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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**H.B. 233**  
**136<sup>th</sup> General Assembly**

## **Fiscal Note & Local Impact Statement**

[Click here for H.B. 233's Bill Analysis](#)

**Version:** As Introduced

**Primary Sponsors:** Reps. LaRe and Swearingen

**Local Impact Statement Procedure Required:** Yes

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### **Highlights**

#### **Missing or inconsistent voter roll data**

- The bill requires the Secretary of State (SOS) and county boards of elections (BOEs) to review, flag, and attempt to update each voter registration record where certain information is missing or inconsistent.
- BOEs will incur indeterminate costs based on the number of additional confirmation notices sent, provisional ballots cast, and staff hours involved with the additional work. These costs will be the highest in the first year to bring electors into compliance and stabilize at a lower cost in subsequent years.
- The Secretary of State would likely incur minimal costs to review additional fields between databases for missing or inconsistent information. These costs would likely be paid from Fund 5990 appropriation line item 050629, Statewide Voter Registration Database.

#### **Potentially ineligible voters**

- County prosecutors may incur additional costs to investigate and, if necessary, prosecute applicants that have been deemed ineligible to vote by a BOE.
- When potential noncitizens are identified, BOEs will incur indeterminate costs based on the number of additional confirmation notices sent, provisional ballots cast, and staff hours required to do this work.
- The Attorney General may incur additional costs to investigate and, if necessary, prosecute potential noncitizens who do not cancel their voter registration or respond to either of the two confirmation notices sent. If found guilty of a fourth degree felony for

illegally voting, a person could serve a prison sentence of six to 18 months and be fined up to \$5,000.

## **Trackable absentee ballots**

- Each BOE will incur costs to add a United States Postal Service (USPS) Intelligent Mail barcode to each absentee ballot return envelope and obtain necessary equipment and software to read these barcodes.

## **Drop boxes prohibited**

- Each BOE will incur a small cost to remove their singular drop box and repair the area where it was bolted into the ground.

## **Election procedure updates**

- The bill makes numerous changes to election procedures and forms. BOEs and the SOS will incur additional costs to update materials, databases, and forms, and to train staff.

## **Detailed Analysis**

The bill makes changes to election law regarding proof of citizenship, processing voter registrations and updates, voter roll maintenance, provisional voting, absentee voting, and election petitions. These changes are detailed in the [LSC bill analysis](#). Under the bill, county boards of elections (BOEs) and the Secretary of State (SOS) will incur additional costs to update materials, databases, and forms to comply with state election procedures and to train staff. Provisions regarding the maintenance of the Statewide Voter Registration Database (SWVRD), absentee voting, and potentially ineligible voters are described below with each provision's anticipated fiscal effects.

## **Missing or inconsistent voter roll data**

The bill requires the SOS and BOEs to review, flag, and attempt to update each voter registration record where certain information is missing or inconsistent. Specifically, the SOS will compare records in the SWVRD, the database of the Bureau of Motor Vehicles (BMV), and the Social Security Administration's (SSA) database by looking at each elector's (1) Ohio driver's license or state identification card number, (2) last four digits of their Social Security number, and (3) resident's address. BOEs will mail notice to flagged electors. Each flagged elector will need to either update this information, vote provisionally then provide appropriate documentation, or reregister at a later date.

## **County boards of elections**

BOEs will incur some additional costs resulting from the bill. The magnitude of the additional costs to BOEs is unclear. However, it appears that the bulk of any additional costs would be for increased staff time, postage for notices, and printing of additional provisional ballots. Presumably, the costs would be the greatest in the first year to bring electors into compliance. In subsequent years, the cost of these changes would be lower, as BOEs will have addressed existing records with missing or inconsistent data.

## **Notices**

For each flagged record, the bill requires BOEs to send a confirmation notice with postage prepaid, a preaddressed return envelope, and a form on which the elector may verify or correct the elector's registration. The material cost of each notice should be approximately \$1.60 comprised of two 73¢ United States Postal Service (USPS) stamps. On a practical level, it appears that the bill would cause the boards to send confirmation notices to two groups of electors who would not necessarily receive those notices under current law or directive: (1) electors who registered without providing an Ohio DL/ID or SSN-4, as permitted until 2023, and (2) electors who have moved and have failed to notify either the BMV or the board of elections, and who have not used the National Change of Address Service. It is unclear how many electors would receive a notice under these two categories.

## **Provisional ballots**

Similarly, the number of these electors who do not update their registration after receiving notice and subsequently who need to vote using a provisional ballot is unclear. The difference in cost between each provisional ballot and the standard ballot varies by the voting system used by each BOE. Overall, 48 counties use preprinted ballots costing roughly 30¢ to 40¢ per ballot, 28 counties use electronically marked and separately tabulated ballots costing approximately 11¢ per ballot, and 12 use directly recorded electronic ballots with a voter-verified paper trail costing approximately 8¢ per ballot. During the 2024 general election, there were approximately 105,000 provisional ballots cast.

## **Secretary of State**

The SOS could incur minimal cost to perform checks on additional fields between databases. These costs would likely be paid from Fund 5990 appropriation line item 050629, Statewide Voter Registration Database. Under the current procedure, the SOS regularly compares the information in the SWVRD against BMV and SSA records and sends the boards electronic packets that notify them of each registration for which the Ohio driver's license or state identification card number, last four digits of the Social Security number, last name, first name, or date of birth could not be verified. The packets also include any electors who, according to BMV and SSA records, are deceased. Within ten days of receiving a packet, the board is required to review all the information in the packet and send each elector a confirmation notice, unless the board determines that the data mismatch was a result of a data entry error by the election officials. However, unlike under the bill, an elector who is sent a confirmation notice under this directive is not required to vote provisionally.

## **Potentially ineligible voters**

### **Attempt to register**

County prosecutors may incur additional costs to investigate and, if necessary, prosecute applicants that have been deemed ineligible to vote by a BOE. An ineligible voter who knowingly attempts to register to vote may be found guilty of a felony of the fifth degree, which carries a punishment of a prison sentence of six to 12 months and a fine of up to \$2,500.

### **Potential noncitizens**

When potential noncitizens are identified on the voter roll, BOEs will incur indeterminate costs based on the number of additional confirmation notices sent, provisional ballots cast, and

staff hours. This is similar to the process that applies to registered voters with missing or incomplete voter roll data as previously discussed. Under the bill, the SOS must send a report to each board of elections of the persons residing in the county who have been identified as potential noncitizens. The board must mark each person's record as being required to cast a provisional ballot and must send the person a confirmation notice indicating that the person must provide documentary proof of citizenship (DPOC) to the board. If the person does not provide DPOC or cancel the person's registration within 14 days, the board must send a second notice. If the person still does not take one of those actions within 14 days after being sent a second notice, the bill requires the SOS to cancel the person's registration, notify the person and the board, and refer the matter to the Attorney General.

The Attorney General may incur additional costs to investigate and, if necessary, prosecute potential noncitizens who do not cancel their voter registration or respond to either of the two confirmation notices sent by a BOE. For people that are improperly registered to vote, they may be found guilty of a felony of the fifth degree. If a person is found guilty of voting illegally, they could serve a prison sentence of six to 18 months and be fined up to \$5,000 for a fourth degree felony.

## **Trackable absentee ballots**

Each BOE will incur costs to add a USPS Intelligent Mail barcode to each absentee ballot return envelope and obtain necessary equipment and software to read these barcodes. BOEs will presumably add the barcodes when they add voter specific information, such as name and address, to the absentee ballot materials. Additional equipment, software, and staffing may be needed to print these barcodes on the return envelopes. In the November 2024 general election, more than 1.1 million absentee mail-in ballots were requested.

## **Drop boxes prohibited**

The bill prohibits the use of unsupervised drop boxes to collect absentee ballots. As a result, each BOE will incur a small cost to remove their singular drop box and repair the area where it was bolted into the ground. County maintenance departments will likely perform this work. Additionally, this bill could result in a change of voting behavior, indirectly affecting the cost of administering an election. Most voters who would use a drop box would presumably return their absentee ballot by mail. However, some of these voters may return their absentee ballot in person or cast an early in-person ballot. Without a drop box, lines to vote or return an absentee ballot may be longer, potentially resulting in the need for additional staffing to meet demand at high traffic times. BOEs that choose to maintain a drop box would need to hire additional staff to continuously supervise the drop box.