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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 191  
133<sup>rd</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Sen. Gavarone

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### SUMMARY

- Requires the Secretary of State to establish by rule a secure online process for requesting absent voter's ballots.
- Maintains the option for electors to submit paper applications for absent voter's ballots.
- Requires an online applicant to provide all of the information that is required under continuing law to request absent voter's ballots.
- Requires the elector to attest to the truth and accuracy of the information in the online application under penalty of election falsification using the elector's birthdate and the last four digits of the elector's Social Security number or the elector's Ohio driver's license or state identification (ID) card number as proof of the elector's identity.
- Requires the Secretary to obtain an electronic copy of the elector's signature from the Statewide Voter Registration Database to be used as the elector's signature on the application.
- Requires the Secretary to employ security measures necessary to ensure the integrity and accuracy of information submitted through the new system.
- Specifies that errors in processing applications in the online system must not prevent an elector from receiving absent voter's ballots.

### DETAILED ANALYSIS

The bill requires the Secretary of State to establish a secure online process for applying to vote by absent voter's ballots. The process must be created by rule adopted under the Administrative Procedure Act. Under continuing law, an elector also may submit a paper application for absent voter's ballots either in person or by mail.

## Online application for absent voter's ballots

### Application information

Under the online process, an elector must provide all of the information that is required under continuing law to request absent voter's ballots and must be registered and eligible to vote in the election for which the ballots are requested. An online application, just like a paper application, must include all of the following:<sup>1</sup>

- The elector's name;
- The address at which the elector is registered to vote;
- The elector's birthdate;
- A statement identifying the election for which the absent voter's ballots are requested;
- A statement that the person requesting the ballots is a qualified elector;
- If the request is for primary election ballots, the elector's party affiliation;
- The address to which the ballots should be mailed.

### Identification

The bill requires the elector to attest to the truth and accuracy of the information in the online application under penalty of election falsification using the elector's birthdate and the last four digits of the elector's Social Security number or the elector's Ohio driver's license or state identification (ID) card number as proof of the elector's identity.

Under continuing law, an elector who submits a paper application for absent voter's ballots must sign the application under penalty of election falsification and may provide one of those forms of ID or instead may submit a copy of the elector's current and valid photo ID, a copy of a military ID, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration, that shows the elector's name and address.<sup>2</sup>

### Signature

Under the bill, the Secretary of State must obtain an electronic copy of the elector's signature from the Statewide Voter Registration Database to be used as the elector's signature on the application for the purpose of matching the elector's signature to the elector's registration record. (As a practical matter, those two signatures would be identical, so there would not be a signature matching procedure.)

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<sup>1</sup> R.C. 3509.031(A). See also R.C. 3509.03, not in the bill.

<sup>2</sup> R.C. 3509.031(A)(2)(c). See also R.C. 3509.03, not in the bill.

For paper applications, continuing law requires the elector to sign the application, which gives the election officials the opportunity to compare that signature with the one in the elector's registration record. Although the statute does not explicitly require the election officials to match those signatures before sending absent voter's ballots to the elector, if the signatures did not match, the election officials probably would investigate to determine whether the application was fraudulent.<sup>3</sup>

## Administration

The bill requires the Secretary of State to employ security measures necessary to ensure the integrity and accuracy of information submitted through the new system. And, the bill specifies that errors in processing applications for absent voter's ballots in the online system must not prevent an elector from receiving absent voter's ballots.<sup>4</sup>

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## HISTORY

Action	Date
Introduced	09-04-19

S0191-I-133/ec

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<sup>3</sup> R.C. 3509.031(B). See also R.C. 3509.03 and 3509.04, not in the bill.

<sup>4</sup> R.C. 3509.031(C).