



Lynda J. Jacobsen

*Bill Analysis*  
*Legislative Service Commission*

## **Sub. H.B. 234**

126th General Assembly  
(As Reported by H. Elections and Ethics)

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

---

### **BILL SUMMARY**

- Permits a board of elections, in conjunction with a board of education of a city, local, or exempted village school district, the governing authority of a community school, or the chief administrator of a nonpublic school, to establish a program permitting certain students to serve as election officials.
- Permits a board of elections to establish a program permitting certain home-instructed students to serve as election officials.
- Establishes criteria that students who wish to serve as election officials are required to meet to be eligible to participate in such a program.
- Permits a board of education, governing authority, or chief administrator to establish additional criteria that students who wish to serve as election officials are required to meet to be eligible to participate in such a program.

---

### **CONTENT AND OPERATION**

#### **Appointment of precinct officers**

Existing law requires a board of election, on or before the 15th day of September in each year, to appoint for each election precinct four competent electors, who are residents of the county in which the precinct is located, as judges of election for that precinct. Not more than one-half of the judges may be members of the same political party. If necessary to expedite voting, the board may appoint additional officials, who also must be equally divided between the two political parties. (R.C. 3501.22(A) and 3501.27.) If the board determines that

not enough qualified electors in a precinct are available to serve as precinct officers, the board may appoint persons to serve as precinct officers who are at least 17 years of age and who are registered to vote.<sup>1</sup> No more than two precinct officers in any precinct may be under 18 years of age. (R.C. 3501.22(B).)

**Program to permit certain students to serve as precinct officers**

The bill generally retains the existing processes and requirements for appointing precinct officers, but provides an additional process by which certain students who are not registered electors also may serve as precinct officers. Under the bill, a board of elections, in conjunction with any of the following, 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 (R.C. 3501.22(C)(1)(a)):

- A board of education of a city, local, or exempted village school district;
- The governing authority of a community school;
- The chief administrator of a nonpublic school.

A board of education, governing authority, or chief administrator that establishes such a program in conjunction with a board of elections may establish additional criteria that students must meet to be eligible to participate in that program (R.C. 3501.22(C)(1)(a)).

In addition to a program established in conjunction with the types of schools previously identified, a board of elections also 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 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 (R.C. 3501.22(C)(1)(b)).

No student appointed as a precinct officer through such a program may be designated as a presiding judge at a precinct (R.C. 3501.22(C)(3)).

---

<sup>1</sup> A person who will be 18 years of age at the next ensuing November election, who is a United States citizen, and who, if the person continues to reside in the precinct, will have fulfilled all of the residence requirements to qualify as an elector, is permitted to register as an elector in that precinct (R.C. 3503.07).

### **Qualifications for participation**

To be eligible to participate in a program permitting students to apply, and if appointed to serve, as precinct officers, a student must meet all of the following qualifications (R.C. 3501.22(C)(2)(a)):

- Be a United States citizen;
- Be a resident of the county;
- Be at least 17 years of age;
- Be enrolled in the senior year of high school or in the equivalent of the 12th year of a 1-12 year instructional program at the time of appointment.

Any student applying to participate, as part of the student's application process, must declare the student's political party affiliation with the board of elections (R.C. 3501.22(C)(2)(b)).

### **School attendance while working at the polls**

Any student who is participating in a program permitting students to apply, and if appointed to serve, as precinct officers that is established with a school district, community school, or nonpublic school must 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 (R.C. 3501.22(C)(4)(a)).

For a home-instructed student participating in such a program, the number of hours that the student spends serving as a precinct officer on the day of an election must be counted toward the number of hours of instructional time required of that student by rule of the State Board of Education.<sup>2</sup> However, the bill specifies that no more than six and one half hours may be counted toward the student's required hours of instructional time for serving as a precinct officer for any one election. (R.C. 3501.22(C)(4)(b).)

---

<sup>2</sup> *The State Board of Education currently requires home-instructed students to be provided with 900 hours of home education during each school year (OAC 3301-34-03(A)(8)).*

---

## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-03-05	p. 736
Reported, H. Elections & Ethics	06-01-05	p. 889

h0234-rh-126.doc/kl

