

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 21**

**Senator Uecker**

**Cosponsors: Senators Hoagland, Huffman, Williams, Hite**

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**A BILL**

To amend sections 3501.22 and 3503.21 of the Revised Code to reduce the minimum number of precinct election officials in a precinct in which electronic pollbooks are used and to eliminate the requirement that a board of elections send a notice to a person's residence address when the board cancels the person's voter registration because it received a report of the person's death.

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

**Section 1.** That sections 3501.22 and 3503.21 of the Revised Code be amended to read as follows:

**Sec. 3501.22.** (A) (1) ~~On~~ Except as otherwise provided in division (A) (2) of this section, on or before the fifteenth day of September in each year, the board of elections by a majority vote shall, after careful examination and investigation as to their qualifications, appoint for each election precinct four residents of the county in which the precinct is located, as precinct election officials. Except as otherwise provided in

division (C) of this section, all precinct election officials 19  
shall be qualified electors. The precinct election officials 20  
shall constitute the election officers of the precinct. Not more 21  
than one-half of the total number of precinct election officials 22  
shall be members of the same political party. The term of such 23  
precinct officers shall be for one year. The board may, at any 24  
time, designate any number of election officers, not more than 25  
one-half of whom shall be members of the same political party, 26  
to perform their duties at any precinct in any election. The 27  
board may appoint additional officials, equally divided between 28  
the two major political parties, when necessary to expedite 29  
voting. If the board of elections determines that four precinct 30  
election officials are not required in a precinct for a special 31  
election, the board of elections may select two of the 32  
precinct's election officers, who are not members of the same 33  
political party, to serve as the precinct election officials for 34  
that precinct in that special election. 35

Vacancies for unexpired terms shall be filled by the 36  
board. When new precincts have been created, the board shall 37  
appoint precinct election officials for those precincts for the 38  
unexpired term. Any precinct election official may be summarily 39  
removed from office at any time by the board for neglect of 40  
duty, malfeasance, or misconduct in office or for any other good 41  
and sufficient reason. 42

Precinct election officials shall perform all of the 43  
duties provided by law for receiving the ballots and supplies, 44  
opening and closing the polls, and overseeing the casting of 45  
ballots during the time the polls are open, and any other duties 46  
required by section 3501.26 of the Revised Code. 47

A board of elections may designate two precinct election 48

officials as counting officials to count and tally the votes 49  
cast and certify the results of the election at each precinct, 50  
and perform other duties as provided by law. To expedite the 51  
counting of votes at each precinct, the board may appoint 52  
additional officials, not more than one-half of whom shall be 53  
members of the same political party. 54

Except as otherwise provided in division (A)(2) of this 55  
section, the board shall designate one of the precinct election 56  
officials who is a member of the dominant political party to 57  
serve as a voting location manager, whose duty it is to deliver 58  
the returns of the election and all supplies to the office of 59  
the board. For these services, the voting location manager shall 60  
receive additional compensation in an amount, consistent with 61  
section 3501.28 of the Revised Code, determined by the board of 62  
elections. 63

The board shall issue to each precinct election official a 64  
certificate of appointment, which the official shall present to 65  
the voting location manager at the time the polls are opened. 66

(2) If the board of elections, by a vote of at least three 67  
members of the board, opts to have a single voting location 68  
serve more than one precinct, the board may do ~~both~~ any of the 69  
following: 70

(a) Designate a single ~~presiding judge~~ voting location 71  
manager for the voting location. The ~~presiding judge~~ voting 72  
location manager shall be a member of the political party whose 73  
candidate received the highest number of votes for governor at 74  
the most recent general election for that office in the 75  
precincts whose polling places are located at the applicable 76  
voting location, when tallying the combined vote for governor in 77  
all such precincts. 78

(b) Combine the pollbooks for those precincts to create a single pollbook for the voting location; 79  
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(c) If electronic pollbooks are being used in the voting location, as described in section 3506.021 of the Revised Code, appoint not less than two precinct election officials for each precinct. 81  
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(B) If the board of elections determines that not enough qualified electors in a precinct are available to serve as precinct officers, it may appoint persons to serve as precinct officers at a primary, special, or general election who are at least seventeen years of age and are registered to vote in accordance with section 3503.07 of the Revised Code. 85  
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(C) (1) A board of elections, in conjunction with the board of education of a city, local, or exempted village school district, the governing authority of a community school established under Chapter 3314. of the Revised Code, or the chief administrator of a nonpublic school 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. 91  
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In addition to the requirements established by division (C) (2) of this section, a board of education, governing authority, or chief administrator that establishes a program under this division in conjunction with a board of elections may establish additional criteria that students shall meet to be eligible to participate in that program. 99  
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(2) (a) To be eligible to participate in a program established under division (C) (1) of this section, a student shall be a United States citizen, a resident of the county, at 105  
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least seventeen years of age, and enrolled in the senior year of high school. 108  
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(b) Any student applying to participate in a program established under division (C) (1) of this section, as part of the student's application process, shall declare the student's political party affiliation with the board of elections. 110  
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(3) No student appointed as a precinct officer pursuant to a program established under division (C) (1) of this section shall be designated as a voting location manager. 114  
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(4) Any student participating in a program established under division (C) (1) of this section shall 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. 117  
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(D) In any precinct with six or more precinct officers, up to two students participating in a program established under division (C) (1) of this section who are under eighteen years of age may serve as precinct officers. Not more than one precinct officer in any given precinct with fewer than six precinct officers shall be under eighteen years of age. 121  
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**Sec. 3503.21.** (A) The registration of a registered elector shall be canceled upon the occurrence of any of the following: 127  
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(1) The filing by a registered elector of a written request with a board of elections or the secretary of state, on a form prescribed by the secretary of state and signed by the elector, that the registration be canceled. The filing of such a request does not prohibit an otherwise qualified elector from reregistering to vote at any time. 129  
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(2) The filing of a notice of the death of a registered elector as provided in section 3503.18 of the Revised Code; 135  
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| (3) 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; | 137<br>138<br>139<br>140<br>141 |
| (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;                                                                                              | 142<br>143<br>144               |
| (5) The adjudication of incompetency of the registered elector for the purpose of voting as provided in section 5122.301 of the Revised Code;                                                                                                                                 | 145<br>146<br>147               |
| (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;                                                                                                                       | 148<br>149<br>150               |
| (7) The failure of the registered elector, after having been mailed a confirmation notice, to do either of the following:                                                                                                                                                     | 151<br>152<br>153               |
| (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;                                                                                                                      | 154<br>155<br>156               |
| (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.                                                                                                             | 157<br>158<br>159               |
| (8) The receipt by the board of elections of a cancellation notice or request pursuant to section 111.44 of the Revised Code.                                                                                                                                                 | 160<br>161<br>162               |
| (B) (1) The secretary of state shall prescribe procedures to identify and cancel the registration in a prior county of                                                                                                                                                        | 163<br>164                      |

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

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

(C) The registration of a registered elector shall not be canceled except as provided in this section, section 111.44 of the Revised Code, division (Q) of section 3501.05 of the Revised Code, division (C) (2) of section 3503.19 of the Revised Code, or division (C) of section 3503.24 of the Revised Code.

(D) Boards of elections shall send their voter registration information to the secretary of state as required under section 3503.15 of the Revised Code. The secretary of state may prescribe by rule adopted pursuant to section 111.15 of the Revised Code the format in which the boards of elections

must send that information to the secretary of state. In the 195  
first quarter of each year, the secretary of state shall send 196  
the information to the national change of address service 197  
described in division (B) of this section and request that 198  
service to provide the secretary of state with a list of any 199  
voters sent by the secretary of state who have moved within the 200  
last twelve months. The secretary of state shall transmit to 201  
each appropriate board of elections whatever lists the secretary 202  
of state receives from that service. The board shall send a 203  
notice to each person on the list transmitted by the secretary 204  
of state requesting confirmation of the person's change of 205  
address, together with a postage prepaid, preaddressed return 206  
envelope containing a form on which the voter may verify or 207  
correct the change of address information. 208

(E) The registration of a registered elector described in 209  
division (A) (7) or (B) (2) of this section shall be canceled not 210  
later than one hundred twenty days after the date of the second 211  
general federal election in which the elector fails to vote or 212  
not later than one hundred twenty days after the expiration of 213  
the four-year period in which the elector fails to vote or 214  
respond to a confirmation notice, whichever is later. 215

~~(F) (1) When a registration is canceled pursuant to 216  
division (A) (2) or (3) of this section, the applicable board of 217  
elections shall send a written notice, on a form prescribed by 218  
the secretary of state, to the address at which the elector was 219  
registered, informing the recipient that the elector's 220  
registration has been canceled, of the reason for the 221  
cancellation, and that if the cancellation was made in error, 222  
the elector may contact the board of elections to correct the 223  
error. 224~~



~~(2)~~ If ~~the~~ a board of elections determines that an 225  
elector's registration ~~is~~ was canceled pursuant to division (A) 226  
(2) or (3) of this section in error, ~~it~~ the board shall be 227  
~~restored~~ restore the registration and ~~treated~~ treat it as though 228  
it were never canceled. 229

**Section 2.** That existing sections 3501.22 and 3503.21 of 230  
the Revised Code are hereby repealed. 231

**Section 3.** Section 3501.22 of the Revised Code is 232  
presented in this act as a composite of the section as amended 233  
by both Am. Sub. S.B. 109 and Sub. S.B. 216 of the 130th General 234  
Assembly. 235

Section 3503.21 of the Revised Code is presented in this 236  
act as a composite of the section as amended by both Sub. H.B. 237  
359 and Sub. S.B. 63 of the 131st General Assembly. 238

The General Assembly, applying the principle stated in 239  
division (B) of section 1.52 of the Revised Code that amendments 240  
are to be harmonized if reasonably capable of simultaneous 241  
operation, finds that the composites are the resulting versions 242  
of the sections in effect prior to the effective dates of the 243  
sections as presented in this act. 244