Ohio Legislative Service Commission

Terry Steele

Fiscal Note & Local Impact Statement

Bill: Am. S.B. 10 of the 130th G.A. **Date**: February 27, 2013

Status: As Reported by Senate State Government Oversight & Reform **Sponsor**: Sens. Coley and Smith

Local Impact Statement Procedure Required: Yes

Contents: Revises the law regarding polling places and certain voting procedures

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- **In-Person Absent Voting Locations**. The bill requires county boards of elections to permit all individuals that are in line at an in-person absent voting location at the location closing time to cast their ballots. As a result, largely depending on county voting population and type of election, this could increase costs for certain boards of elections. Any additional expense would be paid from county general funds.
- **Voting Time Limit**. The bill increases the time an individual is allowed to occupy a voting machine from five to ten minutes in certain cases. This may result in longer lines, which in conjunction with the requirement of allowing all individuals in line at the time of closing to vote, could also increase costs for boards of elections in particular circumstances.

Detailed Fiscal Analysis

Overview

The bill revises several provisions of election law that pertain to polling place hours of operation, access, and the use of voting machines, particularly by individuals that are disabled or illiterate. Of these provisions, those dealing with in-person voting location hours of operation and voting time limits could possibly increase costs for boards of elections. These additional costs would be borne by the applicable county's general fund. Otherwise, the remaining provisions of the bill do not appear to have a direct fiscal impact.

In-person absent voting locations

Under the bill, electors who are waiting in line at the time of the close of early absent voting on a particular day must be permitted to cast their ballots before the in-person absent voting location closes. While it is not likely that many polling locations would need to be open for an extended period of time, it is possible in some circumstances, most likely in busier locations, that in-person polling locations could be open for extended periods after official operating hours.

LSC surveyed several larger counties to determine their early voting costs during the 2008 and 2010 general elections. Responses from Cuyahoga County and Montgomery County provided LSC with estimates as to the hourly rate of conducting early voting. Both counties provided general estimates of the hourly cost for operating early voting that extended beyond each county's regular operating hours. These costs encompass overtime pay and other overhead expenses incurred for keeping early absent voting locations open. Montgomery County reported total overtime costs of $750 per hour for the 2008 general election. Cuyahoga County indicated that the county's cost per hour for extended voting hours was $1,056 for the 2008 general election, including all overtime, overhead, and other personnel costs. In contrast, the county's cost for extended voting during the 2010 general election was in the range of $400 per hour, for a total early voting cost of just over $10,000. During the 2008 general election, Cuyahoga processed ballots for 21,860 early voters. There were 1,431 such ballots processed during the 2010 general election.

It should also be noted that three counties (Franklin, Delaware, and Lucas) operated alternate sites for early voting purposes. Typically, early voting is done at the county board of elections. However, if a county decides to operate an alternate location, the costs of remaining open for a longer period of time could be greater than if early voting was held at the county board of elections. Concurrently, it is also possible that operating an alternative site may allow for more voters to cast their vote, thereby reducing lines and the likelihood of having to operate extended hours. Therefore, the overall cost increase associated with extended polling location hours will hinge on the type of election being held, and how many individuals are in line at the time a polling

location closes, and the type of early voting location. It is likely that counties with larger populations would most likely be affected, but the frequency with which early voting locations would remain open beyond official hours will depend on voter interest and the candidates and issues on the ballot. Any additional cost incurred by boards of elections would be paid from the county general fund.

Voting time

The bill also increases from five minutes to ten minutes the maximum time a voter may occupy a voting compartment or use a voting machine when all voting machines are in use. The time limit is waived for voters who are disabled and require accommodation under the Americans with Disabilities Act (ADA) of 1990. Much as above, depending on the circumstances, this provision could potentially increase waiting times and cause voting lines to be longer in certain circumstances.

Disabled voters and polling place access

The bill contains several other provisions relating to accessibility of polling places for disabled voters and for providing voting assistance to disabled and illiterate voters. The bill removes Revised Code specifications for polling location entrance ramp dimensions, replacing these standards with those as required under the ADA of 1990, as the latter have superceded the previous Revised Code requirements. The bill also permits disabled individuals who cannot access a polling location to vote in their vehicles under certain circumstances. Finally, the bill creates an exception to the 100 foot rule for news journalists. The 100 foot rule was previously not enforced against journalists. These provisions appear to have no direct fiscal effect.

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