
SECRETARY OF STATE

Data Analysis Transparency Archive (DATA) Act

- Enacts the Data Analysis Transparency Archive (DATA) Act to create a new office within the Office of the Secretary of State (SOS) and to modify the ways in which the boards of elections must retain election data, enter it into the Statewide Voter Registration Database (SWVRD), and make it available to the public.
- Requires the SOS and the boards to implement these changes by January 1, 2025.

Office of Data Analytics and Archives

- Creates the Office of Data Analytics and Archives in the Office of the SOS, which must retain, analyze, and publish election data and business services data.

Statewide Voter Registration Database

- Codifies the data fields that must be included in the SWVRD for each registered elector and institutes uniform requirements for related recordkeeping.
- Provides uniform methods for determining an elector's voter registration date and voting history for inclusion in the SWVRD.
- Requires the SWVRD to include each elector's last activity date, as defined by the SOS by rule, along with any other information required by rule.
- Requires the boards to create daily archives of their voter registration databases and send them to the SOS during the period beginning on the 46th day before an election and ending on the 81st day after an election.

Public access to voter registration records

- Specifies that voter registration forms and the SWVRD are public records subject to disclosure under the Public Records Law in the same manner as records of other public offices, instead of requiring those records to be open to public inspection under a separate provision of law.
- Clarifies which pieces of information contained in a voter registration record are subject to disclosure and prohibits the disclosure of an elector's telephone number or email address.
- Adds to the information that must be available about each elector on the public website version of the SWVRD.
- Requires that website to show an elector's birth date, voter registration date, and last activity date, in addition to other information that is included under continuing law.
- Prohibits any of the information that is exempt from disclosure as a public record from being made available on the website.

Retention of ballots after an election

- Lengthens the time that boards of elections must preserve all used and unused ballots from a nonfederal election to at least 81 days after the day of the election, instead of 60 days.

Public inspection of ballot drop box surveillance

- Removes the requirement that the video recordings of video surveillance of secure ballot drop boxes must be available for public inspection immediately upon request, and instead specifies that it be made available upon request in accordance with the procedures under the Public Records Act.
- Changes the requirement that each day's video recordings and video surveillance of secure ballot drop boxes be made available on the internet for streaming or download to the public within 24 hours after the video ends to 72 hours.

Canvass of election returns

- Allows the boards of elections to begin the canvass of the election returns as early as the fifth day after Election Day, as opposed to the 11th day as under previous law.

Campaign communications regarding county political parties

- Adds prohibitions to the Campaign Finance Law in order to prevent a political action committee or political contributing entity from impersonating or purporting to speak on behalf of a county political party without the party's permission.

Precinct election official training

- Requires the SOS to make grants to the boards of elections to pay the cost of precinct election official training programs, instead of reimbursing counties for those costs.

Electronic pollbook reimbursement

- Modifies procedures established under H.B. 45 of the 134th General Assembly for the SOS to reimburse the boards of elections for 85% of the cost of electronic pollbooks and ancillary equipment, up to each county's allocated share of a previously made appropriation.

Safe at Home fines

- Allows courts to retain for administrative purposes up to 25% of fines collected by the court for the Address Confidentiality Program administered by the SOS, which is also known as Safe at Home.
- Allows a court to assign to the prosecuting attorney as reimbursement up to 25% of fines collected by the court for the Address Confidentiality Program.

Save our Farmland and Protect our National Security Act (PARTIALLY VETOED)

- Requires the SOS to compile and publish a registry of individuals, businesses, organizations, and governments that constitute a threat to the agricultural production of Ohio or the U.S.
- Would have required the SOS to include in the registry individuals, businesses, organizations, and governments that constitute a threat to military defense. (VETOED)
- Requires the SOS, in compiling the registry, to consult certain federal government lists of foreign adversaries, terrorist organizations, and sanctioned persons.
- Prohibits all persons listed on the registry (“registered persons”) from acquiring agricultural land in Ohio.
- Would have also prohibited registered persons from acquiring other real property located within 25 miles of a military base, camp, airport, or other similar installation under the jurisdiction of the U.S. armed forces. (VETOED)
- Allows an exception for property acquired by devise or descent or by operation of law in the collection of a debt, but requires the registered person to divest of such acquisitions within two years.
- Allows registered persons to retain land holdings acquired before October 3, 2023.
- Specifies that property acquired in violation of the act escheats to the state and must be sold at public auction.
- Names the prohibition the Save our Farmland and Protect our National Security Act.

Data Analysis Transparency Archive (DATA) Act

(R.C. 111.11, 3503.13, 3503.15, 3503.151, 3503.152, 3503.153, and 3505.31; Sections 395.10, 395.20, 735.10, and 803.290)

These provisions of the act, called the Data Analysis Transparency Archive (DATA) Act, create a new office within the Office of the Secretary of State (SOS) and make changes to the ways in which the boards of elections must retain election data, enter it into the Statewide Voter Registration Database (SWVRD), and make it available to the public. The SOS and the boards must implement these changes by January 1, 2025.

Office of Data Analytics and Archives

The act creates the Office of Data Analytics and Archives in the Office of the SOS. Under the direction of the SOS, the new office must do both of the following:

- Retain voter registration and other election related data, including administering the SWVRD; analyze those data for purposes of maintaining accurate election data; and publish those data;

- Retain, analyze, and publish business services data.

The SOS's office already generally performed those functions, but the law did not specify which staff were responsible for doing so. The act also makes changes regarding the collection and retention of election data, as described below.

Statewide Voter Registration Database

Background on the SWVRD

The federal Help America Vote Act of 2002 (HAVA) requires each state to maintain a computerized statewide voter registration list that is administered at the state level.¹⁴⁴ Historically, each county in Ohio maintained its own voter registration records in a variety of paper or electronic formats. In order to comply with HAVA, the Revised Code was amended to create the SWVRD and to require each county to submit its voter registration records to the SOS on a daily basis for inclusion in the database. Under continuing law, the SOS must adopt rules under the Administrative Procedure Act concerning the format and method of data entry and various other procedures related to the SWVRD.

Uniform data entry

The act codifies the data fields that must be included in the SWVRD for each registered elector and institutes uniform requirements for related recordkeeping. And, the act requires the SOS to prescribe rules under the Administrative Procedure Act, specifying the manner in which any voter registration records the boards maintain in other data formats must be converted for inclusion in the SWVRD and establishing a method for transmitting information securely to the SOS. A board of elections and any vendor with which it contracts to provide voter registration software or related services must ensure that the board's voter registration system and practices comply with the act and related rules.

Under prior law, the SWVRD generally included all of the information listed below, but the manner of data entry was not standardized, which could result in discrepancies when comparing data across counties. For example, when an elector requested an absentee ballot but did not return it, or cast an absentee or provisional ballot that was not counted, some counties might have recorded the elector as having voted in the election, but other counties might not. As a result, it might have been difficult to collect statewide data about the number of ballots cast and counted in a given election.

Personal information

For each elector, the SWVRD must include all of the following personal information:

- The elector's name;
- The elector's birth date;
- The elector's current residence address;

¹⁴⁴ 52 U.S.C. 21083.

- The elector's precinct number;
- The elector's Ohio driver's license or state identification card number, if available;
- The last four digits of the elector's Social Security number, if available;
- The elector's telephone number and email address, if available. This information is not required to register or to vote, but the boards of elections do sometimes collect it from electors.¹⁴⁵

Voter registration date

The SWVRD must include an elector's voter registration date, based on the elector's most recent application to register to vote in Ohio. For purposes of this field, a change of address or change of name is not considered a new voter registration, and a person who is already registered but submits a new voter registration form is not considered to have registered again. That is, once an elector is registered anywhere in Ohio, the elector remains registered under the same record if the elector moves within the state, changes the elector's name, or submits a duplicate registration form.

The voter registration date must be determined as follows:

- In the case of an application delivered in person to a board of elections, the SOS, or another government office, such as the Bureau of Motor Vehicles, the date is the date stamped on the application upon receipt by the government office.
- In the case of an application delivered by mail to a board of elections or the SOS, the date is the date the application is postmarked.
- In the case of an application submitted online, the date is the date of the online submission.
- In the case of an application submitted to a board of elections by fax or email, as is permitted for uniformed services and overseas absent voters, the date is the date of the receipt of the fax or email.
- In the case of a provisional voter whose ballot is not counted because the person is not registered to vote, but who has provided enough information on the provisional ballot affirmation for it to serve as a voter registration application for future elections, the date is the date the board of elections determines that the provisional ballot is invalid.

However, an elector's voter registration date must not be during the period beginning on the day after the close of voter registration before an election (generally, the 29th day before Election Day) and ending on the day of the election. If the date determined above would be during that period, the voter registration date instead must be the date on which the board processes the application after the election.

¹⁴⁵ R.C. 3503.14 and 3503.20, not in the act.

Voting history

The SWVRD must include all of the following for each election in which an elector cast a ballot that was counted:

- The date of the election;
- If the election was a primary election, one of the following:
 - The political party whose ballot the elector cast;
 - An indication that the elector voted only on the questions and issues appearing on the ballot at a special election held on the day of the primary election. (An elector is considered unaffiliated if the elector casts an issues-only ballot at a primary.)
- The type of ballot the elector cast.

If an elector cast a ballot that was not counted, or applied for an absent voter's ballot but did not return it, the act prevents that activity from being listed as part of the elector's voting history.

Last activity date

The SWVRD must include each elector's last activity date, as determined in accordance with rules adopted by the SOS under the Administrative Procedure Act. This information is relevant to continuing-law list maintenance procedures. For example, under continuing law, after an elector has been mailed a confirmation notice, the elector must respond to the notice, vote in an election, or update the elector's registration within a four-year period in order to avoid having the elector's registration canceled.¹⁴⁶

Other information required by rule

Finally, the act allows the SOS to require the boards to include other information in the SWVRD by rules adopted under the Administrative Procedure Act.

Daily archives

Under the act, during the period beginning on the 46th day before an election and ending on the 81st day after the election, each board of elections must create a daily record of its voter registration database as of 4:00 p.m. (That time period represents the start of voting before an election through the date the official election results must be finalized.) The board must transmit the daily record to the SOS in a manner prescribed by the SOS. The SOS must archive the daily record and retain it for at least 22 months after the election (see "**Retention of ballots after an election**," below).

Relocated provisions

In reorganizing the statute governing the SWVRD, the act relocates several provisions of law, largely unchanged. The following table shows those provisions and their new locations under the act:

¹⁴⁶ R.C. 3503.21(A)(7), not in the act.

Provision	Prior location	Location under the act
Requires the SOS to obtain information from other state agencies and to share information with other states or groups of states for the purpose of maintaining the SWVRD. (The act requires the new Office of Data Analytics and Archives to perform these functions.)	R.C. 3503.15(A)(2) to (5) and (D)(6) to (7)	R.C. 3503.151
Requires the SOS to conduct an annual review of the SWVRD to identify persons who appear not to be U.S. citizens. (The act makes no changes to this provision.)	R.C. 3503.15(H)	R.C. 3503.152
Requires the SOS to make the SWVRD available online. (The act makes a few changes to these provisions, described below under “ Public website of the SWVRD. ”)	R.C. 3503.15(G)	R.C. 3503.153

Public access to voter registration records

Public records requests

The act changes the process for the boards of elections to make registration records available to the public and clarifies which pieces of information contained in a voter registration record are subject to disclosure.

Previous law required a board of elections to make voter registration forms and the SWVRD open to public inspection at all times when the office of the board was open for business, under such regulations as the board adopted, provided that no person could inspect voter registration forms outside the presence of a board employee. The statute did not provide a process for the board to redact any of an elector’s personal identifying information before allowing public access to its records, although other provisions of state and federal law prohibit the disclosure of certain information.

The act specifies instead that voter registration forms and the SWVRD are public records subject to disclosure under the Public Records Law in the same manner as records of other public offices. The Public Records Law includes procedures for the public to request records and for public offices to redact nonpublic information from records before providing them to requestors. For an overview, see LSC’s Members Brief, [Ohio’s Public Records Law \(PDF\)](#), which is available on LSC’s website, lsc.ohio.gov.

Additionally, the act exempts all of the following from disclosure through voter registration records:

- An elector’s full or partial Social Security number. Federal law already prohibits a government agency from disclosing a person’s Social Security number, and the Public

Records Law prohibits a public office from disclosing a Social Security number on the internet.¹⁴⁷

- An elector's driver's license or state identification card number. The Public Records Law prohibits a public office from disclosing a driver's license or state identification card number on the internet.¹⁴⁸
- An elector's telephone number or email address. Prior law generally did not prohibit the disclosure of this information.
- A confidential voter registration record of a participant in the Address Confidentiality Program, also known as Safe at Home. Continuing law prohibits the disclosure of any information from such a person's voter registration record.¹⁴⁹
- The address of a designated public service worker, if the person has submitted a redaction request to the board of elections. Continuing law exempts from disclosure the address of a designated public service worker, such as a peace officer, prosecutor, correctional employee, or firefighter. A board of elections typically will not be aware that an elector qualifies for this exemption unless the elector submits a redaction request on a form prescribed by the Attorney General.¹⁵⁰
- Any other information that is prohibited from being disclosed by state or federal law.

Public website of the SWVRD

Correspondingly, the act adds to the information that must be available on the public website version of the SWVRD. Under the act, all of the following information must be available regarding a registered elector:

- The elector's name;
- The elector's birth date (added by the act);
- The elector's current residence address;
- The elector's precinct number;
- The elector's polling place, during the 30 days before Election Day;
- The elector's voter registration date, as described above under "**Uniform data entry**" (added by the act);

¹⁴⁷ 42 U.S.C. 405(c)(2)(C)(viii) and R.C. 149.45(A)(1).

¹⁴⁸ R.C. 149.45(A)(1).

¹⁴⁹ R.C. 111.44, not in the act, and 149.43(A)(1)(ee).

¹⁵⁰ R.C. 149.45(D).

- The elector's voting history, as described above under "**Uniform data entry**" (prior law required the website to include the elector's voting history, but did not define that term);
- The elector's last activity date, as described above under "**Uniform data entry**."

The act prohibits any of the information that is exempt from disclosure as a public record, as listed above, from being made available on the website, such as a Social Security number or information about an Address Confidentiality Program participant.

Retention of ballots after an election

The act requires the boards of elections to preserve all used and unused ballots from a nonfederal election for at least 81 days after the day of the election, instead of 60 days as required under prior law. The act also specifies that the board must retain any electronic images of ballots in that manner. Continuing law requires that the canvass of election returns (the final count of the ballots) be deemed final as of 81 days after the election. By extending the retention period, the act ensures that the boards do not destroy any ballots before the canvass is finalized.

Under continuing law, the boards must retain ballots from a federal election for at least 22 months after the election.¹⁵¹

Public inspection of ballot drop box surveillance

(R.C. 3509.05)

The act removes the requirement that the video recordings of video surveillance of secure ballot drop boxes must be available for public inspection immediately upon request and instead specifies that it be made available upon request in accordance with the procedures under the Public Records Act. The Public Records Act requires responses to public records requests to be promptly prepared and made available for inspection to the requestor at all reasonable times during regular business hours.

The act also changes the requirement that the board must make each day's video recording available to the public on the internet for streaming or download without charge 24 hours after the recording ends to 72 hours after it ends. Continuing law requires the board to make those video recordings available to the public upon request in accordance with the procedures under the Public Records Act.¹⁵²

Under continuing law, the board of elections may place not more than one secure ballot drop box outside the office of the board for the purpose of receiving absent voter's ballots. The ballot drop box must be open to receive ballots only during the period beginning on the first day after the close of voter registration before the election (the first day of the absent voting period) and ending at 7:30 p.m. on the day of an election (the close of polls). The drop box must be monitored by recorded video surveillance at all times.

¹⁵¹ R.C. 3505.32(A), not in the act.

¹⁵² R.C. 149.43(B)(1).

Canvass of election returns

(R.C. 3505.32 and 3513.22)

The act allows the boards of elections to begin the canvass of the election returns as early as the fifth day after Election Day, as opposed to the 11th day under previous law. (The canvass of the election returns is the final, official count of the votes in an election.) Under continuing law, the boards must begin the canvass by the 15th day after Election Day and must complete it by the 21st day after Election Day.

Under recently enacted changes to the Election Law in H.B. 458 of the 134th General Assembly, absentee ballots that are postmarked by the day before Election Day and returned by mail to the board of elections must arrive by the fourth day after Election Day, instead of the tenth day, in order to be eligible to be counted. Deficient absentee and provisional ballots, such as ones for which the voter must provide identification or other information to the board, also must be cured by the fourth day after Election Day, instead of the seventh day.¹⁵³ These changes make it possible for the boards to begin the canvass as early as the fifth day after Election Day, instead of waiting until the 11th day. However, H.B. 458 did not change the statutory timelines for the canvass.

The act leaves in place a law that prohibits the boards of elections from counting certain uncured provisional ballots before the eighth day after Election Day. This requirement applies to provisional ballots for which the voter was required to provide additional information, such as identification, but did not.¹⁵⁴ As a result, not all ballots will be ready for inclusion in the canvass as of the fifth day after Election Day.

Campaign communications regarding county political parties

(R.C. 3517.10 and 3517.20)

The act adds prohibitions to the Campaign Finance Law in order to prevent a political action committee (PAC) or political contributing entity (PCE) from impersonating or purporting to speak on behalf of a county political party without the party's permission. These prohibitions are in addition to provisions of continuing law that prohibit false campaign statements.

First, the act prohibits the SOS from accepting a designation of treasurer (an initial entity registration) from a new PAC or PCE if, in the opinion of the SOS, the name of the PAC or PCE would lead a reasonable person to believe that the PAC or PCE acts on behalf of or represents a county political party, unless the party consents. And, the act prohibits an existing PAC or PCE from using a name or address in a political communication that would lead a reasonable person to believe that the communication is made by or on behalf of a county party, unless the party consents. In both cases, the consent of a county party must take the form of a written statement,

¹⁵³ R.C. 3505.183, 3509.05, 3509.06, and 3511.11, not in the act.

¹⁵⁴ R.C. 3505.183(G), not in the act.

signed by the chairperson of the county party's executive committee, granting the PAC or PCE permission to act on behalf of or represent the county party.

Continuing law prohibits any person, during the course of a campaign, from falsely identifying the source of a statement, issuing statements under the name of another person without authorization, or falsely stating that another person endorses or opposes a candidate or ballot issue.¹⁵⁵ It appears that this law would already prohibit at least some of the behavior described above. However, Ohio's law against false campaign statements is not currently being enforced because a federal appeals court ruled that the process for enforcing the law through the Ohio Elections Commission violates the First Amendment.¹⁵⁶ The act does not make any changes to that process, meaning that the new prohibitions would be enforced in the same manner. As a result, this portion of the act also might be challenged under the First Amendment.

Precinct election official training

(R.C. 3501.27)

The act requires the SOS to make grants to the boards of elections to pay the cost of precinct election official training programs, instead of reimbursing counties for those costs. Under prior law, the SOS was required to reimburse counties for those costs upon receiving an itemized statement of expenses.

Electronic pollbook reimbursement

(Section 610.30, amending Section 285.12 of H.B. 45 of the 134th G.A.)

The act modifies provisions of H.B. 45 of the 134th General Assembly that require the SOS to reimburse the boards of elections for 85% of the cost of purchasing electronic pollbooks and ancillary equipment, up to the county's allocated share of a \$7.5 million appropriation. Each county's allocation is determined based on its number of registered electors as of July 1, 2022.

First, the act adds a requirement that, when required under state purchasing requirements and at the request of the SOS, DAS's Office of Procurement Services must initiate a competitive solicitation for qualified vendors of electronic pollbooks that are approved for use under continuing law standards. Boards of elections must choose from the vendors identified through that process.

Further, the act allows a board of elections to be reimbursed for the cost of leasing electronic pollbooks instead of purchasing them, if the county chooses to do so. The act also specifies that a board of elections must notify the SOS of its selected electronic pollbooks and then acquire the equipment itself, instead of notifying the Office of Procurement Services of its choice and then having the Office acquire the equipment on behalf of the board.

The act adds a caveat to a provision of H.B. 45 requiring the SOS to reimburse a board of elections for 85% of the cost of electronic pollbooks it had already acquired on or after

¹⁵⁵ R.C. 3517.21(B)(8) and 3517.22(B)(1), not in the act.

¹⁵⁶ *Susan B. Anthony List v. Driehaus*, 814 F.3d 466 (6th Cir. 2016).

January 1, 2020. Under the act, a board is eligible for that reimbursement only if it is in compliance with all applicable directives and statutes. And, the act requires the SOS to reimburse the board of elections instead of the county's general fund.

Safe at Home fines

(R.C. 2929.18 and 2929.28)

The act allows a court that imposes a fine on an offender to benefit the Address Confidentiality Program (also known as Safe at Home) to retain up to 25% of the amount collected to cover administrative costs and to assign up to 25% of the amount collected to reimburse the prosecuting attorney for costs associated with prosecution of the offense.

Under continuing law, in addition to any other applicable fine, a court may impose a fine of between \$75 and \$500 on an offender for domestic violence, menacing by stalking, rape, sexual battery, or trafficking in persons, to be transmitted to the State Treasurer to be credited to the Address Confidentiality Program Fund. The Address Confidentiality Program allows a victim of such an offense who fears for the person's safety to have the person's address and other information shielded from disclosure to the public.

Save our Farmland and Protect our National Security Act (PARTIALLY VETOED)

(R.C. 2105.15, and 5301.256; Section 753.10)

The act prohibits persons determined by the SOS to constitute a threat to the agricultural production of Ohio or the U.S. from acquiring agricultural land, i.e., land suitable for use in agriculture, including any water, air space, and natural products and deposits in, on, or over the land. The prohibition applies to persons listed on a registry compiled by the SOS, and to agents, trustees, and fiduciaries of such persons (collectively referred to in this analysis as "registered persons"). The act does not require any registered person to divest of agricultural land acquired before October 3, 2023, but it does prohibit registered persons from acquiring additional agricultural land or transferring agricultural land holdings to another registered person, unless an exception applies.

Compilation of registry

The SOS must compile and publish a registry of "persons" – which the act defines broadly to include individuals, businesses, organizations, legal or commercial entities, and governments other than the U.S. government, its states, subdivisions, territories, or possessions – that pose a threat to the agricultural products of Ohio or the U.S. In compiling this registry, the SOS must consult all of the following:

- The list of governments and other persons determined to be foreign adversaries by the U.S. Secretary of Commerce;
- The terrorist exclusion list compiled by the U.S. Secretary of State;
- The state sponsors of terrorism determined by the U.S. Secretary of State to have repeatedly provided support for acts of international terrorism;

- The list of individuals and entities designated by, or in accordance with Executive Order 13224, issued by the U.S. President on September 23, 2001, or Executive Order 13268, issued on July 2, 2002.

The act requires the Ohio SOS to compile and periodically update the registry using the “best information available,” and to publish it on the SOS website.

Exceptions

The act provides for four exceptions to the general prohibition against registered persons acquiring agricultural land. First, as indicated above, registered persons are not required to divest of land interests acquired before October 3, 2023. Second, the act allows a registered person to acquire agricultural land through devise or descent. However, a registered person must divest itself of all right, title, and interest in the agricultural land within two years from the date of acquisition. Third, the act allows a registered person to acquire agricultural land through process of law in the collection of debts, by a deed in lieu of foreclosure, pursuant to a forfeiture of a contract for a deed, or by any procedure for the enforcement of a lien or claim on the land. Like the second exception, the registered person must divest itself of all right, title, and interest in the agricultural land within two years of acquisition. Furthermore, the land must not be used for any purpose other than agriculture or leased to another registered person, even if that registered person intends to use the land for agriculture. Fourth, the act allows a registered person to acquire agricultural land that does not exceed 150 acres, and is to be used for purposes other than agriculture.

Subsequent addition to registry

A person that acquires agricultural land in Ohio, other than by devise or descent, after October 3, 2023, and is subsequently added to the SOS’s registry is required to divest of all right, title, and interest in the land within two years of being added to the registry.

Enforcement

If the SOS finds that a registered person has acquired agricultural land in violation of the act’s prohibition, the SOS must report the violation to the Attorney General. Upon receiving a report, the Attorney General is required to initiate an action in the court of common pleas in the county where the land is located. If the land is located in more than one county, the Attorney General may either initiate a single action in the county in which the majority of the land is located or initiate separate actions in each such county.

After the action is initiated, the Attorney General must file a notice of pendency of the action with the county recorder. If the court finds that the agricultural land was acquired in violation of the act, the land escheats to the state. The clerk of the court must notify the Governor that the title to the land is vested in the state by the court. The land must be sold at public auction in the same manner as real property foreclosed upon due to the owner’s failure to pay a debt, except that the registered person has no right of redemption.

After the sale of the land, the proceeds are first used to pay for the court costs and other expenses related to the action initiated by the Attorney General. The remaining proceeds are paid to the registered person whose agricultural land escheated, but only up to the amount paid

by the registered person for the land. If any proceeds remain, they are distributed to the general fund of each county in which the land is located in proportion to the percentage of the territory located in each such county.

Name and purpose

The act's prohibitions are named the Save our Farmland and Protect our National Security Act. The act stipulates that the purpose of the restrictions is to recognize that Ohio has a substantial and compelling interests in protecting its agricultural production.

Other protected property (VETOED)

The Governor vetoed a provision that would have prohibited registered persons from acquiring real property located within 25 miles of any military base, camp, airport, or similar installation in Ohio and under the jurisdiction of the armed forces (referred to in this analysis as "other protected property"). Under continuing law, "armed forces" includes all of the following:

- The Army, Navy, Air Force, Marine Corps, Coast Guard, or any reserve components of those forces;
- The national guard of any state;
- The commissioned corps of the U.S. Public Health Service;
- The merchant marine service during wartime;
- The Ohio organized militia when engaged in full-time National Guard duty for a period exceeding 30 days;
- Other services that may be designated by Congress.¹⁵⁷

All of the same exceptions and enforcement procedures that apply to agricultural land under the act, would have applied to other protected property under the vetoed provision. The vetoed provision would have also required the SOS to consider the military defense of Ohio and the U.S. in compiling and updating the registry of persons who would have been prohibited from acquiring agricultural land and other protected property.

¹⁵⁷ R.C. 5903.01, not in the act.