

**As Introduced**

**130th General Assembly  
Regular Session  
2013-2014**

**S. B. No. 175**

**Senator LaRose**

**Cosponsors: Senators Jones, Seitz, Lehner**

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**A B I L L**

To amend sections 3503.14, 3503.15, 3503.18, and 1  
3503.21 and to enact sections 3503.05, 3503.20, 2  
3503.22, and 3509.031 of the Revised Code to 3  
revise the law concerning voter registration and 4  
requests for absent voter's ballots. 5

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

**Section 1.** That sections 3503.14, 3503.15, 3503.18, and 6  
3503.21 be amended and sections 3503.05, 3503.20, 3503.22, and 7  
3509.031 of the Revised Code be enacted to read as follows: 8

**Sec. 3503.05.** The secretary of state shall establish, by 9  
rule, a uniform process for notifying individuals who have 10  
submitted an incomplete voter registration application of the 11  
incomplete status of that application. The process shall permit 12  
such an individual to provide any information required to complete 13  
the application. 14

**Sec. 3503.14.** (A) The secretary of state shall prescribe the 15  
form and content of the registration, change of residence, and 16  
change of name forms used in this state. The forms shall meet the 17  
requirements of the National Voter Registration Act of 1993 and 18

shall include spaces for all of the following:	19
(1) The voter's name;	20
(2) The voter's address;	21
(3) The current date;	22
(4) The voter's date of birth;	23
(5) The voter to provide one or more of the following:	24
(a) The voter's driver's license number, if any;	25
(b) The last four digits of the voter's social security number, if any;	26 27
(c) A copy of a current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and address.	28 29 30 31 32 33
(6) The voter's signature.	34
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.	35 36 37 38 39
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 have subdivided spaces for each individual alphanumeric character of the information provided by the voter so as to accommodate the electronic reading and conversion of the voter's information to data and the subsequent electronic transfer of that data to the statewide voter registration database established under section 3503.15 of the Revised Code.	40 41 42 43 44 45 46 47 48

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

- (1) An election official;
- (2) A county treasurer;
- (3) A deputy registrar of motor vehicles;
- (4) An employee of a designated agency;
- (5) An employee of a public high school;
- (6) An employee of a public vocational school;
- (7) An employee of a public library;
- (8) An employee of the office of a county treasurer;
- (9) An employee of the bureau of motor vehicles;
- (10) An employee of a deputy registrar of motor vehicles;
- (11) An employee of an election official.

(C) Except as provided in section 3501.382 of the Revised Code, any applicant who is unable to sign the applicant's own name shall make an "X," if possible, which shall be certified by the signing of the name of the applicant by the person filling out the form, who shall add the person's own signature. If an applicant is unable to make an "X," the applicant shall indicate in some manner that the applicant desires to register to vote or to change the applicant's name or residence. The person registering the applicant shall sign the form and attest that the applicant indicated that the applicant desired to register to vote or to change the applicant's name or residence.

(D) No registration, change of residence, or change of name form shall be rejected solely on the basis that a person

registering an applicant failed to sign the person's name or 78  
failed to name the employer who is employing that person to 79  
register the applicant as required under division (A) of this 80  
section. 81

(E) A voter registration application submitted online through 82  
the internet pursuant to section 3503.20 of the Revised Code is 83  
not required to contain a signature to be considered valid. The 84  
signature obtained under division (B) of that section shall be 85  
considered the applicant's signature for all election and 86  
signature-matching purposes. 87

(F) As used in this section, "registering an applicant" 88  
includes any effort, for compensation, to provide voter 89  
registration forms or to assist persons in completing or returning 90  
those forms. 91

**Sec. 3503.15.** (A)(1) The secretary of state shall establish 92  
and maintain a statewide voter registration database that shall be 93  
administered by the office of the secretary of state and made 94  
continuously available to each board of elections and to other 95  
agencies as authorized by law. 96

(2)(a) State agencies, including, but not limited to, the 97  
department of health, bureau of motor vehicles, department of job 98  
and family services, and the department of rehabilitation and 99  
corrections, shall provide any information and data to the 100  
secretary of state that the secretary of state considers necessary 101  
in order to maintain the statewide voter registration database 102  
established pursuant to this section, except where prohibited by 103  
federal law or regulation. The secretary of state shall ensure 104  
that any information or data provided to the secretary of state 105  
that is confidential in the possession of the entity providing the 106  
data remains confidential while in the possession of the secretary 107  
of state. 108

(b) Information provided under this division for maintenance of the statewide voter registration database shall not be used to update the name or address of a registered elector. The name or address of a registered elector shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both. 109  
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(c) A board of elections shall contact a registered elector pursuant to the rules adopted under division (D)(6) of this section to verify the accuracy of the information in the statewide voter registration database regarding that elector if that information does not conform with information provided under division (A)(2)(a) of this section and the discrepancy would affect the elector's eligibility to vote. 115  
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(3) The secretary of state shall enter into agreements to share information or data with other states or groups of states, as the secretary of state considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in this division, the secretary of state shall ensure that any information or data provided to the secretary of state that is confidential in the possession of the state providing the data remains confidential while in the possession of the secretary of state. The secretary of state may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database. 122  
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(B) The statewide voter registration database established under this section shall be the official list of registered voters for all elections conducted in this state. 135  
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(C) The statewide voter registration database established under this section shall, at a minimum, include all of the following: 138  
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(1) An electronic network that connects all board of elections offices with the office of the secretary of state and with the offices of all other boards of elections;	141 142 143
(2) A computer program that harmonizes the records contained in the database with records maintained by each board of elections;	144 145 146
(3) An interactive computer program that allows access to the records contained in the database by each board of elections and by any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database;	147 148 149 150 151
(4) A search program capable of verifying registered voters and their registration information by name, driver's license number, birth date, social security number, or current address;	152 153 154
(5) Safeguards and components to ensure that the integrity, security, and confidentiality of the voter registration information is maintained;	155 156 157
<u>(6) Methods to retain canceled voter registration records and to record the reason for their cancellation.</u>	158 159
(D) The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code doing all of the following:	160 161
(1) Specifying the manner in which existing voter registration records maintained by boards of elections shall be converted to electronic files for inclusion in the statewide voter registration database;	162 163 164 165
(2) Establishing a uniform method for entering voter registration records into the statewide voter registration database on an expedited basis, but not less than once per day, if new registration information is received;	166 167 168 169
(3) Establishing a uniform method for purging canceled voter	170

registration records from the statewide voter registration	171
database in accordance with section 3503.21 of the Revised Code;	172
(4) Specifying the persons authorized to add, delete, modify,	173
or print records contained in the statewide voter registration	174
database and to make updates of that database;	175
(5) Establishing a process for annually auditing the	176
information contained in the statewide voter registration	177
database;	178
<u>(6) Establishing a uniform method for addressing instances in</u>	179
<u>which records contained in the statewide voter registration</u>	180
<u>database do not conform with records maintained by an agency</u>	181
<u>described in division (A)(2)(a) of this section.</u>	182
(E) A board of elections promptly shall purge a voter's name	183
and voter registration information from the statewide voter	184
registration database in accordance with the rules adopted by the	185
secretary of state under division (D)(3) of this section after the	186
cancellation of a voter's registration under section 3503.21 of	187
the Revised Code.	188
(F) The secretary of state shall provide training in the	189
operation of the statewide voter registration database to each	190
board of elections and to any persons authorized by the secretary	191
of state to add, delete, modify, or print database records, and to	192
conduct updates of the database.	193
(G)(1) The statewide voter registration database established	194
under this section shall be made available on a web site of the	195
office of the secretary of state as follows:	196
(a) Except as otherwise provided in division (G)(1)(b) of	197
this section, <del>only</del> the following information from the statewide	198
voter registration database regarding a registered voter shall be	199
made available on the web site:	200

(i) The voter's name;	201
(ii) The voter's address;	202
(iii) The voter's precinct number;	203
(iv) The voter's voting history.	204
(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.	205 206 207 208
(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.	209 210 211 212 213 214 215 216 217 218
(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.	219 220 221 222 223 224 225
<b>Sec. 3503.18. <u>(A)(1) The director of health shall file with the secretary of state, at least once each month, the names, social security numbers, dates of birth, dates of death, and residences of all persons, over eighteen years of age, who have died within this state or another state within such month.</u></b>	226 227 228 229 230



(2) The secretary of state and the director of health shall jointly establish a secure electronic system through which they shall exchange the information described in division (A)(1) of this section regarding the death of a registered elector. 231  
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(B) At least once each month, each probate judge in this state shall file with the board of elections the names and residence addresses of all persons over eighteen years of age who have been adjudicated incompetent for the purpose of voting, as provided in section 5122.301 of the Revised Code. At 235  
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(C) At least once each month the clerk of the court of common pleas shall file with the board the names and residence addresses of all persons who have been convicted during the previous month of crimes that would disfranchise such persons under existing laws of the state. Reports of conviction of crimes under the laws of the United States that would disfranchise an elector and that are provided to the secretary of state by any United States attorney shall be forwarded by the secretary of state to the appropriate board of elections. 240  
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(D) Upon receiving a report required by this section, the board of elections shall promptly cancel the registration of each elector named in the report in accordance with section 3503.21 of the Revised Code. If the report contains a residence address of an elector in a county other than the county in which the board of elections is located, the director shall promptly send a copy of the report to the appropriate board of elections, which shall cancel the registration in accordance with that section. 249  
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**Sec. 3503.20.** (A) The secretary of state, by rule adopted under Chapter 119. of the Revised Code, shall establish a secure online process for voter registration. The rules shall provide for all of the following: 257  
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(1) An applicant to submit a voter registration application 261

to the secretary of state online through the internet; 262

(2) The online applicant to be registered to vote, if all of 263  
the following apply: 264

(a) The application contains all of the required information, 265  
including the last four digits of the applicant's social security 266  
number; 267

(b) The applicant is qualified to register to vote; and 268

(c) The applicant attests to the truth and accuracy of the 269  
information submitted in the online application under penalty of 270  
election falsification using the applicant's Ohio driver's license 271  
number or the number of the applicant's Ohio identification card 272  
as proof of the applicant's identity. 273

(B) If an individual registers to vote or a registered 274  
elector updates the elector's name, address, or both under this 275  
section, the secretary of state shall obtain an electronic copy of 276  
the applicant's or elector's signature that is on file with the 277  
bureau of motor vehicles. That electronic signature shall be used 278  
as the applicant's or elector's signature on voter registration 279  
records, for all election and signature-matching purposes. 280

(C) The secretary of state shall employ whatever security 281  
measures the secretary considers necessary to ensure the integrity 282  
and accuracy of voter registration information submitted 283  
electronically pursuant to this section. Errors in processing 284  
voter registration applications in the online system shall not 285  
prevent an applicant from becoming registered or from voting. 286

(D) The online voter registration application established 287  
under division (A) of this section shall include the following 288  
language: 289

"By clicking the box below, I affirm all of the following 290  
under penalty of election falsification, which is punishable by a 291

maximum sentence of imprisonment for twelve months and a fine of 292  
\$2,500: 293

(1) I am the person whose name and identifying information is 294  
provided on this form, and I desire to register to vote, or update 295  
my voter registration, in the State of Ohio. 296

(2) All of the information I have provided on this form is 297  
true and correct as of the date I am submitting this form. 298

(3) I authorize the Bureau of Motor Vehicles to transmit to 299  
the Ohio Secretary of State my signature that is on file with the 300  
Bureau of Motor Vehicles, and I understand and agree that the 301  
signature transmitted by the Bureau of Motor Vehicles will be used 302  
by the Secretary of State to validate this electronic voter 303  
registration application as if I had signed this form personally." 304

In order to register to vote or update a voter registration 305  
under division (A) of this section, an applicant or elector shall 306  
be required to mark the box in the online voter registration 307  
application that appears in conjunction with the previous 308  
statement. 309

(E) The online voter registration process established under 310  
division (A) of this section shall be in operation and available 311  
for use by individuals who wish to register to vote or update 312  
their voter registration information online not later than the 313  
first day of July occurring not fewer than one hundred twenty days 314  
after the effective date of this section. During the period 315  
beginning twenty-nine days before the day of an election and 316  
ending on the day of the election, the online voter registration 317  
system shall display a notice indicating that the applicant will 318  
not be registered to vote for the purposes of that election. 319

**Sec. 3503.21.** (A) The registration of a registered elector 320  
shall be canceled upon the occurrence of any of the following: 321

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

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

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

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

~~(3)~~(5) The adjudication of incompetency of the registered elector for the purpose of voting as provided in section 5122.301 of the Revised Code;

~~(5)~~(6) The change of residence of the registered elector to a location outside the county of registration in accordance with division (B) of this section;

~~(6)~~(7) The failure of the registered elector, after having been mailed a confirmation notice, to do either of the following:

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

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

(B)(1) The secretary of state shall prescribe procedures to 352  
identify and cancel the registration in a prior county of 353  
residence of any registrant who changes the registrant's voting 354  
residence to a location outside the registrant's current county of 355  
registration. Any procedures prescribed in this division shall be 356  
uniform and nondiscriminatory, and shall comply with the Voting 357  
Rights Act of 1965. The secretary of state may prescribe 358  
procedures under this division that include the use of the 359  
national change of address service provided by the United States 360  
postal system through its licensees. Any program so prescribed 361  
shall be completed not later than ninety days prior to the date of 362  
any primary or general election for federal office. 363

(2) The registration of any elector identified as having 364  
changed the elector's voting residence to a location outside the 365  
elector's current county of registration shall not be canceled 366  
unless the registrant is sent a confirmation notice on a form 367  
prescribed by the secretary of state and the registrant fails to 368  
respond to the confirmation notice or otherwise update the 369  
registration and fails to vote in any election during the period 370  
of two federal elections subsequent to the mailing of the 371  
confirmation notice. 372

(C) The registration of a registered elector shall not be 373  
canceled except as provided in this section, division (Q) of 374  
section 3501.05 of the Revised Code, division (C)(2) of section 375  
3503.19 of the Revised Code, or division (C) of section 3503.24 of 376  
the Revised Code. 377

(D) Boards of elections shall send their voter registration 378  
information to the secretary of state as required under section 379  
3503.15 of the Revised Code. The secretary of state may prescribe 380  
by rule adopted pursuant to section 111.15 of the Revised Code the 381  
format in which the boards of elections must send that information 382  
to the secretary of state. In the first quarter of each 383

~~odd-numbered~~ year, the secretary of state shall send the 384  
information to the national change of address service described in 385  
division (B) of this section and request that service to provide 386  
the secretary of state with a list of any voters sent by the 387  
secretary of state who have moved within the last ~~thirty-six~~ 388  
twelve months. The secretary of state shall transmit to each 389  
appropriate board of elections whatever lists the secretary of 390  
state receives from that service. The board shall send a notice to 391  
each person on the list transmitted by the secretary of state 392  
requesting confirmation of the person's change of address, 393  
together with a postage prepaid, preaddressed return envelope 394  
containing a form on which the voter may verify or correct the 395  
change of address information. 396

(E) The registration of a registered elector described in 397  
division (A)~~(6)~~(7) or (B)(2) of this section shall be canceled not 398  
later than one hundred twenty days after the date of the second 399  
general federal election in which the elector fails to vote or not 400  
later than one hundred twenty days after the expiration of the 401  
four-year period in which the elector fails to vote or respond to 402  
a confirmation notice, whichever is later. 403

(F)(1) When a registration is canceled pursuant to division 404  
(A)(2) or (3) of this section, the applicable board of elections 405  
shall send a written notice, on a form prescribed by the secretary 406  
of state, to the address at which the elector was registered, 407  
informing the recipient that the elector's registration has been 408  
canceled, of the reason for the cancellation, and that if the 409  
cancellation was made in error, the elector may contact the board 410  
of elections to correct the error. 411

(2) If an elector's registration is canceled pursuant to 412  
division (A)(2) or (3) of this section in error, it shall be 413  
restored and treated as though it were never canceled. 414

Sec. 3503.22. A board of elections may send an acknowledgment 415  
notice as prescribed by the secretary of state to any registered 416  
elector at any time to facilitate the maintenance and accuracy of 417  
the statewide voter registration database. 418

Sec. 3509.031. (A) The secretary of state, by rule adopted 419  
under Chapter 119. of the Revised Code, shall establish a secure 420  
online process for applying to vote by absent voter's ballots. The 421  
rules shall provide for all of the following: 422

(1) An elector to submit an application to vote by absent 423  
voter's ballots online through the internet; 424

(2) The elector to be sent proper absent voter's ballots for 425  
the applicable election, if all of the following apply: 426

(a) The application contains all of the required information; 427

(b) The elector is registered to vote and eligible to vote in 428  
the election for which the elector is seeking absent voter's 429  
ballots; 430

(c) The elector attests to the truth and accuracy of the 431  
information submitted in the online application under penalty of 432  
election falsification using the last four digits of the elector's 433  
social security number and either the elector's Ohio driver's 434  
license number or the elector's Ohio identification card number as 435  
proof of the elector's identity. 436

(B) If an elector applies to vote by absent voter's ballots 437  
under this section, the secretary of state shall obtain an 438  
electronic copy of the elector's signature that is on file with 439  
the statewide voter registration database. That electronic 440  
signature shall be used as the elector's signature on the absent 441  
voter's ballot application, for the purpose of matching the 442  
signature with the elector's signature on the elector's voter 443  
registration record. 444

(C) The secretary of state shall employ whatever security measures the secretary considers necessary to ensure the integrity and accuracy of information submitted electronically pursuant to this section. Errors in processing applications for absent voter's ballots in the online system shall not prevent an elector from receiving absent voter's ballots. 445  
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(D) The online absent voter's ballot application established under division (A) of this section shall include the following language: 451  
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"By clicking the box below, I affirm all of the following under penalty of election falsification, which is punishable by a maximum sentence of imprisonment for twelve months and a fine of \$2,500: 454  
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(1) I am the person whose name and identifying information is provided on this form, and I wish to receive an absent voter's ballot for the specified election. 458  
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(2) All of the information I have provided on this form is true and correct as of the date I am submitting this form. 461  
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(3) I authorize the Ohio Secretary of State to use my signature that is on file with the statewide voter registration database to validate this electronic absent voter's ballot application as if I had signed this form personally." 463  
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In order to apply for absent voter's ballots under division (A) of this section, an elector shall be required to mark the box in the online absent voter's ballot application that appears in conjunction with the previous statement. 467  
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(E) The online absent voter's ballot application process shall inform the applicant that the board of elections must receive the completed application not later than twelve noon of the third day before the day of the election at which the ballots are to be voted. 471  
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(F) The online absent voter's ballot application process 476  
established under division (A) of this section shall be in 477  
operation and available for use by individuals who wish to apply 478  
to vote by absent voter's ballots not later than the first day of 479  
July occurring not fewer than one hundred twenty days after the 480  
effective date of this section. 481

**Section 2.** That existing sections 3503.14, 3503.15, 3503.18, 482  
and 3503.21 of the Revised Code are hereby repealed. 483