



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 194  
133<sup>rd</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for S.B. 194's Bill Analysis](#)

**Version:** As Introduced

**Primary Sponsor:** Sen. Rulli

**Local Impact Statement Procedure Required:** No

Terry Steele, Senior Budget Analyst

### Highlights

- The renamed Board of Voting Equipment Examiners will incur new testing and certification costs for analyzing voter registration systems. These costs would be offset through a testing and certification fee of \$2,400, the same amount that applies to other devices currently tested and certified by the Board. The additional fee revenue would be deposited into the renamed Board of Voting Equipment Examiners Fund (Fund 4S80) under the Secretary of State's budget.
- Adding a cybersecurity expert to the renamed board means that overall member compensation will increase by a few hundred dollars. Under current law, members receive up to a maximum of \$600 per device that is tested. Members are also reimbursed for their expenses.
- Counties would face no new costs related to the voting registration system provisions in the bill. They may continue to use existing systems until it is time to acquire new systems that are certified by the Board of Voting Equipment Examiners.
- The bill requires county boards of elections to make a decision related to the protest of a petition for candidacy within ten days of the filing of the protest. Consequently, boards of elections could incur some small cost for mailing hearing notices to the affected parties.

### Detailed Analysis

#### Board of Voting Equipment Examiners

The renamed and enlarged Board of Voting Equipment Examiners will incur some additional costs to approve and certify voter registration equipment under the same process currently used to test and certify voting machines, marking devices, automatic tabulating

equipment, voting and tabulation software, and electronic pollbooks. However, these new costs will be offset by a \$2,400 equipment testing and certification fee the Board charges currently. Additional fees may be charged if any special testing is required or extraordinary costs are incurred during the examination process. The fees for testing voting registration systems would be deposited into the renamed Board of Voting Equipment Examiners Fund (Fund 4S80). In FY 2019, Fund 4S80 collected \$16,800 in certification fees. It maintains a cash balance of \$3,287 as of October 1, 2019. As an illustration of the Board's workload, there are currently 13 voting systems and five electronic pollbook models certified for use by boards of elections.

The Board will incur some additional cost to compensate the new nonvoting cybersecurity expert added to the Board, increasing its membership to five appointees. Under current law unchanged by the bill, Board members are paid \$300 per day for each combination of systems or pieces of equipment examined and reported on, but they may not receive more than \$600 to examine and report on any one system or piece of equipment. Members are also reimbursed for their expenses.

### **Boards of elections costs**

Boards of elections are not likely to face new costs as a result of the bill's requirements that apply to voter registration systems. This is because the bill specifies that a county board of elections using a voter registration system before the bill takes effect may continue using that system until a new system is acquired.

Finally, the bill requires a board of elections or the Secretary of State to decide a protest against a person's candidacy filing no later than ten days after the protest is filed. Current law does not specify a deadline. Potentially, boards of elections could incur some small amount of additional mailing costs for sending notice of the hearing to the parties involved in the protest. A common type of protest involves a claim that a candidate has not met the valid signature thresholds on their nominating petitions.