



## ***Synopsis of Senate Committee Amendments\****

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

126th General Assembly

(S. State and Local Government and Veterans Affairs)

#### ***Programs to allow certain students to serve as election officials***

Modifies the House-passed version's provisions by providing that Ohio's Child Labor Law (R.C. Chapter 4109.) does not apply to students serving as a precinct officer on the day of an election under a program authorized by the bill (R.C. 4109.06(A)(11)).

#### ***Minors serving as precinct officer--in general***

Adds to the House-passed version a provision specifying that not more than *one* precinct officer in any given precinct may be an individual under 18 years of age. This limitation applies not only to students serving as a precinct officer on the day of an election under a program authorized by the bill but also to individuals who are 17 years old, who are registered to vote, and who, under current law, a board of elections may appoint to serve as a precinct officer under certain circumstances. (R.C. 3501.22(B) and (D).)

#### ***Funding for a board of elections: mandamus actions***

Amends a statute not included in the House-passed version to provide that *all* necessary and proper expenses of a board of elections pertaining to the conduct of elections, including any employee compensation and benefit expenses (excluded under current law), may be considered by the court of common pleas in a mandamus action in determining the amount necessary to be appropriated by the board of county commissioners to the board of elections. (R.C. 3501.17(A).)

#### ***Absent voter's ballots and armed service absent voter's ballots***

Adds numerous Revised Code sections to the House-passed version that either continue or modify aspects of, or enact new provisions in, the law governing "regular" absent voter's ballots or the distinct law governing armed service absent voter's ballots, including revisions in each of the following subject matter areas:

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\* This synopsis does not address amendments that may have been adopted on the Senate floor.

### **Qualifications for a "regular" absent voter's ballot**

- Permits any qualified elector to vote by absent voter's ballots at an election (R.C. 3509.02(A)).
- Eliminates the qualifications that electors are required to meet under current law in order to vote by absent voter's ballots (R.C. 3509.02(A) and (C), 3509.03, and 3509.04(B)).
- Specifies in the Absent Voter's Ballots Law that *overseas voters* covered by the federal Uniformed and Overseas Citizens Absentee Voting Act, *other than absent uniformed services voters*, may apply for an absent voter's ballot as provided in the Absent Voter's Ballots Law (R.C. 3509.022).

### **Required information and identification**

- Removes certain information from having to be included in an absent voter's ballot *application* or armed service absent voter's ballot *application* consistent with the changes mentioned above, but specifies certain other information and one of the following forms of supporting documentation that must be included in or accompany an application (R.C. 3503.16(G)(1), 3509.02(B), 3509.03, 3509.031(A) and (B), 3509.08(A) and (B)(1), and 3511.02(A) and (C)):
  - The elector's driver's license number;
  - The last four digits of the elector's Social Security number;
  - A copy of the elector's current and valid photo identification or a copy of a current (a) utility bill, (b) bank statement, (c) government check, (d) paycheck, or (e) other government document that shows the elector's name and address.
- Specifies that the director of the board of elections must promptly notify a voter who submits an *incomplete* absent voter's ballot application or armed service absent voter's ballot application about the information required to be provided to complete that application (R.C. 3509.04(A) and 3511.04(A)).
- Removes certain information from having to be included with a *returned absent voter's ballot or armed service absent voter's ballot* consistent with the changes mentioned above, but specifies certain other information (including date of birth) and one of the following forms of supporting documentation that must be included in or accompany the returned ballot (R.C. 3509.04(B), 3509.05(A), 3509.07, and 3511.09):
  - The elector's driver's license number;

-- The last four digits of the elector's Social Security number;

-- A copy of the elector's current and valid photo identification or a copy of a current (a) utility bill, (b) bank statement, (c) government check, (d) paycheck, or (e) other government document that shows the elector's name and address.

- Specifies that, if the identification required to be included in or accompany a returned absent voter's ballot or armed service absent voter's ballot is not provided, the ballot must not be counted (R.C. 3509.06(D) and 3509.07).

**Casting a ballot in the precinct on the day of an election when an absentee ballot has been previously requested**

- Permits a registered elector who has requested an absent voter's ballot or armed service absent voter's ballot that the director of the board of elections purportedly has received or has not received to cast another ballot (sometimes commonly referred to (but not statutorily referred to) as a provisional ballot) in the precinct on the day of an election, and, if both an absent voter's ballot or armed service absent voter's ballot and another ballot are received by the board of elections under these circumstances, specifies which of them will be counted (R.C. 3503.16(B), 3509.09(B) and (C), and 3511.13(B) and (C)).

**New prohibitions**

- Establishes additional prohibitions applicable to the failure to return an absent voter's ballot application on behalf of another person and to the unauthorized possession of another person's absent voter's ballot (R.C. 3599.21(A)(8) and (9), (B), and (D)). Violations of these prohibitions are a felony of the fourth degree.
- Prohibits the reckless disclosure of the count or any portion of the count of absent voter's ballots in such a manner as to jeopardize the secrecy of any individual ballot (R.C. 3509.06(E)). A violation of this prohibition apparently is a misdemeanor of the first degree (R.C. 3599.40--not in the bill).