Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 224 of the 129th G.A. **Date**: June 27, 2011

Status: As Passed by the House **Sponsor**: Reps. Dovilla and Stinziano

Local Impact Statement Procedure Required: No

Contents: Permits uniformed services and overseas voters to request and receive absent voter's ballot applications and ballots by electronic mail or the Internet and makes other changes

State Fiscal Highlights

- The bill requires the Governor, or if delegated, the Secretary of State, to prescribe special procedures for allowing uniformed services or overseas voters to vote by absent voter's ballot during international, national, state, or local emergencies. Because these procedures will vary depending on the circumstances, the fiscal effect of this provision on the state is uncertain. Presumably, this authority would be exercised rarely.

Local Fiscal Highlights

- The bill permits uniformed services or overseas voters to apply for and receive absent voter's ballots by electronic mail, or if offered, Internet delivery, from county boards of elections. The ballot delivery options the voter may select will depend on the technical capabilities of the county. If the voter opts to receive the ballot through electronic means, county boards of elections could save some small amount in ballot mailing costs.
- The bill permits uniformed services or overseas voters who submit a Federal Write-in Absentee Ballot (FWAB) to use the declaration accompanying the FWAB to register to vote, and requires that in addition to counting votes for federal races on the FWAB, that all state and local issues be counted as well. There may be some cost increases to county boards of elections for counting additional races on such ballots or for processing additional voter registrations, but any such costs are likely to be minimal.

Detailed Fiscal Analysis

Overview

The bill makes a series of changes to the laws concerning the absent voting process for members of the uniformed services and overseas voters, as well as the procedures for Federal Write-in Absentee Ballots (FWABs). The bill also authorizes the Governor to order special procedures for facilitating absent voting by members of the uniformed services or overseas voters during emergencies. During the 2010 General Election, there were 9,883 military absentee ballots cast in Ohio, less than 1% of the approximately 1.1 million total absentee ballots cast for that election. Those 9,883 military absentee ballots represented approximately 45% of the absent voter ballots sent to overseas military personnel for that election. Overall, the changes in the bill will have little fiscal effect on county boards of elections, although they may increase the volume of military or overseas absent voter's ballots that they process. The effect on the state depends entirely on how the Governor or Secretary of State chooses to implement the emergency absent voting process authorized by the bill. The specific fiscal effects of these changes are described in greater detail below.

Absent voter's ballots

The bill permits uniformed services or overseas voters to apply for an absent voter's ballot by electronic mail, or if offered by the county, Internet delivery. In the application the voter may state a preference for the manner in which the voter would like to receive the ballot, whether by mail, fax, electronic mail, or, if offered, Internet delivery. Current law establishes the same general process for these voters to request and receive ballots, but only permits the ballots to be sent by mail, fax, or "electronically," which is undefined. An application and ballot delivery method that involves the Internet or electronic mail could encompass some sort of file transfer protocol (FTP) system, or remote access site, both of which would require password verification in order to receive a ballot. This provision does not directly impose any new costs on county boards of elections because the way in which the voter requests and receives an absent voter's ballot depends upon the existing technical capabilities of the county board of elections. However, the provision could result in more ballots being returned to a county board of elections for counting. If so, this could increase ballot processing costs by some small amount. Alternatively, if a greater number of uniformed services or overseas voters who previously received a ballot by standard mail choose to receive a ballot through electronic mail or the Internet instead, counties could see a reduction in postage costs.

The bill expands the list of family members who may request an absent voter's ballot on behalf of a uniformed services or overseas voter to include daughters-in-law and sons-in-law. Under current law, certain family members are permitted to request these ballots from either the Secretary of State or the applicable county board of

elections. Expanding the eligible family members who may request an absent voter's ballot is not likely to result in a substantial increase in ballot requests. Therefore, any additional costs associated with this provision of the bill are likely to be minimal.

Emergency absent voting procedures

The bill also establishes an emergency process for uniformed services and overseas voters to cast a ballot in the event of an international, national, state, or local emergency such as an armed conflict or a natural disaster. In such circumstances, the bill authorizes the Governor directly, or by delegation to the Secretary of State, to order a special procedure for facilitating absent voting by these voters. Because these procedures will depend on the particular exigencies to be dealt with, the fiscal effect of this provision is difficult to assess.

Federal Write-in Absentee Ballots and registration

The bill expands the use of the Federal Write-in Absentee Ballot (FWAB) to all state and local elections in Ohio. Such ballots are federal forms that the voter uses to fill in write-in candidates for offices. Under current law, these ballots are only counted for federal elections. The bill would expand this to include all applicable state and local elections as well. Counting any additional races included in the ballot would likely only impose a minimal cost. The bill also allows a uniformed services or overseas voter to use the declaration that accompanies an FWAB to apply to register to vote simultaneously with the submission of the ballot, if that ballot is received 30 days or more before the day of the election. There are likely to be a small number of additional registrations processed under this provision. As a result, any cost increases to process voter registrations will likely be minimal.

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