



Ohio Legislative Service Commission

Bill Analysis

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S.B. 200

130th General Assembly
(As Introduced)

Sens. Uecker, Coley, Seitz

BILL SUMMARY

Statewide voter registration database

- Clarifies that the Office of the Secretary of State must administer the statewide voter registration database.
- Allows the Secretary of State to prescribe by rule the format in which the boards of elections must send voter registration records to the Secretary of State.
- Increases the frequency with which the Secretary of State must send each board's voter registration information to the National Change of Address Service to obtain information about electors who may have moved.
- Requires state agencies, including the Department of Health, Bureau of Motor Vehicles, Department of Job and Family Services, and the Department of Rehabilitation and Correction, to provide any information and data to the Secretary of State that the Secretary of State considers necessary to maintain the statewide voter registration database.
- Requires the Secretary of State to ensure that any information or data provided to the Secretary of State by another agency that is confidential while in the possession of the agency providing the information or data remains confidential while in the possession of the Secretary of State.
- Prohibits information provided by another agency from being used to update the name and address of a registered elector, and specifies that an elector's name and address may only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.

- Requires the Secretary of State to adopt rules to establish a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by a state agency.
- Requires a board of elections to contact a registered elector pursuant to those rules to verify the accuracy of information in the statewide voter registration database, if information received from another agency identifies a discrepancy between the information maintained in the database and information maintained by the other agency.
- Specifies that an agency is not required to provide information or data to the Secretary of State if doing so is prohibited by federal law or regulation.
- Requires the Secretary of State to enter into agreements to share information or data with other states or groups of states, as the Secretary of State considers necessary, in order to maintain the statewide voter registration database.
- Requires the Secretary of State generally to ensure that any information or data provided to the Secretary of State by another state that is confidential while in the possession of the state providing the information or data remains confidential while in the possession of the Secretary of State, but permits the Secretary of State to provide otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.
- Removes a restriction on the information to be made available on the statewide voter registration database website.
- Requires the statewide voter registration database to include methods to retain canceled voter registration records and to record the reason for their cancellation.

Deceased electors

- Requires the Director of Health to file monthly reports with the Secretary of State concerning electors who have died.
- Requires the Secretary of State and the Director of Health to jointly establish a secure electronic system for the purpose of exchanging that information.
- Allows a deceased elector's spouse, parent, or child, the administrator of the elector's estate, or the executor of the elector's will to file a certified copy of the elector's death certificate with the board of elections.

- Requires the board of elections promptly to cancel the decedent's registration upon receiving such a death notice or certificate.

CONTENT AND OPERATION

Statewide voter registration database

Generally

The bill clarifies that the Office of the Secretary of State must administer the statewide voter registration database. Under continuing law, the boards of elections must send their voter registration information to the Secretary of State for the purposes of establishing and maintaining the database. The bill allows the Secretary of State to prescribe by rule the format in which the boards must send that information.¹

National Change of Address Service updates

The bill also increases the frequency with which the Secretary of State must send each board's voter registration records to the U.S. Postal Service's National Change of Address Service. Under the bill, the Secretary of State must send those records in the first quarter of each year, instead of in the first quarter of each odd-numbered year. Further, the bill requires the Secretary of State to request the Service to provide a list of any of those voters who have moved within the last 12 months, instead of the last 36 months, as under current law.²

Data-sharing with state agencies

Under the bill, state agencies, including the Department of Health, the Bureau of Motor Vehicles, the Department of Job and Family Services, and the Department of Rehabilitation and Correction, must provide any information and data to the Secretary of State that the Secretary of State considers necessary to maintain the statewide voter registration database, except where prohibited by federal law or regulation. The bill requires the Secretary of State to ensure that any information or data that are confidential while in possession of the entity providing the data remains confidential while in the Secretary of State's possession.

The bill prohibits information provided under this provision for maintenance of the statewide voter registration database from being used to update a registered

¹ R.C. 3503.15(A)(1) and 3503.21(D).

² R.C. 3503.21(D).



elector's name or address. An elector's name or address must be updated only as a result of the elector's actions in filing a notice of change of name, address, or both.

Further, under the bill, the Secretary of State must adopt rules under the Administrative Procedure Act to establish a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by a state agency. If the information a state agency provides conflicts with that elector's record in the statewide voter registration database and the discrepancy would affect the elector's eligibility to vote, the bill requires a board of elections to contact a registered elector pursuant to those rules to verify the accuracy of the information in the statewide voter registration database.³

Data-sharing with other states

The bill also requires the Secretary of State to enter into agreements to share information or data with other states or groups of states, as the Secretary of State considers necessary, in order to maintain the statewide voter registration database.

The Secretary of State must ensure that any confidential information or data provided to the Secretary of State under this program remains confidential while in the Secretary of State's possession. However, under the bill, the Secretary of State may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.⁴

Statewide voter registration database website

The bill removes a restriction on the information that may be made available on the statewide voter registration database website. Under current law, only an elector's name, address, precinct number, and voting history must be made available on the website. By eliminating the word "only," the bill allows for additional information to be included on the website.⁵

³ R.C. 3503.15(A)(2) and (D).

⁴ R.C. 3503.15(A)(3).

⁵ R.C. 3503.15(G).



Retention of canceled records

The bill requires the statewide voter registration database to include methods to retain canceled voter registration records and to record the reason for their cancelation.⁶

Deceased electors

Under the bill, the Director of Health must file monthly reports with the Secretary of State. The reports must include the names, Social Security numbers, dates of birth, dates of death, and residences of all persons, over 18 years of age, who have died within Ohio or another state during that month. The Secretary of State and the Director of Health must jointly establish a secure electronic system for the purpose of exchanging that information.

The bill also allows a deceased elector's spouse, parent, or child, the administrator of the elector's estate, or the executor of the elector's will to file a certified copy of the elector's death certificate with the board of elections.⁷ Upon receiving a death certificate or a notice of death from the sources listed above, the bill requires the board of elections promptly to cancel the decedent's registration. (Federal law requires Ohio to cancel the registrations of deceased electors.)⁸

HISTORY

ACTION	DATE
Introduced	10-02-13

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⁶ R.C. 3503.15(C).

⁷ R.C. 3503.18(A) and 3503.21(A).

⁸ R.C. 3503.18(D) and 3503.21(A); 42 U.S.C. 15483(a)(2).

