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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 458\*  
134<sup>th</sup> General Assembly

## Bill Analysis

[Click here for H.B. 458's Fiscal Note](#)

**Version:** As Reported by Senate Local Government and Elections

**Primary Sponsor:** Rep. Hall

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## SUMMARY

### Voter identification

- Defines photo ID as an unexpired Ohio driver's license, state ID card, interim identification form, U.S. passport or passport card, or military ID card that includes the individual's name and photograph.
- Generally requires an elector to have photo ID to vote in person, unless the elector has a religious objection to being photographed.
- Requires a person who registers to vote or updates the person's voter registration using a paper form to provide the person's Ohio DL/ID number or the last four digits of the person's Social Security number (SSN).
- Requires an elector to show photo ID in order to cast a regular ballot on Election Day.
- Clarifies that an Election Day voter must sign the voter's name in the pollbook, as opposed to writing the voter's name and address in the pollbook.
- Requires a person who casts absent voter's ballots in person at the board of elections to provide photo ID in the same manner as an elector voting on Election Day.
- Clarifies that an in-person absent voter is not required to complete a written application for absent voter's ballots.

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\* This analysis was prepared before the report of the Senate Local Government and Elections Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

- Requires an elector who is applying to vote absentee by mail, or who is returning absent voter's ballots, to provide an Ohio DL/ID number, the last four digits of the elector's SSN, or a copy of the elector's photo ID.
- Allows an elector who appears to vote in person, either on Election Day or during in-person absent voting, and who does not have or cannot provide photo ID, to cast a provisional ballot and show photo ID to the board after Election Day.
- Allows an elector who does not have photo ID because the elector has a religious objection to being photographed to sign an affidavit to that effect and to cast a provisional ballot using the last four digits of the elector's SSN.
- Shortens the cure period, during which a provisional voter may provide ID or additional information to the board, to four days after Election Day instead of seven.
- Authorizes any person 17 and over who applies for and receives a state ID card or a replacement state ID card from the Bureau of Motor Vehicles to receive it for free.
- Establishes a process for the Registrar of Motor Vehicles to reimburse a deputy registrar for the fees that a deputy registrar would have charged for the free state ID card.
- Requires any commercial driver's license (CDL), driver's license, or state ID card that is issued to a person who is not a U.S. citizen to include a notation that the person is a noncitizen.
- Authorizes a noncitizen who becomes a U.S. citizen in-between renewals of the person's current CDL, driver's license, or state ID card to obtain a free replacement license or card that removes the notation of noncitizenship.

## **Absent voting by mail**

- Shortens the deadline to apply to cast absent voter's ballots by mail from noon on the third day before Election Day to the close of business on the seventh day before Election Day.
- Allows the Secretary of State to continue to mail unsolicited applications for absent voter's ballots, so long as the Secretary submits a report to the Controlling Board with certain information about the most recent mailing.
- Requires a person who applies to cast absent voter's ballots by mail to do so on a form prescribed by the Secretary of State or on an appropriate federal form for uniformed services and overseas absent voters.
- Requires all absent voter's ballots that are returned by mail to arrive at the board of elections by the fourth day after Election Day, instead of the tenth day after Election Day.
- Shortens the cure period, during which an absent voter may provide ID or additional information to the board, to four days after Election Day instead of seven.

- Requires the boards of elections to begin counting late-arriving and cured absent voter's ballots and cured provisional ballots on the fifth day after Election Day, instead of the eleventh day.
- Specifies that absent voter's ballots that are not returned to the board by mail must be returned to the office of the board, and not to any other location, such as to a drop box elsewhere in the county.
- Permits the board, if it maintains multiple offices in the county, to designate any of its offices for the return of absent voter's ballots, but allows the board to designate only one office for that purpose.
- Allows the board, during the absent voting period, to provide not more than one secure outdoor drop box on the premises of the office of the board.
- Specifies administrative requirements concerning those drop boxes.
- Emphasizes the continuing-law principle that absent voter's ballots that are personally returned to the board must be delivered by the elector or a listed relative, and not by any other person.
- Adds language to a related criminal prohibition to specifically prohibit any person from returning the absent voter's ballot of another, unless the person is a listed relative or is, and is acting as, an employee or contractor of the U.S. Postal Service or a private carrier.
- Requires, instead of allows, the boards of elections to process absent voter's ballots before the close of the polls on Election Day.
- Eliminates a provision of law that requires the board of elections, upon receiving uniformed services or overseas absent voter's ballots, to check for ballots that are enclosed in the return envelope but not inside the identification envelope, and to put them inside the identification envelope without looking at the markings on the ballots.
- Leaves the Revised Code silent on the issue of whether absent voter's ballots can be counted if they are returned to the board inside the return envelope but not inside the identification envelope.
- Prohibits any public office, and any public official or employee who is acting in an official capacity, from prepaying the return postage on an application for absent voter's ballots or on an absent voter's ballot return envelope.
- Changes numerous references in the law governing absent voting to refer to a board of elections receiving, sending, and processing applications and ballots, rather than the *director* of the board performing those functions.

### **In-person absent voting – days available**

- Requires in-person absent voting to be permitted for all voters beginning on the day after the close of voter registration before an election and ending on the Sunday before the election.

- Expresses the General Assembly's intention to enact legislation that specifies the days and hours for in-person absent voting.
- Requires the Secretary of State to prescribe a new, uniform schedule that reallocates the six hours of in-person absent voting previously available on the Monday before Election Day by adding hours on Monday through Friday of the preceding week.

### **August special elections**

- Eliminates local special elections held in August, with one exception.
- Allows a political subdivision or school district that is in a state of fiscal emergency to hold an August special election.

### **Election administration**

- Specifies that a board of elections must permit an elector with a disability who is physically unable to enter a polling place to vote in the elector's vehicle or at the door of the polling place with the assistance of a bipartisan team of election officials.
- Prohibits an elector from being permitted to vote curbside under any other circumstance.
- Codifies a requirement currently found in Secretary of State directives that each board of elections prepare an Election Administration Plan (EAP) before each presidential primary election and each general election held in an even-numbered year.
- Removes the requirement that a 17-year-old high school student be a senior in order to serve as a precinct election official through the Youth at the Booth program.
- Prohibits a voter registration system or piece of voting equipment from being used in Ohio if an elected official or the official's spouse is a partner, owner, or member of the manufacturer or distributor.
- Updates the law requiring pre-election testing of voting equipment to more closely match existing Secretary of State directives.
- Prohibits any voting machine, marking device, or piece of automatic tabulating equipment from being used in an election without undergoing successful testing.
- Eliminates the fee that a newly elected state or county officer or judge must pay to the Secretary of State in order to receive a commission from the Governor.

### **Technical changes**

- Updates several references in Ohio law to federal election laws to refer to those laws' current locations in the U.S. Code.

Acceptable form of voter ID	Register to vote		Election Day voting		In-person absent voting		Absent voting by mail		Provisional ballot	
	Now	H.B. 458	Now	H.B. 458	Now	H.B. 458	Now	H.B. 458	Now	H.B. 458
Ohio DL/ID with current address	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓
Ohio DL/ID with former address	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓
Military ID	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓
U.S. passport or passport card	✗	✗	✗	✓	✗	✓	✗	✓	✗	✓
Utility bill, bank statement, government check, paycheck, or other government document with current address	✓	✗	✓	✗	✓	✗	✓	✗	✓	✗
Ohio DL/ID number	✓	✓	✗	✗	✓	✗	✓	✓	✓	✗
Last four digits of SSN	✓	✓	✗	✗	✓	✗	✓	✓	✓	✗