



Ohio Legislative Service Commission

Bill Analysis

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H.B. 214

130th General Assembly
(As Introduced)

Reps. Clyde, Foley, Antonio, Fedor, Phillips, Letson, Pillich, Reece, Strahorn, Mallory, Williams, R. Hagan

BILL SUMMARY

Bureau of Motor Vehicles voter registration training

- Modifies an existing requirement that the Registrar of Motor Vehicles, in cooperation with the Secretary of State, provide a voter registration training program and materials for deputy registrars and their employees.
- Requires all deputy registrars, and all employees of the Registrar or of a deputy registrar, who interact with individuals who are applying for or renewing an Ohio driver's license or identification card to complete the training program.
- Requires those persons to complete the training program not more than three months after beginning employment and not less than once annually thereafter.
- Requires current deputy registrars and employees to complete the training program not more than one year after this requirement applies to them, and not less than once annually thereafter.
- Specifies that this requirement applies to a deputy registrar and that deputy registrar's employees only after the deputy registrar enters into a new contract with the registrar after the bill takes effect.

Motor Voter Act Study Committee

- Creates the Motor Voter Act Study Committee, consisting of four members of the Senate and four members of the House of Representatives.
- Provides for minority party representation on the Committee.

- Requires the Committee to study whether Ohio is in compliance with the National Voter Registration Act of 1993, also known as the Motor Voter Act.
- Requires the committee to make recommendations to the General Assembly relative to the steps that can be taken to improve voter registration efforts.

CONTENT AND OPERATION

Background

The National Voter Registration Act of 1993 (NVRA), often called the "Motor Voter Act," sets out several requirements for each state's voter registration system with respect to federal elections. Among other provisions, the NVRA requires the states to allow individuals to register to vote or update their registrations (1) by mail, (2) in person at certain government agencies, or (3) when they apply for or renew a driver's license. The NVRA also specifies procedures each state must use to maintain the accuracy of its statewide voter registration database and to remove the names of ineligible individuals from the rolls.¹

Bureau of Motor Vehicles voter registration training

The bill modifies the requirements for the voter registration training program that the Registrar of Motor Vehicles, in cooperation with the Secretary of State, currently must provide for Bureau of Motor Vehicles (BMV) deputy registrars and their employees. Under the bill, all deputy registrars, and all employees of the Registrar or of a deputy registrar, who interact with individuals who are applying for or renewing an Ohio driver's license or identification card, must complete the program.

New deputy registrars and employees must complete the training not more than three months after they take that position, and then at least once a year. Current deputy registrars and employees must complete the training not more than one year after the bill's requirements apply to them, and at least once annually thereafter. Since deputy registrars are independent contractors instead of state employees, the bill does not alter the terms of currently existing contracts between the Registrar and a deputy registrar. The bill applies to a deputy registrar and that deputy registrar's employees only after the deputy registrar enters into a new contract with the Registrar after the bill's effective date.

Existing law requires the Registrar, with the Secretary of State's cooperation, to provide a program and materials for initial and ongoing voter registration training for

¹ 42 U.S.C. 1973gg *et seq.*



deputy registrars and their employees. However, the statute does not specify when or how the Registrar must conduct the training.²

Motor Voter Act Study Committee

The bill also creates the Motor Voter Act Study Committee. The Committee consists of eight members, with two members appointed by the President of the Senate, two by the Senate Minority Leader, two by the Speaker of the House of Representatives, and two by the House Minority Leader. The Committee must elect one co-chairperson from the House and one from the Senate, and the co-chairs must not be members of the same political party.

The Committee must hold a minimum of three public meetings, and must do all of the following:

- Study and determine whether Ohio is in compliance with the NVRA, and if not, whether that lack of compliance jeopardizes Ohio's federal election assistance funding;
- Determine whether Ohio, through the Secretary of State, county election officials, the BMV, and deputy registrars, is meeting its obligation under federal and state law to offer voter registration to every person who engages in a transaction with the BMV or a deputy registrar;
- Determine whether the funding levels of the Department of Public Safety and the BMV are adequate to comply with the NVRA;
- Compare the rates of voter registration at offices of the BMV and deputy registrars among and within counties in Ohio and among Ohio and other states;
- Use resources such as census data, U.S. Election Assistance Commission reports, and other data to evaluate how Ohio compares with other states in terms of pro-active voter registration efforts, dedication of resources to voter registration, and compliance with the NVRA;
- Consult with and receive input from voters, voting rights advocates, election officials, the Department of Public Safety, the BMV, and deputy registrars; and

² R.C. 4501.023 and 4503.03(C) (not in the bill).

- Develop recommendations for improving voter registration, carrying out the purpose of the NVRA, and promoting the exercise of the fundamental right to vote.

The bill requires the BMV, deputy registrars, the Secretary of State, and the boards of elections to cooperate with the Committee, to make records available to the Committee in a prompt manner, and not to hinder the Committee in the performance of its duties.

Not later than October 1, 2013, the Committee must provide a report of its findings and recommendations to the Governor, the President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives. After the Committee makes its report, it ceases to exist.³

HISTORY

ACTION	DATE
Introduced	06-18-13

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³ Section 3 of the bill.

