



Sub. S.B. 47*

123rd General Assembly

(As Reported by S. State & Local Government & Veterans Affairs)

Sens. Cupp, Latta

BILL SUMMARY

- Requires boards of elections, by August 1, 2000, to generally use United States Census Bureau geographical units to determine precinct boundaries.
- Requires boards of elections, effective August 1, 2000, to report precinct boundary changes to the Secretary of State within 45 days.
- Requires that county central committee members continue to represent a precinct, city ward, or township for the remainder of a member's term regardless of a change in precinct boundaries to comply with the bill's general "use of census units to determine precinct boundaries" requirement.

CONTENT AND OPERATION

Precinct boundary determinations

In general

Current law authorizes each board of elections to divide a political subdivision within its jurisdiction into precincts and establish, define, divide, rearrange, and combine the election precincts within its jurisdiction and change the location of the polling place for each precinct when this is necessary to maintain the requirements as to the number of voters in a precinct and to provide for the convenience of the voters and the proper conduct of elections. No change in the

* *This analysis was prepared before the report of the Senate State and Local Government and Veterans Affairs Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

number of precincts or in precinct boundaries may be made during the 25 days immediately preceding a primary or general election, or between January 1 and the day on which the members of county central committees are elected in the years in which those committees are elected. Each precinct must contain a number of electors, not to exceed 1,000, that the board of elections determines to be a reasonable number after taking into consideration the type and amount of available equipment, prior voter turnout, the size and location of each selected polling place, available parking, availability of an adequate number of poll workers, and handicap accessibility and other accessibility to the polling place. (Sec. 3501.18.)

The bill *generally* requires each board of elections, no later than August 1, 2000, to determine all precinct boundaries using geographical units that will be used by the United States Department of Commerce, Bureau of the Census, in reporting the decennial census of Ohio for the year 2000 (sec. 3501.18(B)(1)). The bill *extends the date for compliance* with that requirement to April 1, 2002, when any part of the boundary of a precinct also forms a part of the boundary of a *General Assembly district* and the precinct boundary cannot be determined by August 1, 2000, using the Census Bureau's geographical units without making that part of the precinct boundary that also forms a part of the General Assembly district boundary different from that General Assembly district boundary (sec. 3501.18(B)(2)).

Waivers

The bill authorizes boards of elections to apply to the Secretary of State for waivers from the bill's *requirement that census units be used* to determine precinct boundaries when it is not feasible to use them because of unusual physical boundaries or residential development practices which would cause unusual hardship for voters. A board seeking such a waiver is required to identify the affected precincts and census units, explain the reason for the waiver request, and include a map illustrating where the census units will be split because of the requested waiver. If the Secretary of State approves the waiver and notifies the board in writing of the approval, the board may change a precinct boundary as necessary, notwithstanding the requirement to use census units to determine precinct boundaries. (Sec. 3501.18(B)(3).)

The bill also authorizes boards of elections to apply to the Secretary of State for a waiver from the *requirement in existing law that precincts contain no more than 1,000 electors* when the use of census units to determine precinct boundaries will cause a precinct to contain more than 1,000 electors. A board seeking such a waiver must identify the affected precincts and census units, explain the reason for the waiver request, and include a map illustrating where census units will be split because of the requested waiver. If the Secretary of State approves the waiver and



notifies the board in writing of the approval, the board may change a precinct boundary as necessary to comply with the bill's requirement that census units be used to determine precinct boundaries. (Sec. 3501.18(C).)

Effect of precinct boundary change on members of county central committee

Under existing law, the controlling committees of each major political party are a state central committee consisting of two members representing either each congressional district in the state or each senatorial district in the state, a *county central committee* consisting of one member from each election precinct in the county, or of one member from each ward in each city and from each township in the county, as the outgoing committee determines, and such district, city, township, or other committees as the rules of the party provide (sec. 3517.03--not in the bill). The bill provides that, if the county board of elections changes the boundaries of a precinct (in order to meet the bill's requirement of using census units to determine the boundaries) in a manner that causes a member of a county central committee to no longer qualify as a representative of an election precinct in the county, of a ward of a city in the county, or of a township in the county, the member will continue to represent the precinct, ward, or township for the remainder of the member's term, regardless of the change in boundaries. (Sec. 3501.18(A).)

Notifications of precinct and other changes

Under existing law, when a board of elections changes, divides, or combines any precinct, or relocates a polling place, it is required, prior to the next election, to notify each of the registrants in the precinct of the change by mail. The bill also requires that, on and after August 1, 2000, when a board changes the boundaries of any precinct, it must notify the Secretary of State of the change no later than 45 days after making the change. (Sec. 3501.21.)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-02-99	pp. 95-96
Reported, S. State & Local Gov't & Veterans Affairs	---	---
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