Ohio Legislative Service Commission

Bill Analysis   Emily E. Wendel

H.B. 81
131st General Assembly
(As Introduced)

Reps.   Hambley, Becker, Blessing, Brown, Hood, Koehler, Rezabek, Thompson

BILL SUMMARY

- Eliminates the ability to conduct special elections in February.

- Requires a political subdivision that submits an item for placement on the ballot at a special election to prepay 65% of the estimated cost of the election.

CONTENT AND OPERATION

Times for holding special elections

The bill reduces the number of times per year that a political subdivision or taxing district may place an election on the ballot by eliminating special elections in February. Under the bill, special elections may appear on the ballot only on the day of a primary or general election (in May or November of most years) or in August. In presidential election years, those elections could be conducted in March, rather than in May, to coincide with the presidential primary election.

Under current law, political subdivisions and specified taxing districts may place issues, such as proposed tax levies or bond issues, on the ballot up to four times a year. However, in presidential election years, special elections currently may not be held in February or May.[1]

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[1] R.C. 3501.01, 5705.194, 5739.021, and 5739.026.

Prepayment of special election costs

Overview

Under the bill, a political subdivision must prepay 65% of the estimated amount of its share of the cost of a special election before the election, instead of paying its entire share after the election. Continuing law requires the political subdivisions that place items on the ballot at a special election to pay the cost of holding the election. Those costs include, for example, the compensation of precinct election officials, the cost of operating polling places, and the cost of printing and delivering ballots and other election supplies.[2]

Cost estimate

The bill specifies that for each special election, a board of elections must prepare an estimate of the cost for preparing for and conducting an election on one question or issue, one nomination for office, or one election to office in each precinct in the county at that special election, and must divide that cost by the number of registered voters in the county. The board of elections must file the estimate with the board of county commissioners and the Secretary of State not less than 15 business days before the deadline to submit a question or issue for placement on the ballot at that election.

When a political subdivision seeks to submit an item for placement on the ballot at a special election, the bill requires the board of elections to provide the political subdivision with the estimated cost of preparing for and conducting the election. The estimate must be calculated either by multiplying the number of registered voters in the political subdivision by the estimated cost per voter for the election or by multiplying the cost per precinct by the number of precincts in the political subdivision.[3]

Prepayment

Under the bill, a political subdivision that places an item on the ballot at a special election must pay 65% of the estimated cost of the election not less than ten business days after the deadline for submitting a question or issue for placement on the ballot at that election. The payment must be made to the county elections revenue fund. Continuing law allows a board of county commissioners to establish such a fund for the

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[2] R.C. 3501.17.

[3] R.C. 3501.17(J)(1) and (2).

purpose of accumulating revenue withheld by or paid to the county for the payment of election expenses.[4]

Post-election payment

The bill requires the board of elections, not later than 60 days after the date of a special election, to provide to each political subdivision the true and accurate cost for the question or issue, nomination for office, or election to office that the subdivision submitted to the voters on the special election ballots.

If the board of elections determines that a political subdivision prepaid less than the actual cost of the election, the political subdivision must remit the balance of the cost of the election to the county elections revenue fund within 30 days after being notified of the final cost. If the board of elections determines that a political subdivision prepaid more than the actual cost of the election, the board of elections must promptly notify the board of county commissioners of that difference. The board of county commissioners then must remit the amount of the overpayment from the county elections revenue fund to the political subdivision within 30 days after receiving that notification.[5]

HISTORY

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[4] R.C. 3501.17(I) and (J)(2).

[5] R.C. 3501.17(J)(3).