

## Elections

### Sub. S.B. 63

- Sens.** LaRose, Hite, Jones, Gardner, Lehner, Hottinger, Tavares, Brown, Coley, Bacon, Balderson, Beagle, Burke, Eklund, Faber, Manning, Obhof, Patton, Peterson, Sawyer, Seitz, Thomas, Uecker, Yuko, Hackett
- Reps.** Brown, R. Smith, Anielski, Antani, Arndt, Baker, Blessing, Buchy, Cupp, Dovilla, Duffey, Green, Grossman, Hambley, Henne, Koehler, Landis, Manning, McClain, McColley, Pelanda, Perales, Reineke, Rezabek, Rogers, Schaffer, Schuring, Sears, Slaby, K. Smith, Sprague, Terhar, Thompson

**Effective date:** September 13, 2016

#### Online voter registration

- Requires the Secretary of State to establish a secure online process for voter registration and registration updates and specifies information that an applicant must provide to use the online system.
- Requires the Secretary of State to obtain an electronic copy of the applicant's signature that is on file with the Bureau of Motor Vehicles, to be used as the applicant's signature on voter registration records.
- Requires the online voter registration system, beginning 29 days before election day and ending on election day, to display a notice indicating that the applicant will not be registered to vote for that election.
- Requires the Secretary of State to employ necessary security measures to ensure the integrity and accuracy of the system.
- Specifies that errors in processing online voter registration applications must not prevent an applicant from registering or voting.
- Prohibits the online voter registration process from operating before January 1, 2017.
- Specifies that if any online voter registration provision is held invalid, then all online voter registration provisions cease to operate.

#### Statewide voter registration database

- Requires certain state agencies that transfer data to the Secretary of State for the statewide voter registration database, to do so not later than the last day of each month.
- Requires the Secretary of State to transmit information to the boards of elections for the database in accordance with federal and state law.

- Requires the Secretary of State to annually review the database to determine whether any individuals who are not U.S. citizens are registered to vote.

### **Certification of voting equipment**

- Permits a voting machine, marking device, or automatic tabulating equipment to meet either Election Assistance Commission (EAC) guidelines or Federal Election Commission (FEC) standards.
- Specifies that the federal certification requirements do not apply to equipment if the EAC does not certify it as part of its testing and certification program.

### **Filling vacancies in local offices**

- Specifies that if a vacancy occurs in certain local offices, the vacancy must be filled by the local central committee of the political party that nominated the former officer or officer-elect as a candidate for that office for the current term.
- Clarifies that, if the former officer or officer-elect was elected as an independent to serve the current term, certain local officials must fill the vacancy.

## **Sub. S.B. 296**

**Sens.** Seitz, Coley, Jones, Hite, Burke, Bacon, Jordan, Uecker, Patton, Eklund, Hackett

**Reps.** Blessing, Buchy, Green, McColley, Antani, Brenner, McClain, Rutherford, Schaffer, Sears, Slaby, R. Smith, Terhar, Young

**Effective date:** Vetoed

### **Pre-election court procedure**

- Would have required a person who filed an election-related court action to file the action in the Ohio Supreme Court or in the appropriate court of appeals if the action was filed during the 50 days before Election Day and the action was one over which the Supreme Court and the courts of appeals have original jurisdiction.

### **Election Day court procedure**

- Would have allowed a person who sought a court order that a polling place be kept open for extended hours on Election Day to file a petition in the county court of common pleas.
- Would have required the petitioner to serve notice of the petition on the Secretary of State and the Attorney General, and would have required the court to allow those officers or their designees to be heard in the case.

- Would have allowed the court to order that the polls be kept open only if the petitioner had proved by clear and convincing evidence that no prospect of a fair election existed without the order, if certain evidentiary requirements were met, and if the procedures described above had been followed.
- Would have prohibited a court order to keep the polls open from becoming effective until the petitioner had posted a bond in an amount determined by the court, considering the cost of keeping the requested polling places open for the requested time period, based on a board of elections estimate that included the cost of compensating precinct election officials at a specified overtime rate.
- Would have required the court to waive the bond requirement if the petitioner was indigent, but would have allowed the court to extend polling hours only for the petitioner personally to vote if no bond had been posted.
- Would have allowed the court, if the court extended the polling hours but the decision was later overturned, to order that the bond be forfeited to the board of elections and that the petitioner pay the board any additional amount necessary to cover the cost of keeping the polls open.
- Would have made an order to keep the polls open subject to immediate appeal to a special Election Day panel of the court of appeals.

### **Provisional ballots**

- Would have required a person who voted after the close of the polls because of a court order to cast a provisional ballot, and would have specified the procedure for processing that ballot.