

As Introduced

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

S. B. No. 200

Senator Uecker

Cosponsors: Senators Coley, Seitz

—

A B I L L

To amend sections 3503.15, 3503.18, and 3503.21 of 1
the Revised Code to modify the law governing the 2
statewide voter registration database. 3

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

Section 1. That sections 3503.15, 3503.18, and 3503.21 of the 4
Revised Code be amended to read as follows: 5

Sec. 3503.15. (A)(1) The secretary of state shall establish 6
and maintain a statewide voter registration database that shall be 7
administered by the office of the secretary of state and made 8
continuously available to each board of elections and to other 9
agencies as authorized by law. 10

(2)(a) State agencies, including, but not limited to, the 11
department of health, bureau of motor vehicles, department of job 12
and family services, and the department of rehabilitation and 13
corrections, shall provide any information and data to the 14
secretary of state that the secretary of state considers necessary 15
in order to maintain the statewide voter registration database 16
established pursuant to this section, except where prohibited by 17
federal law or regulation. The secretary of state shall ensure 18
that any information or data provided to the secretary of state 19

that is confidential in the possession of the entity providing the 20
data remains confidential while in the possession of the secretary 21
of state. 22

(b) Information provided under this division for maintenance 23
of the statewide voter registration database shall not be used to 24
update the name or address of a registered elector. The name or 25
address of a registered elector shall only be updated as a result 26
of the elector's actions in filing a notice of change of name, 27
change of address, or both. 28

(c) A board of elections shall contact a registered elector 29
pursuant to the rules adopted under division (D)(6) of this 30
section to verify the accuracy of the information in the statewide 31
voter registration database regarding that elector if that 32
information does not conform with information provided under 33
division (A)(2)(a) of this section and the discrepancy would 34
affect the elector's eligibility to vote. 35

(3) The secretary of state shall enter into agreements to 36
share information or data with other states or groups of states, 37
as the secretary of state considers necessary, in order to 38
maintain the statewide voter registration database established 39
pursuant to this section. Except as otherwise provided in this 40
division, the secretary of state shall ensure that any information 41
or data provided to the secretary of state that is confidential in 42
the possession of the state providing the data remains 43
confidential while in the possession of the secretary of state. 44
The secretary of state may provide such otherwise confidential 45
information or data to persons or organizations that are engaging 46
in legitimate governmental purposes related to the maintenance of 47
the statewide voter registration database. 48

(B) The statewide voter registration database established 49
under this section shall be the official list of registered voters 50
for all elections conducted in this state. 51

(C) The statewide voter registration database established 52
under this section shall, at a minimum, include all of the 53
following: 54

(1) An electronic network that connects all board of 55
elections offices with the office of the secretary of state and 56
with the offices of all other boards of elections; 57

(2) A computer program that harmonizes the records contained 58
in the database with records maintained by each board of 59
elections; 60

(3) An interactive computer program that allows access to the 61
records contained in the database by each board of elections and 62
by any persons authorized by the secretary of state to add, 63
delete, modify, or print database records, and to conduct updates 64
of the database; 65

(4) A search program capable of verifying registered voters 66
and their registration information by name, driver's license 67
number, birth date, social security number, or current address; 68

(5) Safeguards and components to ensure that the integrity, 69
security, and confidentiality of the voter registration 70
information is maintained; 71

(6) Methods to retain canceled voter registration records and 72
to record the reason for their cancellation. 73

(D) The secretary of state shall adopt rules pursuant to 74
Chapter 119. of the Revised Code doing all of the following: 75

(1) Specifying the manner in which existing voter 76
registration records maintained by boards of elections shall be 77
converted to electronic files for inclusion in the statewide voter 78
registration database; 79

(2) Establishing a uniform method for entering voter 80
registration records into the statewide voter registration 81

database on an expedited basis, but not less than once per day, if	82
new registration information is received;	83
(3) Establishing a uniform method for purging canceled voter	84
registration records from the statewide voter registration	85
database in accordance with section 3503.21 of the Revised Code;	86
(4) Specifying the persons authorized to add, delete, modify,	87
or print records contained in the statewide voter registration	88
database and to make updates of that database;	89
(5) Establishing a process for annually auditing the	90
information contained in the statewide voter registration	91
database;	92
<u>(6) Establishing a uniform method for addressing instances in</u>	93
<u>which records contained in the statewide voter registration</u>	94
<u>database do not conform with records maintained by an agency</u>	95
<u>described in division (A)(2)(a) of this section.</u>	96
(E) A board of elections promptly shall purge a voter's name	97
and voter registration information from the statewide voter	98
registration database in accordance with the rules adopted by the	99
secretary of state under division (D)(3) of this section after the	100
cancellation of a voter's registration under section 3503.21 of	101
the Revised Code.	102
(F) The secretary of state shall provide training in the	103
operation of the statewide voter registration database to each	104
board of elections and to any persons authorized by the secretary	105
of state to add, delete, modify, or print database records, and to	106
conduct updates of the database.	107
(G)(1) The statewide voter registration database established	108
under this section shall be made available on a web site of the	109
office of the secretary of state as follows:	110
(a) Except as otherwise provided in division (G)(1)(b) of	111

this section, ~~only~~ the following information from the statewide voter registration database regarding a registered voter shall be made available on the web site:

- (i) The voter's name;
- (ii) The voter's address;
- (iii) The voter's precinct number;
- (iv) The voter's voting history.

(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.

(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.

(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.

Sec. 3503.18. (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 142
residences of all persons, over eighteen years of age, who have 143
died within this state or another state within such month. 144

(2) The secretary of state and the director of health shall 145
jointly establish a secure electronic system through which they 146
shall exchange the information described in division (A)(1) of 147
this section regarding the death of a registered elector. 148

(B) At least once each month, each probate judge in this 149
state shall file with the board of elections the names and 150
residence addresses of all persons over eighteen years of age who 151
have been adjudicated incompetent for the purpose of voting, as 152
provided in section 5122.301 of the Revised Code. ~~At~~ 153

(C) At least once each month the clerk of the court of common 154
pleas shall file with the board the names and residence addresses 155
of all persons who have been convicted during the previous month 156
of crimes that would disfranchise such persons under existing laws 157
of the state. Reports of conviction of crimes under the laws of 158
the United States that would disfranchise an elector and that are 159
provided to the secretary of state by any United States attorney 160
shall be forwarded by the secretary of state to the appropriate 161
board of elections. 162

(D) Upon receiving a report required by this section, the 163
board of elections shall promptly cancel the registration of each 164
elector named in the report in accordance with section 3503.21 of 165
the Revised Code. If the report contains a residence address of an 166
elector in a county other than the county in which the board of 167
elections is located, the director shall promptly send a copy of 168
the report to the appropriate board of elections, which shall 169
cancel the registration in accordance with that section. 170

Sec. 3503.21. (A) The registration of a registered elector 171
shall be canceled upon the occurrence of any of the following: 172

(1) The filing by a registered elector of a written request	173
with a board of elections, on a form prescribed by the secretary	174
of state and signed by the elector, that the registration be	175
anceled. The filing of such a request does not prohibit an	176
otherwise qualified elector from reregistering to vote at any	177
time.	178
(2) <u>The filing of a notice of the death of a registered</u>	179
<u>elector as provided in section 3503.18 of the Revised Code;</u>	180
(3) <u>The filing with the board of elections of a certified</u>	181
<u>copy of the death certificate of a registered elector by the</u>	182
<u>deceased elector's spouse, parent, or child, by the administrator</u>	183
<u>of the deceased elector's estate, or by the executor of the</u>	184
<u>deceased elector's will;</u>	185
(4) The conviction of the registered elector of a felony	186
under the laws of this state, any other state, or the United	187
States as provided in section 2961.01 of the Revised Code;	188
(3) (5) The adjudication of incompetency of the registered	189
elector for the purpose of voting as provided in section 5122.301	190
of the Revised Code;	191
(5) (6) The change of residence of the registered elector to a	192
location outside the county of registration in accordance with	193
division (B) of this section;	194
(6) (7) The failure of the registered elector, after having	195
been mailed a confirmation notice, to do either of the following:	196
(a) Respond to such a notice and vote at least once during a	197
period of four consecutive years, which period shall include two	198
general federal elections;	199
(b) Update the elector's registration and vote at least once	200
during a period of four consecutive years, which period shall	201
include two general federal elections.	202

(B)(1) The secretary of state shall prescribe procedures to 203
identify and cancel the registration in a prior county of 204
residence of any registrant who changes the registrant's voting 205
residence to a location outside the registrant's current county of 206
registration. Any procedures prescribed in this division shall be 207
uniform and nondiscriminatory, and shall comply with the Voting 208
Rights Act of 1965. The secretary of state may prescribe 209
procedures under this division that include the use of the 210
national change of address service provided by the United States 211
postal system through its licensees. Any program so prescribed 212
shall be completed not later than ninety days prior to the date of 213
any primary or general election for federal office. 214

(2) The registration of any elector identified as having 215
changed the elector's voting residence to a location outside the 216
elector's current county of registration shall not be canceled 217
unless the registrant is sent a confirmation notice on a form 218
prescribed by the secretary of state and the registrant fails to 219
respond to the confirmation notice or otherwise update the 220
registration and fails to vote in any election during the period 221
of two federal elections subsequent to the mailing of the 222
confirmation notice. 223

(C) The registration of a registered elector shall not be 224
canceled except as provided in this section, division (Q) of 225
section 3501.05 of the Revised Code, division (C)(2) of section 226
3503.19 of the Revised Code, or division (C) of section 3503.24 of 227
the Revised Code. 228

(D) Boards of elections shall send their voter registration 229
information to the secretary of state as required under section 230
3503.15 of the Revised Code. The secretary of state may prescribe 231
by rule adopted pursuant to section 111.15 of the Revised Code the 232
format in which the boards of elections must send that information 233
to the secretary of state. In the first quarter of each 234

~~odd-numbered~~ year, the secretary of state shall send the 235
information to the national change of address service described in 236
division (B) of this section and request that service to provide 237
the secretary of state with a list of any voters sent by the 238
secretary of state who have moved within the last ~~thirty-six~~ 239
twelve months. The secretary of state shall transmit to each 240
appropriate board of elections whatever lists the secretary of 241
state receives from that service. The board shall send a notice to 242
each person on the list transmitted by the secretary of state 243
requesting confirmation of the person's change of address, 244
together with a postage prepaid, preaddressed return envelope 245
containing a form on which the voter may verify or correct the 246
change of address information. 247

(E) The registration of a registered elector described in 248
division (A)~~(6)~~(7) or (B)(2) of this section shall be canceled not 249
later than one hundred twenty days after the date of the second 250
general federal election in which the elector fails to vote or not 251
later than one hundred twenty days after the expiration of the 252
four-year period in which the elector fails to vote or respond to 253
a confirmation notice, whichever is later. 254

Section 2. That existing sections 3503.15, 3503.18, and 255
3503.21 of the Revised Code are hereby repealed. 256