

**As Passed by the House**

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**Am. Sub. S. B. No. 200**

**Senator Uecker**

**Cosponsors: Senators Coley, Seitz, Eklund, Hite  
Representatives Adams, R., Amstutz, Burkley, Green, McClain, Ruhl,  
Scherer, Stebelton, Young**

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**A B I L L**

To amend sections 3503.11, 3503.15, 3503.18, 3503.21, 1  
and 3506.22 of the Revised Code to modify the law 2  
governing the statewide voter registration 3  
database and the transmission of voter 4  
registration information from the Bureau of Motor 5  
Vehicles to the Secretary of State and to reduce 6  
the minimum required number of direct recording 7  
electronic voting machines. 8

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

**Section 1.** That sections 3503.11, 3503.15, 3503.18, 3503.21, 9  
and 3506.22 of the Revised Code be amended to read as follows: 10

**Sec. 3503.11.** When any person applies for a driver's license, 11  
commercial driver's license, a state of Ohio identification card 12  
issued under section 4507.50 of the Revised Code, or motorcycle 13  
operator's license or endorsement, or the renewal or duplicate of 14  
any license or endorsement under Chapter 4506. or 4507. of the 15  
Revised Code, the registrar of motor vehicles or deputy registrar 16  
shall offer the applicant the opportunity to register to vote or 17

to update the applicant's voter registration. The registrar of 18  
motor vehicles or deputy registrar also shall make available to 19  
all other customers voter registration applications and change of 20  
residence and change of name, forms, but is not required to offer 21  
assistance to these customers in completing a voter registration 22  
application or other form. 23

The ~~registrar or~~ deputy registrar shall send any ~~completed~~ 25  
registration application or any ~~completed~~ change of residence or 26  
change of name form that was completed and submitted in paper form 27  
to the deputy registrar to the board of elections of the county in 28  
which the office of the ~~registrar or~~ deputy registrar is located, 29  
within five days after accepting the application or other form. 30  
The registrar shall send any completed registration application 31  
received at the bureau of motor vehicles headquarters location and 32  
any completed change of residence or change of name form processed 33  
electronically in systems or programs operated and maintained by 34  
the bureau of motor vehicles to the secretary of state within five 35  
days after accepting the application or other form. 36

The registrar shall collect from each deputy registrar 37  
through the reports filed under division (J) of section 4503.03 of 38  
the Revised Code and transmit to the secretary of state 39  
information on the number of voter registration applications and 40  
change of residence or change of name forms completed or declined, 41  
and any additional information required by the secretary of state 42  
to comply with the National Voter Registration Act of 1993. No 43  
information relating to an applicant's decision to decline to 44  
register or update the applicant's voter registration at the 45  
office of the registrar or deputy registrar may be used for any 46  
purpose other than voter registration record-keeping required by 47  
the secretary of state, and all such information shall be kept 48  
confidential. 49

The secretary of state shall prescribe voter registration applications and change of residence and change of name forms for use by the bureau of motor vehicles. The bureau of motor vehicles shall supply all of its deputy registrars with a sufficient number of voter registration applications and change of residence and change of name forms.

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

(2)(a) State agencies, including, but not limited to, the department of health, bureau of motor vehicles, department of job and family services, and the department of rehabilitation and corrections, shall provide any information and data to the secretary of state that is collected in the course of normal business and that is necessary to register to vote, to update an elector's registration, or to maintain the statewide voter registration database established pursuant to this section, except where prohibited by federal law or regulation. 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 entity providing the data remains confidential while in the possession of the secretary of state. No public office, and no public official or employee, shall sell that information or data or use that information or data for profit.

(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. 81

(c) A board of elections shall contact a registered elector 82  
pursuant to the rules adopted under division (D)(7) of this 83  
section to verify the accuracy of the information in the statewide 84  
voter registration database regarding that elector if that 85  
information does not conform with information provided under 86  
division (A)(2)(a) of this section and the discrepancy would 87  
affect the elector's eligibility to cast a regular ballot. 88

(3)(a) The secretary of state shall enter into agreements to 89  
share information or data that is in the possession of the 90  
secretary of state with other states or groups of states, as the 91  
secretary of state considers necessary, in order to maintain the 92  
statewide voter registration database established pursuant to this 93  
section. Except as otherwise provided in division (A)(3)(b) of 94  
this section, the secretary of state shall ensure that any 95  
information or data provided to the secretary of state that is 96  
confidential in the possession of the state providing the data 97  
remains confidential while in the possession of the secretary of 98  
state. 99

(b) The secretary of state may provide such otherwise 100  
confidential information or data to persons or organizations that 101  
are engaging in legitimate governmental purposes related to the 102  
maintenance of the statewide voter registration database. The 103  
secretary of state shall adopt rules pursuant to Chapter 119. of 104  
the Revised Code identifying the persons or organizations who may 105  
receive that information or data. The secretary of state shall not 106  
share that information or data with a person or organization not 107  
identified in those rules. The secretary of state shall ensure 108  
that a person or organization that receives confidential 109  
information or data under this division keeps the information or 110  
data confidential in the person's or organization's possession by, 111  
at a minimum, entering into a confidentiality agreement with the 112

person or organization. Any confidentiality agreement entered into 113  
under this division shall include a requirement that the person or 114  
organization submit to the jurisdiction of this state in the event 115  
that the person or organization breaches the agreement. 116

(4) No person or entity that receives information or data 117  
under division (A)(3) of this section shall sell the information 118  
or data or use the information or data for profit. 119

(B) The statewide voter registration database established 120  
under this section shall be the official list of registered voters 121  
for all elections conducted in this state. 122

(C) The statewide voter registration database established 123  
under this section shall, at a minimum, include all of the 124  
following: 125

(1) An electronic network that connects all board of 126  
elections offices with the office of the secretary of state and 127  
with the offices of all other boards of elections; 128

(2) A computer program that harmonizes the records contained 129  
in the database with records maintained by each board of 130  
elections; 131

(3) An interactive computer program that allows access to the 132  
records contained in the database by each board of elections and 133  
by any persons authorized by the secretary of state to add, 134  
delete, modify, or print database records, and to conduct updates 135  
of the database; 136

(4) A search program capable of verifying registered voters 137  
and their registration information by name, driver's license 138  
number, birth date, social security number, or current address; 139

(5) Safeguards and components to ensure that the integrity, 140  
security, and confidentiality of the voter registration 141  
information is maintained; 142

(6) Methods to retain canceled voter registration records for 143  
not less than five years after they are canceled and to record the 144  
reason for their cancellation. 145

(D) The secretary of state shall adopt rules pursuant to 146  
Chapter 119. of the Revised Code doing all of the following: 147

(1) Specifying the manner in which existing voter 148  
registration records maintained by boards of elections shall be 149  
converted to electronic files for inclusion in the statewide voter 150  
registration database; 151

(2) Establishing a uniform method for entering voter 152  
registration records into the statewide voter registration 153  
database on an expedited basis, but not less than once per day, if 154  
new registration information is received; 155

(3) Establishing a uniform method for purging canceled voter 156  
registration records from the statewide voter registration 157  
database in accordance with section 3503.21 of the Revised Code; 158

(4) Specifying the persons authorized to add, delete, modify, 159  
or print records contained in the statewide voter registration 160  
database and to make updates of that database; 161

(5) Establishing a process for annually auditing the 162  
information contained in the statewide voter registration 163  
database; 164

(6) Establishing, by mutual agreement with the bureau of 165  
motor vehicles, the content and format of the information and data 166  
the bureau of motor vehicles shall provide to the secretary of 167  
state under division (A)(2)(a) of this section and the frequency 168  
with which the bureau shall provide that information and data; 169

(7) Establishing a uniform method for addressing instances in 170  
which records contained in the statewide voter registration 171  
database do not conform with records maintained by an agency, 172

state, or group of states described in division (A)(2)(a) or 173  
(3)(a) of this section. That method shall prohibit an elector's 174  
voter registration from being canceled on the sole basis that the 175  
information in the registration record does not conform to records 176  
maintained by such an agency. 177

(E) A board of elections promptly shall purge a voter's name 178  
and voter registration information from the statewide voter 179  
registration database in accordance with the rules adopted by the 180  
secretary of state under division (D)(3) of this section after the 181  
cancellation of a voter's registration under section 3503.21 of 182  
the Revised Code. 183

(F) The secretary of state shall provide training in the 184  
operation of the statewide voter registration database to each 185  
board of elections and to any persons authorized by the secretary 186  
of state to add, delete, modify, or print database records, and to 187  
conduct updates of the database. 188

(G)(1) The statewide voter registration database established 189  
under this section shall be made available on a web site of the 190  
office of the secretary of state as follows: 191

(a) Except as otherwise provided in division (G)(1)(b) of 192  
this section, ~~only~~ the following information from the statewide 193  
voter registration database regarding a registered voter shall be 194  
made available on the web site: 195

(i) The voter's name; 196

(ii) The voter's address; 197

(iii) The voter's precinct number; 198

(iv) The voter's voting history. 199

(b) During the thirty days before the day of a primary or 200  
general election, the web site interface of the statewide voter 201  
registration database shall permit a voter to search for the 202

polling location at which that voter may cast a ballot. 203

(2) The secretary of state shall establish, by rule adopted 204  
under Chapter 119. of the Revised Code, a process for boards of 205  
elections to notify the secretary of state of changes in the 206  
locations of precinct polling places for the purpose of updating 207  
the information made available on the secretary of state's web 208  
site under division (G)(1)(b) of this section. Those rules shall 209  
require a board of elections, during the thirty days before the 210  
day of a primary or general election, to notify the secretary of 211  
state within one business day of any change to the location of a 212  
precinct polling place within the county. 213

(3) During the thirty days before the day of a primary or 214  
general election, not later than one business day after receiving 215  
a notification from a county pursuant to division (G)(2) of this 216  
section that the location of a precinct polling place has changed, 217  
the secretary of state shall update that information on the 218  
secretary of state's web site for the purpose of division 219  
(G)(1)(b) of this section. 220

**Sec. 3503.18.** (A)(1) The director of health shall file with 221  
the secretary of state, at least once each month, the names, 222  
social security numbers, dates of birth, dates of death, and 223  
residences of all persons, over eighteen years of age, who have 224  
died within this state or another state within such month. If the 225  
director is notified of the death of such a person after the 226  
director has filed the report for the month in which the person 227  
died, the director shall file with the secretary of state a 228  
supplemental report containing that information concerning the 229  
person not later than one month after the director is notified of 230  
the person's death. 231

(2) The secretary of state and the director of health shall 232  
jointly establish a secure electronic system through which they 233



shall exchange the information described in division (A)(1) of 234  
this section regarding the death of a registered elector. 235

(B) At least once each month, each probate judge in this 236  
state shall file with the board of elections the names and 237  
residence addresses of all persons over eighteen years of age who 238  
have been adjudicated incompetent for the purpose of voting, as 239  
provided in section 5122.301 of the Revised Code. ~~At~~ 240

(C) At least once each month the clerk of the court of common 241  
pleas shall file with the board the names and residence addresses 242  
of all persons who have been convicted during the previous month 243  
of crimes that would disfranchise such persons under existing laws 244  
of the state. Reports of conviction of crimes under the laws of 245  
the United States that would disfranchise an elector and that are 246  
provided to the secretary of state by any United States attorney 247  
shall be forwarded by the secretary of state to the appropriate 248  
board of elections. 249

(D) Upon receiving a report required by this section, the 250  
board of elections shall promptly cancel the registration of each 251  
elector named in the report in accordance with section 3503.21 of 252  
the Revised Code. If the report contains a residence address of an 253  
elector in a county other than the county in which the board of 254  
elections is located, the director shall promptly send a copy of 255  
the report to the appropriate board of elections, which shall 256  
cancel the registration in accordance with that section. 257

**Sec. 3503.21.** (A) The registration of a registered elector 258  
shall be canceled upon the occurrence of any of the following: 259

(1) The filing by a registered elector of a written request 260  
with a board of elections, on a form prescribed by the secretary 261  
of state and signed by the elector, that the registration be 262  
canceled. The filing of such a request does not prohibit an 263  
otherwise qualified elector from reregistering to vote at any 264

time.	265
(2) <u>The filing of a notice of the death of a registered elector as provided in section 3503.18 of the Revised Code;</u>	266 267
(3) <u>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;</u>	268 269 270 271 272
(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;	273 274 275
<del>(3)</del> (5) The adjudication of incompetency of the registered elector for the purpose of voting as provided in section 5122.301 of the Revised Code;	276 277 278
<del>(5)</del> (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;	279 280 281
<del>(6)</del> (7) The failure of the registered elector, after having been mailed a confirmation notice, to do either of the following:	282 283
(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;	284 285 286
(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.	287 288 289
(B)(1) The secretary of state shall prescribe procedures to identify and cancel the registration in a prior county of residence of any registrant who changes the registrant's voting residence to a location outside the registrant's current county of registration. Any procedures prescribed in this division shall be	290 291 292 293 294

uniform and nondiscriminatory, and shall comply with the Voting 295  
Rights Act of 1965. The secretary of state may prescribe 296  
procedures under this division that include the use of the 297  
national change of address service provided by the United States 298  
postal system through its licensees. Any program so prescribed 299  
shall be completed not later than ninety days prior to the date of 300  
any primary or general election for federal office. 301

(2) The registration of any elector identified as having 302  
changed the elector's voting residence to a location outside the 303  
elector's current county of registration shall not be canceled 304  
unless the registrant is sent a confirmation notice on a form 305  
prescribed by the secretary of state and the registrant fails to 306  
respond to the confirmation notice or otherwise update the 307  
registration and fails to vote in any election during the period 308  
of two federal elections subsequent to the mailing of the 309  
confirmation notice. 310

(C) The registration of a registered elector shall not be 311  
canceled except as provided in this section, division (Q) of 312  
section 3501.05 of the Revised Code, division (C)(2) of section 313  
3503.19 of the Revised Code, or division (C) of section 3503.24 of 314  
the Revised Code. 315

(D) Boards of elections shall send their voter registration 316  
information to the secretary of state as required under section 317  
3503.15 of the Revised Code. The secretary of state may prescribe 318  
by rule adopted pursuant to section 111.15 of the Revised Code the 319  
format in which the boards of elections must send that information 320  
to the secretary of state. In the first quarter of each 321  
~~odd-numbered~~ year, the secretary of state shall send the 322  
information to the national change of address service described in 323  
division (B) of this section and request that service to provide 324  
the secretary of state with a list of any voters sent by the 325  
secretary of state who have moved within the last ~~thirty-six~~ 326

twelve months. The secretary of state shall transmit to each 327  
appropriate board of elections whatever lists the secretary of 328  
state receives from that service. The board shall send a notice to 329  
each person on the list transmitted by the secretary of state 330  
requesting confirmation of the person's change of address, 331  
together with a postage prepaid, preaddressed return envelope 332  
containing a form on which the voter may verify or correct the 333  
change of address information. 334

(E) The registration of a registered elector described in 335  
division (A)~~(6)~~(7) or (B)(2) of this section shall be canceled not 336  
later than one hundred twenty days after the date of the second 337  
general federal election in which the elector fails to vote or not 338  
later than one hundred twenty days after the expiration of the 339  
four-year period in which the elector fails to vote or respond to 340  
a confirmation notice, whichever is later. 341

(F)(1) When a registration is canceled pursuant to division 342  
(A)(2) or (3) of this section, the applicable board of elections 343  
shall send a written notice, on a form prescribed by the secretary 344  
of state, to the address at which the elector was registered, 345  
informing the recipient that the elector's registration has been 346  
canceled, of the reason for the cancellation, and that if the 347  
cancellation was made in error, the elector may contact the board 348  
of elections to correct the error. 349

(2) If the elector's registration is canceled pursuant to 350  
division (A)(2) or (3) of this section in error, it shall be 351  
restored and treated as though it were never canceled. 352

**Sec. 3506.22.** (A) Beginning in the year 2013 and thereafter, 353  
a county that selects direct recording electronic voting machines 354  
as the primary voting system to be used in the county and not only 355  
for accessibility for individuals with disabilities as required 356

under the Help America Vote Act of 2002 and section 3506.19 of the Revised Code shall acquire, if needed, sufficient direct recording electronic voting machines to meet the minimum number of direct recording electronic voting machines required to be established by the secretary of state under division (B) of this section.

(B) Beginning in the year 2013 and every eight years thereafter, the secretary of state shall establish, for each county, a minimum number of direct recording electronic voting machines that the county shall be required to have if it elects to use direct recording electronic voting machines as the primary voting system in the county. The minimum number for each county shall be calculated as follows:

(1) The total number of registered voters in the county as of the October deadline for voter registration for the last presidential election or the average of the total number of registered voters in the county as of the October deadline for voter registration for the last two presidential elections, whichever number is higher, minus the total number of absent voter's ballots cast and counted at the last presidential election, shall be determined.

(2) The number resulting from the determination under division (B)(1) of this section shall be divided by one hundred seventy-five.

(3) Any fraction resulting from the calculation under division (B)(2) of this section shall be rounded up to the next whole number.

(C) A county that selects direct recording electronic voting machines as the primary voting system to be used in the county and not only for accessibility for individuals with disabilities as required under the Help America Vote Act of 2002 and section 3506.19 of the Revised Code after ~~the effective date of this~~

~~section~~ May 2, 2006, but before the year 2013 shall do so in 388  
accordance with the formula set forth in Section 514.03 of Am. 389  
Sub. H.B. 66 of the 126th general assembly. 390

**Section 2.** That existing sections 3503.11, 3503.15, 3503.18, 391  
3503.21, and 3506.22 of the Revised Code are hereby repealed. 392