



Lynda J. Jacobsen

*Bill Analysis*  
Legislative Service Commission

## **H.B. 592**

126th General Assembly  
(As Introduced)

**Reps. Cassell, DeGeeter, Skindell, Koziura, Key, Fessler, Fende, Brown, S. Patton, Perry**

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### **BILL SUMMARY**

- Specifies that information on a voter verified paper audit trail (VVPAT) that identifies the time at which a voter cast a ballot is not a public record for the purpose of the Public Records Law and requires that information to be redacted if the VVPAT is made available to the public.
- Specifies that information on a VVPAT that identifies the particular direct recording electronic voting machine that produced the VVPAT is not a public record for the purpose of the Public Records Law.

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### **CONTENT AND OPERATION**

#### **Voter verified paper audit trails**

Existing law requires all direct recording electronic voting machines used in Ohio to include a voter verified paper audit trail (VVPAT) (R.C. 3506.10--not in the bill).<sup>1</sup> In any recount of the ballots of an election in which ballots are cast using a direct recording electronic voting machine with a VVPAT, the VVPAT serves as the official ballot to be recounted. They must be preserved in the same manner and for the same time period as paper ballots, and they generally must be treated as are other ballots for the purpose of the Public Records Law. (R.C. 3506.18.)

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<sup>1</sup> A "voter verified paper audit trail" means a physical paper printout on which the voter's ballot choices, as registered by a direct recording electronic voting machine, are recorded. Voters must be permitted to inspect the contents of the printout to verify that the printout matches the voter's ballot choices prior to the casting of the voter's ballot. The printout must be securely retained at the polling place. (R.C. 3506.01(H)--not in the bill.)

**Public Records Law**

Public records, including ballots, must be promptly prepared and made available for inspection to any person at all reasonable times during regular business hours. Upon request, a public office or person responsible for public records is required to make copies available at cost, within a reasonable period of time. In order to facilitate broader access to public records, public offices are required to maintain public records in a manner that they can be made available for inspection. (R.C. 149.43--not in the bill.)

**Applicability of Public Records Law to certain portions of a VVPAT**

Under existing law, if a VVPAT is made available to the public, any information on that VVPAT that identifies the particular direct recording electronic voting machine that produced it is required to be redacted. The bill retains this requirement and also specifies that the information identifying the particular direct recording electronic voting machine that produced the VVPAT is not a public record for the purpose of the Public Records Law. Similarly, the bill specifies that any information on a VVPAT that identifies the time at which a voter cast a ballot is not a public record for the purpose of the Public Records Law. If a VVPAT is made available to the public, the information identifying the time at which a voter cast a ballot also must be redacted. (R.C. 3506.18.)

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**HISTORY**

ACTION	DATE
Introduced	05-16-06

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