



OHIO LEGISLATIVE SERVICE COMMISSION

Terry Steele

Fiscal Note & Local Impact Statement

Bill: H.B. 41 of the 132nd G.A.

Status: As Passed by the House

Sponsor: Rep. Pelanda

Local Impact Statement Procedure Required: No

Subject: Makes changes to voter challenges and in-person absent voting procedures

Local Fiscal Highlights

- The bill modifies several provisions related to the procedures for in-person absent voting to mirror the voting procedures for voting on the day of an election. Overall, it appears the provisions in the bill could reduce some costs to county boards of elections.
- The bill makes revisions to the allowable time to challenge an elector's right to vote. These provisions could potentially reduce the number of provisional ballots cast, but there otherwise appears to be little fiscal impact.

Detailed Fiscal Analysis

Handling and processing of absent voter's ballots

The bill establishes five criteria governing the way precinct officials are to handle individuals when casting absent voter's ballots in person. These criteria are that: (1) absent voters are required to provide identification in the same manner as voters who cast ballots in person on the day of the election, (2) absent voters are not required to complete a statement of voter on an absent voter's ballot identification envelope, (3) the board of elections is required to provide a signature book for absent voters who are casting their ballots in person to sign, (4) no person other than a precinct official can challenge the right to vote of an absent voter who is casting a ballot in person, and (5) no absent voter may receive a replacement ballot after his or her ballot has been scanned or entered into the automatic tabulating equipment. These changes essentially act to have in-person absent voting procedures mirror the process that occurs during voting on the day of the election.

Overall, these changes would appear to result in some cost savings for boards of elections in the form of reduced printing costs because boards of elections must currently make absent voter applications and identification envelopes available at in-person voting locations. It does not appear as though boards of elections would have to print additional poll books under this provision. Additionally, as of this writing, 61 counties have moved to the use of electronic poll books.

The bill contains other provisions that would appear to help increase the ability of boards of elections to process absent voter's ballots. The bill does so by adding to the time considered to be "during the casting of the ballots" to include any time during which a board of elections processes absent voter's ballots before the time for counting those ballots. Under the bill, processing generally means checking the identification envelope to verify voter eligibility and preparing and readying the absent voter's ballot for scanning by automatic tabulating equipment. Finally, the bill allows a board of elections to determine whether absent voter's ballots are to be processed in each precinct, at the office of the board, or at some other location designated by the board. Overall, there may be some efficiencies gained in handling absent voter's ballots as allowed under the bill.

Challenge of a right to vote

The bill decreases the number of days that a qualified elector can apply to correct a precinct registration list or challenge a registered elector's right to vote at a board of elections by ten days. Under the bill, the application to correct or right to vote challenge must be filed no later than the 30th day before an election instead of the 20th day. The bill also decreases the number of days that a qualified elector can challenge a person's right to be registered as a voter, or the right to apply or cast an absent voter's ballot, by 11 days. Under the bill, the right to be registered or cast absent voter's ballots challenges must be filed no later than the 30th day before an a election instead of the 19th day.

Current law also allows a board of election to postpone a challenged voter's hearing until after the election if the challenged is filed after the 30th day before an election. Under the bill, a challenge can no longer be made after the 30th day before an election, and therefore, the option for the board to postpone a hearing has been removed. Because the bill no longer allows for a hearing to be postponed, the bill also removes the requirement to mark whose hearing is postponed in the official registration list and in the poll list or signature poll book for that elector's precinct, and the requirement to allow a voter whose hearing is postponed to cast a provisional ballot. Overall, there appears to be little fiscal impact involved with these provisions. A voter challenge hearing will still occur under the provisions of the bill. However, it is possible that there could be fewer provisional ballots cast under these provisions, but that overall number is unclear.