

**Subject:** RE: Public Records Act Request (OH-SEN-24-0573)  
**Date:** Tuesday, July 2, 2024 at 12:37:49 PM Eastern Daylight Time  
**From:** William.Cox@ohiosenate.gov  
**To:** AO Records  
**CC:** Matt.Oyster@ohiosenate.gov  
**Attachments:** image001.png, OH-SEN-24-0573.pdf, Records Combined.pdf

EXTERNAL SENDER

Dylan,

Attached are the records found to be responsive to the request.

Respectfully,



**William J. Cox**  
Deputy General Counsel  
Ohio Senate  
(614) 466-8212

---

**From:** AO Records <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Sent:** Thursday, May 30, 2024 10:08 AM  
**To:** State Senator Theresa Gavarone <[Gavarone@ohiosenate.gov](mailto:Gavarone@ohiosenate.gov)>  
**Subject:** Public Records Act Request (OH-SEN-24-0573)

Dear Public Records Officer:

Please find attached a request for records under Ohio's Public Records Act.

Sincerely,  
Dylan Winters  
Paralegal | American Oversight  
[records@americanoversight.org](mailto:records@americanoversight.org) |  
[www.americanoversight.org](http://www.americanoversight.org) | @weareoversight

PRR: OH-SEN-24-0573

## Cox, William

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**From:** Shehy, Stephan <sshehy@OhioSOS.Gov>  
**Sent:** Wednesday, May 17, 2023 1:16 PM  
**To:** Parrott, Sean  
**Subject:** SB 71 Talking Points  
**Attachments:** SB 71 Talking Points Final.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Sean,

Attached are talking points that may be helpful to the Senator when the bill is brought forth on the floor.

Thank you!

**Stephan Shehy | Director of Legislative Affairs**  
Office of the Ohio Secretary of State

**O:** 614.995.2170

[OhioSoS.gov](https://ohiosos.gov)

This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.

**SB 71 increases voter confidence, election integrity, and transparency in Ohio’s elections.**

- 1. SB 71 Standardizes common election definitions such as “voter history” and “voter registration date.”**
  - a. Current law does not define these basic but important terms, which may lead to the 88 different county board of elections interpreting these terms differently, entering data into the voter registration systems differently, which ultimately leads to the inability to accurately compare voter registration data statewide.
- 2. SB 71 requires the transmission, publication, and archiving of certain election data, primarily voter registration data, to the Secretary of State.**
  - a. In a bottom-up voter registration system, the boards of elections are the original source of data, and the statewide voter registration (“SWVRD”) database is simply a reflection of the data in the boards’ systems. SB 71 expands the data transmitted, published, and archived from the county boards of elections to the Secretary of State’s Office. For example, certain election data points, such as absentee voter data, are collected through a manual entry and burdensome survey process. This is an onerous process prone to human error. SB 71 requires this information, as well as other voter registration data, to be automatically and electronically submitted to the SWVRD.
- 3. Reconciling “voting history” and the number of ballots that were counted.**
  - a. SB 71 sets forth a definition in state law of “voting history” so that all boards of elections are operating from the same definition and to correct the current appearance of an inflated comparison of the number of voters who received “voting history” and the number of ballots that were counted. SB 71 increases voter confidence by defining this term across the state, ensuring voting history is only given to a voter’s record if the ballot was counted.

SB 71 is landmark legislation that would serve as a national model for other states to emulate. It is important to note what SB 71 is **NOT**. It is not an unfunded mandate and it does not alter election administration, how voter registration works, or how voters vote.

This legislation is supported by the America First Policy Institute, MIT Election Data and Science Lab and the Bipartisan Policy Center. With this wide-ranging and bipartisan support of this legislation, Ohioans can be confident that the DATA Act will increase transparency, confidence, and integrity in Ohio’s elections.

## Cox, William

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**From:** Shehy, Stephan <sshehy@OhioSOS.Gov>  
**Sent:** Wednesday, May 3, 2023 9:13 AM  
**To:** Uxley, Andrew; Parrott, Sean  
**Subject:** DATA Act Dashboard Concepts  
**Attachments:** Absentee Ballot - demographics.png; Business Services Design - External.png; Historic Results.png; location.png; Online Voter Registration - Transactions.png; Online Voter Registration - Transactions-1.png; Absentee Ballot - by date.png

Good Morning Andrew and Sean,

Welcome back, Andrew! I have attached several files that illustrate dashboard concepts that we will be able to produce if the DATA Act is included in the budget. We are sharing these images with members and policy staff to help illustrate the groundbreaking nature of the DATA Act.

Thank you and please let me know if you have any questions!

**Stephan Shehy | Director of Legislative Affairs**

Office of the Ohio Secretary of State

O: 614.995.2170

[OhioSoS.gov](https://www.ohiosos.gov)

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## 2023 February Special Election - Ballot Return Statistics

Select  
Statewide View

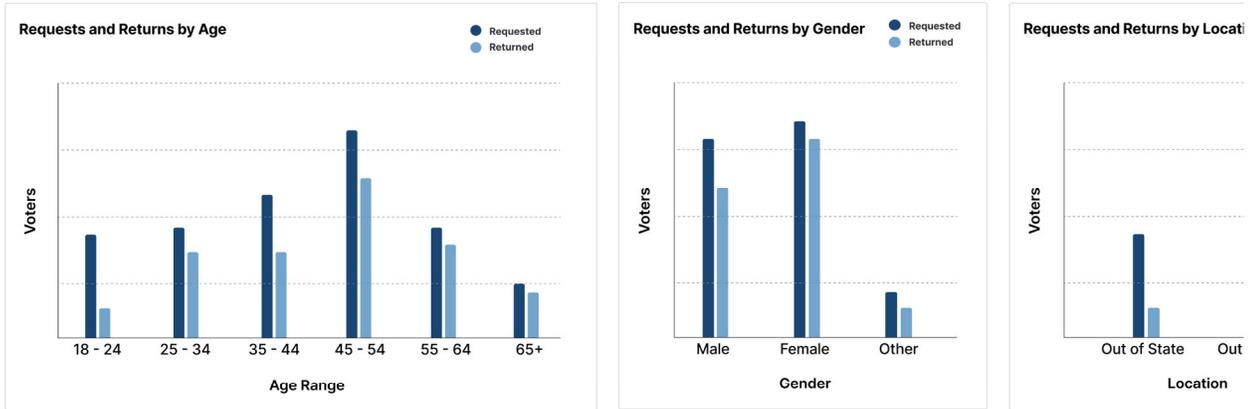
### Overview

Countdown to Election <b>89 Days</b>	Overall Ballots Requested <b>7,000</b> ▲ 5% <small>compared to 6,700 in 2022</small>	# Registered Voters <b>6,500</b> ▼ 3% <small>compared to 6,700 in 2022</small>
Countdown to Early Vote Start Date <b>12 Days</b>	Overall Ballots Sent Out <b>6,500</b> ▼ 3% <small>compared to 6,700 in 2022</small>	# of Eligible Voters per US Census <b>11,000</b> ▼ 9% <small>compared to 12,000 in 2022</small>
Countdown to Last Date of Registration <b>86 Days</b>	Overall Ballots Returned <b>2,000</b> ▼ 35% <small>compared to 3,000 in 2022</small>	Avg. Age of Requested Ballots <b>45 years</b> ▲ 5% <small>compared to 43 years in 2022</small>

### Statistic Breakdown

Demographics | Return Method/Location | Returns by Date

Exp



### Absentee Ballot Request by County

County	Voters Registered	Ballots Requested	Ballots Sent	Ballots Returned	Return Rate
Lorem Ipsum	####	####	####	####	██████████
Lorem Ipsum	####	####	####	####	██████████
Lorem Ipsum	####	####	####	####	██████████
Lorem Ipsum	####	####	####	####	██████████
Lorem Ipsum	####	####	####	####	██████████
Lorem Ipsum	####	####	####	####	██████████
Lorem Ipsum	####	####	####	####	██████████
Lorem Ipsum	####	####	####	####	██████████
Lorem Ipsum	####	####	####	####	██████████
Total	#####	#####	#####	#####	AVG X



## Business Services: External View

### Statewide Summary - Business Filings

####

New LLC's created

+ 12% (## as of Jan 2023)

####

Signatures authenticated

- 3% (## as of Jan 2023)

#

Approved

+ 6% (## as of Jan 2023)

### County Summary

Enter Zip Code

43056

#### Business Filing Summary

##

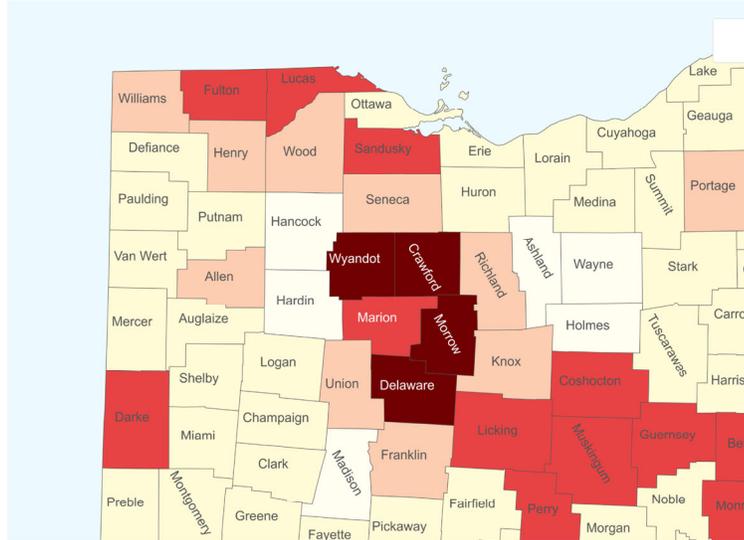
New LLC's created  
+ 6% (as of Jan 2023)

##

Signatures authenticated  
+ 6% (as of Jan 2023)

##

Approved business filings  
+ 6% (as of Jan 2023)



### Business Owner Demographics

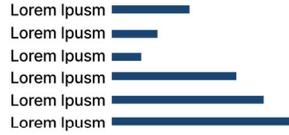
By Gender



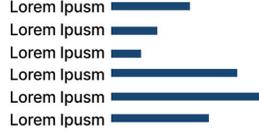
By Age



By Race



By Degree





# Voter Information

Online Voter Registration

Absentee Ballot

**Historic Results**

Primary or General

Election Type

Election Year

General

General Election - President and Vice President

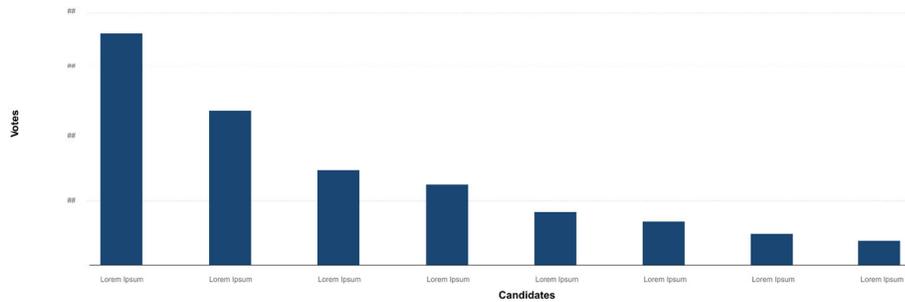
2020

## 2020 General Election President and Vice President Results

**Result and Terms**

**Official Voter Turnout**

Results Summary by Candidate



County	Region Name	Media Market	Registered Voters	Ballots Counted	Official Voter Turnout	Lorem Ipsum Candidate	Lorem Ipsum Candidate	Lorem Ips Candidate
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
Lorem Ipsum	Lorem Ipsum	Lorem Ipsum	#####	#####	XX.XX%	#####	#####	#####
		<b>TOTALS</b>	<b>#####</b>	<b>#####</b>	<b>XX.XX%</b>	<b>#####</b>	<b>#####</b>	<b>#####</b>

## 2023 February Special Election - Ballot Return Statistics

Select  
Statewide View

### Overview

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**89 Days**

Countdown to Early Vote Start Date  
**12 Days**

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compared to 43 years in 2022

### Statistic Breakdown

Demographics

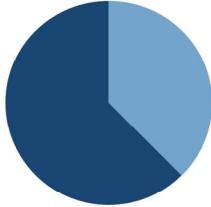
**Return Method/Location**

Returns by Date

Exp

#### Return Method

● Mail  
● Drop Box



#### Average Distance from Drop Box

Drop Box Returns

XX Miles

Mail in Returns

XX Miles

Not Returned

XX Miles

#### Top 5 Ballot Boxes



# of Returned Ballots

### Ballot Box Locations

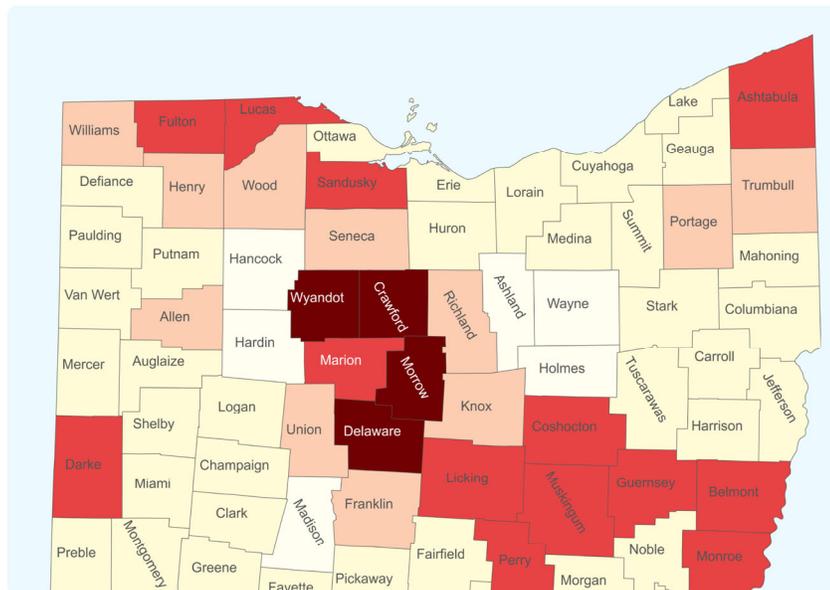
Enter Zip Code or County

#### Show

- Ballot Drop Box
- Town Centers
- Polling Places
- Bus Stops
- Train Stops

#### Filter by Distance

- < 5 miles
- 5-10 miles
- 11-15 miles
- 16+ miles



## 2023 February Special Election - Online Voter Registration

Select

Statewide View

### Overview

Countdown to Election

**89 Days**

Countdown to Early Vote Start Date

**12 Days**

Countdown to Last Date of Registration

**86 Days**

# Registered Voters

**6,500** ▼ 3%

compared to 6,700 in 2022

# of Eligible Voters per US Census

**11,000** ▼ 9%

compared to 12,000 in 2022

# of Online Voter Registration Transactions

**10,000** ▲ 10%

compared to 9,000 in 2022

Avg. Age of New Voter Registration

**25 years** ▲ 8%

compared to 23 years in 2022

Avg. Age of Updated Registrations

**40 years** ▲ 3%

compared to 39 years in 2022

### Statistic Breakdown

Online Registration Transactions

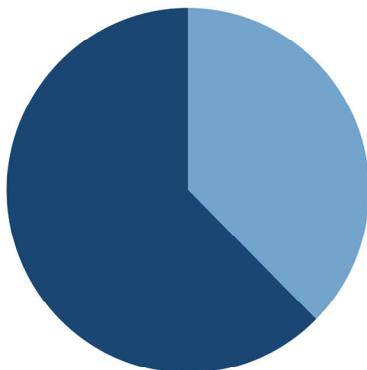
By County

By Precinct

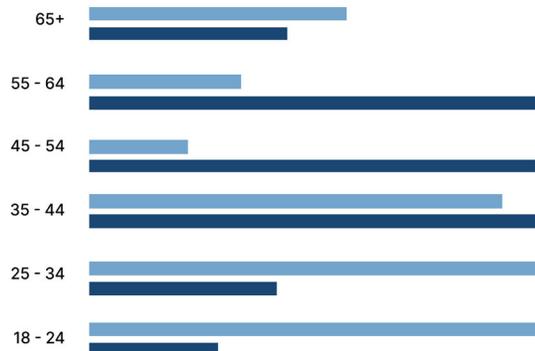
By Jurisdiction

New vs Updated Registration

● New Voter Registration  
● Updated Voter Registration



Age Breakdown



## 2023 February Special Election - Online Voter Registration

Select

Statewide View

### Overview

Countdown to Election

**89 Days**

Countdown to Early Vote Start Date

**12 Days**

Countdown to Last Date of Registration

**86 Days**

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**6,500** ▼ 3%

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### Statistic Breakdown

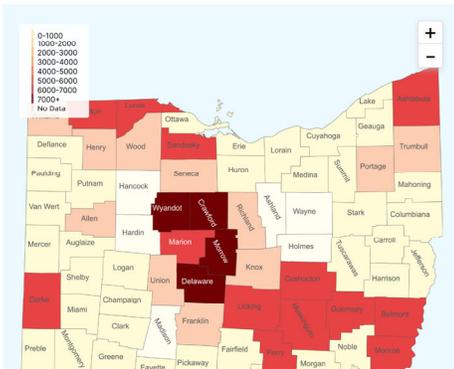
Online Registration Transactions

**By County**

By Precinct

By Jurisdiction

#### New Online Voter Registration Heatmap



#### Voter Registration By County

County	Online Voter Trans.	New Online Voter Reg.	Vote
Lorem Ipsum	####	####	####
Lorem Ipsum	####	####	####
Lorem Ipsum	####	####	####
Lorem Ipsum	####	####	####
Lorem Ipsum	####	####	####
Lorem Ipsum	####	####	####
Lorem Ipsum	####	####	####
Lorem Ipsum	####	####	####
Lorem Ipsum	####	####	####
Lorem Ipsum	####	####	####
Total	#####	#####	#####



## Cox, William

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**From:** Shehy, Stephan <sshehy@OhioSOS.Gov>  
**Sent:** Tuesday, May 2, 2023 7:47 AM  
**To:** Parrott, Sean  
**Subject:** RE: [EXTERNAL] Data Act - Senate Budget Amendment

Good Morning Sean,

This looks good on our end! We will share the amendment with members of the Senate Finance Committee in our leave-behind materials.

Thank you!

**Stephan Shehy | Director of Legislative Affairs**  
Office of the Ohio Secretary of State

O: 614.995.2170  
[OhioSoS.gov](http://OhioSoS.gov)

This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.

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**From:** Sean.Parrott@ohiosenate.gov <Sean.Parrott@ohiosenate.gov>  
**Sent:** Monday, May 1, 2023 2:05 PM  
**To:** Shehy, Stephan <sshehy@OhioSOS.Gov>  
**Subject:** [EXTERNAL] Data Act - Senate Budget Amendment

**\*\*\*\*Secretary of State Security Notice\*\*\*\***

**This e-mail is from an external source. Think before you click links or open attachments.**

Hey Stephan,

I have attached the Senate Budget Amendment for the Data Act.

Let me know if you have any questions.

Best,

Sean Parrott  
Legislative Aide  
Office of Senate Majority Whip Theresa Gavarone  
614-466-8060 (Office)  
[Sean.Parrott@ohiosenate.gov](mailto:Sean.Parrott@ohiosenate.gov)



Sub. H.B. 33  
As Passed by the House

\_\_\_\_\_ moved to amend as follows:

In line 76 of the title, after "3501.27," insert "3503.13,  
3503.15, 3505.31," 1  
2

In line 178 of the title, after "9.17," insert "111.11," 3

In line 201 of the title, after "3365.131," insert "3503.151,  
3503.152, 3503.153," 4  
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In line 546, after "3501.27," insert "3503.13, 3503.15,  
3505.31," 6  
7

In line 620, after "9.17," insert "111.11," 8

In line 637, after "3365.131," insert "3503.151, 3503.152,  
3503.153," 9  
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After line 2883, insert: 11

"Sec. 111.11. The office of data analytics and archives is  
created in the office of the secretary of state. Under the  
direction of the secretary of state, the office shall do both of  
the following: 12  
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(A) Retain voter registration and other election related  
data, analyze those data for purposes of maintaining accurate  
election data, and publish those data; 16  
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(B) Retain, analyze, and publish business services data." 19

After line 45886, insert: 20

"**Sec. 3503.13.** ~~(A)(A)(1)~~ Except as otherwise provided in 21  
~~division (A)(2) of this section 111.44 of the Revised Code or by~~ 22  
~~state or federal law, voter~~ registration forms submitted by 23  
 applicants and the statewide voter registration database 24  
 established under section 3503.15 of the Revised Code ~~shall be~~ 25  
~~open to~~ are public inspection at all times when the office of the 26  
~~board of elections is open for business, under such regulations as~~ 27  
~~the board adopts, provided that no person shall be permitted to~~ 28  
~~inspect voter registration forms except in the presence of an~~ 29  
~~employee of the board~~ records subject to disclosure under section 30  
149.43 of the Revised Code. 31

(2) None of the following are subject to disclosure under 32  
division (A)(1) of this section: 33

(a) An elector's full or partial social security number, 34  
driver's license or state identification card number, telephone 35  
number, or electronic mail address; 36

(b) A confidential voter registration record, as described in 37  
section 111.44 of the Revised Code; 38

(c) The address of a designated public service worker, if the 39  
designated public service worker has submitted a redaction request 40  
to the board of elections under section 149.45 of the Revised 41  
Code; 42

(d) Any other information that is prohibited from being 43  
disclosed by state or federal law. 44

(B) A board of elections may use a legible digitized 45  
 signature list of voter signatures, copied from the signatures on 46  
 the registration forms in a form and manner prescribed by the 47

secretary of state, provided that the board includes the required  
 voter registration information in the statewide voter registration  
 database established under section 3503.15 of the Revised Code,  
 and provided that the precinct election officials have computer  
 printouts at the polls prepared in the manner required under  
 section 3503.23 of the Revised Code.

**Sec. 3503.15.** ~~(A)(1)(A)~~ The secretary of state shall  
 establish and maintain a statewide voter registration database  
 that shall be administered by the office of data analytics and  
archives in the office of the secretary of state and made  
 continuously available to each board of elections and to other  
 agencies as authorized by law.

~~(2)(a) State agencies, including, but not limited to, the  
 department of health, the bureau of motor vehicles, the department  
 of job and family services, the department of medicaid, and the  
 department of rehabilitation and corrections, shall provide any  
 information and data to the secretary of state that is collected  
 in the course of normal business and that is necessary to register  
 to vote, to update an elector's registration, or to maintain the  
 statewide voter registration database established pursuant to this  
 section, except where prohibited by federal law or regulation. The  
 department of health, the bureau of motor vehicles, the department  
 of job and family services, the department of medicaid, and the  
 department of rehabilitation and corrections shall provide that  
 information and data to the secretary of state not later than the  
 last day of each month. The secretary of state shall ensure that  
 any information or data provided to the secretary of state that is  
 confidential in the possession of the entity providing the data  
 remains confidential while in the possession of the secretary of  
 state. No public office, and no public official or employee, shall~~

~~sell that information or data or use that information or data for profit.~~

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~~(b) Information provided under this division for maintenance of the statewide voter registration database shall not be used to update the name or address of a registered elector. The name or address of a registered elector shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.~~

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~~(c) A board of elections shall contact a registered elector pursuant to the rules adopted under division (D)(7) of this section to verify the accuracy of the information in the statewide voter registration database regarding that elector if that information does not conform with information provided under division (A)(2)(a) of this section and the discrepancy would affect the elector's eligibility to cast a regular ballot.~~

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~~(3)(a) The secretary of state shall enter into agreements to share information or data that is in the possession of the secretary of state with other states or groups of states, as the secretary of state considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in division (A)(3)(b) of this section, the secretary of state shall ensure that any information or data provided to the secretary of state that is confidential in the possession of the state providing the data remains confidential while in the possession of the secretary of state.~~

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~~(b) The secretary of state may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database. The~~

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~~secretary of state shall adopt rules pursuant to Chapter 119. of 108  
the Revised Code identifying the persons or organizations who may 109  
receive that information or data. The secretary of state shall not 110  
share that information or data with a person or organization not 111  
identified in those rules. The secretary of state shall ensure 112  
that a person or organization that receives confidential 113  
information or data under this division keeps the information or 114  
data confidential in the person's or organization's possession by, 115  
at a minimum, entering into a confidentiality agreement with the 116  
person or organization. Any confidentiality agreement entered into 117  
under this division shall include a requirement that the person or 118  
organization submit to the jurisdiction of this state in the event 119  
that the person or organization breaches the agreement. 120~~

~~(4) No person or entity that receives information or data 121  
under division (A)(3) of this section shall sell the information 122  
or data or use the information or data for profit. 123~~

~~(5) The secretary of state shall regularly transmit to the 124  
boards of elections, to the extent permitted by state and federal 125  
law, the information and data the secretary of state receives 126  
under divisions (A)(2) and (3) of this section that is necessary 127  
to do the following, in order to ensure that the accuracy of the 128  
statewide voter registration database is maintained on a regular 129  
basis in accordance with applicable state and federal law. 130~~

~~(a) Require the boards of elections to maintain the database 131  
in a manner that ensures that the name of each registered elector 132  
appears in the database, that only individuals who are not 133  
registered or eligible to vote are removed from the database, and 134  
that duplicate registrations are eliminated from the database. 135~~

~~(b) Require the boards of elections to make a reasonable 136  
effort to remove individuals who are not eligible to vote from the 137~~

database;	138
<del>(c) Establish safeguards to ensure that eligible electors are not removed in error from the database.</del>	139 140
<del>(B)</del> The statewide voter registration database established under this section shall be the official list of registered voters <u>electors</u> for all elections conducted in this state.	141 142 143
<del>(C)</del> <u>(B)</u> The statewide voter registration database established under this section shall, at a minimum, include all of the following:	144 145 146
(1) An electronic network that connects all board of elections offices with the office of the secretary of state and with the offices of all other boards of elections;	147 148 149
(2) A computer program that harmonizes the records contained in the database with records maintained by each board of elections;	150 151 152
(3) An interactive computer program that allows access to the records contained in the database by each board of elections and by any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database;	153 154 155 156 157
(4) A search program capable of verifying registered voters <u>electors</u> and their registration information by name, driver's license or state identification card number, birth date, social security number, or current address;	158 159 160 161
(5) Safeguards and components to ensure that the integrity, security, and confidentiality of the voter registration information is maintained;	162 163 164
(6) Methods to retain canceled voter registration records for	165

not less than five years after they are canceled and to record the  
reason for their cancellation.

(C) For each registered elector, the statewide voter  
registration database shall include all of the following  
information:

(1) The elector's name;

(2) The elector's birth date;

(3) The elector's current residence address;

(4) The elector's precinct number;

(5) The elector's Ohio driver's license or state  
identification card number, if available;

(6) The last four digits of the elector's social security  
number, if available;

(7) The elector's telephone number, if available;

(8) The elector's electronic mail address, if available;

(9)(a) The elector's voter registration date, which shall be  
determined based on the elector's most recent application to  
register to vote in this state, subject to division (C)(9)(b) of  
this section, as follows:

(i) In the case of an application delivered in person to a  
state or local office of a designated agency, the office of the  
registrar or any deputy registrar of motor vehicles, a public high  
school or vocational school, a public library, or the office of a  
county treasurer, the date stamped on the application upon receipt  
by the entity that transmits the application to the board of  
elections or the secretary of state;

(ii) In the case of an application delivered in person to a

board of elections or the secretary of state, the date stamped on 193  
the application upon receipt by the board of elections or the 194  
secretary of state, as applicable; 195

(iii) In the case of an application delivered by mail to a 196  
board of elections or the secretary of state, the date the 197  
application is postmarked; 198

(iv) In the case of an application submitted through the 199  
online voter registration system established under section 3503.20 200  
of the Revised Code, the date of the online submission; 201

(v) In the case of an application submitted to a board of 202  
elections by facsimile transmission or electronic mail under 203  
Chapter 3511. of the Revised Code, the date of the receipt of the 204  
transmission or electronic mail by the board of elections; 205

(vi) In the case of a provisional ballot affirmation that 206  
serves as an application to register to vote in future elections 207  
because the individual who cast the ballot is not registered to 208  
vote, the date the board of elections determines that the 209  
provisional ballot is invalid under section 3505.183 of the 210  
Revised Code. 211

(b) For purposes of determining an elector's voter 212  
registration date under division (C)(9)(a) of this section, all of 213  
the following apply: 214

(i) An elector's voter registration date shall not be during 215  
the period beginning on the day after the close of voter 216  
registration before an election and ending on the day of the 217  
election. If the date determined under division (C)(9)(a) of this 218  
section would be during that period, the voter registration date 219  
instead shall be the date on which the board of elections 220  
processes the application to register to vote after the day of the 221

<u>election.</u>	222
<u>(ii) A change of address or change of name form, including a provisional ballot affirmation that serves as a change of address or change of name form, is not considered an application to register to vote.</u>	223 224 225 226
<u>(iii) An application to register to vote that is submitted by an individual who is already registered to vote in this state is not considered an application to register to vote.</u>	227 228 229
<u>(10) The elector's voting history, including all of the following for each election in which the elector cast a ballot that was counted:</u>	230 231 232
<u>(a) The date of the election;</u>	233
<u>(b) If the election was a primary election, the political party whose ballot the elector cast at the primary election or an indication that the elector voted only on the questions and issues appearing on the ballot at a special election held on the day of the primary election;</u>	234 235 236 237 238
<u>(c) The type of ballot the elector cast.</u>	239
<u>(11) The elector's last activity date, which shall be determined in accordance with rules adopted by the secretary of state pursuant to Chapter 119. of the Revised Code.</u>	240 241 242
<u>(12) Any other information the secretary of state requires to be included by rule adopted pursuant to Chapter 119. of the Revised Code.</u>	243 244 245
<u>(D) Every day during the period beginning on the forty-sixth day before an election and ending on the eighty-first day after the day of the election, a board of elections shall create a daily record of its voter registration database as of four p.m. and</u>	246 247 248 249

shall transmit the daily record to the secretary of state in a 250  
secure manner prescribed by the secretary of state. The secretary 251  
of state shall archive the daily record and retain it for at least 252  
twenty-two months after the day of the election. 253

(E) The secretary of state shall adopt rules pursuant to 254  
 Chapter 119. of the Revised Code to implement this section and 255  
sections 3503.151 to 3503.153 of the Revised Code, including rules 256  
 doing all of the following: 257

(1) Specifying the manner in which ~~existing~~ any voter 258  
 registration records maintained by boards of elections in other 259  
data formats shall be converted ~~to electronic files~~ for inclusion 260  
 in the statewide voter registration database; 261

(2) Establishing a uniform method for entering voter 262  
 registration records into the statewide voter registration 263  
 database on an expedited basis, but not less than once per day, if 264  
 new registration information is received, and for transmitting 265  
information securely to the secretary of state; 266

(3) Establishing a uniform method for purging canceled voter 267  
 registration records from the statewide voter registration 268  
 database in accordance with section 3503.21 of the Revised Code; 269

(4) Specifying the persons authorized to add, delete, modify, 270  
 or print records contained in the statewide voter registration 271  
 database and to make updates of that database; 272

(5) Establishing a process for annually auditing the 273  
 information contained in the statewide voter registration 274  
 database; 275

~~(6) Establishing, by mutual agreement with the bureau of~~ 276  
~~motor vehicles, the content and format of the information and data~~ 277  
~~the bureau of motor vehicles shall provide to the secretary of~~ 278

state under division ~~(A)(2)(a)~~ of this section and the frequency 279  
with which the bureau shall provide that information and data: 280

~~(7) Establishing a uniform method for addressing instances in 281  
which records contained in the statewide voter registration 282  
database do not conform with records maintained by an agency, 283  
state, or group of states described in division ~~(A)(2)(a)~~ or 284  
~~(3)(a)~~ of this section. That method shall prohibit an elector's 285  
voter registration from being canceled on the sole basis that the 286  
information in the registration record does not conform to records 287  
maintained by such an agency. 288~~

~~(E)(F)~~ A board of elections promptly shall purge a voter's 289  
name and voter registration information from the statewide voter 290  
registration database in accordance with the rules adopted by the 291  
secretary of state under division ~~(D)(3)~~(E)(3) of this section 292  
after the cancellation of a voter's registration under section 293  
3503.21 of the Revised Code. 294

~~(F)(G)~~ The secretary of state shall provide training in the 295  
operation of the statewide voter registration database to each 296  
board of elections and to any persons authorized by the secretary 297  
of state to add, delete, modify, or print database records, and to 298  
conduct updates of the database. 299

~~(G)(1) The statewide voter registration database established 300  
under this section shall be made available on a web site of the 301  
office of the secretary of state as follows: 302~~

~~(a) Except as otherwise provided in division ~~(C)(1)(b)~~ of 303  
this section, the following information from the statewide voter 304  
registration database regarding a registered voter shall be made 305  
available on the web site: 306~~

~~(i) The voter's name: 307~~

<del>(ii) The voter's address;</del>	308
<del>(iii) The voter's precinct number;</del>	309
<del>(iv) The voter's voting history.</del>	310
<del>(b) During the thirty days before the day of a primary or</del>	311
<del>general election, the web site interface of the statewide voter</del>	312
<del>registration database shall permit a voter to search for the</del>	313
<del>polling location at which that voter may cast a ballot.</del>	314
<del>(2) The secretary of state shall establish, by rule adopted</del>	315
<del>under Chapter 119. of the Revised Code, a process for boards of</del>	316
<del>elections to notify the secretary of state of changes in the</del>	317
<del>locations of precinct polling places for the purpose of updating</del>	318
<del>the information made available on the secretary of state's web</del>	319
<del>site under division (G)(1)(b) of this section. Those rules shall</del>	320
<del>require a board of elections, during the thirty days before the</del>	321
<del>day of a primary or general election, to notify the secretary of</del>	322
<del>state within one business day of any change to the location of a</del>	323
<del>precinct polling place within the county.</del>	324
<del>(3) During the thirty days before the day of a primary or</del>	325
<del>general election, not later than one business day after receiving</del>	326
<del>a notification from a county pursuant to division (G)(2) of this</del>	327
<del>section that the location of a precinct polling place has changed,</del>	328
<del>the secretary of state shall update that information on the</del>	329
<del>secretary of state's web site for the purpose of division</del>	330
<del>(G)(1)(b) of this section.</del>	331
<del>(H) The secretary of state shall conduct an annual review of</del>	332
<del>the statewide voter registration database as follows:</del>	333
<del>(1) The secretary of state shall compare the information in</del>	334
<del>the statewide voter registration database with the information the</del>	335
<del>secretary of state obtains from the bureau of motor vehicles under</del>	336

division (A)(2) of this section to identify any person who does 337  
all of the following, in the following order: 338

(a) Submits documentation to the bureau of motor vehicles 339  
that indicates that the person is not a United States citizen; 340

(b) Registers to vote, submits a voter registration change of 341  
residence or change of name form, or votes in this state; 342

(c) Submits documentation to the bureau of motor vehicles 343  
that indicates that the person is not a United States citizen. 344

(2) The secretary of state shall send a written notice to 345  
each person identified under division (H)(1) of this section, 346  
instructing the person either to confirm that the person is a 347  
United States citizen or to submit a completed voter registration 348  
cancellation form to the secretary of state. The secretary of 349  
state shall include a blank voter registration cancellation form 350  
with the notice. If the person fails to respond to the secretary 351  
of state in the manner described in division (H)(3) or (4) of this 352  
section not later than thirty days after the notice was sent, the 353  
secretary of state promptly shall send the person a second notice 354  
and form. 355

(3) If, not later than sixty days after the first notice was 356  
sent, a person who is sent a notice under division (H)(2) of this 357  
section responds to the secretary of state, confirming that the 358  
person is a United States citizen, the secretary of state shall 359  
take no action concerning the person's voter registration. 360

(4) If, not later than sixty days after the first notice was 361  
sent, a person who receives a notice under division (H)(2) of this 362  
section sends a completed voter registration cancellation form to 363  
the secretary of state, the secretary of state shall instruct the 364  
board of elections of the county in which the person is registered 365

~~to cancel the person's registration.~~ 366

~~(5) If a person who was sent a second notice under division (H)(2) of this section fails to respond to the secretary of state in the manner described in division (H)(3) or (4) of this section not later than thirty days after the second notice was sent, the secretary of state shall refer the matter to the attorney general for further investigation and possible prosecution under section 3599.11, 3599.12, 3599.13, or any other applicable section of the Revised Code. If, after the thirtieth day after the second notice was sent, the person sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration and shall notify the attorney general of the cancellation.~~ 367  
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~~(6) The secretary of state shall not conduct the review described in division (H) of this section during the ninety days immediately preceding a primary or general election for federal office. A board of elections and any vendor with which it contracts to provide voter registration software or related services shall ensure that the board's voter registration system and practices comply with the requirements of this section and any rules adopted under this section.~~ 380  
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**Sec. 3503.151.** (A) The secretary of state, through the office of data analytics and archives, and the boards of elections shall maintain the accuracy of the statewide voter registration database in accordance with this section. 388  
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(B)(1) State agencies, including, but not limited to, the department of health, the bureau of motor vehicles, the department of job and family services, the department of medicaid, and the 392  
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department of rehabilitation and corrections, shall provide any 395  
information and data to the secretary of state that is collected 396  
in the course of normal business and that is necessary to register 397  
to vote, to update an elector's registration, or to maintain the 398  
statewide voter registration database, except where prohibited by 399  
federal law or regulation. The department of health, the bureau of 400  
motor vehicles, the department of job and family services, the 401  
department of medicaid, and the department of rehabilitation and 402  
corrections shall provide that information and data to the 403  
secretary of state not later than the last day of each month. The 404  
secretary of state shall ensure that any information or data 405  
provided to the secretary of state that is confidential in the 406  
possession of the entity providing the data remains confidential 407  
while in the possession of the secretary of state. No public 408  
office, and no public official or employee, shall sell that 409  
information or data or use that information or data for profit. 410

(2) The secretary of state shall adopt rules under Chapter 411  
119. of the Revised Code that establish, by mutual agreement with 412  
the bureau of motor vehicles, the content and format of the 413  
information and data the bureau of motor vehicles shall provide to 414  
the secretary of state under division (B)(1) of this section and 415  
the frequency with which the bureau shall provide that information 416  
and data. 417

(C)(1) The secretary of state shall enter into agreements to 418  
share information or data that is in the possession of the 419  
secretary of state with other states or groups of states, as the 420  
secretary of state considers necessary, in order to maintain the 421  
statewide voter registration database. Except as otherwise 422  
provided in division (C)(2) of this section, the secretary of 423  
state shall ensure that any information or data provided to the 424  
secretary of state that is confidential in the possession of the 425

state providing the data remains confidential while in the possession of the secretary of state.

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(2) The secretary of state may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database. The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code identifying the persons or organizations who may receive that information or data. The secretary of state shall not share that information or data with a person or organization not identified in those rules. The secretary of state shall ensure that a person or organization that receives confidential information or data under this division keeps the information or data confidential in the person's or organization's possession by, at a minimum, entering into a confidentiality agreement with the person or organization. Any confidentiality agreement entered into under this division shall include a requirement that the person or organization submit to the jurisdiction of this state in the event that the person or organization breaches the agreement.

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(3) No person or entity that receives information or data under division (C) of this section shall sell the information or data or use the information or data for profit.

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(D) The secretary of state shall regularly transmit to the boards of elections, to the extent permitted by state and federal law, the information and data the secretary of state receives under divisions (B) and (C) of this section that is necessary to do the following, in order to ensure that the accuracy of the statewide voter registration database is maintained on a regular basis in accordance with applicable state and federal law:

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(1) Require the boards of elections to maintain the database

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in a manner that ensures that the name of each registered elector appears in the database, that only individuals who are not registered or eligible to vote are removed from the database, and that duplicate registrations are eliminated from the database;

(2) Require the boards of elections to make a reasonable effort to remove individuals who are not eligible to vote from the database;

(3) Establish safeguards to ensure that eligible electors are not removed in error from the database.

(E)(1) The secretary of state shall adopt rules under Chapter 119. of the Revised Code to establish a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (B) or (C) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency.

(2) Information provided under division (B) or (C) of this section for maintenance of the statewide voter registration database shall not be used to update the name or address of a registered elector. The name or address of a registered elector shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.

(3) A board of elections shall contact a registered elector pursuant to the rules adopted under division (E)(1) of this section to verify the accuracy of the information in the statewide voter registration database regarding that elector if that information does not conform with information provided under division (B) or (C) of this section and the discrepancy would

affect the elector's eligibility to cast a regular ballot.

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Sec. 3503.152. The secretary of state shall conduct an annual review of the statewide voter registration database to identify persons who appear not to be United States citizens, as follows:

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(A) The secretary of state shall compare the information in the statewide voter registration database with the information the secretary of state obtains from the bureau of motor vehicles under section 3503.151 of the Revised Code to identify any person who does all of the following, in the following order:

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(1) Submits documentation to the bureau of motor vehicles that indicates that the person is not a United States citizen;

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(2) Registers to vote, submits a voter registration change of residence or change of name form, or votes in this state;

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(3) Submits documentation to the bureau of motor vehicles that indicates that the person is not a United States citizen.

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(B) The secretary of state shall send a written notice to each person identified under division (A) of this section, instructing the person either to confirm that the person is a United States citizen or to submit a completed voter registration cancellation form to the secretary of state. The secretary of state shall include a blank voter registration cancellation form with the notice. If the person fails to respond to the secretary of state in the manner described in division (C) or (D) of this section not later than thirty days after the notice is sent, the secretary of state promptly shall send the person a second notice and form.

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(C) If, not later than sixty days after the first notice is

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sent, a person who is sent a notice under division (B) of this section responds to the secretary of state, confirming that the person is a United States citizen, the secretary of state shall take no action concerning the person's voter registration. 514  
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(D) If, not later than sixty days after the first notice was sent, a person who receives a notice under division (B) of this section sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration. 518  
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(E) If a person who is sent a second notice under division (B) of this section fails to respond to the secretary of state in the manner described in division (C) or (D) of this section not later than thirty days after the second notice is sent, the secretary of state shall refer the matter to the attorney general for further investigation and possible prosecution under section 3599.11, 3599.12, 3599.13, or any other applicable section of the Revised Code. If, after the thirtieth day after the second notice is sent, the person sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration and shall notify the attorney general of the cancellation. 524  
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(F) The secretary of state shall not conduct the review described in this section during the ninety days immediately preceding a primary or general election for federal office. 537  
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**Sec. 3503.153.** (A) The statewide voter registration database shall be made available on a web site of the office of the secretary of state as follows: 540  
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(1) Except as otherwise provided in division (A)(2) of this section, the following information from the statewide voter registration database regarding a registered elector shall be made available on the web site: 543  
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(a) The elector's name; 547

(b) The elector's birth date; 548

(c) The elector's current residence address; 549

(d) The elector's precinct number; 550

(e) The elector's voter registration date, as described in division (C)(9) of section 3503.15 of the Revised Code; 551  
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(f) The elector's voting history, as described in division (C)(10) of section 3503.15 of the Revised Code; 553  
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(g) The elector's last activity date, as described in division (C)(11) of section 3503.15 of the Revised Code. 555  
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(2) During the thirty days before the day of a primary or general election, the web site interface of the statewide voter registration database shall permit an elector to search for the polling location at which that elector may cast a ballot. 557  
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(3) No information in the statewide voter registration database that is exempt from disclosure under division (A)(2) of section 3503.13 of the Revised Code shall be made available on the web site. 561  
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(B)(1) The secretary of state shall establish, by rule adopted under Chapter 119. of the Revised Code, a process for boards of elections to notify the secretary of state of changes in the locations of precinct polling places for the purpose of updating the information made available on the secretary of state's web site under division (A)(2) of this section. Those 565  
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rules shall require a board of elections, during the thirty days 571  
before the day of a primary or general election, to notify the 572  
secretary of state within one business day of any change to the 573  
location of a precinct polling place within the county. 574

(2) During the thirty days before the day of a primary or 575  
general election, not later than one business day after receiving 576  
a notification from a county pursuant to division (B)(1) of this 577  
section that the location of a precinct polling place has changed, 578  
the secretary of state shall update that information on the 579  
secretary of state's web site for the purpose of division (A)(2) 580  
of this section. 581

**Sec. 3505.31.** When the results of the voting in a polling 582  
place on the day of an election have been determined and entered 583  
upon the proper forms and the certifications of those results have 584  
been signed by the precinct officials, those officials, before 585  
leaving the polling place, shall place all ballots that they have 586  
counted in containers provided for that purpose by the board of 587  
elections, and shall seal each container in a manner that it 588  
cannot be opened without breaking the seal or the material of 589  
which the container is made. They shall also seal the pollbook, 590  
poll list or signature pollbook, and tally sheet in a manner that 591  
the data contained in these items cannot be seen without breaking 592  
the seals. On the outside of these items shall be a plain 593  
indication that they are to be filed with the board. The voting 594  
location manager and an employee or appointee of the board of 595  
elections who has taken an oath to uphold the laws and 596  
constitution of this state, including an oath that the person will 597  
promptly and securely perform the duties required under this 598  
section and who is a member of a different political party than 599  
the voting location manager, shall then deliver to the board the 600

containers of ballots and the sealed pollbook, poll list, and 601  
tally sheet, together with all other election reports, materials, 602  
and supplies required to be delivered to the board. 603

The board shall carefully preserve all ballots prepared and 604  
provided by it for use in an election, whether used or unused, 605  
including any electronic images of ballots, for ~~sixty~~ at least 606  
eighty-one days after the day of the election, except that, if an 607  
election includes the nomination or election of candidates for any 608  
of the offices of president, vice-president, presidential elector, 609  
member of the senate of the congress of the United States, or 610  
member of the house of representatives of the congress of the 611  
United States, the board shall carefully preserve all ballots 612  
prepared and provided by it for use in that election, whether used 613  
or unused, for twenty-two months after the day of the election. If 614  
an election is held within that ~~sixty-day~~ eighty-one-day period, 615  
the board shall have authority to transfer those ballots to other 616  
containers to preserve them until the ~~sixty-day~~ eighty-one-day 617  
period has expired. After that ~~sixty-day~~ eighty-one-day period, 618  
the ballots shall be disposed of by the board in a manner that the 619  
board orders, or where voting machines have been used the counters 620  
may be turned back to zero; provided that the secretary of state, 621  
within that ~~sixty-day~~ eighty-one-day period, may order the board 622  
to preserve the ballots or any part of the ballots for a longer 623  
period of time, in which event the board shall preserve those 624  
ballots for that longer period of time. 625

In counties where voting machines are used, if an election is 626  
to be held within the ~~sixty~~ eighty-one days immediately following 627  
a primary, general, or special election or within any period of 628  
time within which the ballots have been ordered preserved by the 629  
secretary of state or a court of competent jurisdiction, the 630  
board, after giving notice to all interested parties and affording 631

them an opportunity to have a representative present, shall open 632  
the compartments of the machines and, without unlocking the 633  
machines, shall recanvass the vote cast in them as if a recount 634  
were being held. The results shall be certified by the board, and 635  
this certification shall be filed in the board's office and 636  
retained for the remainder of the period for which ballots must be 637  
kept. After preparation of the certificate, the counters may be 638  
turned back to zero, and the machines may be used for the 639  
election. 640

The board shall carefully preserve the pollbook, poll list or 641  
signature pollbook, and tally sheet delivered to it from each 642  
polling place until it has completed the official canvass of the 643  
election returns from all precincts in which electors were 644  
entitled to vote at an election, and has prepared and certified 645  
the abstracts of election returns, as required by law. The board 646  
shall not break, or permit anyone to break, the seals upon the 647  
pollbook, poll list or signature pollbook, and tally sheet, or 648  
make, or permit any one to make, any changes or notations in these 649  
items, while they are in its custody, except as provided by 650  
section 3505.32 of the Revised Code. 651

Pollbooks and poll lists or signature pollbooks of a party 652  
primary election delivered to the board from polling places shall 653  
be carefully preserved by it for two years after the day of 654  
election in which they were used, and shall then be disposed of by 655  
the board in a manner that the board orders. 656

Pollbooks, poll lists or signature pollbooks, tally sheets, 657  
summary statements, and other records and returns of an election 658  
delivered to it from polling places shall be carefully preserved 659  
by the board for two years after the day of the election in which 660  
they were used, and shall then be disposed of by the board in a 661  
manner that the board orders." 662

In line 101866, after "3501.27," insert "3503.13, 3503.15, 3505.31," 663  
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After line 166344a, insert: 665

"GRF 050xxx Data Analysis Transparency \$5,000,000 \$0" 666

In line 166345, add \$5,000,000 to fiscal year 2024 667

In line 166362, add \$5,000,000 to fiscal year 2024 668

After line 166376, insert: 669

"DATA ANALYSIS TRANSPARENCY 670

Of the foregoing appropriation item 050xxx, Data Analysis 671  
Transparency, \$2,700,000 in fiscal year 2024 shall be used by the 672  
Secretary of State to fund the Office of Data Analytics and 673  
Archives as well as upgrade the Statewide Voter Registration 674  
Database. 675

Of the foregoing appropriation item 050xxx, Data Analysis 676  
Transparency, \$2,300,000 in fiscal year 2024 shall be used by the 677  
Secretary of State to issue grants to county boards of elections 678  
for the purposes of updating county voter registration systems to 679  
comply with the provisions of the Data Analysis Transparency 680  
Archive (DATA) Act. 681

At the end of fiscal year 2024, the unexpended, unencumbered 682  
portion of GRF appropriation item 050xxx, Data Analysis 683  
Transparency, is hereby reappropriated for the same purposes in 684  
fiscal year 2025." 685

After line 168988, insert: 686

"**Section 735.\_\_\_\_.** Sections 3503.13, 3503.15, and 3505.31 of 687  
the Revised Code, as amended by this act, and sections 111.11, 688  
3503.151, 3503.152, and 3503.153 of the Revised Code, as enacted 689

by this act, shall be known as the Data Analysis Transparency Archive (DATA) Act." 690  
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After line 169440, insert: 692

"Section 803.\_\_\_. The Secretary of State and the boards of elections shall implement the provisions of sections 3503.13, 693  
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3503.15, and 3505.31 of the Revised Code, as amended by this act, 695  
and sections 111.11, 3503.151, 3503.152, and 3503.153 of the 696  
Revised Code, as enacted by this act, not later than January 1, 697  
2025." 698

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Data Analysis Transparency Archive (DATA) Act** 699

**R.C. 111.11, 3503.13, 3503.15, 3503.151, 3503.152, 3503.153, 700  
and 3505.31; Sections 395.10, 395.20, 735.\_\_\_, and 803.\_\_\_ 701**

Enacts the Data Analysis Transparency Archive (DATA) Act, as 702  
described below. 703

Creates the Office of Data Analytics and Archives in the 704  
Office of the Secretary of State (SOS), which must retain, 705  
analyze, and publish election data and business services data. 706

Codifies the data fields that must be included in the 707  
Statewide Voter Registration Database (SWVRD) for each registered 708  
elector and institutes uniform requirements for related 709  
recordkeeping. 710

Requires the boards of elections to create daily archives of 711  
their voter registration databases and send them to SOS during the 712

period beginning on the 46th day before an election and ending on 713  
the 81st day after an election. 714

Specifies that voter registration forms and the SWVRD are 715  
public records subject to disclosure under the Public Records Law 716  
in the same manner as records of other public offices, instead of 717  
requiring those records to be open to public inspection under a 718  
separate provision of law. 719

Clarifies which pieces of information contained in a voter 720  
registration record are subject to disclosure and must be 721  
available on the public web site version of the SWVRD. 722

Requires the boards of elections to preserve all used and 723  
unused ballots from a nonfederal election for at least 81 days 724  
after the day of the election, instead of 60 days as required 725  
under current law. 726

Requires the Secretary of State and the boards of elections 727  
to implement the provisions described above not later than January 728  
1, 2025. 729

Establishes GRF appropriation item 050xxx, Data Analysis 730  
Transparency, and appropriates \$5.0 million in FY 2024 to be used 731  
by the SOS in the following manner:(1) \$2.7 million to fund the 732  
Office of Data Analytics and Archives and provide upgrades to the 733  
Statewide Voter Registration Database; and (2) \$2.3 million to 734  
provide grants to county boards of elections to upgrade county 735  
voter registration systems to comply with the provisions of the 736  
DATA Act. 737

## Cox, William

---

**From:** Shehy, Stephan <sshehy@OhioSOS.Gov>  
**Sent:** Tuesday, April 11, 2023 4:29 PM  
**To:** Parrott, Sean  
**Subject:** SB 71 Amendments  
**Attachments:** OH SB71 - Duties Clarification.pdf; OH SB71 Citizen Updates to the bill.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Sean,

Attached are the amendments we received from Rep. Wiggam.

Thank you,

**Stephan Shehy | Director of Legislative Affairs**  
Office of the Ohio Secretary of State

O: 614.995.2170

[OhioSoS.gov](https://www.ohiosos.gov)

This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.

# SENATE BILL 71

## DATA ANALYTICS TRANSPARENCY ARCHIVES (DATA) ACT

### 1.0 Office of Data Analytics and Archives – Responsibilities:

#### 1.1 Election Records Transparency and Data Retention

Amend SB71 to include DAAA responsibilities related to election records transparency.

1. Require the county BOEs to provide the following records to the DAAA within 30 days after certification of every election.
  - a. Official poll lists prepared per ORC 3503.23 in a delimited text or comma separated value format.
  - b. Absentee ballot tracking reports produced in a standardized format and containing the voter's name, address of residence, address to which a ballot was mailed, date of application for an absentee ballot, date when the absentee ballot was mailed to the voter, the date when the ballot was received by the county BOE, an annotation as to whether the ballot envelope information was properly completed and verified with the information and signature on file.
  - c. Cast vote record reports conforming with NIST Special Publication 1500-103 (or the most recent revision) or an equivalent report provided by the county's election management system.
  - d. Copies of chain of custody documents for transfer of all paper ballot and all electronic media containing ballot information.
  - e. Ballot images, including before and after images of adjudicated ballots.
  - f. Provisional ballots.
  - g. Spoiled and duplicated ballots.
  - h. Accounting sheets and records associated with tabulation and reporting of the vote.
  - i. Absentee ballot cover envelopes.
  - j. Records indicating the number of ballots transferred to and from the USPS and postage paid.
  - k. Records indicating the number of undeliverable ballots and recovery of undeliverable ballots.
  - l. For the period from election setup to election certification, archive software log files showing all operations, the operation's description, the date and time of the operations, and the users initiating the operations for the following software systems:
    - i. Statewide voter registration database management system
    - ii. County voter registration database management systems
    - iii. Electronic voting machine application software

- iv. Operating system logs for computers running the electronic voting systems.

In this section, “operation” means a capability, function, or action performed by the software or operating system that is triggered by a user or an event.

- m. Lists of all persons who have been granted computer access to the voting machine software or operating system.
  - n. Scanned images of physical ballots at 600 dots per inch resolution, 24-bit full color of the front and back, shall be made by the county BOE and forwarded to the Office of DAAA which shall archive the images according to this section.
  - o. All Center for Internet Security Albert system monthly activity reports summarizing malicious activity identified for each sensor deployed in the election environment, including IP addresses affected, identified issues, and all network traffic related to the events for all actionable alerts and the volume of monitored traffic.
  - p. The county BOE shall provide and the Office of DAAA shall archive all agreements for election related services between the county and any third-party vendor and the SOS and any third-party vendor.
  - q. Other records that the SOS determines should be archived.
2. The DAAA shall ensure that election records received under this section are in good condition and accessible to the public via the SOS website within 7 days of receipt from the county BOE. Unless the SOS directs a longer retention, upon confirmation from the DAAA that records have been received and are accessible to the public and except for physical ballots and electronic ballot images, the county BOE may dispose of the records transferred to the DAAA
  3. Archives of election records retained by DAAA shall be kept for the longer of 3 presidential election cycles or 12 years.

## 1.2 New Voter Registrations Received by the Secretary of State

Amend SB71 to include DAAA responsibilities relating to new voter registrations received by the Secretary of State. Prior to forwarding registration information to the county BOE, the DAAA shall:

1. Verify name and addresses of registered voters conform with ORC requirements and SOS directives.
2. Verify full legal names are used for voter registration.
3. Verify addresses of registered voters are entered according to USPS standards.
4. Verify voter registration dates correspond with dates as stated in SB71 lines 185-226.
5. Verify birth dates agree with voter registration input, social security, and BMV records.
6. Verify dates have logical consistency i.e., Birth date precedes registration date.
7. Verify the name, birth date and address provided are authentic by comparing information with a government or commercial identity verification service.
8. Verify commercial mailbox facilities are not used as addresses.

9. Verify voters are of eligible age when registered,
10. Affirmatively verify voters are US citizens when registered by comparing information provided by the voter with government or commercial services that use a US birth certificate, US passport, Consular Report of Birth, Certificate of Citizenship, or Certificate of Naturalization to confirm citizenship. Allowing the voter to self-identify as a US citizen is not sufficient verification.

### 1.3 Maintenance of Voter Registration Records

Amend SB71 to include DAAA responsibilities related to regular screening and maintenance of voter rolls by requiring the DAAA to perform the following on at least a monthly basis:

1. Verify name and addresses of registered voters conform with ORC requirements and SOS directives.
2. Verify addresses of registered voters are entered according to USPS standards.
3. Verify voter registration dates correspond with dates on voter registration forms/input.
4. Verify birth dates agree with voter registration input, social security, and BMV records.
5. Verify full legal names are used for voter registration.
6. Verify commercial mailbox facilities are not used as addresses.
7. Verify dates have logical consistency i.e., Birth date precedes registration date, registration date precedes date of election in which a ballot is cast.
8. Verify voters are of eligible age when registered.
9. Verify registered voters are US citizens by comparing information in the SWVRDB with information from government or commercial services that use a US birth certificate, US passport, Consular Report of Birth, Certificate of Citizenship, or Certificate of Naturalization to confirm citizenship.
10. Verify SWVRDB data is in complete agreement with county BOE voter registration databases. Both databases shall contain the same registered voters; voter data should exactly match in both databases.
11. Verify the number of voters per square foot at an address is a reasonable number.
12. Verify voters are registered only at addresses that are suitable for residence as indicated by state land use codes assigned to those addresses in property tax records.
13. Screen the SWVRDB for voter registrations subject to cancellation under Ohio's Supplemental Process and forward the list to the respective county BOE. The county BOE shall follow the procedures established for verifying whether the voter registration remains valid or should be canceled.
14. Search the SWVRDB for voters that remain in confirmation status despite voter history indicating recent activity.
15. Search for potential duplicate registrations by screening voter registration data for records
  - a. with the same first name, last name, middle initial, and birth date
  - b. With the same first name, residential address, and birth date
  - c. With the same residential address, birth date, and registration date

16. Screen the SWVRDB for potential duplicate voters with voter history that indicates they voted twice in the same election and refer those matters for further investigation and possible criminal referral.
17. Obtain National Change of Address information and Screen the SWVRDB to identify voters that have moved between Ohio counties or out of Ohio and forward lists to the respective county BOE. The county BOE shall follow the procedures established for verifying whether the voter registration remains valid or should be canceled.
18. Screen the SWVRDB and work with Ohio colleges and universities to identify potentially abandoned registrations that occur due to college students moving from temporary student housing and not updating their voter registration. Forward lists of these potentially abandoned registrations to the respective county BOE for final resolution.
19. Collaborate with election officials in other states to screen voter rolls to identify persons that may be registered in both states.
20. Inform county BOEs of the results of the evaluations when maintaining voter registration records and require county BOE to examine voter registrations flagged as potentially incorrect. The county BOE shall promptly correct invalid data or records. Registrations determined to be invalid or not conforming with the law shall be canceled.

#### 1.4 Establish a New Voter Registration Record Identifier

Within 45 days of enacting this bill, implement a new sequential voter registration record identifier consisting of a prefix to identify the county followed by a sequential number that for each county begins with 1 and increments by 1 which will replace the current record identifiers (SOS\_VOTERID, COUNTY\_ID) used in the SWVRDB and county voter registration databases.

#### 1.5 One-Time Correction of Voter Registration Databases

Amend SB71 to provide that within 14 days of enacting this bill, the Office of DAAA shall do the following with respect to making corrections within the SWVRDB and county voter registration databases:

1. Identify records with an invalid birth date or registration date of 1/1/1913 or earlier.
2. Identify records with erroneous name entries where the first, middle, or last name has been entered in the incorrect database column, contains numerical entries, contains extraneous “space” characters, contains punctuation, or other items not allowed by SOS directives.
1. Forward records identified for correction to the respective county BOE who shall verify the data is in error and complete the corrections at least 60 days prior to the next general election.

#### 1.6 Office of Data Analytics and Archives – Other Responsibilities:

Amend SB71 to provide that:

1. The Office of DAAA shall provide software or other tools to county BOEs that enables them to perform the evaluations on new voter registrations they receive and to independently perform maintenance on their voter registration data.
2. Source code for software programs developed by the state of Ohio or by a third-party to perform the evaluations for new voter registrations and maintaining voter registrations shall be public records subject to disclosure per ORC 149.43.
3. The DAAA shall be responsible for monitoring the intrusion detection system for unauthorized access to the statewide voter registration database and election systems throughout the state.
4. Vendors secured to provide services for the DAAA shall be subject to the same security and confidentiality requirements as state employees.
5. The DAAA shall be responsible for securing the data residing in the statewide voter registration database which shall be located in Ohio. Administrators of the statewide voter registration database shall be US citizens and residents of the State of Ohio.
6. The Office of Data Analytics and Archives shall:
  - a. Establish a consistent Open Records Request process that applies to all counties for public data which isn't available for online viewing, including, but not limited to: county or state vendor agreements, Albert sensor data transmissions, voter purge logs, and electronic voter file maintenance activity.
  - b. Update the SoS Open Records Request process with the goal of approving requests rather than denying them. Minimize the possibility of SoS Open Records Requests being returned for 'clarification' or denied for being 'overly broad'.
7. The Office of Data Analytics and Archives shall establish and enforce a chain-of-custody documentation procedure pertaining to all absentee ballots returned via USPS or drop box to the county boards of elections, which includes the number of ballots and the date and time delivered.
8. The Office of Data Analytics and Archives shall provide a consistent process for CVR requests in which every county shall follow.
9. The Office of Data Analytics and Archives shall provide a consistent process for every county to collect, investigate and promptly cancel voter registrations that are found to be invalid as a result of a citizen challenge, separate from the challenge process utilizing Form 257 Challenge the Right to Vote and Correction of Registration List.

## 2.0 Out-of-State Agreements

Amend SB71 Sec. 3503.151 language line numbers 432 through 455 as indicated.

## 3.0 Annual Citizenship Audit

Amend SB71 Sec. 3503.152 language line numbers 506 through 519 as indicated.

In addition to BMV, require citizenship verification from database(s) that store records of US born citizens, or database(s) that store records of non-US born citizens upon receipt of one of the following documents:

1. US birth certificate
1. Form N-550 Certificate of Naturalization
2. Form N-560 Certificate of Citizenship
3. Form FS-240 Report of Birth Abroad of US Citizen
4. Valid unexpired US passport

## 4.0 County Retention of Local Election Data; Broaden the Term Ballots

1. Amend SB71 around Lines 622 to 677 to expand the county level retention period of local election data from 81 days to 22 months.
2. Change the language 'electronic images of ballots' around Line 622 to include 'electronic data'.

## 5.0 Creation of the Office of Data Analytics and Archives – Business Services Data

Amend SB71 to strike the following language "Identify business services data that shall be retained, analyzed and published" as stated in Section 111.11 (B) found on line 20.

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**S. B. No. 71**

**Senator Gavarone**

---

**A BILL**

To amend sections 3503.13, 3503.15, and 3505.31 and 1  
to enact sections 111.11, 3503.151, 3503.152, 2  
and 3503.153 of the Revised Code to enact the 3  
Data Analysis Transparency Archive (DATA) Act to 4  
establish the Office of Data Analytics and 5  
Archives in the Office of the Secretary of State 6  
and to modify requirements for the Statewide 7  
Voter Registration Database and other election 8  
records. 9

**yellow highlight = new text added**

**blue highlight = text removed**

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3503.13, 3503.15, and 3505.31 be 10  
amended and sections 111.11, 3503.151, 3503.152, and 3503.153 of 11  
the Revised Code be enacted to read as follows: 12

**Sec. 111.11.** The office of data analytics and archives is 13  
created in the office of the secretary of state. Under the 14  
direction of the secretary of state, the office shall do both of 15  
the following: 16

(A) Retain voter registration and other election related 17  
data, analyze those data for purposes of maintaining accurate 18  
election data, and publish those data; 19

(B) Retain, analyze, and publish business services data. 20

**Sec. 3503.13.** ~~(A) (A) (1) Except as otherwise provided in~~ 21  
~~division (A) (2) of this section 111.44 of the Revised Code or by~~ 22  
~~state or federal law, voter registration forms submitted by~~ 23  
applicants and the statewide voter registration database 24  
established under section 3503.15 of the Revised Code ~~shall be~~ 25  
~~open to~~ are public inspection at all times when the office of 26  
~~the board of elections is open for business, under such~~ 27  
~~regulations as the board adopts, provided that no person shall~~ 28  
~~be permitted to inspect voter registration forms except in the~~ 29  
~~presence of an employee of the board~~ records subject to 30  
disclosure under section 149.43 of the Revised Code. 31

(2) None of the following are subject to disclosure under 32  
division (A) (1) of this section: 33

(a) An elector's full or partial social security number, 34  
driver's license or state identification card number, telephone 35  
number, or electronic mail address; 36

(b) A confidential voter registration record, as described 37  
in section 111.44 of the Revised Code; 38

(c) The address of a designated public service worker, if 39  
the designated public service worker has submitted a redaction 40  
request to the board of elections under section 149.45 of the 41  
Revised Code; 42

(d) Any other information that is prohibited from being 43  
disclosed by state or federal law. 44

(B) A board of elections may use a legible digitized 45  
signature list of voter signatures, copied from the signatures 46  
on the registration forms in a form and manner prescribed by the 47  
secretary of state, provided that the board includes the 48

required voter registration information in the statewide voter 49  
registration database established under section 3503.15 of the 50  
Revised Code, and provided that the precinct election officials 51  
have computer printouts at the polls prepared in the manner 52  
required under section 3503.23 of the Revised Code. 53

**Sec. 3503.15.** ~~(A)(1)~~(A) The secretary of state shall 54  
establish and maintain a statewide voter registration database 55  
that shall be administered by the office of data analytics and 56  
archives in the office of the secretary of state and made 57  
continuously available to each board of elections and to other 58  
agencies as authorized by law. 59

~~(2)(a) State agencies, including, but not limited to, the 60  
department of health, the bureau of motor vehicles, the 61  
department of job and family services, the department of 62  
medicaid, and the department of rehabilitation and corrections, 63  
shall provide any information and data to the secretary of state 64  
that is collected in the course of normal business and that is 65  
necessary to register to vote, to update an elector's 66  
registration, or to maintain the statewide voter registration 67  
database established pursuant to this section, except where 68  
prohibited by federal law or regulation. The department of 69  
health, the bureau of motor vehicles, the department of job and 70  
family services, the department of medicaid, and the department 71  
of rehabilitation and corrections shall provide that information 72  
and data to the secretary of state not later than the last day 73  
of each month. The secretary of state shall ensure that any 74  
information or data provided to the secretary of state that is 75  
confidential in the possession of the entity providing the data 76  
remains confidential while in the possession of the secretary of 77  
state. No public office, and no public official or employee, 78  
shall sell that information or data or use that information or 79~~

~~data for profit.~~ 80

~~(b) Information provided under this division for 81  
maintenance of the statewide voter registration database shall 82  
not be used to update the name or address of a registered 83  
elector. The name or address of a registered elector shall only 84  
be updated as a result of the elector's actions in filing a 85  
notice of change of name, change of address, or both. 86~~

~~(c) A board of elections shall contact a registered 87  
elector pursuant to the rules adopted under division (D) (7) of 88  
this section to verify the accuracy of the information in the 89  
statewide voter registration database regarding that elector if 90  
that information does not conform with information provided 91  
under division (A) (2) (a) of this section and the discrepancy 92  
would affect the elector's eligibility to cast a regular ballot. 93~~

~~(3) (a) The secretary of state shall enter into agreements 94  
to share information or data that is in the possession of the 95  
secretary of state with other states or groups of states, as the 96  
secretary of state considers necessary, in order to maintain the 97  
statewide voter registration database established pursuant to 98  
this section. Except as otherwise provided in division (A) (3) (b) 99  
of this section, the secretary of state shall ensure that any 100  
information or data provided to the secretary of state that is 101  
confidential in the possession of the state providing the data 102  
remains confidential while in the possession of the secretary of 103  
state. 104~~

~~(b) The secretary of state may provide such otherwise 105  
confidential information or data to persons or organizations 106  
that are engaging in legitimate governmental purposes related to 107  
the maintenance of the statewide voter registration database. 108  
The secretary of state shall adopt rules pursuant to Chapter 109~~

~~119. of the Revised Code identifying the persons or 110  
organizations who may receive that information or data. The 111  
secretary of state shall not share that information or data with 112  
a person or organization not identified in those rules. The 113  
secretary of state shall ensure that a person or organization 114  
that receives confidential information or data under this 115  
division keeps the information or data confidential in the 116  
person's or organization's possession by, at a minimum, entering 117  
into a confidentiality agreement with the person or 118  
organization. Any confidentiality agreement entered into under 119  
this division shall include a requirement that the person or 120  
organization submit to the jurisdiction of this state in the 121  
event that the person or organization breaches the agreement. 122~~

~~(4) No person or entity that receives information or data 123  
under division (A) (3) of this section shall sell the information 124  
or data or use the information or data for profit. 125~~

~~(5) The secretary of state shall regularly transmit to the 126  
boards of elections, to the extent permitted by state and 127  
federal law, the information and data the secretary of state 128  
receives under divisions (A) (2) and (3) of this section that is 129  
necessary to do the following, in order to ensure that the 130  
accuracy of the statewide voter registration database is 131  
maintained on a regular basis in accordance with applicable 132  
state and federal law: 133~~

~~(a) Require the boards of elections to maintain the 134  
database in a manner that ensures that the name of each 135  
registered elector appears in the database, that only 136  
individuals who are not registered or eligible to vote are 137  
removed from the database, and that duplicate registrations are 138  
eliminated from the database; 139~~

~~(b) Require the boards of elections to make a reasonable effort to remove individuals who are not eligible to vote from the database;~~ 140  
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~~(c) Establish safeguards to ensure that eligible electors are not removed in error from the database.~~ 143  
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~~(B) The statewide voter registration database established under this section shall be the official list of registered voters electors for all elections conducted in this state.~~ 145  
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~~(C) (B) The statewide voter registration database established under this section shall, at a minimum, include all of the following:~~ 148  
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(1) An electronic network that connects all board of elections offices with the office of the secretary of state and with the offices of all other boards of elections; 151  
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(2) A computer program that harmonizes the records contained in the database with records maintained by each board of elections; 154  
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(3) An interactive computer program that allows access to the records contained in the database by each board of elections and by any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database; 157  
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(4) A search program capable of verifying registered voters electors and their registration information by name, driver's license or state identification card number, birth date, social security number, or current address; 162  
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(5) Safeguards and components to ensure that the integrity, security, and confidentiality of the voter 166  
167

registration information is maintained;	168
<u>(6) Methods to retain canceled voter registration records</u>	169
for not less than five years after they are canceled and to	170
record the reason for their cancellation.	171
<u>(C) For each registered elector, the statewide voter</u>	172
<u>registration database shall include all of the following</u>	173
<u>information:</u>	174
(1) <u>The elector's name;</u>	175
(2) <u>The elector's birth date;</u>	176
(3) <u>The elector's current residence address;</u>	177
(4) <u>The elector's precinct number;</u>	178
(5) <u>The elector's Ohio driver's license or state</u>	179
<u>identification card number, if available;</u>	180
(6) <u>The last four digits of the elector's social security</u>	181
<u>number, if available;</u>	182
(7) <u>The elector's telephone number, if available;</u>	183
(8) <u>The elector's electronic mail address, if available;</u>	184
(9) (a) <u>The elector's voter registration date, which shall</u>	185
<u>be determined based on the elector's most recent application to</u>	186
<u>register to vote in this state, subject to division (C) (9) (b) of</u>	187
<u>this section, as follows:</u>	188
(i) <u>In the case of an application delivered in person to a</u>	189
<u>state or local office of a designated agency, the office of the</u>	190
<u>registrar or any deputy registrar of motor vehicles, a public</u>	191
<u>high school or vocational school, a public library, or the</u>	192
<u>office of a county treasurer, the date stamped on the</u>	193
<u>application upon receipt by the entity that transmits the</u>	194

<u>application to the board of elections or the secretary of state;</u>	195
(ii) <u>In the case of an application delivered in person to a board of elections or the secretary of state, the date stamped on the application upon receipt by the board of elections or the secretary of state, as applicable;</u>	196 197 198 199
(iii) <u>In the case of an application delivered by mail to a board of elections or the secretary of state, the date the application is postmarked;</u>	200 201 202
(iv) <u>In the case of an application submitted through the online voter registration system established under section 3503.20 of the Revised Code, the date of the online submission;</u>	203 204 205
(v) <u>In the case of an application submitted to a board of elections by facsimile transmission or electronic mail under Chapter 3511. of the Revised Code, the date of the receipt of the transmission or electronic mail by the board of elections;</u>	206 207 208 209
(vi) <u>In the case of a provisional ballot affirmation that serves as an application to register to vote in future elections because the individual who cast the ballot is not registered to vote, the date the board of elections determines that the provisional ballot is invalid under section 3505.183 of the Revised Code.</u>	210 211 212 213 214 215
(b) <u>For purposes of determining an elector's voter registration date under division (C) (9) (a) of this section, all of the following apply:</u>	216 217 218
(i) <u>An elector's voter registration date shall not be during the period beginning on the day after the close of voter registration before an election and ending on the day of the election. If the date determined under division (C) (9) (a) of this section would be during that period, the voter registration</u>	219 220 221 222 223

date instead shall be the date on which the board of elections processes the application to register to vote after the day of the election. 224  
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(ii) A change of address or change of name form, including a provisional ballot affirmation that serves as a change of address or change of name form, is not considered an application to register to vote. 227  
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(iii) An application to register to vote that is submitted by an individual who is already registered to vote in this state is not considered an application to register to vote. 231  
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(10) The elector's voting history, including all of the following for each election in which the elector cast a ballot that was counted: 234  
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(a) The date of the election; 237

(b) If the election was a primary election, the political party whose ballot the elector cast at the primary election or an indication that the elector voted only on the questions and issues appearing on the ballot at a special election held on the day of the primary election; 238  
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(c) The type of ballot the elector cast. 243

(11) The elector's last activity date, which shall be determined in accordance with rules adopted by the secretary of state pursuant to Chapter 119. of the Revised Code. 244  
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(12) Any other information the secretary of state requires to be included by rule adopted pursuant to Chapter 119. of the Revised Code. 247  
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(D) Every day during the period beginning on the forty-sixth day before an election and ending on the eighty-first day 250  
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after the day of the election, a board of elections shall create 252  
a daily record of its voter registration database as of four 253  
p.m. and shall transmit the daily record to the secretary of 254  
state in a secure manner prescribed by the secretary of state. 255  
The secretary of state shall archive the daily record and retain 256  
it for at least twenty-two months after the day of the election. 257

(E) The secretary of state shall adopt rules pursuant to 258  
Chapter 119. of the Revised Code to implement this section and 259  
sections 3503.151 to 3503.153 of the Revised Code, including 260  
rules doing all of the following: 261

(1) Specifying the manner in which ~~existing~~ any voter 262  
registration records maintained by boards of elections in other 263  
data formats shall be converted ~~to electronic files for~~ 264  
inclusion in the statewide voter registration database; 265

(2) Establishing a uniform method for entering voter 266  
registration records into the statewide voter registration 267  
database on an expedited basis, but not less than once per day, 268  
if new registration information is received, and for 269  
transmitting information securely to the secretary of state; 270

(3) Establishing a uniform method for purging canceled 271  
voter registration records from the statewide voter registration 272  
database in accordance with section 3503.21 of the Revised Code; 273

(4) Specifying the persons authorized to add, delete, 274  
modify, or print records contained in the statewide voter 275  
registration database and to make updates of that database; 276

(5) Establishing a process for annually auditing the 277  
information contained in the statewide voter registration 278  
database; 279

(6) ~~Establishing, by mutual agreement with the bureau of~~ 280

~~motor vehicles, the content and format of the information and data the bureau of motor vehicles shall provide to the secretary of state under division (A) (2) (a) of this section and the frequency with which the bureau shall provide that information and data;~~

~~(7) Establishing a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (A) (2) (a) or (3) (a) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency.~~

~~(E) (F) A board of elections promptly shall purge a voter's name and voter registration information from the statewide voter registration database in accordance with the rules adopted by the secretary of state under division (D) (3) (E) (3) of this section after the cancellation of a voter's registration under section 3503.21 of the Revised Code.~~

~~(F) (G) The secretary of state shall provide training in the operation of the statewide voter registration database to each board of elections and to any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database.~~

~~(G) (1) The statewide voter registration database established under this section shall be made available on a web site of the office of the secretary of state as follows:~~

~~(a) Except as otherwise provided in division (G) (1) (b) of this section, the following information from the statewide voter~~

~~registration database regarding a registered voter shall be made available on the web site:~~ 310  
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- ~~(i) The voter's name;~~ 312
- ~~(ii) The voter's address;~~ 313
- ~~(iii) The voter's precinct number;~~ 314
- ~~(iv) The voter's voting history.~~ 315

~~(b) During the thirty days before the day of a primary or general election, the web site interface of the statewide voter registration database shall permit a voter to search for the polling location at which that voter may cast a ballot.~~ 316  
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~~(2) The secretary of state shall establish, by rule adopted under Chapter 119. of the Revised Code, a process for boards of elections to notify the secretary of state of changes in the locations of precinct polling places for the purpose of updating the information made available on the secretary of state's web site under division (G) (1) (b) of this section. Those rules shall require a board of elections, during the thirty days before the day of a primary or general election, to notify the secretary of state within one business day of any change to the location of a precinct polling place within the county.~~ 320  
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~~(3) During the thirty days before the day of a primary or general election, not later than one business day after receiving a notification from a county pursuant to division (G) (2) of this section that the location of a precinct polling place has changed, the secretary of state shall update that information on the secretary of state's web site for the purpose of division (G) (1) (b) of this section.~~ 330  
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~~(H) The secretary of state shall conduct an annual review~~ 337

~~of the statewide voter registration database as follows:~~ 338

~~(1) The secretary of state shall compare the information 339  
in the statewide voter registration database with the 340  
information the secretary of state obtains from the bureau of 341  
motor vehicles under division (A) (2) of this section to identify 342  
any person who does all of the following, in the following 343  
order: 344~~

~~(a) Submits documentation to the bureau of motor vehicles 345  
that indicates that the person is not a United States citizen; 346~~

~~(b) Registers to vote, submits a voter registration change 347  
of residence or change of name form, or votes in this state; 348~~

~~(c) Submits documentation to the bureau of motor vehicles 349  
that indicates that the person is not a United States citizen. 350~~

~~(2) The secretary of state shall send a written notice to 351  
each person identified under division (H) (1) of this section, 352  
instructing the person either to confirm that the person is a 353  
United States citizen or to submit a completed voter 354  
registration cancellation form to the secretary of state. The 355  
secretary of state shall include a blank voter registration 356  
cancellation form with the notice. If the person fails to 357  
respond to the secretary of state in the manner described in 358  
division (H) (3) or (4) of this section not later than thirty 359  
days after the notice was sent, the secretary of state promptly 360  
shall send the person a second notice and form. 361~~

~~(3) If, not later than sixty days after the first notice 362  
was sent, a person who is sent a notice under division (H) (2) of 363  
this section responds to the secretary of state, confirming that 364  
the person is a United States citizen, the secretary of state 365  
shall take no action concerning the person's voter registration. 366~~

~~(4) If, not later than sixty days after the first notice was sent, a person who receives a notice under division (H) (2) of this section sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration.~~

~~(5) If a person who was sent a second notice under division (H) (2) of this section fails to respond to the secretary of state in the manner described in division (H) (3) or (4) of this section not later than thirty days after the second notice was sent, the secretary of state shall refer the matter to the attorney general for further investigation and possible prosecution under section 3599.11, 3599.12, 3599.13, or any other applicable section of the Revised Code. If, after the thirtieth day after the second notice was sent, the person sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration and shall notify the attorney general of the cancellation.~~

~~(6) The secretary of state shall not conduct the review described in division (H) of this section during the ninety days immediately preceding a primary or general election for federal office. A board of elections and any vendor with which it contracts to provide voter registration software or related services shall ensure that the board's voter registration system and practices comply with the requirements of this section and any rules adopted under this section.~~

**Sec. 3503.151.** (A) The secretary of state, through the

office of data analytics and archives, and the boards of 397  
elections shall maintain the accuracy of the statewide voter 398  
registration database in accordance with this section. 399

(B)(1) State agencies, including, but not limited to, the 400  
department of health, the bureau of motor vehicles, the 401  
department of job and family services, the department of 402  
medicaid, and the department of rehabilitation and corrections, 403  
shall provide any information and data to the secretary of state 404  
that is collected in the course of normal business and that is 405  
necessary to register to vote, to update an elector's 406  
registration, or to maintain the statewide voter registration 407  
database, except where prohibited by federal law or regulation. 408  
The department of health, the bureau of motor vehicles, the 409  
department of job and family services, the department of 410  
medicaid, and the department of rehabilitation and corrections 411  
shall provide that information and data to the secretary of 412  
state not later than the last day of each month. The secretary 413  
of state shall ensure that any information or data provided to 414  
the secretary of state that is confidential in the possession of 415  
the entity providing the data remains confidential while in the 416  
possession of the secretary of state. No public office, and no 417  
public official or employee, shall sell that information or data 418  
or use that information or data for profit. 419

~~(2)~~ The secretary of state shall adopt rules under Chapter 420  
119. of the Revised Code that establish, by mutual agreement 421  
with the bureau of motor vehicles, the content and format of the 422  
information and data the bureau of motor vehicles shall provide 423  
to the secretary of state under division (B)(1) of this section 424  
and the frequency with which the bureau shall provide that 425  
information and data. 426

(C) (1) The secretary of state shall enter into agreements to share information or data that is in the possession of the secretary of state with other states or groups of states, as the secretary of state considers necessary, in order to maintain the statewide voter registration database. Except as otherwise provided in division (C) ~~(2)~~ (3) of this section, the secretary of state shall ensure that any information or data provided to the secretary of state that is confidential in the possession of the state providing the data remains confidential while in the possession of the secretary of state.

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**(2) The State of Ohio shall not enter into any agreement with any non-governmental organization or entity to share private, non-public information regarding Ohio residents for any purposes related to voter registration or voter list maintenance, and no agency of the State of Ohio shall transfer to any non-governmental entity or person any voter registration data, or any data regarding eligible but unregistered persons in the State of Ohio. The State of Ohio shall incorporate this language in accordance with Chapter 119. Of the Revised Code.**

LSC: green highlight - please apply the appropriate language that would prevent the SoS from providing confidential SWVRD data from being received or direct access to SWVRD for any registration or maintenance activity by any third-party organization, NGO, 501(c)3, 501(c) 4, or any partisan entity (e.g. committee, project, center, institute, foundation, body, think tank, initiative, network, group), including but not limited to: Electronic Registration Information Center (ERIC), Democratic National Committee (DNC), Republican National Committee (RNC) Pew Research Center, One America Movement, The America Project, that collects, shares, or uses data outside the state of Ohio without express permission and specific declaration of use limitation.

~~(2)~~ (3) The secretary of state may provide such otherwise 437  
confidential information or data to persons or organizations that are 438  
engaging in legitimate governmental purposes related to the 439  
maintenance of the statewide voter registration database. The 440  
secretary of state shall adopt rules pursuant to Chapter 441  
119. of the Revised Code identifying the persons or 442  
organizations who may receive that information or data. The 443  
secretary of state shall not share that information or data with 444  
a person or organization not identified in those rules. The 445  
secretary of state shall ensure that a person or organization that 446  
receives confidential information or data under this division keeps 447  
the information or data confidential in the person's organization's 448  
possession by, at a minimum, entering into a confidentiality 449  
agreement with the person or organization. Any confidentiality 450  
agreement entered into under this division shall include a 451  
requirement that the person or organization submit to the 452  
jurisdiction of this state in the event that the person or 453  
organization breaches the agreement. All agreements and contracts 454  
shall be available for public access according to sec.111.11 of the  
DATA Act.

~~(3)~~ (4) No person or entity that receives information or data 455  
under division (C) of this section shall sell the information or 456  
data or use the information or data for profit. 457

~~(D)~~ The secretary of state shall regularly transmit to the boards of elections, to the extent permitted by state and federal law, the information and data the secretary of state receives under divisions (B) and (C) of this section that is necessary to do the following, in order to ensure that the accuracy of the statewide voter registration database is maintained on a regular basis in accordance with applicable state and federal law:

(1) Require the boards of elections to maintain the database in a manner that ensures that the name of each registered elector appears in the database, that only individuals who are not registered or eligible to vote are removed from the database, and that duplicate registrations are eliminated from the database;

(2) Require the boards of elections to make a reasonable effort to remove individuals who are not eligible to vote from the database;

(3) Establish safeguards to ensure that eligible electors are not removed in error from the database.

(E) (1) The secretary of state shall adopt rules under Chapter 119. of the Revised Code to establish a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (B) or (C) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency.

(2) Information provided under division (B) or (C) of this section for maintenance of the statewide voter registration database shall not be used to update the name or address of a registered elector. The name or address of a registered elector shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both. 487  
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(3) A board of elections shall contact a registered elector pursuant to the rules adopted under division (E) (1) of this section to verify the accuracy of the information in the statewide voter registration database regarding that elector if that information does not conform with information provided under division (B) or (C) of this section and the discrepancy would affect the elector's eligibility to cast a regular ballot. 493  
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Sec. 3503.152. The secretary of state shall conduct an annual review of the statewide voter registration database to identify persons who appear not to be United States citizens, as follows: 500  
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(A) The secretary of state shall compare the information in the statewide voter registration database with the information the secretary of state obtains from the bureau of motor vehicles under section 3503.151 of the Revised Code to 504  
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**and one of the following: governmental database(s) that stores records of US born citizens, or governmental database(s) that stores records of non-US born citizens to identify any person who does all any of the following, in the following order:**

(1) Submits one of the following documents documentation to the bureau of motor vehicles: US Birth Certificate, USCIS Form N-550 Certificate of Naturalization, USCIS Form N-560 Certificate of Citizenship, USCIS Form FS-240 Report of Birth Abroad of US Citizen, or unexpired US Passport that indicates that the person is not a United States citizen; 508  
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(2) Registers to vote, submits a voter registration change of residence or change of name form, or votes in this state; 512  
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(3) Submits any documentation to the bureau of motor vehicles that indicates that the person is not a United States citizen. 515

(1) The secretary of state shall send a written notice to each person identified under division (A) of this section, instructing the person either to confirm that the person is a United States citizen under (A) (1) or to submit a completed voter registration cancellation form to the secretary of state. The secretary of state shall include a blank voter registration cancellation form with the notice. If the person fails to respond to the secretary of state in the manner described in division (C) or (D) of this section not later than thirty days after the notice is sent, the secretary of state promptly shall send the person a second notice and form.

(2) If, not later than sixty days after the first notice is sent, a person who is sent a notice under division (B) of this section responds to the secretary of state, confirming that the person is a United States citizen, the secretary of state shall take no action concerning the person's voter registration.

(3) If, not later than sixty days after the first notice was sent, a person who receives a notice under division (B) of this section sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration.

(4) If a person who is sent a second notice under division (B) of this section fails to respond to the secretary of state in the manner described in division (C) or (D) of this section not later than thirty days after the second notice is sent, the secretary of state shall refer the matter to the attorney general for further investigation and possible prosecution under section 3599.11, 3599.12, 3599.13, or any other applicable section of the Revised Code. If, after the thirtieth day after

the second notice is sent, the person sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration and shall notify the attorney general of the cancellation. 546  
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(5) The secretary of state shall not conduct the review described in this section during the ninety days immediately preceding a primary or general election for federal office. 552  
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**Sec. 3503.153.** (A) The statewide voter registration database shall be made available on a web site of the office of the secretary of state as follows: 555  
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(1) Except as otherwise provided in division (A) (2) of this section, the following information from the statewide voter registration database regarding a registered elector shall be made available on the web site: 558  
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(a) The elector's name; 562

(b) The elector's birth date; 563

(c) The elector's current residence address; 564

(d) The elector's precinct number; 565

(e) The elector's voter registration date, as described in division (C) (9) of section 3503.15 of the Revised Code; 566  
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(f) The elector's voting history, as described in division (C) (10) of section 3503.15 of the Revised Code; 568  
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(g) The elector's last activity date, as described in division (C) (11) of section 3503.15 of the Revised Code. 570  
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(2) During the thirty days before the day of a primary or 572

general election, the web site interface of the statewide voter registration database shall permit an elector to search for the polling location at which that elector may cast a ballot. 573  
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(3) No information in the statewide voter registration database that is exempt from disclosure under division (A) (2) of section 3503.13 of the Revised Code shall be made available on the web site. 576  
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(B) (1) The secretary of state shall establish, by rule adopted under Chapter 119. of the Revised Code, a process for boards of elections to notify the secretary of state of changes in the locations of precinct polling places for the purpose of updating the information made available on the secretary of state's web site under division (A) (2) of this section. Those rules shall require a board of elections, during the thirty days before the day of a primary or general election, to notify the secretary of state within one business day of any change to the location of a precinct polling place within the county. 580  
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(2) During the thirty days before the day of a primary or general election, not later than one business day after receiving a notification from a county pursuant to division (B) (1) of this section that the location of a precinct polling place has changed, the secretary of state shall update that information on the secretary of state's web site for the purpose of division (A) (2) of this section. 590  
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**Sec. 3505.31.** When the results of the voting in a polling place on the day of an election have been determined and entered upon the proper forms and the certifications of those results have been signed by the precinct officials, those officials, before leaving the polling place, shall place all ballots that they have counted in containers provided for that purpose by the 597  
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board of elections, and shall seal each container in a manner 603  
that it cannot be opened without breaking the seal or the 604  
material of which the container is made. They shall also seal 605  
the pollbook, poll list or signature pollbook, and tally sheet 606  
in a manner that the data contained in these items cannot be 607  
seen without breaking the seals. On the outside of these items 608  
shall be a plain indication that they are to be filed with the 609  
board. The voting location manager and an employee or 610  
appointee of the board of elections who has taken an oath to 611  
uphold the laws and constitution of this state, including an 612  
oath that the person will promptly and securely perform the 613  
duties required under this section and who is a member of a 614  
different political party than the voting location manager, 615  
shall then deliver to the board the containers of ballots and 616  
the sealed pollbook, poll list, and tally sheet, together with 617  
all other election reports, materials, and supplies required to 618  
be delivered to the board. 619

The board shall carefully preserve all ballots prepared 620  
and provided by it for use in an election, whether used or 621  
unused, including any electronic images of ballots **and** 622  
**electronic data,** ~~for sixty at least eighty-one days after the~~  
~~day of the election, except~~ 623  
~~that, if an election includes the nomination or election of~~ 624  
~~candidates for any of the offices of president, vice-~~ 625  
~~president, presidential elector, member of the senate of the~~ 626  
~~congress of the United States, or member of the house of~~ 627  
~~representatives of the congress of the United States, the~~ 628  
~~board shall carefully preserve all ballots prepared and~~ 629  
~~provided by it for use in that election, whether used or~~ 630  
~~unused,~~ for twenty-two months after the day of the election.  
If an election is held within that ~~sixty-day eighty-one-day~~ 631  
**twenty-two month** period, the board shall have authority to 632  
transfer those ballots to other containers to preserve them 633  
until the ~~sixty-day eighty-one-day~~ **twenty-two month** period 634

has expired. After that ~~sixty-day eighty-one day~~ **twenty-two**  
**month** period, the ballots shall be disposed of by the board in  
a manner that the board orders, or where voting machines have  
been used the counters may be turned back to zero; provided  
that the secretary of state, within that ~~sixty-day eighty-one-~~  
~~day~~ **twenty-two month** period, may order the board to preserve the  
ballots or any part of the ballots for a longer period of time,  
in which event the board shall preserve those ballots for that  
longer period of time.

In counties where voting machines are used, if an election  
is to be held within the ~~sixty-eighty-one days~~ **twenty-two month**  
period ~~immediately following a primary, general, or special~~  
~~election or within any period~~ of time within which the ballots  
have been ordered preserved by the secretary of state or a  
court of competent jurisdiction, the board, after giving notice  
to all interested parties and affording them an opportunity to  
have a representative present, shall open the compartments of  
the machines and, without unlocking the machines, shall  
recanvass the vote cast in them as if a recount were being  
held. The results shall be certified by the board, and this  
certification shall be filed in the board's office and retained  
for the remainder of the period for which ballots must be kept.  
After preparation of the certificate, the counters may be  
turned back to zero, and the machines may be used for the  
election.

The board shall carefully preserve the pollbook, poll list  
or signature pollbook, and tally sheet delivered to it from each  
polling place until it has completed the official canvass of the  
election returns from all precincts in which electors were  
entitled to vote at an election, and has prepared and certified  
the abstracts of election returns, as required by law. The board  
shall not break, or permit anyone to break, the seals upon the

pollbook, poll list or signature pollbook, and tally sheet, or  
make, or permit any one to make, any changes or notations in  
these items, while they are in its custody, except as provided  
by section 3505.32 of the Revised Code.

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Pollbooks and poll lists or signature pollbooks of a party  
primary election delivered to the board from polling places  
shall be carefully preserved by it for ~~two years~~ **twenty-two**  
**months** after the day of election in which they were used, and  
shall then be disposed of by the board in a manner that the  
board orders.

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Pollbooks, poll lists or signature pollbooks, tally  
sheets, summary statements, and other records and returns of an  
election delivered to it from polling places shall be carefully  
preserved by the board for ~~two years~~ **twenty-two months** after  
the day of the election in which they were used, and shall then  
be disposed of by the board in a manner that the board orders.

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**Section 2.** That existing sections 3503.13, 3503.15, and  
3505.31 of the Revised Code are hereby repealed.

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**Section 3.** The General Assembly intends to appropriate  
funds to the Office of the Secretary of State to pay the costs  
incurred by the Secretary of State and the boards of elections  
in meeting the requirements of this act.

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**Section 4.** This act shall be known as the Data Analysis  
Transparency Archive (DATA) Act.

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## Cox, William

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**From:** Parrott, Sean  
**Sent:** Thursday, March 23, 2023 3:43 PM  
**To:** Shehy, Stephan  
**Subject:** Senate Bill 71 Amendment  
**Attachments:** sb71in\_am0675.pdf

Hey Stephan,

Please see the attached amendment for Senate Bill 71 with the changes that were discussed.

Best,

Sean Parrott  
Legislative Aide  
Office of Senate Majority Whip Theresa Gavarone  
614-466-8060 (Office)  
Sean.Parrott@ohiosenate.gov

S. B. No. 71  
As Introduced

\_\_\_\_\_ moved to amend as follows:

In line 7 of the title, delete "and" and insert "," 1

In line 9 of the title, after "records" insert ", and to make an  
appropriation" 2  
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In line 682, delete "The General Assembly intends to appropriate" 4

Delete lines 683 through 685 and insert "All items in this act are  
hereby appropriated as designated out of any moneys in the state treasury 5  
to the credit of the designated fund. For all operating appropriations 6  
made in this act, those in the first column are for fiscal year 2024 and 7  
those in the second column are for fiscal year 2025. The operating 8  
appropriations made in this act are in addition to any other operating 9  
appropriations made for these fiscal years. 10  
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A SOS SECRETARY OF STATE

Legislative Service Commission

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B	General Revenue Fund Group				
C	GRF	050xxx	Data Analysis and Transparency	\$5,000,000	\$0
D	TOTAL General Revenue Fund Group			\$5,000,000	\$0
E	TOTAL All Budget Fund Groups			\$5,000,000	\$0

DATA ANALYSIS TRANSPARENCY 13

Of the foregoing appropriation item 050xxx, Data Analysis  
Transparency, \$2,700,000 in fiscal year 2024 shall be used by  
the Secretary of State to operate the Office of Data Analytics  
and Archives as well as upgrade the Statewide Voter Registration  
Database. 14  
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Of the foregoing appropriation item 050xxx, Data Analysis  
Transparency, \$2,300,000 in fiscal year 2024 shall be used by  
the Secretary of State to issue grants to county boards of  
election for the purposes of updating county voter registration  
systems to comply with the provisions of the Data Analysis  
Transparency Archive (DATA) Act. 19  
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The unexpended, unencumbered portion of GRF appropriation  
item 050xxx, Data Analysis Transparency, at the end of fiscal  
year 2024 is hereby reappropriated for the same purposes in  
fiscal year 2025. 25  
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**Section 4.** Within the limits set forth in this act, the  
Director of Budget and Management shall establish accounts  
indicating the source and amount of funds for each appropriation  
made in this act, and shall determine the manner in which  
appropriation accounts shall be maintained. Expenditures from 29  
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operating appropriations contained in this act shall be 34  
accounted for as though made in, and are subject to all 35  
applicable provisions of, H.B. 33 of the 135th General Assembly. 36

**Section 5.** The Secretary of State and the boards of 37  
elections shall implement the provisions of sections 3503.13, 38  
3503.15, and 3505.31 of the Revised Code, as amended by this 39  
act, and sections 111.11, 3503.151, 3503.152, and 3503.153 of 40  
the Revised Code, as enacted by this act, not later than January 41  
1, 2025." 42

In line 686, delete "4" and insert "6" 43

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 44

**Appropriation** 45

**Sections 3 and 4** 46

Establishes GRF appropriation item 050xxx, Data Analysis 47  
Transparency, and appropriates \$5.0 million in FY 2024 to be 48  
used by the SOS in the following manner: (1) \$2.7 million to 49  
fund the Office of Data Analytics and Archives and provide 50  
upgrades to the Statewide Voter Registration Database; and (2) 51  
\$2.3 million to provide grants to county boards of elections to 52  
upgrade county voter registration systems to comply with the 53  
provisions of the DATA Act. 54

**Implementation date** 55

**Section 5** 56

Requires the Secretary of State and the boards of 57  
elections to implement the act's changes by January 1, 2025. 58

## Cox, William

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**From:** Parrott, Sean  
**Sent:** Thursday, March 23, 2023 3:34 PM  
**To:** Shehy, Stephan  
**Subject:** DATA Budget Amendment  
**Attachments:** 135HB33-HC0457X2.pdf

Hey Stephan,

Please see the attached DATA Act budget amendment with the changes that were discussed during the phone call.

Best,

Sean Parrott  
Legislative Aide  
Office of Senate Majority Whip Theresa Gavarone  
614-466-8060 (Office)  
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H.B. 33  
As Introduced

\_\_\_\_\_ moved to amend as follows:

In line 53 of the title, after "3501.27," insert "3503.13,  
3503.15, 3505.31," 1  
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In line 138 of the title, after "sections" insert "111.11," 3

In line 150 of the title, after "3333.97," insert "3503.151,  
3503.152, 3503.153," 4  
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In line 392, after "3501.27," insert "3503.13, 3503.15,  
3505.31," 6  
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In line 453, after "sections" insert "111.11," 8

In line 462, after "3333.97," insert "3503.151, 3503.152,  
3503.153," 9  
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After line 2180, insert: 11

"Sec. 111.11. The office of data analytics and archives is  
created in the office of the secretary of state. Under the  
direction of the secretary of state, the office shall do both of  
the following: 12  
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(A) Retain voter registration and other election related  
data, analyze those data for purposes of maintaining accurate  
election data, and publish those data; 16  
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(B) Retain, analyze, and publish business services data." 19

After line 33541, insert: 20

"**Sec. 3503.13.** ~~(A)(A)(1)~~ Except as otherwise provided in 21  
~~division (A)(2) of this section 111.44 of the Revised Code or by~~ 22  
~~state or federal law, voter~~ registration forms submitted by 23  
 applicants and the statewide voter registration database 24  
 established under section 3503.15 of the Revised Code ~~shall be~~ 25  
~~open to~~ are public inspection at all times when the office of the 26  
~~board of elections is open for business, under such regulations as~~ 27  
~~the board adopts, provided that no person shall be permitted to~~ 28  
~~inspect voter registration forms except in the presence of an~~ 29  
~~employee of the board~~ records subject to disclosure under section 30  
149.43 of the Revised Code. 31

(2) None of the following are subject to disclosure under 32  
division (A)(1) of this section: 33

(a) An elector's full or partial social security number, 34  
driver's license or state identification card number, telephone 35  
number, or electronic mail address; 36

(b) A confidential voter registration record, as described in 37  
section 111.44 of the Revised Code; 38

(c) The address of a designated public service worker, if the 39  
designated public service worker has submitted a redaction request 40  
to the board of elections under section 149.45 of the Revised 41  
Code; 42

(d) Any other information that is prohibited from being 43  
disclosed by state or federal law. 44

(B) A board of elections may use a legible digitized 45  
 signature list of voter signatures, copied from the signatures on 46  
 the registration forms in a form and manner prescribed by the 47

secretary of state, provided that the board includes the required  
 voter registration information in the statewide voter registration  
 database established under section 3503.15 of the Revised Code,  
 and provided that the precinct election officials have computer  
 printouts at the polls prepared in the manner required under  
 section 3503.23 of the Revised Code.

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**Sec. 3503.15.** ~~(A)(1)(A)~~ The secretary of state shall  
 establish and maintain a statewide voter registration database  
 that shall be administered by the office of data analytics and  
archives in the office of the secretary of state and made  
 continuously available to each board of elections and to other  
 agencies as authorized by law.

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~~(2)(a) State agencies, including, but not limited to, the  
 department of health, the bureau of motor vehicles, the department  
 of job and family services, the department of medicaid, and the  
 department of rehabilitation and corrections, shall provide any  
 information and data to the secretary of state that is collected  
 in the course of normal business and that is necessary to register  
 to vote, to update an elector's registration, or to maintain the  
 statewide voter registration database established pursuant to this  
 section, except where prohibited by federal law or regulation. The  
 department of health, the bureau of motor vehicles, the department  
 of job and family services, the department of medicaid, and the  
 department of rehabilitation and corrections shall provide that  
 information and data to the secretary of state not later than the  
 last day of each month. The secretary of state shall ensure that  
 any information or data provided to the secretary of state that is  
 confidential in the possession of the entity providing the data  
 remains confidential while in the possession of the secretary of  
 state. No public office, and no public official or employee, shall~~

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~~sell that information or data or use that information or data for profit.~~ 78  
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~~(b) Information provided under this division for maintenance of the statewide voter registration database shall not be used to update the name or address of a registered elector. The name or address of a registered elector shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.~~ 80  
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~~(c) A board of elections shall contact a registered elector pursuant to the rules adopted under division (D)(7) of this section to verify the accuracy of the information in the statewide voter registration database regarding that elector if that information does not conform with information provided under division (A)(2)(a) of this section and the discrepancy would affect the elector's eligibility to cast a regular ballot.~~ 86  
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~~(3)(a) The secretary of state shall enter into agreements to share information or data that is in the possession of the secretary of state with other states or groups of states, as the secretary of state considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in division (A)(3)(b) of this section, the secretary of state shall ensure that any information or data provided to the secretary of state that is confidential in the possession of the state providing the data remains confidential while in the possession of the secretary of state.~~ 93  
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~~(b) The secretary of state may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database. The~~ 104  
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~~secretary of state shall adopt rules pursuant to Chapter 119. of 108  
the Revised Code identifying the persons or organizations who may 109  
receive that information or data. The secretary of state shall not 110  
share that information or data with a person or organization not 111  
identified in those rules. The secretary of state shall ensure 112  
that a person or organization that receives confidential 113  
information or data under this division keeps the information or 114  
data confidential in the person's or organization's possession by, 115  
at a minimum, entering into a confidentiality agreement with the 116  
person or organization. Any confidentiality agreement entered into 117  
under this division shall include a requirement that the person or 118  
organization submit to the jurisdiction of this state in the event 119  
that the person or organization breaches the agreement. 120~~

~~(4) No person or entity that receives information or data 121  
under division (A)(3) of this section shall sell the information 122  
or data or use the information or data for profit. 123~~

~~(5) The secretary of state shall regularly transmit to the 124  
boards of elections, to the extent permitted by state and federal 125  
law, the information and data the secretary of state receives 126  
under divisions (A)(2) and (3) of this section that is necessary 127  
to do the following, in order to ensure that the accuracy of the 128  
statewide voter registration database is maintained on a regular 129  
basis in accordance with applicable state and federal law. 130~~

~~(a) Require the boards of elections to maintain the database 131  
in a manner that ensures that the name of each registered elector 132  
appears in the database, that only individuals who are not 133  
registered or eligible to vote are removed from the database, and 134  
that duplicate registrations are eliminated from the database. 135~~

~~(b) Require the boards of elections to make a reasonable 136  
effort to remove individuals who are not eligible to vote from the 137~~

database; 138

~~(c) Establish safeguards to ensure that eligible electors are not removed in error from the database.~~ 139  
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~~(B)~~ The statewide voter registration database ~~established under this section~~ shall be the official list of registered ~~voters~~ electors for all elections conducted in this state. 141  
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~~(C)~~(B) The statewide voter registration database ~~established under this section~~ shall, at a minimum, include all of the following: 144  
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(1) An electronic network that connects all board of elections offices with the office of the secretary of state and with the offices of all other boards of elections; 147  
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(2) A computer program that harmonizes the records contained in the database with records maintained by each board of elections; 150  
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(3) An interactive computer program that allows access to the records contained in the database by each board of elections and by any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database; 153  
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(4) A search program capable of verifying registered ~~voters~~ electors and their registration information by name, driver's license or state identification card number, birth date, social security number, or current address; 158  
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(5) Safeguards and components to ensure that the integrity, security, and confidentiality of the voter registration information is maintained; 162  
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(6) Methods to retain canceled voter registration records for 165

not less than five years after they are canceled and to record the  
reason for their cancellation.

(C) For each registered elector, the statewide voter  
registration database shall include all of the following  
information:

(1) The elector's name;

(2) The elector's birth date;

(3) The elector's current residence address;

(4) The elector's precinct number;

(5) The elector's Ohio driver's license or state  
identification card number, if available;

(6) The last four digits of the elector's social security  
number, if available;

(7) The elector's telephone number, if available;

(8) The elector's electronic mail address, if available;

(9)(a) The elector's voter registration date, which shall be  
determined based on the elector's most recent application to  
register to vote in this state, subject to division (C)(9)(b) of  
this section, as follows:

(i) In the case of an application delivered in person to a  
state or local office of a designated agency, the office of the  
registrar or any deputy registrar of motor vehicles, a public high  
school or vocational school, a public library, or the office of a  
county treasurer, the date stamped on the application upon receipt  
by the entity that transmits the application to the board of  
elections or the secretary of state;

(ii) In the case of an application delivered in person to a

board of elections or the secretary of state, the date stamped on 193  
the application upon receipt by the board of elections or the 194  
secretary of state, as applicable; 195

(iii) In the case of an application delivered by mail to a 196  
board of elections or the secretary of state, the date the 197  
application is postmarked; 198

(iv) In the case of an application submitted through the 199  
online voter registration system established under section 3503.20 200  
of the Revised Code, the date of the online submission; 201

(v) In the case of an application submitted to a board of 202  
elections by facsimile transmission or electronic mail under 203  
Chapter 3511. of the Revised Code, the date of the receipt of the 204  
transmission or electronic mail by the board of elections; 205

(vi) In the case of a provisional ballot affirmation that 206  
serves as an application to register to vote in future elections 207  
because the individual who cast the ballot is not registered to 208  
vote, the date the board of elections determines that the 209  
provisional ballot is invalid under section 3505.183 of the 210  
Revised Code. 211

(b) For purposes of determining an elector's voter 212  
registration date under division (C)(9)(a) of this section, all of 213  
the following apply: 214

(i) An elector's voter registration date shall not be during 215  
the period beginning on the day after the close of voter 216  
registration before an election and ending on the day of the 217  
election. If the date determined under division (C)(9)(a) of this 218  
section would be during that period, the voter registration date 219  
instead shall be the date on which the board of elections 220  
processes the application to register to vote after the day of the 221

election. 222

(ii) A change of address or change of name form, including a provisional ballot affirmation that serves as a change of address or change of name form, is not considered an application to register to vote. 223  
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(iii) An application to register to vote that is submitted by an individual who is already registered to vote in this state is not considered an application to register to vote. 227  
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(10) The elector's voting history, including all of the following for each election in which the elector cast a ballot that was counted: 230  
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(a) The date of the election; 233

(b) If the election was a primary election, the political party whose ballot the elector cast at the primary election or an indication that the elector voted only on the questions and issues appearing on the ballot at a special election held on the day of the primary election; 234  
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(c) The type of ballot the elector cast. 239

(11) The elector's last activity date, which shall be determined in accordance with rules adopted by the secretary of state pursuant to Chapter 119. of the Revised Code. 240  
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(12) Any other information the secretary of state requires to be included by rule adopted pursuant to Chapter 119. of the Revised Code. 243  
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(D) Every day during the period beginning on the forty-sixth day before an election and ending on the eighty-first day after the day of the election, a board of elections shall create a daily record of its voter registration database as of four p.m. and 246  
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shall transmit the daily record to the secretary of state in a 250  
secure manner prescribed by the secretary of state. The secretary 251  
of state shall archive the daily record and retain it for at least 252  
twenty-two months after the day of the election. 253

(E) The secretary of state shall adopt rules pursuant to 254  
 Chapter 119. of the Revised Code to implement this section and 255  
sections 3503.151 to 3503.153 of the Revised Code, including rules 256  
 doing all of the following: 257

(1) Specifying the manner in which ~~existing~~ any voter 258  
 registration records maintained by boards of elections in other 259  
data formats shall be converted ~~to electronic files~~ for inclusion 260  
 in the statewide voter registration database; 261

(2) Establishing a uniform method for entering voter 262  
 registration records into the statewide voter registration 263  
 database on an expedited basis, but not less than once per day, if 264  
 new registration information is received, and for transmitting 265  
information securely to the secretary of state; 266

(3) Establishing a uniform method for purging canceled voter 267  
 registration records from the statewide voter registration 268  
 database in accordance with section 3503.21 of the Revised Code; 269

(4) Specifying the persons authorized to add, delete, modify, 270  
 or print records contained in the statewide voter registration 271  
 database and to make updates of that database; 272

(5) Establishing a process for annually auditing the 273  
 information contained in the statewide voter registration 274  
 database; 275

~~(6) Establishing, by mutual agreement with the bureau of~~ 276  
~~motor vehicles, the content and format of the information and data~~ 277  
~~the bureau of motor vehicles shall provide to the secretary of~~ 278

~~state under division (A)(2)(a) of this section and the frequency with which the bureau shall provide that information and data:~~ 279  
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~~(7) Establishing a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (A)(2)(a) or (3)(a) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency.~~ 281  
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~~(E)(F)~~ A board of elections promptly shall purge a voter's name and voter registration information from the statewide voter registration database in accordance with the rules adopted by the secretary of state under division ~~(D)(3)~~(E)(3) of this section after the cancellation of a voter's registration under section 3503.21 of the Revised Code. 289  
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~~(F)(G)~~ The secretary of state shall provide training in the operation of the statewide voter registration database to each board of elections and to any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database. 295  
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~~(G)(1) The statewide voter registration database established under this section shall be made available on a web site of the office of the secretary of state as follows:~~ 300  
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~~(a) Except as otherwise provided in division (G)(1)(b) of this section, the following information from the statewide voter registration database regarding a registered voter shall be made available on the web site:~~ 303  
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~~(i) The voter's name:~~ 307

~~(ii) The voter's address; 308~~

~~(iii) The voter's precinct number; 309~~

~~(iv) The voter's voting history. 310~~

~~(b) During the thirty days before the day of a primary or 311~~  
~~general election, the web site interface of the statewide voter 312~~  
~~registration database shall permit a voter to search for the 313~~  
~~polling location at which that voter may cast a ballot. 314~~

~~(2) The secretary of state shall establish, by rule adopted 315~~  
~~under Chapter 119. of the Revised Code, a process for boards of 316~~  
~~elections to notify the secretary of state of changes in the 317~~  
~~locations of precinct polling places for the purpose of updating 318~~  
~~the information made available on the secretary of state's web 319~~  
~~site under division (G)(1)(b) of this section. Those rules shall 320~~  
~~require a board of elections, during the thirty days before the 321~~  
~~day of a primary or general election, to notify the secretary of 322~~  
~~state within one business day of any change to the location of a 323~~  
~~precinct polling place within the county. 324~~

~~(3) During the thirty days before the day of a primary or 325~~  
~~general election, not later than one business day after receiving 326~~  
~~a notification from a county pursuant to division (G)(2) of this 327~~  
~~section that the location of a precinct polling place has changed, 328~~  
~~the secretary of state shall update that information on the 329~~  
~~secretary of state's web site for the purpose of division 330~~  
~~(G)(1)(b) of this section. 331~~

~~(H) The secretary of state shall conduct an annual review of 332~~  
~~the statewide voter registration database as follows: 333~~

~~(1) The secretary of state shall compare the information in 334~~  
~~the statewide voter registration database with the information the 335~~  
~~secretary of state obtains from the bureau of motor vehicles under 336~~

division (A)(2) of this section to identify any person who does 337  
all of the following, in the following order: 338

(a) Submits documentation to the bureau of motor vehicles 339  
that indicates that the person is not a United States citizen; 340

(b) Registers to vote, submits a voter registration change of 341  
residence or change of name form, or votes in this state; 342

(c) Submits documentation to the bureau of motor vehicles 343  
that indicates that the person is not a United States citizen. 344

(2) The secretary of state shall send a written notice to 345  
each person identified under division (H)(1) of this section, 346  
instructing the person either to confirm that the person is a 347  
United States citizen or to submit a completed voter registration 348  
cancellation form to the secretary of state. The secretary of 349  
state shall include a blank voter registration cancellation form 350  
with the notice. If the person fails to respond to the secretary 351  
of state in the manner described in division (H)(3) or (4) of this 352  
section not later than thirty days after the notice was sent, the 353  
secretary of state promptly shall send the person a second notice 354  
and form. 355

(3) If, not later than sixty days after the first notice was 356  
sent, a person who is sent a notice under division (H)(2) of this 357  
section responds to the secretary of state, confirming that the 358  
person is a United States citizen, the secretary of state shall 359  
take no action concerning the person's voter registration. 360

(4) If, not later than sixty days after the first notice was 361  
sent, a person who receives a notice under division (H)(2) of this 362  
section sends a completed voter registration cancellation form to 363  
the secretary of state, the secretary of state shall instruct the 364  
board of elections of the county in which the person is registered 365

~~to cancel the person's registration.~~

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~~(5) If a person who was sent a second notice under division (H)(2) of this section fails to respond to the secretary of state in the manner described in division (H)(3) or (4) of this section not later than thirty days after the second notice was sent, the secretary of state shall refer the matter to the attorney general for further investigation and possible prosecution under section 3599.11, 3599.12, 3599.13, or any other applicable section of the Revised Code. If, after the thirtieth day after the second notice was sent, the person sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration and shall notify the attorney general of the cancellation.~~

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~~(6) The secretary of state shall not conduct the review described in division (H) of this section during the ninety days immediately preceding a primary or general election for federal office. A board of elections and any vendor with which it contracts to provide voter registration software or related services shall ensure that the board's voter registration system and practices comply with the requirements of this section and any rules adopted under this section.~~

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**Sec. 3503.151.** ~~(A) The secretary of state, through the office of data analytics and archives, and the boards of elections shall maintain the accuracy of the statewide voter registration database in accordance with this section.~~

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~~(B)(1) State agencies, including, but not limited to, the department of health, the bureau of motor vehicles, the department of job and family services, the department of medicaid, and the~~

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department of rehabilitation and corrections, shall provide any 395  
information and data to the secretary of state that is collected 396  
in the course of normal business and that is necessary to register 397  
to vote, to update an elector's registration, or to maintain the 398  
statewide voter registration database, except where prohibited by 399  
federal law or regulation. The department of health, the bureau of 400  
motor vehicles, the department of job and family services, the 401  
department of medicaid, and the department of rehabilitation and 402  
corrections shall provide that information and data to the 403  
secretary of state not later than the last day of each month. The 404  
secretary of state shall ensure that any information or data 405  
provided to the secretary of state that is confidential in the 406  
possession of the entity providing the data remains confidential 407  
while in the possession of the secretary of state. No public 408  
office, and no public official or employee, shall sell that 409  
information or data or use that information or data for profit. 410

(2) The secretary of state shall adopt rules under Chapter 411  
119. of the Revised Code that establish, by mutual agreement with 412  
the bureau of motor vehicles, the content and format of the 413  
information and data the bureau of motor vehicles shall provide to 414  
the secretary of state under division (B)(1) of this section and 415  
the frequency with which the bureau shall provide that information 416  
and data. 417

(C)(1) The secretary of state shall enter into agreements to 418  
share information or data that is in the possession of the 419  
secretary of state with other states or groups of states, as the 420  
secretary of state considers necessary, in order to maintain the 421  
statewide voter registration database. Except as otherwise 422  
provided in division (C)(2) of this section, the secretary of 423  
state shall ensure that any information or data provided to the 424  
secretary of state that is confidential in the possession of the 425

state providing the data remains confidential while in the possession of the secretary of state. 426  
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(2) The secretary of state may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database. The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code identifying the persons or organizations who may receive that information or data. The secretary of state shall not share that information or data with a person or organization not identified in those rules. The secretary of state shall ensure that a person or organization that receives confidential information or data under this division keeps the information or data confidential in the person's or organization's possession by, at a minimum, entering into a confidentiality agreement with the person or organization. Any confidentiality agreement entered into under this division shall include a requirement that the person or organization submit to the jurisdiction of this state in the event that the person or organization breaches the agreement. 428  
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(3) No person or entity that receives information or data under division (C) of this section shall sell the information or data or use the information or data for profit. 445  
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(D) The secretary of state shall regularly transmit to the boards of elections, to the extent permitted by state and federal law, the information and data the secretary of state receives under divisions (B) and (C) of this section that is necessary to do the following, in order to ensure that the accuracy of the statewide voter registration database is maintained on a regular basis in accordance with applicable state and federal law: 448  
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(1) Require the boards of elections to maintain the database 455

in a manner that ensures that the name of each registered elector appears in the database, that only individuals who are not registered or eligible to vote are removed from the database, and that duplicate registrations are eliminated from the database; 456  
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(2) Require the boards of elections to make a reasonable effort to remove individuals who are not eligible to vote from the database; 460  
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(3) Establish safeguards to ensure that eligible electors are not removed in error from the database. 463  
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(E)(1) The secretary of state shall adopt rules under Chapter 119. of the Revised Code to establish a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (B) or (C) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency. 465  
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(2) Information provided under division (B) or (C) of this section for maintenance of the statewide voter registration database shall not be used to update the name or address of a registered elector. The name or address of a registered elector shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both. 474  
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(3) A board of elections shall contact a registered elector pursuant to the rules adopted under division (E)(1) of this section to verify the accuracy of the information in the statewide voter registration database regarding that elector if that information does not conform with information provided under division (B) or (C) of this section and the discrepancy would 480  
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affect the elector's eligibility to cast a regular ballot. 486

Sec. 3503.152. The secretary of state shall conduct an annual 487  
review of the statewide voter registration database to identify 488  
persons who appear not to be United States citizens, as follows: 489  
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(A) The secretary of state shall compare the information in 491  
the statewide voter registration database with the information the 492  
secretary of state obtains from the bureau of motor vehicles under 493  
section 3503.151 of the Revised Code to identify any person who 494  
does all of the following, in the following order: 495

(1) Submits documentation to the bureau of motor vehicles 496  
that indicates that the person is not a United States citizen; 497

(2) Registers to vote, submits a voter registration change of 498  
residence or change of name form, or votes in this state; 499

(3) Submits documentation to the bureau of motor vehicles 500  
that indicates that the person is not a United States citizen. 501

(B) The secretary of state shall send a written notice to 502  
each person identified under division (A) of this section, 503  
instructing the person either to confirm that the person is a 504  
United States citizen or to submit a completed voter registration 505  
cancellation form to the secretary of state. The secretary of 506  
state shall include a blank voter registration cancellation form 507  
with the notice. If the person fails to respond to the secretary 508  
of state in the manner described in division (C) or (D) of this 509  
section not later than thirty days after the notice is sent, the 510  
secretary of state promptly shall send the person a second notice 511  
and form. 512

(C) If, not later than sixty days after the first notice is 513

sent, a person who is sent a notice under division (B) of this section responds to the secretary of state, confirming that the person is a United States citizen, the secretary of state shall take no action concerning the person's voter registration. 514  
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(D) If, not later than sixty days after the first notice was sent, a person who receives a notice under division (B) of this section sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration. 518  
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(E) If a person who is sent a second notice under division (B) of this section fails to respond to the secretary of state in the manner described in division (C) or (D) of this section not later than thirty days after the second notice is sent, the secretary of state shall refer the matter to the attorney general for further investigation and possible prosecution under section 3599.11, 3599.12, 3599.13, or any other applicable section of the Revised Code. If, after the thirtieth day after the second notice is sent, the person sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration and shall notify the attorney general of the cancellation. 524  
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(F) The secretary of state shall not conduct the review described in this section during the ninety days immediately preceding a primary or general election for federal office. 537  
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**Sec. 3503.153.** (A) The statewide voter registration database shall be made available on a web site of the office of the secretary of state as follows: 540  
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(1) Except as otherwise provided in division (A)(2) of this section, the following information from the statewide voter registration database regarding a registered elector shall be made available on the web site: 543  
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(a) The elector's name; 547

(b) The elector's birth date; 548

(c) The elector's current residence address; 549

(d) The elector's precinct number; 550

(e) The elector's voter registration date, as described in division (C)(9) of section 3503.15 of the Revised Code; 551  
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(f) The elector's voting history, as described in division (C)(10) of section 3503.15 of the Revised Code; 553  
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(g) The elector's last activity date, as described in division (C)(11) of section 3503.15 of the Revised Code. 555  
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(2) During the thirty days before the day of a primary or general election, the web site interface of the statewide voter registration database shall permit an elector to search for the polling location at which that elector may cast a ballot. 557  
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(3) No information in the statewide voter registration database that is exempt from disclosure under division (A)(2) of section 3503.13 of the Revised Code shall be made available on the web site. 561  
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(B)(1) The secretary of state shall establish, by rule adopted under Chapter 119. of the Revised Code, a process for boards of elections to notify the secretary of state of changes in the locations of precinct polling places for the purpose of updating the information made available on the secretary of state's web site under division (A)(2) of this section. Those 565  
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rules shall require a board of elections, during the thirty days before the day of a primary or general election, to notify the secretary of state within one business day of any change to the location of a precinct polling place within the county. 571  
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(2) During the thirty days before the day of a primary or general election, not later than one business day after receiving a notification from a county pursuant to division (B)(1) of this section that the location of a precinct polling place has changed, the secretary of state shall update that information on the secretary of state's web site for the purpose of division (A)(2) of this section. 575  
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**Sec. 3505.31.** When the results of the voting in a polling place on the day of an election have been determined and entered upon the proper forms and the certifications of those results have been signed by the precinct officials, those officials, before leaving the polling place, shall place all ballots that they have counted in containers provided for that purpose by the board of elections, and shall seal each container in a manner that it cannot be opened without breaking the seal or the material of which the container is made. They shall also seal the pollbook, poll list or signature pollbook, and tally sheet in a manner that the data contained in these items cannot be seen without breaking the seals. On the outside of these items shall be a plain indication that they are to be filed with the board. The voting location manager and an employee or appointee of the board of elections who has taken an oath to uphold the laws and constitution of this state, including an oath that the person will promptly and securely perform the duties required under this section and who is a member of a different political party than the voting location manager, shall then deliver to the board the 582  
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containers of ballots and the sealed pollbook, poll list, and 601  
 tally sheet, together with all other election reports, materials, 602  
 and supplies required to be delivered to the board. 603

The board shall carefully preserve all ballots prepared and 604  
 provided by it for use in an election, whether used or unused, 605  
including any electronic images of ballots, for ~~sixty~~ at least 606  
eighty-one days after the day of the election, except that, if an 607  
 election includes the nomination or election of candidates for any 608  
 of the offices of president, vice-president, presidential elector, 609  
 member of the senate of the congress of the United States, or 610  
 member of the house of representatives of the congress of the 611  
 United States, the board shall carefully preserve all ballots 612  
 prepared and provided by it for use in that election, whether used 613  
 or unused, for twenty-two months after the day of the election. If 614  
 an election is held within that ~~sixty-day~~ eighty-one-day period, 615  
 the board shall have authority to transfer those ballots to other 616  
 containers to preserve them until the ~~sixty-day~~ eighty-one-day 617  
 period has expired. After that ~~sixty-day~~ eighty-one-day period, 618  
 the ballots shall be disposed of by the board in a manner that the 619  
 board orders, or where voting machines have been used the counters 620  
 may be turned back to zero; provided that the secretary of state, 621  
 within that ~~sixty-day~~ eighty-one-day period, may order the board 622  
 to preserve the ballots or any part of the ballots for a longer 623  
 period of time, in which event the board shall preserve those 624  
 ballots for that longer period of time. 625

In counties where voting machines are used, if an election is 626  
 to be held within the ~~sixty~~ eighty-one days immediately following 627  
 a primary, general, or special election or within any period of 628  
 time within which the ballots have been ordered preserved by the 629  
 secretary of state or a court of competent jurisdiction, the 630  
 board, after giving notice to all interested parties and affording 631

them an opportunity to have a representative present, shall open 632  
the compartments of the machines and, without unlocking the 633  
machines, shall recanvass the vote cast in them as if a recount 634  
were being held. The results shall be certified by the board, and 635  
this certification shall be filed in the board's office and 636  
retained for the remainder of the period for which ballots must be 637  
kept. After preparation of the certificate, the counters may be 638  
turned back to zero, and the machines may be used for the 639  
election. 640

The board shall carefully preserve the pollbook, poll list or 641  
signature pollbook, and tally sheet delivered to it from each 642  
polling place until it has completed the official canvass of the 643  
election returns from all precincts in which electors were 644  
entitled to vote at an election, and has prepared and certified 645  
the abstracts of election returns, as required by law. The board 646  
shall not break, or permit anyone to break, the seals upon the 647  
pollbook, poll list or signature pollbook, and tally sheet, or 648  
make, or permit any one to make, any changes or notations in these 649  
items, while they are in its custody, except as provided by 650  
section 3505.32 of the Revised Code. 651

Pollbooks and poll lists or signature pollbooks of a party 652  
primary election delivered to the board from polling places shall 653  
be carefully preserved by it for two years after the day of 654  
election in which they were used, and shall then be disposed of by 655  
the board in a manner that the board orders. 656

Pollbooks, poll lists or signature pollbooks, tally sheets, 657  
summary statements, and other records and returns of an election 658  
delivered to it from polling places shall be carefully preserved 659  
by the board for two years after the day of the election in which 660  
they were used, and shall then be disposed of by the board in a 661  
manner that the board orders." 662

In line 73969, after "3501.27," insert "3503.13, 3503.15, 3505.31,"

After line 129225a, insert:

"GRF 050xxx Data Analysis Transparency \$5,000,000 \$0"

In line 129226, add \$5,000,000 to fiscal year 2024

In line 129243, add \$5,000,000 to fiscal year 2024

After line 129257, insert:

"DATA ANALYSIS TRANSPARENCY

Of the foregoing appropriation item 050xxx, Data Analysis Transparency, \$2,700,000 in fiscal year 2024 shall be used by the Secretary of State to fund the Office of Data Analytics and Archives as well as upgrade the Statewide Voter Registration Database.

Of the foregoing appropriation item 050xxx, Data Analysis Transparency, \$2,300,000 in fiscal year 2024 shall be used by the Secretary of State to issue grants to county boards of elections for the purposes of updating county voter registration systems to comply with the provisions of the Data Analysis Transparency Archive (DATA) Act.

At the end of fiscal year 2024, the unexpended, unencumbered portion of GRF appropriation item 050xxx, Data Analysis Transparency, is hereby reappropriated for the same purposes in fiscal year 2025."

After line 131026, insert:

**Section 735.\_\_\_\_.** Sections 3503.13, 3503.15, and 3505.31 of the Revised Code, as amended by this act, and sections 111.11, 3503.151, 3503.152, and 3503.153 of the Revised Code, as enacted

by this act, shall be known as the Data Analysis Transparency Archive (DATA) Act." 690  
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After line 131186, insert: 692

"Section 803.\_\_\_. The Secretary of State and the boards of elections shall implement the provisions of sections 3503.13, 693  
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3503.15, and 3505.31 of the Revised Code, as amended by this act, 695  
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and sections 111.11, 3503.151, 3503.152, and 3503.153 of the Revised Code, as enacted by this act, not later than January 1, 697  
2025." 698

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Data Analysis Transparency Archive (DATA) Act** 699

**R.C. 111.11, 3503.13, 3503.15, 3503.151, 3503.152, 3503.153, 700  
and 3505.31; Sections 395.10, 395.20, 735.\_\_\_, and 803.\_\_\_ 701**

Enacts the Data Analysis Transparency Archive (DATA) Act, as 702  
described below. 703

Creates the Office of Data Analytics and Archives in the 704  
Office of the Secretary of State (SOS), which must retain, 705  
analyze, and publish election data and business services data. 706

Codifies the data fields that must be included in the 707  
Statewide Voter Registration Database (SWVRD) for each registered 708  
elector and institutes uniform requirements for related 709  
recordkeeping. 710

Requires the boards of elections to create daily archives of 711  
their voter registration databases and send them to SOS during the 712

period beginning on the 46th day before an election and ending on 713  
the 81st day after an election. 714

Specifies that voter registration forms and the SWVRD are 715  
public records subject to disclosure under the Public Records Law 716  
in the same manner as records of other public offices, instead of 717  
requiring those records to be open to public inspection under a 718  
separate provision of law. 719

Clarifies which pieces of information contained in a voter 720  
registration record are subject to disclosure and must be 721  
available on the public web site version of the SWVRD. 722

Requires the boards of elections to preserve all used and 723  
unused ballots from a nonfederal election for at least 81 days 724  
after the day of the election, instead of 60 days as required 725  
under current law. 726

Requires the Secretary of State and the boards of elections 727  
to implement the provisions described above not later than January 728  
1, 2025. 729

Establishes GRF appropriation item 050xxx, Data Analysis 730  
Transparency, and appropriates \$5.0 million in FY 2024 to be used 731  
by the SOS in the following manner:(1) \$2.7 million to fund the 732  
Office of Data Analytics and Archives and provide upgrades to the 733  
Statewide Voter Registration Database; and (2) \$2.3 million to 734  
provide grants to county boards of elections to upgrade county 735  
voter registration systems to comply with the provisions of the 736  
DATA Act. 737

## Cox, William

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**From:** Shehy, Stephan <sshehy@OhioSOS.Gov>  
**Sent:** Monday, March 13, 2023 1:27 PM  
**To:** Parrott, Sean  
**Subject:** RE: [EXTERNAL] DATA Act budget amendment

Thank you, Sean!

**Stephan Shehy | Director of Legislative Affairs**  
Office of the Ohio Secretary of State

**O:** 614.995.2170  
[OhioSoS.gov](http://OhioSoS.gov)

This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.

---

**From:** Sean.Parrott@ohiosenate.gov <Sean.Parrott@ohiosenate.gov>  
**Sent:** Monday, March 13, 2023 1:24 PM  
**To:** Shehy, Stephan <sshehy@OhioSOS.Gov>  
**Subject:** [EXTERNAL] DATA Act budget amendment

**\*\*\*\*Secretary of State Security Notice\*\*\*\***

**This e-mail is from an external source. Think before you click links or open attachments.**

Hey Stephan,

Please see the attached budget amendment for the DATA Act

Best,

Sean Parrott  
Legislative Aide  
Office of Senate Majority Whip Theresa Gavarone  
614-466-8060 (Office)  
[Sean.Parrott@ohiosenate.gov](mailto:Sean.Parrott@ohiosenate.gov)

H.B. 33  
As Introduced

\_\_\_\_\_ moved to amend as follows:

In line 53 of the title, after "3501.27," insert "3503.13,  
3503.15, 3505.31," 1  
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In line 138 of the title, after "sections" insert "111.11," 3

In line 150 of the title, after "3333.97," insert "3503.151,  
3503.152, 3503.153," 4  
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In line 392, after "3501.27," insert "3503.13, 3503.15,  
3505.31," 6  
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In line 453, after "sections" insert "111.11," 8

In line 462, after "3333.97," insert "3503.151, 3503.152,  
3503.153," 9  
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After line 2180, insert: 11

"Sec. 111.11. The office of data analytics and archives is  
created in the office of the secretary of state. Under the  
direction of the secretary of state, the office shall do both of  
the following: 12  
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(A) Retain voter registration and other election related  
data, analyze those data for purposes of maintaining accurate  
election data, and publish those data; 16  
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(B) Retain, analyze, and publish business services data." 19

After line 33541, insert: 20

"**Sec. 3503.13.** ~~(A)(A)(1)~~ Except as otherwise provided in 21  
~~division (A)(2) of this section 111.44 of the Revised Code or by~~ 22  
~~state or federal law, voter~~ registration forms submitted by 23  
 applicants and the statewide voter registration database 24  
 established under section 3503.15 of the Revised Code ~~shall be~~ 25  
~~open to~~ are public inspection at all times when the office of the 26  
~~board of elections is open for business, under such regulations as~~ 27  
~~the board adopts, provided that no person shall be permitted to~~ 28  
~~inspect voter registration forms except in the presence of an~~ 29  
~~employee of the board~~ records subject to disclosure under section 30  
149.43 of the Revised Code. 31

(2) None of the following are subject to disclosure under 32  
division (A)(1) of this section: 33

(a) An elector's full or partial social security number, 34  
driver's license or state identification card number, telephone 35  
number, or electronic mail address; 36

(b) A confidential voter registration record, as described in 37  
section 111.44 of the Revised Code; 38

(c) The address of a designated public service worker, if the 39  
designated public service worker has submitted a redaction request 40  
to the board of elections under section 149.45 of the Revised 41  
Code; 42

(d) Any other information that is prohibited from being 43  
disclosed by state or federal law. 44

(B) A board of elections may use a legible digitized 45  
 signature list of voter signatures, copied from the signatures on 46  
 the registration forms in a form and manner prescribed by the 47

secretary of state, provided that the board includes the required  
voter registration information in the statewide voter registration  
database established under section 3503.15 of the Revised Code,  
and provided that the precinct election officials have computer  
printouts at the polls prepared in the manner required under  
section 3503.23 of the Revised Code.

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**Sec. 3503.15.** ~~(A)(1)(A)~~ The secretary of state shall  
establish and maintain a statewide voter registration database  
that shall be administered by the office of data analytics and  
archives in the office of the secretary of state and made  
continuously available to each board of elections and to other  
agencies as authorized by law.

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~~(2)(a) State agencies, including, but not limited to, the  
department of health, the bureau of motor vehicles, the department  
of job and family services, the department of medicaid, and the  
department of rehabilitation and corrections, shall provide any  
information and data to the secretary of state that is collected  
in the course of normal business and that is necessary to register  
to vote, to update an elector's registration, or to maintain the  
statewide voter registration database established pursuant to this  
section, except where prohibited by federal law or regulation. The  
department of health, the bureau of motor vehicles, the department  
of job and family services, the department of medicaid, and the  
department of rehabilitation and corrections shall provide that  
information and data to the secretary of state not later than the  
last day of each month. The secretary of state shall ensure that  
any information or data provided to the secretary of state that is  
confidential in the possession of the entity providing the data  
remains confidential while in the possession of the secretary of  
state. No public office, and no public official or employee, shall~~

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~~sell that information or data or use that information or data for profit.~~ 78  
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~~(b) Information provided under this division for maintenance of the statewide voter registration database shall not be used to update the name or address of a registered elector. The name or address of a registered elector shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.~~ 80  
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~~(c) A board of elections shall contact a registered elector pursuant to the rules adopted under division (D)(7) of this section to verify the accuracy of the information in the statewide voter registration database regarding that elector if that information does not conform with information provided under division (A)(2)(a) of this section and the discrepancy would affect the elector's eligibility to cast a regular ballot.~~ 86  
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~~(3)(a) The secretary of state shall enter into agreements to share information or data that is in the possession of the secretary of state with other states or groups of states, as the secretary of state considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in division (A)(3)(b) of this section, the secretary of state shall ensure that any information or data provided to the secretary of state that is confidential in the possession of the state providing the data remains confidential while in the possession of the secretary of state.~~ 93  
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~~(b) The secretary of state may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database. The~~ 104  
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secretary of state shall adopt rules pursuant to Chapter 119. of 108  
the Revised Code identifying the persons or organizations who may 109  
receive that information or data. The secretary of state shall not 110  
share that information or data with a person or organization not 111  
identified in those rules. The secretary of state shall ensure 112  
that a person or organization that receives confidential 113  
information or data under this division keeps the information or 114  
data confidential in the person's or organization's possession by, 115  
at a minimum, entering into a confidentiality agreement with the 116  
person or organization. Any confidentiality agreement entered into 117  
under this division shall include a requirement that the person or 118  
organization submit to the jurisdiction of this state in the event 119  
that the person or organization breaches the agreement. 120

(4) No person or entity that receives information or data 121  
under division (A)(3) of this section shall sell the information 122  
or data or use the information or data for profit. 123

(5) The secretary of state shall regularly transmit to the 124  
boards of elections, to the extent permitted by state and federal 125  
law, the information and data the secretary of state receives 126  
under divisions (A)(2) and (3) of this section that is necessary 127  
to do the following, in order to ensure that the accuracy of the 128  
statewide voter registration database is maintained on a regular 129  
basis in accordance with applicable state and federal law: 130

(a) Require the boards of elections to maintain the database 131  
in a manner that ensures that the name of each registered elector 132  
appears in the database, that only individuals who are not 133  
registered or eligible to vote are removed from the database, and 134  
that duplicate registrations are eliminated from the database; 135

(b) Require the boards of elections to make a reasonable 136  
effort to remove individuals who are not eligible to vote from the 137

database; 138

~~(c) Establish safeguards to ensure that eligible electors are not removed in error from the database.~~ 139  
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~~(B)~~ The statewide voter registration database established under this section shall be the official list of registered voters electors for all elections conducted in this state. 141  
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~~(C)~~(B) The statewide voter registration database established under this section shall, at a minimum, include all of the following: 144  
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(1) An electronic network that connects all board of elections offices with the office of the secretary of state and with the offices of all other boards of elections; 147  
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(2) A computer program that harmonizes the records contained in the database with records maintained by each board of elections; 150  
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(3) An interactive computer program that allows access to the records contained in the database by each board of elections and by any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database; 153  
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(4) A search program capable of verifying registered voters electors and their registration information by name, driver's license or state identification card number, birth date, social security number, or current address; 158  
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(5) Safeguards and components to ensure that the integrity, security, and confidentiality of the voter registration information is maintained; 162  
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(6) Methods to retain canceled voter registration records for 165

not less than five years after they are canceled and to record the reason for their cancellation. 166  
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(C) For each registered elector, the statewide voter registration database shall include all of the following information: 168  
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(1) The elector's name; 171

(2) The elector's birth date; 172

(3) The elector's current residence address; 173

(4) The elector's precinct number; 174

(5) The elector's Ohio driver's license or state identification card number, if available; 175  
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(6) The last four digits of the elector's social security number, if available; 177  
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(7) The elector's telephone number, if available; 179

(8) The elector's electronic mail address, if available; 180

(9)(a) The elector's voter registration date, which shall be determined based on the elector's most recent application to register to vote in this state, subject to division (C)(9)(b) of this section, as follows: 181  
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(i) In the case of an application delivered in person to a state or local office of a designated agency, the office of the registrar or any deputy registrar of motor vehicles, a public high school or vocational school, a public library, or the office of a county treasurer, the date stamped on the application upon receipt by the entity that transmits the application to the board of elections or the secretary of state; 185  
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(ii) In the case of an application delivered in person to a 192

board of elections or the secretary of state, the date stamped on 193  
the application upon receipt by the board of elections or the 194  
secretary of state, as applicable; 195

(iii) In the case of an application delivered by mail to a 196  
board of elections or the secretary of state, the date the 197  
application is postmarked; 198

(iv) In the case of an application submitted through the 199  
online voter registration system established under section 3503.20 200  
of the Revised Code, the date of the online submission; 201

(v) In the case of an application submitted to a board of 202  
elections by facsimile transmission or electronic mail under 203  
Chapter 3511. of the Revised Code, the date of the receipt of the 204  
transmission or electronic mail by the board of elections; 205

(vi) In the case of a provisional ballot affirmation that 206  
serves as an application to register to vote in future elections 207  
because the individual who cast the ballot is not registered to 208  
vote, the date the board of elections determines that the 209  
provisional ballot is invalid under section 3505.183 of the 210  
Revised Code. 211

(b) For purposes of determining an elector's voter 212  
registration date under division (C)(9)(a) of this section, all of 213  
the following apply: 214

(i) An elector's voter registration date shall not be during 215  
the period beginning on the day after the close of voter 216  
registration before an election and ending on the day of the 217  
election. If the date determined under division (C)(9)(a) of this 218  
section would be during that period, the voter registration date 219  
instead shall be the date on which the board of elections 220  
processes the application to register to vote after the day of the 221

election. 222

(ii) A change of address or change of name form, including a provisional ballot affirmation that serves as a change of address or change of name form, is not considered an application to register to vote. 223  
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(iii) An application to register to vote that is submitted by an individual who is already registered to vote in this state is not considered an application to register to vote. 227  
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(10) The elector's voting history, including all of the following for each election in which the elector cast a ballot that was counted: 230  
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(a) The date of the election; 233

(b) If the election was a primary election, the political party whose ballot the elector cast at the primary election or an indication that the elector voted only on the questions and issues appearing on the ballot at a special election held on the day of the primary election; 234  
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(c) The type of ballot the elector cast. 239

(11) The elector's last activity date, which shall be determined in accordance with rules adopted by the secretary of state pursuant to Chapter 119. of the Revised Code. 240  
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(12) Any other information the secretary of state requires to be included by rule adopted pursuant to Chapter 119. of the Revised Code. 243  
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(D) Every day during the period beginning on the forty-sixth day before an election and ending on the eighty-first day after the day of the election, a board of elections shall create a daily record of its voter registration database as of four p.m. and 246  
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shall transmit the daily record to the secretary of state in a 250  
secure manner prescribed by the secretary of state. The secretary 251  
of state shall archive the daily record and retain it for at least 252  
twenty-two months after the day of the election. 253

(E) The secretary of state shall adopt rules pursuant to 254  
 Chapter 119. of the Revised Code to implement this section and 255  
sections 3503.151 to 3503.153 of the Revised Code, including rules 256  
 doing all of the following: 257

(1) Specifying the manner in which ~~existing~~ any voter 258  
 registration records maintained by boards of elections in other 259  
data formats shall be converted ~~to electronic files~~ for inclusion 260  
 in the statewide voter registration database; 261

(2) Establishing a uniform method for entering voter 262  
 registration records into the statewide voter registration 263  
 database on an expedited basis, but not less than once per day, if 264  
 new registration information is received, and for transmitting 265  
information securely to the secretary of state; 266

(3) Establishing a uniform method for purging canceled voter 267  
 registration records from the statewide voter registration 268  
 database in accordance with section 3503.21 of the Revised Code; 269

(4) Specifying the persons authorized to add, delete, modify, 270  
 or print records contained in the statewide voter registration 271  
 database and to make updates of that database; 272

(5) Establishing a process for annually auditing the 273  
 information contained in the statewide voter registration 274  
 database; 275

~~(6) Establishing, by mutual agreement with the bureau of~~ 276  
~~motor vehicles, the content and format of the information and data~~ 277  
~~the bureau of motor vehicles shall provide to the secretary of~~ 278

~~state under division (A)(2)(a) of this section and the frequency with which the bureau shall provide that information and data;~~ 279  
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~~(7) Establishing a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (A)(2)(a) or (3)(a) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency.~~ 281  
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~~(E)(F)~~ A board of elections promptly shall purge a voter's name and voter registration information from the statewide voter registration database in accordance with the rules adopted by the secretary of state under division ~~(D)(3)~~(E)(3) of this section after the cancellation of a voter's registration under section 3503.21 of the Revised Code. 289  
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~~(F)(G)~~ The secretary of state shall provide training in the operation of the statewide voter registration database to each board of elections and to any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database. 295  
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~~(G)(1) The statewide voter registration database established under this section shall be made available on a web site of the office of the secretary of state as follows:~~ 300  
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~~(a) Except as otherwise provided in division (G)(1)(b) of this section, the following information from the statewide voter registration database regarding a registered voter shall be made available on the web site:~~ 303  
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~~(i) The voter's name;~~ 307

~~(ii) The voter's address; 308~~

~~(iii) The voter's precinct number; 309~~

~~(iv) The voter's voting history. 310~~

~~(b) During the thirty days before the day of a primary or 311~~  
~~general election, the web site interface of the statewide voter 312~~  
~~registration database shall permit a voter to search for the 313~~  
~~polling location at which that voter may cast a ballot. 314~~

~~(2) The secretary of state shall establish, by rule adopted 315~~  
~~under Chapter 119. of the Revised Code, a process for boards of 316~~  
~~elections to notify the secretary of state of changes in the 317~~  
~~locations of precinct polling places for the purpose of updating 318~~  
~~the information made available on the secretary of state's web 319~~  
~~site under division (G)(1)(b) of this section. Those rules shall 320~~  
~~require a board of elections, during the thirty days before the 321~~  
~~day of a primary or general election, to notify the secretary of 322~~  
~~state within one business day of any change to the location of a 323~~  
~~precinct polling place within the county. 324~~

~~(3) During the thirty days before the day of a primary or 325~~  
~~general election, not later than one business day after receiving 326~~  
~~a notification from a county pursuant to division (G)(2) of this 327~~  
~~section that the location of a precinct polling place has changed, 328~~  
~~the secretary of state shall update that information on the 329~~  
~~secretary of state's web site for the purpose of division 330~~  
~~(G)(1)(b) of this section. 331~~

~~(H) The secretary of state shall conduct an annual review of 332~~  
~~the statewide voter registration database as follows: 333~~

~~(1) The secretary of state shall compare the information in 334~~  
~~the statewide voter registration database with the information the 335~~  
~~secretary of state obtains from the bureau of motor vehicles under 336~~

division (A)(2) of this section to identify any person who does 337  
all of the following, in the following order: 338

~~(a) Submits documentation to the bureau of motor vehicles 339  
that indicates that the person is not a United States citizen; 340~~

~~(b) Registers to vote, submits a voter registration change of 341  
residence or change of name form, or votes in this state; 342~~

~~(c) Submits documentation to the bureau of motor vehicles 343  
that indicates that the person is not a United States citizen. 344~~

~~(2) The secretary of state shall send a written notice to 345  
each person identified under division (H)(1) of this section, 346  
instructing the person either to confirm that the person is a 347  
United States citizen or to submit a completed voter registration 348  
cancellation form to the secretary of state. The secretary of 349  
state shall include a blank voter registration cancellation form 350  
with the notice. If the person fails to respond to the secretary 351  
of state in the manner described in division (H)(3) or (4) of this 352  
section not later than thirty days after the notice was sent, the 353  
secretary of state promptly shall send the person a second notice 354  
and form. 355~~

~~(3) If, not later than sixty days after the first notice was 356  
sent, a person who is sent a notice under division (H)(2) of this 357  
section responds to the secretary of state, confirming that the 358  
person is a United States citizen, the secretary of state shall 359  
take no action concerning the person's voter registration. 360~~

~~(4) If, not later than sixty days after the first notice was 361  
sent, a person who receives a notice under division (H)(2) of this 362  
section sends a completed voter registration cancellation form to 363  
the secretary of state, the secretary of state shall instruct the 364  
board of elections of the county in which the person is registered 365~~

~~to cancel the person's registration.~~

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~~(5) If a person who was sent a second notice under division (H)(2) of this section fails to respond to the secretary of state in the manner described in division (H)(3) or (4) of this section not later than thirty days after the second notice was sent, the secretary of state shall refer the matter to the attorney general for further investigation and possible prosecution under section 3599.11, 3599.12, 3599.13, or any other applicable section of the Revised Code. If, after the thirtieth day after the second notice was sent, the person sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration and shall notify the attorney general of the cancellation.~~

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~~(6) The secretary of state shall not conduct the review described in division (H) of this section during the ninety days immediately preceding a primary or general election for federal office. A board of elections and any vendor with which it contracts to provide voter registration software or related services shall ensure that the board's voter registration system and practices comply with the requirements of this section and any rules adopted under this section.~~

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**Sec. 3503.151.** ~~(A) The secretary of state, through the office of data analytics and archives, and the boards of elections shall maintain the accuracy of the statewide voter registration database in accordance with this section.~~

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~~(B)(1) State agencies, including, but not limited to, the department of health, the bureau of motor vehicles, the department of job and family services, the department of medicaid, and the~~

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department of rehabilitation and corrections, shall provide any 395  
information and data to the secretary of state that is collected 396  
in the course of normal business and that is necessary to register 397  
to vote, to update an elector's registration, or to maintain the 398  
statewide voter registration database, except where prohibited by 399  
federal law or regulation. The department of health, the bureau of 400  
motor vehicles, the department of job and family services, the 401  
department of medicaid, and the department of rehabilitation and 402  
corrections shall provide that information and data to the 403  
secretary of state not later than the last day of each month. The 404  
secretary of state shall ensure that any information or data 405  
provided to the secretary of state that is confidential in the 406  
possession of the entity providing the data remains confidential 407  
while in the possession of the secretary of state. No public 408  
office, and no public official or employee, shall sell that 409  
information or data or use that information or data for profit. 410

(2) The secretary of state shall adopt rules under Chapter 411  
119. of the Revised Code that establish, by mutual agreement with 412  
the bureau of motor vehicles, the content and format of the 413  
information and data the bureau of motor vehicles shall provide to 414  
the secretary of state under division (B)(1) of this section and 415  
the frequency with which the bureau shall provide that information 416  
and data. 417

(C)(1) The secretary of state shall enter into agreements to 418  
share information or data that is in the possession of the 419  
secretary of state with other states or groups of states, as the 420  
secretary of state considers necessary, in order to maintain the 421  
statewide voter registration database. Except as otherwise 422  
provided in division (C)(2) of this section, the secretary of 423  
state shall ensure that any information or data provided to the 424  
secretary of state that is confidential in the possession of the 425

state providing the data remains confidential while in the possession of the secretary of state. 426  
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(2) The secretary of state may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database. The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code identifying the persons or organizations who may receive that information or data. The secretary of state shall not share that information or data with a person or organization not identified in those rules. The secretary of state shall ensure that a person or organization that receives confidential information or data under this division keeps the information or data confidential in the person's or organization's possession by, at a minimum, entering into a confidentiality agreement with the person or organization. Any confidentiality agreement entered into under this division shall include a requirement that the person or organization submit to the jurisdiction of this state in the event that the person or organization breaches the agreement. 428  
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(3) No person or entity that receives information or data under division (C) of this section shall sell the information or data or use the information or data for profit. 445  
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(D) The secretary of state shall regularly transmit to the boards of elections, to the extent permitted by state and federal law, the information and data the secretary of state receives under divisions (B) and (C) of this section that is necessary to do the following, in order to ensure that the accuracy of the statewide voter registration database is maintained on a regular basis in accordance with applicable state and federal law: 448  
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(1) Require the boards of elections to maintain the database 455

in a manner that ensures that the name of each registered elector appears in the database, that only individuals who are not registered or eligible to vote are removed from the database, and that duplicate registrations are eliminated from the database; 456  
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(2) Require the boards of elections to make a reasonable effort to remove individuals who are not eligible to vote from the database; 460  
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(3) Establish safeguards to ensure that eligible electors are not removed in error from the database. 463  
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(E)(1) The secretary of state shall adopt rules under Chapter 119. of the Revised Code to establish a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (B) or (C) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency. 465  
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(2) Information provided under division (B) or (C) of this section for maintenance of the statewide voter registration database shall not be used to update the name or address of a registered elector. The name or address of a registered elector shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both. 474  
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(3) A board of elections shall contact a registered elector pursuant to the rules adopted under division (E)(1) of this section to verify the accuracy of the information in the statewide voter registration database regarding that elector if that information does not conform with information provided under division (B) or (C) of this section and the discrepancy would 480  
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affect the elector's eligibility to cast a regular ballot.

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Sec. 3503.152. The secretary of state shall conduct an annual review of the statewide voter registration database to identify persons who appear not to be United States citizens, as follows:

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(A) The secretary of state shall compare the information in the statewide voter registration database with the information the secretary of state obtains from the bureau of motor vehicles under section 3503.151 of the Revised Code to identify any person who does all of the following, in the following order:

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(1) Submits documentation to the bureau of motor vehicles that indicates that the person is not a United States citizen;

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(2) Registers to vote, submits a voter registration change of residence or change of name form, or votes in this state;

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(3) Submits documentation to the bureau of motor vehicles that indicates that the person is not a United States citizen.

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(B) The secretary of state shall send a written notice to each person identified under division (A) of this section, instructing the person either to confirm that the person is a United States citizen or to submit a completed voter registration cancellation form to the secretary of state. The secretary of state shall include a blank voter registration cancellation form with the notice. If the person fails to respond to the secretary of state in the manner described in division (C) or (D) of this section not later than thirty days after the notice is sent, the secretary of state promptly shall send the person a second notice and form.

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(C) If, not later than sixty days after the first notice is

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sent, a person who is sent a notice under division (B) of this section responds to the secretary of state, confirming that the person is a United States citizen, the secretary of state shall take no action concerning the person's voter registration. 514  
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(D) If, not later than sixty days after the first notice was sent, a person who receives a notice under division (B) of this section sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration. 518  
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(E) If a person who is sent a second notice under division (B) of this section fails to respond to the secretary of state in the manner described in division (C) or (D) of this section not later than thirty days after the second notice is sent, the secretary of state shall refer the matter to the attorney general for further investigation and possible prosecution under section 3599.11, 3599.12, 3599.13, or any other applicable section of the Revised Code. If, after the thirtieth day after the second notice is sent, the person sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration and shall notify the attorney general of the cancellation. 524  
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(F) The secretary of state shall not conduct the review described in this section during the ninety days immediately preceding a primary or general election for federal office. 537  
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**Sec. 3503.153.** (A) The statewide voter registration database shall be made available on a web site of the office of the secretary of state as follows: 540  
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(1) Except as otherwise provided in division (A)(2) of this section, the following information from the statewide voter registration database regarding a registered elector shall be made available on the web site: 543  
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(a) The elector's name; 547

(b) The elector's birth date; 548

(c) The elector's current residence address; 549

(d) The elector's precinct number; 550

(e) The elector's voter registration date, as described in division (C)(9) of section 3503.15 of the Revised Code; 551  
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(f) The elector's voting history, as described in division (C)(10) of section 3503.15 of the Revised Code; 553  
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(g) The elector's last activity date, as described in division (C)(11) of section 3503.15 of the Revised Code. 555  
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(2) During the thirty days before the day of a primary or general election, the web site interface of the statewide voter registration database shall permit an elector to search for the polling location at which that elector may cast a ballot. 557  
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(3) No information in the statewide voter registration database that is exempt from disclosure under division (A)(2) of section 3503.13 of the Revised Code shall be made available on the web site. 561  
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(B)(1) The secretary of state shall establish, by rule adopted under Chapter 119. of the Revised Code, a process for boards of elections to notify the secretary of state of changes in the locations of precinct polling places for the purpose of updating the information made available on the secretary of state's web site under division (A)(2) of this section. Those 565  
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rules shall require a board of elections, during the thirty days 571  
before the day of a primary or general election, to notify the 572  
secretary of state within one business day of any change to the 573  
location of a precinct polling place within the county. 574

(2) During the thirty days before the day of a primary or 575  
general election, not later than one business day after receiving 576  
a notification from a county pursuant to division (B)(1) of this 577  
section that the location of a precinct polling place has changed, 578  
the secretary of state shall update that information on the 579  
secretary of state's web site for the purpose of division (A)(2) 580  
of this section. 581

**Sec. 3505.31.** When the results of the voting in a polling 582  
place on the day of an election have been determined and entered 583  
upon the proper forms and the certifications of those results have 584  
been signed by the precinct officials, those officials, before 585  
leaving the polling place, shall place all ballots that they have 586  
counted in containers provided for that purpose by the board of 587  
elections, and shall seal each container in a manner that it 588  
cannot be opened without breaking the seal or the material of 589  
which the container is made. They shall also seal the pollbook, 590  
poll list or signature pollbook, and tally sheet in a manner that 591  
the data contained in these items cannot be seen without breaking 592  
the seals. On the outside of these items shall be a plain 593  
indication that they are to be filed with the board. The voting 594  
location manager and an employee or appointee of the board of 595  
elections who has taken an oath to uphold the laws and 596  
constitution of this state, including an oath that the person will 597  
promptly and securely perform the duties required under this 598  
section and who is a member of a different political party than 599  
the voting location manager, shall then deliver to the board the 600

containers of ballots and the sealed pollbook, poll list, and 601  
 tally sheet, together with all other election reports, materials, 602  
 and supplies required to be delivered to the board. 603

The board shall carefully preserve all ballots prepared and 604  
 provided by it for use in an election, whether used or unused, 605  
including any electronic images of ballots, for ~~sixty~~ at least 606  
eighty-one days after the day of the election, except that, if an 607  
 election includes the nomination or election of candidates for any 608  
 of the offices of president, vice-president, presidential elector, 609  
 member of the senate of the congress of the United States, or 610  
 member of the house of representatives of the congress of the 611  
 United States, the board shall carefully preserve all ballots 612  
 prepared and provided by it for use in that election, whether used 613  
 or unused, for twenty-two months after the day of the election. If 614  
 an election is held within that ~~sixty-day~~ eighty-one-day period, 615  
 the board shall have authority to transfer those ballots to other 616  
 containers to preserve them until the ~~sixty-day~~ eighty-one-day 617  
 period has expired. After that ~~sixty-day~~ eighty-one-day period, 618  
 the ballots shall be disposed of by the board in a manner that the 619  
 board orders, or where voting machines have been used the counters 620  
 may be turned back to zero; provided that the secretary of state, 621  
 within that ~~sixty-day~~ eighty-one-day period, may order the board 622  
 to preserve the ballots or any part of the ballots for a longer 623  
 period of time, in which event the board shall preserve those 624  
 ballots for that longer period of time. 625

In counties where voting machines are used, if an election is 626  
 to be held within the ~~sixty~~ eighty-one days immediately following 627  
 a primary, general, or special election or within any period of 628  
 time within which the ballots have been ordered preserved by the 629  
 secretary of state or a court of competent jurisdiction, the 630  
 board, after giving notice to all interested parties and affording 631

them an opportunity to have a representative present, shall open 632  
 the compartments of the machines and, without unlocking the 633  
 machines, shall recanvass the vote cast in them as if a recount 634  
 were being held. The results shall be certified by the board, and 635  
 this certification shall be filed in the board's office and 636  
 retained for the remainder of the period for which ballots must be 637  
 kept. After preparation of the certificate, the counters may be 638  
 turned back to zero, and the machines may be used for the 639  
 election. 640

The board shall carefully preserve the pollbook, poll list or 641  
 signature pollbook, and tally sheet delivered to it from each 642  
 polling place until it has completed the official canvass of the 643  
 election returns from all precincts in which electors were 644  
 entitled to vote at an election, and has prepared and certified 645  
 the abstracts of election returns, as required by law. The board 646  
 shall not break, or permit anyone to break, the seals upon the 647  
 pollbook, poll list or signature pollbook, and tally sheet, or 648  
 make, or permit any one to make, any changes or notations in these 649  
 items, while they are in its custody, except as provided by 650  
 section 3505.32 of the Revised Code. 651

Pollbooks and poll lists or signature pollbooks of a party 652  
 primary election delivered to the board from polling places shall 653  
 be carefully preserved by it for two years after the day of 654  
 election in which they were used, and shall then be disposed of by 655  
 the board in a manner that the board orders. 656

Pollbooks, poll lists or signature pollbooks, tally sheets, 657  
 summary statements, and other records and returns of an election 658  
 delivered to it from polling places shall be carefully preserved 659  
 by the board for two years after the day of the election in which 660  
 they were used, and shall then be disposed of by the board in a 661  
 manner that the board orders." 662

In line 73969, after "3501.27," insert "3503.13, 3503.15, 3505.31,"

After line 131026, insert:

"Section 735.\_\_. (A) Sections 3503.13, 3503.15, and 3505.31 of the Revised Code, as amended by this act, and sections 111.11, 3503.151, 3503.152, and 3503.153 of the Revised Code, as enacted by this act, shall be known as the Data Analysis Transparency Archive (DATA) Act.

(B) The General Assembly intends to appropriate funds to the Office of the Secretary of State to pay the costs incurred by the Secretary of State and the boards of elections in meeting the requirements of those sections, as amended and enacted by this act."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Data Analysis Transparency Archive (DATA) Act**

**R.C. 111.11, 3503.13, 3503.15, 3503.151, 3503.152, 3503.153, and 3505.31; Section 735.\_\_**

Enacts the Data Analysis Transparency Archive (DATA) Act, as described below.

Creates the Office of Data Analytics and Archives in the Office of the Secretary of State (SOS), which must retain, analyze, and publish election data and business services data.

Codifies the data fields that must be included in the Statewide Voter Registration Database (SWVRD) for each registered

elector and institutes uniform requirements for related recordkeeping. 686  
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Requires the boards of elections to create daily archives of their voter registration databases and send them to SOS during the period beginning on the 46th day before an election and ending on the 81st day after an election. 688  
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Specifies that voter registration forms and the SWVRD are public records subject to disclosure under the Public Records Law in the same manner as records of other public offices, instead of requiring those records to be open to public inspection under a separate provision of law. 692  
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Clarifies which pieces of information contained in a voter registration record are subject to disclosure and must be available on the public web site version of the SWVRD. 697  
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Requires the boards of elections to preserve all used and unused ballots from a nonfederal election for at least 81 days after the day of the election, instead of 60 days as required under current law. 700  
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States that the General Assembly intends to appropriate funds to SOS to pay the costs incurred by SOS and the boards of elections in meeting the amendment's requirements. 704  
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## Cox, William

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**From:** Parrott, Sean  
**Sent:** Monday, March 13, 2023 1:21 PM  
**To:** 'sshey@OhioSoS.gov'  
**Subject:** SB 71 - Budget Amendment  
**Attachments:** 135HB33-HC0457.pdf

Hey Stephan,

Please see the attached budget amendment for the DATA Act

Best,

Sean Parrott  
Legislative Aide  
Office of Senate Majority Whip Theresa Gavarone  
614-466-8060 (Office)  
Sean.Parrott@ohiosenate.gov

H.B. 33  
As Introduced

\_\_\_\_\_ moved to amend as follows:

In line 53 of the title, after "3501.27," insert "3503.13,  
3503.15, 3505.31," 1  
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In line 138 of the title, after "sections" insert "111.11," 3

In line 150 of the title, after "3333.97," insert "3503.151,  
3503.152, 3503.153," 4  
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In line 392, after "3501.27," insert "3503.13, 3503.15,  
3505.31," 6  
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In line 453, after "sections" insert "111.11," 8

In line 462, after "3333.97," insert "3503.151, 3503.152,  
3503.153," 9  
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After line 2180, insert: 11

"Sec. 111.11. The office of data analytics and archives is  
created in the office of the secretary of state. Under the  
direction of the secretary of state, the office shall do both of  
the following: 12  
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(A) Retain voter registration and other election related  
data, analyze those data for purposes of maintaining accurate  
election data, and publish those data; 16  
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(B) Retain, analyze, and publish business services data." 19

After line 33541, insert: 20

"**Sec. 3503.13.** ~~(A)(A)(1)~~ Except as otherwise provided in 21  
~~division (A)(2) of this section 111.44 of the Revised Code or by~~ 22  
~~state or federal law, voter~~ registration forms submitted by 23  
 applicants and the statewide voter registration database 24  
 established under section 3503.15 of the Revised Code ~~shall be~~ 25  
~~open to~~ are public inspection at all times when the office of the 26  
 board of elections is open for business, under such regulations as 27  
 the board adopts, provided that no person shall be permitted to 28  
 inspect voter registration forms except in the presence of an 29  
 employee of the board records subject to disclosure under section 30  
149.43 of the Revised Code. 31

(2) None of the following are subject to disclosure under 32  
division (A)(1) of this section: 33

(a) An elector's full or partial social security number, 34  
driver's license or state identification card number, telephone 35  
number, or electronic mail address; 36

(b) A confidential voter registration record, as described in 37  
section 111.44 of the Revised Code; 38

(c) The address of a designated public service worker, if the 39  
designated public service worker has submitted a redaction request 40  
to the board of elections under section 149.45 of the Revised 41  
Code; 42

(d) Any other information that is prohibited from being 43  
disclosed by state or federal law. 44

(B) A board of elections may use a legible digitized 45  
 signature list of voter signatures, copied from the signatures on 46  
 the registration forms in a form and manner prescribed by the 47

secretary of state, provided that the board includes the required  
voter registration information in the statewide voter registration  
database established under section 3503.15 of the Revised Code,  
and provided that the precinct election officials have computer  
printouts at the polls prepared in the manner required under  
section 3503.23 of the Revised Code.

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**Sec. 3503.15.** ~~(A)(1)(A)~~ The secretary of state shall  
establish and maintain a statewide voter registration database  
that shall be administered by the office of data analytics and  
archives in the office of the secretary of state and made  
continuously available to each board of elections and to other  
agencies as authorized by law.

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~~(2)(a) State agencies, including, but not limited to, the  
department of health, the bureau of motor vehicles, the department  
of job and family services, the department of medicaid, and the  
department of rehabilitation and corrections, shall provide any  
information and data to the secretary of state that is collected  
in the course of normal business and that is necessary to register  
to vote, to update an elector's registration, or to maintain the  
statewide voter registration database established pursuant to this  
section, except where prohibited by federal law or regulation. The  
department of health, the bureau of motor vehicles, the department  
of job and family services, the department of medicaid, and the  
department of rehabilitation and corrections shall provide that  
information and data to the secretary of state not later than the  
last day of each month. The secretary of state shall ensure that  
any information or data provided to the secretary of state that is  
confidential in the possession of the entity providing the data  
remains confidential while in the possession of the secretary of  
state. No public office, and no public official or employee, shall~~

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~~sell that information or data or use that information or data for profit.~~ 78  
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~~(b) Information provided under this division for maintenance of the statewide voter registration database shall not be used to update the name or address of a registered elector. The name or address of a registered elector shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.~~ 80  
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~~(c) A board of elections shall contact a registered elector pursuant to the rules adopted under division (D)(7) of this section to verify the accuracy of the information in the statewide voter registration database regarding that elector if that information does not conform with information provided under division (A)(2)(a) of this section and the discrepancy would affect the elector's eligibility to cast a regular ballot.~~ 86  
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~~(3)(a) The secretary of state shall enter into agreements to share information or data that is in the possession of the secretary of state with other states or groups of states, as the secretary of state considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in division (A)(3)(b) of this section, the secretary of state shall ensure that any information or data provided to the secretary of state that is confidential in the possession of the state providing the data remains confidential while in the possession of the secretary of state.~~ 93  
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~~(b) The secretary of state may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database. The~~ 104  
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~~secretary of state shall adopt rules pursuant to Chapter 119. of 108  
the Revised Code identifying the persons or organizations who may 109  
receive that information or data. The secretary of state shall not 110  
share that information or data with a person or organization not 111  
identified in those rules. The secretary of state shall ensure 112  
that a person or organization that receives confidential 113  
information or data under this division keeps the information or 114  
data confidential in the person's or organization's possession by, 115  
at a minimum, entering into a confidentiality agreement with the 116  
person or organization. Any confidentiality agreement entered into 117  
under this division shall include a requirement that the person or 118  
organization submit to the jurisdiction of this state in the event 119  
that the person or organization breaches the agreement. 120~~

~~(4) No person or entity that receives information or data 121  
under division (A)(3) of this section shall sell the information 122  
or data or use the information or data for profit. 123~~

~~(5) The secretary of state shall regularly transmit to the 124  
boards of elections, to the extent permitted by state and federal 125  
law, the information and data the secretary of state receives 126  
under divisions (A)(2) and (3) of this section that is necessary 127  
to do the following, in order to ensure that the accuracy of the 128  
statewide voter registration database is maintained on a regular 129  
basis in accordance with applicable state and federal law. 130~~

~~(a) Require the boards of elections to maintain the database 131  
in a manner that ensures that the name of each registered elector 132  
appears in the database, that only individuals who are not 133  
registered or eligible to vote are removed from the database, and 134  
that duplicate registrations are eliminated from the database. 135~~

~~(b) Require the boards of elections to make a reasonable 136  
effort to remove individuals who are not eligible to vote from the 137~~

database; 138

~~(c) Establish safeguards to ensure that eligible electors are not removed in error from the database.~~ 139  
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~~(B)~~ The statewide voter registration database established under this section shall be the official list of registered voters electors for all elections conducted in this state. 141  
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~~(C)~~(B) The statewide voter registration database established under this section shall, at a minimum, include all of the following: 144  
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(1) An electronic network that connects all board of elections offices with the office of the secretary of state and with the offices of all other boards of elections; 147  
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(2) A computer program that harmonizes the records contained in the database with records maintained by each board of elections; 150  
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(3) An interactive computer program that allows access to the records contained in the database by each board of elections and by any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database; 153  
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(4) A search program capable of verifying registered voters electors and their registration information by name, driver's license or state identification card number, birth date, social security number, or current address; 158  
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(5) Safeguards and components to ensure that the integrity, security, and confidentiality of the voter registration information is maintained; 162  
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(6) Methods to retain canceled voter registration records for 165

not less than five years after they are canceled and to record the reason for their cancellation.

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(C) For each registered elector, the statewide voter registration database shall include all of the following information:

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(1) The elector's name;

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(2) The elector's birth date;

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(3) The elector's current residence address;

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(4) The elector's precinct number;

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(5) The elector's Ohio driver's license or state identification card number, if available;

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(6) The last four digits of the elector's social security number, if available;

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(7) The elector's telephone number, if available;

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(8) The elector's electronic mail address, if available;

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(9)(a) The elector's voter registration date, which shall be determined based on the elector's most recent application to register to vote in this state, subject to division (C)(9)(b) of this section, as follows:

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(i) In the case of an application delivered in person to a state or local office of a designated agency, the office of the registrar or any deputy registrar of motor vehicles, a public high school or vocational school, a public library, or the office of a county treasurer, the date stamped on the application upon receipt by the entity that transmits the application to the board of elections or the secretary of state;

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(ii) In the case of an application delivered in person to a

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board of elections or the secretary of state, the date stamped on 193  
the application upon receipt by the board of elections or the 194  
secretary of state, as applicable; 195

(iii) In the case of an application delivered by mail to a 196  
board of elections or the secretary of state, the date the 197  
application is postmarked; 198

(iv) In the case of an application submitted through the 199  
online voter registration system established under section 3503.20 200  
of the Revised Code, the date of the online submission; 201

(v) In the case of an application submitted to a board of 202  
elections by facsimile transmission or electronic mail under 203  
Chapter 3511. of the Revised Code, the date of the receipt of the 204  
transmission or electronic mail by the board of elections; 205

(vi) In the case of a provisional ballot affirmation that 206  
serves as an application to register to vote in future elections 207  
because the individual who cast the ballot is not registered to 208  
vote, the date the board of elections determines that the 209  
provisional ballot is invalid under section 3505.183 of the 210  
Revised Code. 211

(b) For purposes of determining an elector's voter 212  
registration date under division (C)(9)(a) of this section, all of 213  
the following apply: 214

(i) An elector's voter registration date shall not be during 215  
the period beginning on the day after the close of voter 216  
registration before an election and ending on the day of the 217  
election. If the date determined under division (C)(9)(a) of this 218  
section would be during that period, the voter registration date 219  
instead shall be the date on which the board of elections 220  
processes the application to register to vote after the day of the 221

election. 222

(ii) A change of address or change of name form, including a provisional ballot affirmation that serves as a change of address or change of name form, is not considered an application to register to vote. 223  
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(iii) An application to register to vote that is submitted by an individual who is already registered to vote in this state is not considered an application to register to vote. 227  
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(10) The elector's voting history, including all of the following for each election in which the elector cast a ballot that was counted: 230  
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(a) The date of the election; 233

(b) If the election was a primary election, the political party whose ballot the elector cast at the primary election or an indication that the elector voted only on the questions and issues appearing on the ballot at a special election held on the day of the primary election; 234  
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(c) The type of ballot the elector cast. 239

(11) The elector's last activity date, which shall be determined in accordance with rules adopted by the secretary of state pursuant to Chapter 119. of the Revised Code. 240  
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(12) Any other information the secretary of state requires to be included by rule adopted pursuant to Chapter 119. of the Revised Code. 243  
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(D) Every day during the period beginning on the forty-sixth day before an election and ending on the eighty-first day after the day of the election, a board of elections shall create a daily record of its voter registration database as of four p.m. and 246  
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shall transmit the daily record to the secretary of state in a 250  
secure manner prescribed by the secretary of state. The secretary 251  
of state shall archive the daily record and retain it for at least 252  
twenty-two months after the day of the election. 253

(E) The secretary of state shall adopt rules pursuant to 254  
 Chapter 119. of the Revised Code to implement this section and 255  
sections 3503.151 to 3503.153 of the Revised Code, including rules 256  
 doing all of the following: 257

(1) Specifying the manner in which ~~existing~~ any voter 258  
 registration records maintained by boards of elections in other 259  
data formats shall be converted ~~to electronic files~~ for inclusion 260  
 in the statewide voter registration database; 261

(2) Establishing a uniform method for entering voter 262  
 registration records into the statewide voter registration 263  
 database on an expedited basis, but not less than once per day, if 264  
 new registration information is received, and for transmitting 265  
information securely to the secretary of state; 266

(3) Establishing a uniform method for purging canceled voter 267  
 registration records from the statewide voter registration 268  
 database in accordance with section 3503.21 of the Revised Code; 269

(4) Specifying the persons authorized to add, delete, modify, 270  
 or print records contained in the statewide voter registration 271  
 database and to make updates of that database; 272

(5) Establishing a process for annually auditing the 273  
 information contained in the statewide voter registration 274  
 database; 275

~~(6) Establishing, by mutual agreement with the bureau of~~ 276  
~~motor vehicles, the content and format of the information and data~~ 277  
~~the bureau of motor vehicles shall provide to the secretary of~~ 278

~~state under division (A)(2)(a) of this section and the frequency with which the bureau shall provide that information and data;~~ 279  
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~~(7) Establishing a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (A)(2)(a) or (3)(a) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency.~~ 281  
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~~(E)(F)~~ A board of elections promptly shall purge a voter's name and voter registration information from the statewide voter registration database in accordance with the rules adopted by the secretary of state under division ~~(D)(3)~~(E)(3) of this section after the cancellation of a voter's registration under section 3503.21 of the Revised Code. 289  
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~~(F)(G)~~ The secretary of state shall provide training in the operation of the statewide voter registration database to each board of elections and to any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database. 295  
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~~(G)(1) The statewide voter registration database established under this section shall be made available on a web site of the office of the secretary of state as follows:~~ 300  
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~~(a) Except as otherwise provided in division (G)(1)(b) of this section, the following information from the statewide voter registration database regarding a registered voter shall be made available on the web site:~~ 303  
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~~(i) The voter's name;~~ 307

~~(ii) The voter's address; 308~~

~~(iii) The voter's precinct number; 309~~

~~(iv) The voter's voting history. 310~~

~~(b) During the thirty days before the day of a primary or 311~~  
~~general election, the web site interface of the statewide voter 312~~  
~~registration database shall permit a voter to search for the 313~~  
~~polling location at which that voter may cast a ballot. 314~~

~~(2) The secretary of state shall establish, by rule adopted 315~~  
~~under Chapter 119. of the Revised Code, a process for boards of 316~~  
~~elections to notify the secretary of state of changes in the 317~~  
~~locations of precinct polling places for the purpose of updating 318~~  
~~the information made available on the secretary of state's web 319~~  
~~site under division (G)(1)(b) of this section. Those rules shall 320~~  
~~require a board of elections, during the thirty days before the 321~~  
~~day of a primary or general election, to notify the secretary of 322~~  
~~state within one business day of any change to the location of a 323~~  
~~precinct polling place within the county. 324~~

~~(3) During the thirty days before the day of a primary or 325~~  
~~general election, not later than one business day after receiving 326~~  
~~a notification from a county pursuant to division (G)(2) of this 327~~  
~~section that the location of a precinct polling place has changed, 328~~  
~~the secretary of state shall update that information on the 329~~  
~~secretary of state's web site for the purpose of division 330~~  
~~(G)(1)(b) of this section. 331~~

~~(H) The secretary of state shall conduct an annual review of 332~~  
~~the statewide voter registration database as follows: 333~~

~~(1) The secretary of state shall compare the information in 334~~  
~~the statewide voter registration database with the information the 335~~  
~~secretary of state obtains from the bureau of motor vehicles under 336~~

division (A)(2) of this section to identify any person who does 337  
all of the following, in the following order: 338

~~(a) Submits documentation to the bureau of motor vehicles 339  
that indicates that the person is not a United States citizen; 340~~

~~(b) Registers to vote, submits a voter registration change of 341  
residence or change of name form, or votes in this state; 342~~

~~(c) Submits documentation to the bureau of motor vehicles 343  
that indicates that the person is not a United States citizen. 344~~

~~(2) The secretary of state shall send a written notice to 345  
each person identified under division (H)(1) of this section, 346  
instructing the person either to confirm that the person is a 347  
United States citizen or to submit a completed voter registration 348  
cancellation form to the secretary of state. The secretary of 349  
state shall include a blank voter registration cancellation form 350  
with the notice. If the person fails to respond to the secretary 351  
of state in the manner described in division (H)(3) or (4) of this 352  
section not later than thirty days after the notice was sent, the 353  
secretary of state promptly shall send the person a second notice 354  
and form. 355~~

~~(3) If, not later than sixty days after the first notice was 356  
sent, a person who is sent a notice under division (H)(2) of this 357  
section responds to the secretary of state, confirming that the 358  
person is a United States citizen, the secretary of state shall 359  
take no action concerning the person's voter registration. 360~~

~~(4) If, not later than sixty days after the first notice was 361  
sent, a person who receives a notice under division (H)(2) of this 362  
section sends a completed voter registration cancellation form to 363  
the secretary of state, the secretary of state shall instruct the 364  
board of elections of the county in which the person is registered 365~~

~~to cancel the person's registration.~~

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~~(5) If a person who was sent a second notice under division (H)(2) of this section fails to respond to the secretary of state in the manner described in division (H)(3) or (4) of this section not later than thirty days after the second notice was sent, the secretary of state shall refer the matter to the attorney general for further investigation and possible prosecution under section 3599.11, 3599.12, 3599.13, or any other applicable section of the Revised Code. If, after the thirtieth day after the second notice was sent, the person sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration and shall notify the attorney general of the cancellation.~~

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~~(6) The secretary of state shall not conduct the review described in division (H) of this section during the ninety days immediately preceding a primary or general election for federal office. A board of elections and any vendor with which it contracts to provide voter registration software or related services shall ensure that the board's voter registration system and practices comply with the requirements of this section and any rules adopted under this section.~~

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**Sec. 3503.151.** ~~(A) The secretary of state, through the office of data analytics and archives, and the boards of elections shall maintain the accuracy of the statewide voter registration database in accordance with this section.~~

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~~(B)(1) State agencies, including, but not limited to, the department of health, the bureau of motor vehicles, the department of job and family services, the department of medicaid, and the~~

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department of rehabilitation and corrections, shall provide any 395  
information and data to the secretary of state that is collected 396  
in the course of normal business and that is necessary to register 397  
to vote, to update an elector's registration, or to maintain the 398  
statewide voter registration database, except where prohibited by 399  
federal law or regulation. The department of health, the bureau of 400  
motor vehicles, the department of job and family services, the 401  
department of medicaid, and the department of rehabilitation and 402  
corrections shall provide that information and data to the 403  
secretary of state not later than the last day of each month. The 404  
secretary of state shall ensure that any information or data 405  
provided to the secretary of state that is confidential in the 406  
possession of the entity providing the data remains confidential 407  
while in the possession of the secretary of state. No public 408  
office, and no public official or employee, shall sell that 409  
information or data or use that information or data for profit. 410

(2) The secretary of state shall adopt rules under Chapter 411  
119. of the Revised Code that establish, by mutual agreement with 412  
the bureau of motor vehicles, the content and format of the 413  
information and data the bureau of motor vehicles shall provide to 414  
the secretary of state under division (B)(1) of this section and 415  
the frequency with which the bureau shall provide that information 416  
and data. 417

(C)(1) The secretary of state shall enter into agreements to 418  
share information or data that is in the possession of the 419  
secretary of state with other states or groups of states, as the 420  
secretary of state considers necessary, in order to maintain the 421  
statewide voter registration database. Except as otherwise 422  
provided in division (C)(2) of this section, the secretary of 423  
state shall ensure that any information or data provided to the 424  
secretary of state that is confidential in the possession of the 425

state providing the data remains confidential while in the 426  
possession of the secretary of state. 427

(2) The secretary of state may provide such otherwise 428  
confidential information or data to persons or organizations that 429  
are engaging in legitimate governmental purposes related to the 430  
maintenance of the statewide voter registration database. The 431  
secretary of state shall adopt rules pursuant to Chapter 119. of 432  
the Revised Code identifying the persons or organizations who may 433  
receive that information or data. The secretary of state shall not 434  
share that information or data with a person or organization not 435  
identified in those rules. The secretary of state shall ensure 436  
that a person or organization that receives confidential 437  
information or data under this division keeps the information or 438  
data confidential in the person's or organization's possession by, 439  
at a minimum, entering into a confidentiality agreement with the 440  
person or organization. Any confidentiality agreement entered into 441  
under this division shall include a requirement that the person or 442  
organization submit to the jurisdiction of this state in the event 443  
that the person or organization breaches the agreement. 444

(3) No person or entity that receives information or data 445  
under division (C) of this section shall sell the information or 446  
data or use the information or data for profit. 447

(D) The secretary of state shall regularly transmit to the 448  
boards of elections, to the extent permitted by state and federal 449  
law, the information and data the secretary of state receives 450  
under divisions (B) and (C) of this section that is necessary to 451  
do the following, in order to ensure that the accuracy of the 452  
statewide voter registration database is maintained on a regular 453  
basis in accordance with applicable state and federal law: 454

(1) Require the boards of elections to maintain the database 455

in a manner that ensures that the name of each registered elector appears in the database, that only individuals who are not registered or eligible to vote are removed from the database, and that duplicate registrations are eliminated from the database; 456  
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(2) Require the boards of elections to make a reasonable effort to remove individuals who are not eligible to vote from the database; 460  
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(3) Establish safeguards to ensure that eligible electors are not removed in error from the database. 463  
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(E)(1) The secretary of state shall adopt rules under Chapter 119. of the Revised Code to establish a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (B) or (C) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency. 465  
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(2) Information provided under division (B) or (C) of this section for maintenance of the statewide voter registration database shall not be used to update the name or address of a registered elector. The name or address of a registered elector shall only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both. 474  
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(3) A board of elections shall contact a registered elector pursuant to the rules adopted under division (E)(1) of this section to verify the accuracy of the information in the statewide voter registration database regarding that elector if that information does not conform with information provided under division (B) or (C) of this section and the discrepancy would 480  
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affect the elector's eligibility to cast a regular ballot. 486

Sec. 3503.152. The secretary of state shall conduct an annual 487  
review of the statewide voter registration database to identify 488  
persons who appear not to be United States citizens, as follows: 489  
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(A) The secretary of state shall compare the information in 491  
the statewide voter registration database with the information the 492  
secretary of state obtains from the bureau of motor vehicles under 493  
section 3503.151 of the Revised Code to identify any person who 494  
does all of the following, in the following order: 495

(1) Submits documentation to the bureau of motor vehicles 496  
that indicates that the person is not a United States citizen; 497

(2) Registers to vote, submits a voter registration change of 498  
residence or change of name form, or votes in this state; 499

(3) Submits documentation to the bureau of motor vehicles 500  
that indicates that the person is not a United States citizen. 501

(B) The secretary of state shall send a written notice to 502  
each person identified under division (A) of this section, 503  
instructing the person either to confirm that the person is a 504  
United States citizen or to submit a completed voter registration 505  
cancellation form to the secretary of state. The secretary of 506  
state shall include a blank voter registration cancellation form 507  
with the notice. If the person fails to respond to the secretary 508  
of state in the manner described in division (C) or (D) of this 509  
section not later than thirty days after the notice is sent, the 510  
secretary of state promptly shall send the person a second notice 511  
and form. 512

(C) If, not later than sixty days after the first notice is 513

sent, a person who is sent a notice under division (B) of this section responds to the secretary of state, confirming that the person is a United States citizen, the secretary of state shall take no action concerning the person's voter registration. 514  
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(D) If, not later than sixty days after the first notice was sent, a person who receives a notice under division (B) of this section sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration. 518  
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(E) If a person who is sent a second notice under division (B) of this section fails to respond to the secretary of state in the manner described in division (C) or (D) of this section not later than thirty days after the second notice is sent, the secretary of state shall refer the matter to the attorney general for further investigation and possible prosecution under section 3599.11, 3599.12, 3599.13, or any other applicable section of the Revised Code. If, after the thirtieth day after the second notice is sent, the person sends a completed voter registration cancellation form to the secretary of state, the secretary of state shall instruct the board of elections of the county in which the person is registered to cancel the person's registration and shall notify the attorney general of the cancellation. 524  
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(F) The secretary of state shall not conduct the review described in this section during the ninety days immediately preceding a primary or general election for federal office. 537  
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**Sec. 3503.153.** (A) The statewide voter registration database shall be made available on a web site of the office of the secretary of state as follows: 540  
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(1) Except as otherwise provided in division (A)(2) of this section, the following information from the statewide voter registration database regarding a registered elector shall be made available on the web site: 543  
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(a) The elector's name; 547

(b) The elector's birth date; 548

(c) The elector's current residence address; 549

(d) The elector's precinct number; 550

(e) The elector's voter registration date, as described in division (C)(9) of section 3503.15 of the Revised Code; 551  
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(f) The elector's voting history, as described in division (C)(10) of section 3503.15 of the Revised Code; 553  
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(g) The elector's last activity date, as described in division (C)(11) of section 3503.15 of the Revised Code. 555  
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(2) During the thirty days before the day of a primary or general election, the web site interface of the statewide voter registration database shall permit an elector to search for the polling location at which that elector may cast a ballot. 557  
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(3) No information in the statewide voter registration database that is exempt from disclosure under division (A)(2) of section 3503.13 of the Revised Code shall be made available on the web site. 561  
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(B)(1) The secretary of state shall establish, by rule adopted under Chapter 119. of the Revised Code, a process for boards of elections to notify the secretary of state of changes in the locations of precinct polling places for the purpose of updating the information made available on the secretary of state's web site under division (A)(2) of this section. Those 565  
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rules shall require a board of elections, during the thirty days 571  
before the day of a primary or general election, to notify the 572  
secretary of state within one business day of any change to the 573  
location of a precinct polling place within the county. 574

(2) During the thirty days before the day of a primary or 575  
general election, not later than one business day after receiving 576  
a notification from a county pursuant to division (B)(1) of this 577  
section that the location of a precinct polling place has changed, 578  
the secretary of state shall update that information on the 579  
secretary of state's web site for the purpose of division (A)(2) 580  
of this section. 581

**Sec. 3505.31.** When the results of the voting in a polling 582  
 place on the day of an election have been determined and entered 583  
 upon the proper forms and the certifications of those results have 584  
 been signed by the precinct officials, those officials, before 585  
 leaving the polling place, shall place all ballots that they have 586  
 counted in containers provided for that purpose by the board of 587  
 elections, and shall seal each container in a manner that it 588  
 cannot be opened without breaking the seal or the material of 589  
 which the container is made. They shall also seal the pollbook, 590  
 poll list or signature pollbook, and tally sheet in a manner that 591  
 the data contained in these items cannot be seen without breaking 592  
 the seals. On the outside of these items shall be a plain 593  
 indication that they are to be filed with the board. The voting 594  
 location manager and an employee or appointee of the board of 595  
 elections who has taken an oath to uphold the laws and 596  
 constitution of this state, including an oath that the person will 597  
 promptly and securely perform the duties required under this 598  
 section and who is a member of a different political party than 599  
 the voting location manager, shall then deliver to the board the 600

containers of ballots and the sealed pollbook, poll list, and 601  
 tally sheet, together with all other election reports, materials, 602  
 and supplies required to be delivered to the board. 603

The board shall carefully preserve all ballots prepared and 604  
 provided by it for use in an election, whether used or unused, 605  
including any electronic images of ballots, for ~~sixty~~ at least 606  
eighty-one days after the day of the election, except that, if an 607  
 election includes the nomination or election of candidates for any 608  
 of the offices of president, vice-president, presidential elector, 609  
 member of the senate of the congress of the United States, or 610  
 member of the house of representatives of the congress of the 611  
 United States, the board shall carefully preserve all ballots 612  
 prepared and provided by it for use in that election, whether used 613  
 or unused, for twenty-two months after the day of the election. If 614  
 an election is held within that ~~sixty-day~~ eighty-one-day period, 615  
 the board shall have authority to transfer those ballots to other 616  
 containers to preserve them until the ~~sixty-day~~ eighty-one-day 617  
 period has expired. After that ~~sixty-day~~ eighty-one-day period, 618  
 the ballots shall be disposed of by the board in a manner that the 619  
 board orders, or where voting machines have been used the counters 620  
 may be turned back to zero; provided that the secretary of state, 621  
 within that ~~sixty-day~~ eighty-one-day period, may order the board 622  
 to preserve the ballots or any part of the ballots for a longer 623  
 period of time, in which event the board shall preserve those 624  
 ballots for that longer period of time. 625

In counties where voting machines are used, if an election is 626  
 to be held within the ~~sixty~~ eighty-one days immediately following 627  
 a primary, general, or special election or within any period of 628  
 time within which the ballots have been ordered preserved by the 629  
 secretary of state or a court of competent jurisdiction, the 630  
 board, after giving notice to all interested parties and affording 631

them an opportunity to have a representative present, shall open 632  
the compartments of the machines and, without unlocking the 633  
machines, shall recanvass the vote cast in them as if a recount 634  
were being held. The results shall be certified by the board, and 635  
this certification shall be filed in the board's office and 636  
retained for the remainder of the period for which ballots must be 637  
kept. After preparation of the certificate, the counters may be 638  
turned back to zero, and the machines may be used for the 639  
election. 640

The board shall carefully preserve the pollbook, poll list or 641  
signature pollbook, and tally sheet delivered to it from each 642  
polling place until it has completed the official canvass of the 643  
election returns from all precincts in which electors were 644  
entitled to vote at an election, and has prepared and certified 645  
the abstracts of election returns, as required by law. The board 646  
shall not break, or permit anyone to break, the seals upon the 647  
pollbook, poll list or signature pollbook, and tally sheet, or 648  
make, or permit any one to make, any changes or notations in these 649  
items, while they are in its custody, except as provided by 650  
section 3505.32 of the Revised Code. 651

Pollbooks and poll lists or signature pollbooks of a party 652  
primary election delivered to the board from polling places shall 653  
be carefully preserved by it for two years after the day of 654  
election in which they were used, and shall then be disposed of by 655  
the board in a manner that the board orders. 656

Pollbooks, poll lists or signature pollbooks, tally sheets, 657  
summary statements, and other records and returns of an election 658  
delivered to it from polling places shall be carefully preserved 659  
by the board for two years after the day of the election in which 660  
they were used, and shall then be disposed of by the board in a 661  
manner that the board orders." 662

In line 73969, after "3501.27," insert "3503.13, 3503.15, 3505.31,"

After line 131026, insert:

"Section 735.\_\_. (A) Sections 3503.13, 3503.15, and 3505.31 of the Revised Code, as amended by this act, and sections 111.11, 3503.151, 3503.152, and 3503.153 of the Revised Code, as enacted by this act, shall be known as the Data Analysis Transparency Archive (DATA) Act.

(B) The General Assembly intends to appropriate funds to the Office of the Secretary of State to pay the costs incurred by the Secretary of State and the boards of elections in meeting the requirements of those sections, as amended and enacted by this act."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Data Analysis Transparency Archive (DATA) Act**

**R.C. 111.11, 3503.13, 3503.15, 3503.151, 3503.152, 3503.153, and 3505.31; Section 735.\_\_**

Enacts the Data Analysis Transparency Archive (DATA) Act, as described below.

Creates the Office of Data Analytics and Archives in the Office of the Secretary of State (SOS), which must retain, analyze, and publish election data and business services data.

Codifies the data fields that must be included in the Statewide Voter Registration Database (SWVRD) for each registered

elector and institutes uniform requirements for related recordkeeping. 686  
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Requires the boards of elections to create daily archives of their voter registration databases and send them to SOS during the period beginning on the 46th day before an election and ending on the 81st day after an election. 688  
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Specifies that voter registration forms and the SWVRD are public records subject to disclosure under the Public Records Law in the same manner as records of other public offices, instead of requiring those records to be open to public inspection under a separate provision of law. 692  
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Clarifies which pieces of information contained in a voter registration record are subject to disclosure and must be available on the public web site version of the SWVRD. 697  
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Requires the boards of elections to preserve all used and unused ballots from a nonfederal election for at least 81 days after the day of the election, instead of 60 days as required under current law. 700  
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States that the General Assembly intends to appropriate funds to SOS to pay the costs incurred by SOS and the boards of elections in meeting the amendment's requirements. 704  
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