



Ohio Legislative Service Commission

Bill Analysis

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Sub. H.B. 159*

129th General Assembly

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

Reps. Mecklenborg and Blessing, J. Adams, Anielski, Beck, Bubb, Grossman, Johnson, Maag, Martin, Uecker, Young

BILL SUMMARY

- Requires all electors to provide one of the following forms of identification, regardless of whether the person is voting in person or by mail: a photo identification, a nonphoto state identification card, a Social Security number, a driver's license number, or a state identification card number.¹
- Permits an elector with a religious objection to being photographed to execute an affirmation to that effect and cast a provisional ballot or to provide a nonphoto state identification card and cast a regular ballot.
- Defines "photo identification" as a document that:
 - (1) Contains the name of the elector, which must conform to the name in the individual's voter registration record;
 - (2) Contains a photograph of the individual to whom it was issued;
 - (3) Contains an expiration date that is not expired or expired after the date of the most recent general election, unless the document is an Ohio driver's license or Ohio commercial driver's license (which may contain an expiration date that has expired at any time prior to the date on which it is presented as identification) or a military identification (which is not required to contain an expiration date); and

* 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.

¹ R.C. 3501.01, 3505.18, 3509.03, 3509.031, 3509.04, 3509.05, 3511.02, 3511.05, and 3511.09.

(4) That is one of the following documents:

(a) A valid Ohio driver's license or Ohio commercial driver's license that shows the elector's current or former address, regardless of whether that address conforms to the address in the individual's voter registration record;

(b) A valid Ohio identification card that shows the elector's current or former address, regardless of whether that address conforms to the address in the individual's voter registration record;

(c) A valid United States military identification card; or

(d) A valid United States passport.

- Requires the Bureau of Motor Vehicles to promulgate rules to permit an individual with a religious objection to being photographed to receive a nonphoto state identification card, and permits that card to be used in lieu of photo identification.²
- Permits an individual who does not have photo identification to receive a free state identification card not more than once every four years.³
- Eliminates the provision of current law allowing an individual who does not have identification to execute an affirmation to that effect, vote a provisional ballot, and have that ballot counted.
- Permits an individual who does not have or cannot provide identification to vote a provisional ballot and requires such a person to either (1) provide identification to the board of elections before the close of the polls or (2) provide the individual's Social Security number, driver's license number, or state identification card number, which must be verified with the Bureau of Motor Vehicles, in order for that person's provisional ballot to be eligible to be counted.⁴
- Requires electors who use their Social Security numbers on registrations, absent voter's ballots, and other election documents to provide all nine digits of their Social Security numbers, instead of the last four digits, as required by current law.⁵
- Permits an individual to use the individual's state identification card number as identification on registrations, absent voter's ballots, and other election documents.

² R.C. 3501.01 and 4507.50.

³ R.C. 4507.50.

⁴ R.C. 3505.18, 3505.181, and 3505.183.

⁵ R.C. 3503.14, 3503.19, 3503.28, 3509.03, 3509.031, 3509.04, 3509.05, 3511.02, and 3511.05.

- Requires a statement to be included on an affirmation that an elector has a religious objection to being photographed acknowledging that a person who falsely signs the statement may be subject to criminal prosecution and associated penalties.⁶
- Requires the Bureau of Motor Vehicles to promulgate rules that permit individuals with developmental disabilities to apply for, and receive, a state identification card, at a county board of developmental disabilities, at regular intervals.⁷
- Specifies that persons who receive their ballots in person from two election officials in a nursing home, hospital, or other facility, or persons in those facilities who vote with assistance, are considered to have voted an absent voter's ballot by mail, for the purpose of the law governing voter identification.⁸
- Specifies that it is the intent of the General Assembly that the provisions of this act prevail over any conflicting provisions of any other legislation, including H.B. 194 of the 129th General Assembly, that are enacted prior to July 1, 2011, for the purpose of determining the types of identification acceptable for voting under the Election Law.⁹
- Incorporates sections of law, as amended by H.B. 194 of the 129th General Assembly, into the bill for the purpose of providing consistency between the legislation, which inclusion incorporates H.B. 194 provisions on provisional balloting, maintenance of the statewide voter registration database, and absent voting into H.B. 159.

HISTORY

| ACTION | DATE |
|---|----------|
| Introduced | 03-15-11 |
| Reported, H. State Gov't & Elections | 03-23-11 |
| Passed House (57-38) | 03-23-11 |
| Reported, S. State & Local Gov't & Veterans Affairs | --- |

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⁶ R.C. 3505.18.

⁷ R.C. 4507.50.

⁸ R.C. 3509.08.

⁹ Section 3 of the bill.

