



## **H.B. 228**

123rd General Assembly  
(As Passed by the General Assembly)

- Reps.** Willamowski, Allen, Amstutz, Austria, Barnes, Barrett, Bateman, Beatty, Bender, Boyd, Brading, Britton, Buchy, Buehrer, Callender, Calvert, Carey, Cates, Clancy, Corbin, Core, Coughlin, Damschroder, DePiero, Evans, Flannery, Ford, Gardner, Gerberry, Goodman, Grendell, Haines, Harris, Hartnett, Healy, Hollister, Hood, Hoops, Householder, Jacobson, James, Jerse, Jones, Jordan, Jolivette, Kilbane, Krebs, Logan, Lucas, Luebbers, Maier, Mead, Metelsky, Metzger, D. Miller, R. Miller, Mottley, Myers, Netzley, O'Brien, Ogg, Olman, Opfer, Padgett, Patton, Perry, Perz, Pringle, Roman, Roberts, Salerno, Schuck, Schuler, Schuring, Smith, Stapleton, Sullivan, Sulzer, Sutton, Sykes, Taylor, Terwilleger, Thomas, Tiberi, Trakas, Van Vyven, Verich, Vesper, Weston, Williams, Winkler, Womer Benjamin, Young, Wilson, Peterson, Distel, Gooding, Hartley
- Sens.** Spada, Cupp, Oelslager, Drake, Watts, Mumper, Nein, Latell, DiDonato, Wachtmann, Horn, Gardner, Blessing

Effective date: \*

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### **ACT SUMMARY**

- Allows a board of elections to choose to have a reduced number of ballots prepared for an election.

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### **CONTENT AND OPERATION**

#### **Background law**

The Elections Law requires that boards of elections provide for the delivery of ballots to polling places (sec. 3501.11(H), not in the act). Ballots provided for *general* and *special* elections, with the stubs attached, must be bound into tablets for each precinct. Formerly and *generally* under the act, the tablets must contain at

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\* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared.*

least 1% more ballots than the total registration in the precinct (secs. 3505.08, not in the act, and 3505.11). (See **COMMENT.**)

**Changes proposed by the act**

The act authorizes a board of elections to choose to provide ballots on demand. If a board so chooses, it must have prepared for each precinct at least 5% more ballots for an election than the number specified below for that kind of election (sec. 3505.11(B)(1)):

(1) For a primary election or a special election held on the day of a primary election, the total number of electors in that precinct who voted in the primary election held four years previously;

(2) For a general election or a special election held on the day of a general election, the total number of electors in that precinct who voted in the general election held four years previously;

(3) For a special election held at any time other than on the day of a primary or general election, the total number of electors in that precinct who voted in the most recent primary or general election, whichever of those elections occurred in the precinct most recently.

If, after the board complies with these requirements, the election officials of a precinct determine that the precinct will not have enough ballots to enable all the qualified electors in the precinct who wish to vote at a particular election to do so, the officials must request that the board provide additional ballots, and the board must provide enough additional ballots to that precinct in a timely manner so that all qualified electors in that precinct who wish to vote at that election may do so (sec. 3505.11(B)(2)).

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**COMMENT**

Although there appears to be no statutory provision that *generally* requires that, with regard to ballots provided for a *primary* election, the tablets for each precinct contain at least 1% more ballots than the total registration in the precinct, the Secretary of State historically has instructed boards of elections to provide each precinct with that many ballots for a primary election.

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
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Introduced	03-09-99	p.	274
Reported, H. Technology and Elections	03-30-99	p.	374
Passed House (98-0)	04-14-99	pp.	411-412
Reported, S. State & Local Gov't & Veterans Affairs	06-24-99	p.	672
Passed Senate (33-0)	06-29-99	pp.	825-826

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