

Fiscal Note & Local Impact Statement

127th General Assembly of Ohio

Ohio Legislative Service Commission
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BILL: **Am. S.B. 286** DATE: **February 19, 2008**

STATUS: **As Enacted – Effective February 27, 2008** SPONSOR: **Sen. Cates**
(Repeal effective February 27, 2008)

LOCAL IMPACT STATEMENT REQUIRED: **No — Permissive**

CONTENTS: **To specify procedures for counting votes on over-marked optical scan ballots, to allow for midday tabulation of optical scan ballots in certain counties for the March 4, 2008 primary election, and generally prohibit the central counting of optical scan ballots thereafter**

State Fiscal Highlights

- Requires the Secretary of State to provide directives for midday ballot tabulation. As the Secretary of State routinely issues elections guidelines to boards of elections, there are no new direct fiscal effects as a consequence of this provision.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2008	FY 2009	FUTURE YEARS
Cuyahoga County and Van Wert County Boards of Elections			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential increase for the delivery of optical scan ballots to a central location; Potential minimal increase in administrative costs for reprocessing over-voted ballots	- 0 -	- 0 -

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- Authorizes Cuyahoga and Van Wert counties to use a "midday tabulation" procedure to count optical scan ballots for the March 4, 2008 primary election. This could lead to new transportation costs for delivering the ballots from the polling places to central count locations.
- Requires that optical scan ballots with over-votes on a specific candidate, issue, or question only have that over-voted item invalidated on the voted ballots. There could be some new administrative costs in the form of staff overtime expenses to oversee this procedure.



Detailed Fiscal Analysis

Secretary of State directives

The bill requires the Secretary of State to issue directives applying to the midday tabulation process prescribed for the March 4 primary election in the counties affected by the bill. These requirements concern:

- who is to serve as the designated agents for ballot delivery;
- the manner for handling the ballots during collection and delivery;
- maintenance of the ballot boxes in each precinct;
- ballot reconciliation with the poll book or poll lists; and
- the manner for securing delivery of the voted ballots to the boards of election.

The Secretary of State is likely not to incur new costs for issuing these directives to Cuyahoga County and Van Wert County boards of elections.

Cuyahoga and Van Wert counties' March 4, 2008 primary vote tabulation

The bill permits Cuyahoga County and Van Wert County boards of elections to employ midday tabulation of optical scan ballots for the March 4, 2008 primary election. The bill defines "midday" as between 12:00 p.m. and 3:00 p.m. The ballots to be counted must be properly sealed in locked containers and delivered to the board of elections by a designated agent. The various other requirements for the transportation of these ballots will be determined by Secretary of State directive. Each county could experience a cost for transporting the ballots from polling places to the boards of elections. Van Wert County has 15 polling places and Cuyahoga County maintains 576. The latter has indicated that there are 104 polling places which are likely to use the midday tabulation option.

Except for the special procedures applying to Cuyahoga and Van Wert counties for the upcoming primary election, the bill generally prohibits boards of elections from using the central count method of tabulating optical scan ballots.

Over-voting procedures – all counties

Another cost to consider relates to counting procedures for over-votes marked on ballots. This would affect only county boards of elections that use optical scan equipment. The bill requires that optical scan ballots with an over-vote on a specific candidate, question, or issue only have that over-voted item invalidated from the ballot. There could be some new costs in overseeing this process, most likely in the form of additional boards of elections staff time.

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