct officers at a primary, special, or general election.

(2)(a) To be eligible to participate in a program established under division (C)(1) of this section, a student shall be a United States citizen, a resident of the county, at least seventeen years of age, and enrolled in the senior year of high school or in the equivalent of the twelfth year of a one through twelve year instructional program at the time of appointment.

(b) Any student applying to participate in a program established under division (C)(1) of this section, as part of the student's application process, shall declare the student's political party affiliation with the board of elections.

(3) No student appointed as a precinct officer pursuant to a program established under division (C)(1) of this section shall be designated as a presiding judge.

(4)(a) Any student participating in a program established under division (C)(1)(a) of this section shall be excused for that student's absence from school on the day of an election at which the student is serving as a precinct officer.

(b) The number of hours that any student participating in a program established under division (C)(1)(b) of this section spends serving as a precinct officer on the day of an election shall be counted towards the number of hours of instructional time required of that student by rule of the state board of education, except that no more than six and one half hours shall be counted toward the student's required hours of instructional time for

serving as a precinct officer for any one election.

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Sec. 3501.27. (A) All judges of election shall ~~be qualified~~
~~electors who have completed~~ complete a program of instruction
pursuant to division (B) of this section. No person who has been
convicted of a felony, or any violation of the election laws, ~~or~~
who is unable to read and write the English language readily, or
who is a candidate for an office to be voted for by the voters of
the precinct in which ~~he~~ the person is to serve shall serve as an
election officer. A person when appointed as an election officer
shall receive from the board of elections a certificate of
appointment which may be revoked at any time by the board for good
and sufficient reasons. Such certificate shall be in such form as
the board prescribes and shall specify the precinct, ward, or
district in and for which the person to whom it is issued is
appointed to serve, the date of appointment, and the expiration of
~~his~~ the person's term of service.

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(B) Each board shall establish a program as prescribed by the
secretary of state for the instruction of election officers in the
rules, procedures, and law relating to elections. In each program,
the board shall use training materials prepared by the secretary
of state, and may use additional materials prepared by or on
behalf of the board. The board may use the services of unpaid
volunteers in conducting its program and may reimburse such
volunteers for necessary and actual expenses incurred in
participating in the program.

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The board shall train each new election officer before the
new officer participates in ~~his~~ the first election in that
capacity. The board shall instruct election officials who have
been trained previously only when the board or secretary of state
considers such instruction necessary, but the board shall
reinstruct such persons, other than presiding judges, at least

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once in every three years and shall reinstruct presiding judges 144
before the primary election in even-numbered years. The board 145
shall schedule any program of instruction within sixty days prior 146
to the election in which the officials to be trained will 147
participate. 148

(C) The duties of a judge of an election in each polling 149
place shall be performed only by an individual who has 150
successfully completed the requirements of the program, unless 151
such an individual is unavailable after reasonable efforts to 152
obtain such services. 153

(D) The secretary of state shall establish a program for the 154
instruction of members of boards of elections and employees of 155
boards in the rules, procedures, and law relating to elections. 156
Each member and employee shall complete the training program 157
within six months after ~~his~~ the member's or employee's original 158
appointment or employment, and thereafter, each member and 159
employee shall complete a training program to update their 160
knowledge once every four years or more often as determined by the 161
secretary of state. 162

(E) The secretary of state shall reimburse each county for 163
the cost of programs established pursuant to division (B) of this 164
section, once ~~he~~ the secretary of state has received an itemized 165
statement of expenses for such instruction programs from the 166
county. The itemized statement shall be in a form prescribed by 167
the secretary of state. 168

Section 2. That existing sections 3501.22 and 3501.27 of the 169
Revised Code are hereby repealed. 170

Section 3. Section 3501.22 of the Revised Code is presented 171
in this act as a composite of the section as amended by both Am. 172
Sub. H.B. 99 and Am. H.B. 215 of the 121st General Assembly. The 173
General Assembly, applying the principle stated in division (B) of 174

section 1.52 of the Revised Code that amendments are to be	175
harmonized if reasonably capable of simultaneous operation, finds	176
that the composite is the resulting version of the section in	177
effect prior to the effective date of the section as presented in	178
this act.	179